

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 28, 2012 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Adams

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

NOTE: If a translator is required, please advise when reserving time to speak

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 29, 2012 - 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 1 through 46

MISCELLANEOUS - NUMBERS 1 through 8

1. REQUEST from Mayor for confirmation of the appointment of **MR. PETER BROWN, Houston Independent School District representative**, to Position Six of the **EAST DOWNTOWN REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire July 6, 2014
2. REQUEST from Mayor for confirmation of the appointment of **JUDGE BILL C. LITTLEJOHN, Houston Independent School District representative**, to Position Eight of the **BOARD OF DIRECTORS OF THE FOURTH WARD REDEVELOPMENT AUTHORITY**, for a term to expire June 8, 2014

MISCELLANEOUS - continued

3. REQUEST from Mayor for confirmation of the reappointment of **MS. EDWINA B. LOCHE BARRETT, Houston Independent School District representative**, to Position Six of the **BOARD OF DIRECTORS OF THE FIFTH WARD REDEVELOPMENT AUTHORITY**, for a term to expire July 20, 2014
4. REQUEST from Mayor for confirmation of the reappointment of **MR. ROBERT "BOB" CASEY, III, Houston Independent School District representative**, to Position Six of the **UPPER KIRBY REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire July 20, 2014
5. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **OFFICE OF BUSINESS OPPORTUNITY ADVISORY BOARD**:
 - Position One - **LANA KAY COBLE**, for a term to expire 1/2/2013
 - Position Two - **VLADIMIR NARANJO**, for a term to expire 1/2/2014
 - Position Three - **MASSEY VILLARREAL**, for a term to expire 1/2/2013
 - Position Four - **RAMESH GUNDA**, for a term to expire 1/2/2014
 - Position Five - **ALICIA B. JIMERSON**, for a term to expire 1/2/2013, and to serve as Chair
 - Position Six - **DELL TRAHAN**, for a term to expire 1/2/2014
 - Position Seven - **SAMUEL K. EATON, SR.**, for a term to expire 1/2/2013
 - Position Eight - **MICHAEL A. RIVERA**, for a term to expire 1/2/2014
 - Position Nine - **J.R. (BOB) JONES**, for a term to expire 1/2/2013
 - Position Ten - **ALAN D. BERGERON**, for a term to expire 1/2/2014
 - Position Eleven - **MARIA RIOS**, for a term to expire 1/2/2013
 - Position Twelve - **SAM MERCHANT**, for a term to expire 1/2/2014
 - Position Thirteen - **MARLON MITCHELL**, for a term to expire 1/2/2013
 - Position Fourteen - **LAURIE VIGNAUD**, for a term to expire 1/2/2014
 - Position Fifteen - **CHERYL COLSON**, for a term to expire 1/2/2013
6. RECOMMENDATION from the Director of the Finance Department that the City Council receive the 2012 Appraisal Roll Information, Certification of the Anticipated Collection Rate and appoint Jennifer Chen and Alma Tamborello to calculate and publish the City's Effective and Rollback Tax Rates in accordance with the "Truth-In-Taxation" provisions of the State Tax Code
7. RECOMMENDATION from Director Parks & Recreation Department relative to the establishment of rental fees for the new Kingwood Community Center - **DISTRICT E - SULLIVAN**
8. RECOMMENDATION from Director Department of Public Works & Engineering for payment of Subscriber Fees for **WATER ENVIRONMENT RESEARCH FOUNDATION** for Year 2012 \$88,769.52 - Enterprise Fund

ACCEPT WORK - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,962,259.21 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.**, for Brays Village Drainage Improvements - 4.90% under the original contract amount - **DISTRICT F - HOANG**

PROPERTY - NUMBER 10

10. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court and pay the costs of Court in connection with eminent domain proceeding styled City of Houston v. Richard Nguyen and Nancy Huynh, et al., Cause No. 1011755; for acquisition of Parcels AY8-285 and AY8-290; for the **YALE STREET IMPROVEMENTS PROJECT, (Tidwell - W. Parker)** - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 13

11. **HOUSTON FREIGHTLINER, INC** for Medium-Duty Cab & Chassis and Truck Body through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Fire Department - \$152,409.00 - Grant Fund
12. **SCOTT TECHNOLOGIES, INC dba SCOTT SAFETY** for Fire Ground Communication Equipment for the Houston Fire Department - 3 Years with two one-year options - \$631,616.70 - General Fund
13. **POLYDYNE, INC** for Chemical, Liquid Polymer Flocculent for Department of Public Works & Engineering - 5 Years - \$15,167,529.00 - Enterprise Fund

ORDINANCES - NUMBERS 14 through 46

14. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 15-foot-wide sanitary sewer easement in the John Reinerman Survey, A-642, Harris County, Texas; vacating and abandoning the easement to JLB Park Memorial Partners L.P., abutting owner, in consideration of payment to the City of \$78,318.00 and other consideration - **DISTRICT C - COHEN**
15. ORDINANCE approving and authorizing contract between the City and the **DEPARTMENT OF STATE HEALTH SERVICES** (No. 2013-041160) for 12 various Health and Human Services Programs for Fiscal Year 2013; approving the acceptance and disbursement of funds thereunder
16. ORDINANCE approving and authorizing Participation Agreement between the City and **GREATER HOUSTON HEALTHCONNECT, INC** for an Internet-based System that provides for Secure Electronic Exchange of Protected Health Information among hospitals; providing a maximum contract amount - 1 Year with four one-year renewals - \$160,000.00 - General Fund
17. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY** to provide a \$800,000.00 grant of Federal Community Development Block Grant Funds to assist in the construction of Capital Improvements to a Public Cemetery located at 21122 Crosby Eastgate Road, Crosby, Harris County, Texas
18. ORDINANCE approving and authorizing execution of Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for Mutual Access to Video Networks
19. ORDINANCE approving the change of control of **CEQUEL III COMMUNICATIONS I, LLC dba SUDDENLINK COMMUNICATIONS** that holds the right, privilege and franchise to own, operate and maintain a Cable Television System within the City of Houston, pursuant to City of Houston, Texas Ordinance No. 2003-621 - **DISTRICT E - SULLIVAN**
20. ORDINANCE calling a Public Hearing at which interested persons will be given the opportunity to be heard on the Report to City Council by the Director of the Administration and Regulatory Affairs Department recommending termination of the Cable Television Franchise granted to TVMAX Houston, L.P. by City of Houston, Texas Ordinance No. 2005-582, as amended by Ordinance No. 2010-559
HEARING DATE - WEDNESDAY - 9:00 A.M. - OCTOBER 31, 2012
21. ORDINANCE setting the date and times of three public hearings on Public Improvement Bond Propositions "A" through "E" to be submitted to voters at a Special Election on November 6, 2012
HEARING DATES - WEDNESDAY - 9:00 A.M. - SEPTEMBER 19, 2012 and 6:00 P.M. - SEPTEMBER 26 and OCTOBER 3, 2012

ORDINANCES - continued

22. ORDINANCE amending Ordinance No. 2011-388, subsequently amended by Ordinance Nos. 2011-399 and 2011-738, for the purpose of updating the listing of the Harris, Fort Bend, and Montgomery Counties' Voting Precincts that comprise the single member council districts
23. ORDINANCE approving and authorizing Lease Agreement between **UCM/GP - 1301 FANNIN, L.P. as Landlord**, and the City of Houston, Texas, as Tenant, at 1301 Fannin Street, Houston, Texas, for three years, for use by the Houston Police Department - **DISTRICT I - RODRIGUEZ**
24. ORDINANCE approving and authorizing Lease Agreement between **NORTH HOUSTON, LP, Landlord**, and the City of Houston, Texas, Tenant, for Lease at 12941 North Freeway, Houston, Texas, for the Houston Police Department - **DISTRICT B - DAVIS**
25. ORDINANCE approving and authorizing Sub-Grant Agreement between the **UNITED STATES SOCCER FEDERATION FOUNDATION, INC** and the City of Houston Parks & Recreation Department for the Houston Soccer for Success After-School Program - **DISTRICTS A - BROWN; B - DAVIS; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ**
26. ORDINANCE approving and authorizing the execution of an agreement between the City of Houston and **GENESYS WORKS HOUSTON** for Participation of High School Student Interns in Various City Departments - 2 Years with three automatic one-year renewals - \$100,000.00 General and Special Revenue Funds
27. ORDINANCE approving and authorizing a Change Order between the City of Houston and **AT&T, INC** for a Telecommunications Expense Management System for the Information Technology Department under an existing contract with the Texas Department of Information Resources
 - a. MOTION authorizing issuance of purchase orders to **AT&T, INC** for an enterprise solution to a Telecommunications Expense Management System through the Texas Department of Information Resources for the Information Technology Department - 3 Years with two one-year options \$2,000,000.00 - Central Service Revolving Fund
28. ORDINANCE issuing a permit to **DCP SOUTHERN HILLS PIPELINE, LLC** to operate, maintain, improve, repair and replace one existing pipeline and one new pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS B - DAVIS; E - SULLIVAN and I - RODRIGUEZ**
29. ORDINANCE issuing a permit to **NETCO PIPELINE, L.L.C.** to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICTS A - BROWN; B - DAVIS; F - HOANG and G - PENNINGTON**
30. ORDINANCE approving and authorizing agreement between the **TEXAS DEPARTMENT OF TRANSPORTATION** and the City of Houston for the construction of Museum District/Main Street Corridor Improvement Project - **DISTRICTS C - COHEN and D - ADAMS**
31. MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 21.5656 acres commonly known as 2601 Spenwick Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT A - BROWN**

ORDINANCES - continued

32. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Fondren Road Project from Hillcroft to McHard/FM2234; authorizing the acquisition of Fee Simple Title Interest in or easement to 11 parcels of land required for the project and situated in the Edward Drew Survey, Abstract No. 163 and the John Lafayette Survey, Abstract No. 280; in Harris County, Texas, said parcels of land being located between Hillcroft and McHard/FM2234 in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 11 parcels of land required for the project - **DISTRICT K - GREEN**
33. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the Public Improvement Project known as the North Houston Rosslyn at Breen Intersection Improvements Project; authorizing the acquisition of Fee Simple Title Interest in or easement to 3 parcels of land required for the project and situated in the Wiley S. Powell 1/3 of League Survey, Abstract No. 622 and the T.M. Dorsett 1/3 of League Survey, Abstract No. 222; in Harris County, Texas, said parcels of land being located at the intersection of North Houston Rosslyn Road and Breen Street in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 3 parcels of land required for the project - **DISTRICT A - BROWN**
34. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Northline Reconstruction Project from Parker to Canino; authorizing the acquisition of Fee Simple Title Interest in or easement to 11 parcels of land required for the project and situated in the John Durkee Survey, Abstract No. 1070, also known as the H.T.&C. R.R. Co. Survey, Block 1, Section 8, and the H.T.&C. R.R. Co. Survey, Block 1, Section 7, Abstract No. 429; in Harris County, Texas, said parcels of land being along the east and west lines of Northline Drive from Parker to Canino in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple Title Interest in or easement to the 11 parcels of land required for the project - **DISTRICT H - GONZALEZ**
35. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Willowchase Lift Station Diversion Project from Mills Road to Willowchase Boulevard; authorizing the acquisition of permanent easements in three parcels of land and a temporary construction easement in one parcel of land situated in the A. Herrington Survey, Abstract No. 380, in Harris County, Texas, said parcels of land being located on the westerly side of F.M. 1960 between Mills Road and Willowchase Boulevard, in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of easement interest in the land required for the project - **DISTRICT A - BROWN**
36. ORDINANCE approving the transfer of Water & Wastewater Services of customers with **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 321 (“HCMUD”)**; providing an effective date for transfer of service and rate changes; providing notice to customers within HCMUD 321 of the effective date and the new Water & Wastewater Rates

ORDINANCES - continued

37. ORDINANCE consenting to the addition of 71.247 acres of land to **NEW CANEY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district
38. ORDINANCE consenting to the addition of 4.9880 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 32**, for inclusion in its district
39. ORDINANCE establishing the north and south sides of the 3400-3500 block of North Parkwood Drive within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**
40. ORDINANCE establishing the north and south sides of the 3400-3600 block of South Parkwood Drive within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**
41. ORDINANCE appropriating \$65,000.00 out of Street & Traffic Control and Storm Drainage DDSRF, \$80,000.00 out of Water & Sewer System Consolidated Construction Fund for advertising costs for construction of various C.I.P. Projects to be financed by the respective funds for the Department of Public Works & Engineering
42. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston, **THE CITY OF DALLAS, THE NORTH TEXAS MUNICIPAL WATER DISTRICT, THE TARRANT REGIONAL WATER DISTRICT**, and the **TRINITY RIVER AUTHORITY OF TEXAS** to conduct a Study of Environmental Flow Conditions and Requirements along the Trinity River Basin into Galveston Bay - \$20,900.00 - Enterprise Fund
43. ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **BATTLEGROUND OIL SPECIALTY TERMINAL COMPANY, LLC** - Revenue
44. ORDINANCE appropriating \$5,930,404.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4257-127)
45. ORDINANCE appropriating \$5,524,844.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4257-128)
46. ORDINANCE appropriating \$765,358.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-74)

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 47 and 48

MISCELLANEOUS

47. RECEIVE nominations for Positions 10 and 12 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2014
48. RECEIVE nominations for appointments to Positions One through Four of the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS**, for the remainder of a two year term that will end December 31, 2013

MATTERS HELD - NUMBERS 49 through 51

49. ORDINANCE **AMENDING RULE 6 OF SECTION 2-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Code of Conduct applicable to Council Members
TAGGED BY COUNCIL MEMBER BROWN
This was Item 10 on Agenda of August 22, 2012
50. ORDINANCE **AMENDING VARIOUS PROVISIONS OF CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Ethics and Financial Disclosure; declaring certain conduct to be unlawful and providing penalties therefore
TAGGED BY COUNCIL MEMBER SULLIVAN
This was Item 11 on Agenda of August 22, 2012
51. ORDINANCE appropriating \$18,314,084.00 out of Street & Traffic Control & Storm Drainage DDSRF, \$4,417,346.00 out of Metro Projects Construction DDSRF and \$3,999,570.00 from Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION CO.** for Hirsch Road Paving and Drainage: Kelley to East Crosstimbers; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, CIP Cost Recovery, construction management and contingencies relating to construction of facilities financed by the Street & Traffic Control & Storm Drainage DDSRF, Metro Projects Construction DDSRF and Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - DAVIS and H - GONZALEZ**
TAGGED BY COUNCIL MEMBER DAVIS
This was Item 34 on Agenda of August 22, 2012

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Christie 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

**COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY
AUGUST 28, 2012 - 2:00PM**

NON-AGENDA

3MIN

3MIN

3MIN

MR. JOHN CIESWICZ – 1250 Dubarry – 77018 – 713-906-1725 – Drainage

MS. PRINCESS WILLIAMS – 17870 Lake Crest View Dr. – 77433 – 713-447-5343 – Internal Affairs
Division – harassment

MS. OPAL JACKSON – 6006 Bihia Forest – 77088 – 832-552-7987 – Harassment

MR. CARLOS GONZALEZ – 8510 Twillingate – 77040 – 832-212-8425 – Ticket problem – harassment

MR. JOSEPH OMO OMUARI – 3939 NW Frwy. 210 – 77022 – 832-696-9204 – You’ve been fired - Let God
separate them i.e. taxpayer Boss

MS. DEBORAH ELAINE ALLEN – Post Office Box 263252 – 77207-3252 – 713-264-0127 – Delete felony
from criminals twice to get a job

MR. JIM SCOTT – 1510 Eldridge Parkway – 77077 – 713-213-2453 – Fuel Saving

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - FA34511 – Behavior Coward Conspiracy
my born little girl from birth

PREVIOUS

1MIN

1MIN

1MIN

MS. KECHINYERE F. AZAGA – 2901 Fulton, No. 547 – 77009 – 713-223-0228 – Legal matter

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – 713-928-2800 - Suite 323 – US
President JC Martial Law – declared on – City Government – HoustonTx w/TX – State



ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

AUG 29 2012

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 8-15-12
date

COUNCIL MEMBER: _____

August 14, 2012

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to City of Houston, Texas Resolution No. 2000-27, the provisions of Subchapter D of Chapter 431 of the Texas Transportation Code and Chapter 394 of the Texas Local Government Code, I am nominating the following individual for appointment to the East Downtown Redevelopment Authority Board of Directors, subject to Council confirmation:

Mr. Peter Brown, Houston Independent School District representative, appointment to Position Six, for a term to expire July 6, 2014.

Résumé is attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

Attachment

cc: Mr. Tim Douglass, Deputy Director, Finance and Economic Development
Department
Mr. Ralph De Leon, Division Manager, Finance and Economic Development
Department
Ms. Suzanne Harrison, Board Services Manager, HISD





ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

21
AUG 29 2012

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 8-15-12
date

COUNCIL MEMBER: _____

August 14, 2012

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to City of Houston Resolution 99-69, Subchapter D of Chapter 431 of the Texas Transportation Code, and Chapter 394 of the Texas Local Government Code, I am nominating the following individual for appointment to the Board of Directors of the Fourth Ward Redevelopment Authority, subject to Council confirmation:

Judge Bill C. Littlejohn, Houston Independent School District representative, appointment to Position Eight, for a term to expire June 8, 2014.

The résumé of the appointee is attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

cc: Mr. Ralph De Leon, Division Manager, Office of the Mayor, Economic Development





ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3

AUG 29 2012

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 8-15-12
date

COUNCIL MEMBER: _____

August 14, 2012

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to City of Houston Resolution No. 2001-23, the provisions of Subchapter D of Chapter 431 of the Texas Transportation Code, and Chapter 394 of the Texas Local Government Code, I am reappointing the following individual to the Board of Directors of the Fifth Ward Redevelopment Authority, subject to Council confirmation:

Ms. Edwina B. Loche Barrett, (Houston Independent School District Representative), reappointment to Position Six, for a term to expire July 20, 2014.

Pursuant to Article II of the Bylaws of the Fifth Ward Redevelopment Authority adopted May 9, 2001 by Ordinance No. 2001-23, the term of each Board Member position shall be coterminous with the term of the corresponding position on the Board of Directors of Reinvestment Zone Number Eighteen, as established by the City of Houston, Texas Ordinance No. 1999-766, as may be amended from time to time.

The résumé for the nominee is attached for your review.

Sincerely,

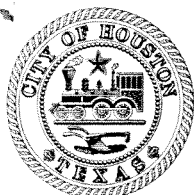
Annise D. Parker
Mayor

AP:JC:jsk

Attachment

cc: Mr. Ralph De Leon, Division Manager, Office of the Mayor, Economic Development





ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

4
AUG 29 2012

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 8-15-12
date

COUNCIL MEMBER: _____

August 14, 2012

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to City of Houston Resolution No. 2001-47, the provisions of Chapter 431 of the Texas Transportation Code, and Chapter 394 of the Texas Local Government Code, I am nominating the following individual for reappointment to the Upper Kirby Redevelopment Authority Board of Directors, subject to Council confirmation:

Mr. Robert "Bob" Casey, III, (Houston Independent School District Representative), reappointment to Position Six, for a term to expire July 20, 2014.

Résumé is attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

Attachment

cc: Mr. Ralph De Leon, Division Manager, Office of the Mayor, Economic Development





OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

5

AUG 29 2012

ANNISE D. PARKER
MAYOR

August 14, 2012

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 8-15-12
date

COUNCIL MEMBER: _____

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to City of Houston Executive Order 1-3, I am appointing the following individuals to the Office of Business Opportunity Advisory Board, subject to City Council confirmation:

- Lana Kay Coble, appointment to Position One, for a term to expire January 2, 2013;
- Vladimir Naranjo, appointment to Position Two, for a term to expire January 2, 2014;
- Massey Villarreal, appointment to Position Three, for a term to expire January 2, 2013;
- Ramesh Gunda, appointment to Position Four, for a term to expire January 2, 2014;
- Alicia B. Jimerson, appointment to Position Five, for a term to expire January 2, 2013, and to serve as Chair;
- Dell Trahan, appointment to Position Six, for a term to expire January 2, 2014;
- Samuel K. Eaton, Sr. appointment to Position Seven, for a term to expire January 2, 2013;
- Michael A. Rivera, appointment to Position Eight, for a term to expire January 2, 2014;
- J.R. (Bob) Jones, appointment to Position Nine, for a term to expire January 2, 2013;
- Alan D. Bergeron, appointment to Position Ten, for a term to expire January 2, 2014;
- Maria Rios, appointment to Position Eleven, for a term to expire January 2, 2013;
- Sam Merchant, appointment to Position Twelve, for a term to expire January 2, 2014;
- Marlon Mitchell, appointment to Position Thirteen, for a term to expire January 2, 2013;
- Laurie Vignaud, appointment to Position Fourteen, for a term to expire January 2, 2014; and
- Cheryl Colson, appointment to Position Fifteen, for a term to expire January 2, 2013.

Résumés are attached for your review.

Sincerely,

Annise D. Parker
Mayor

AP:JC:jsk

Attachments

cc: Ms. Carlecia D. Wright, Director, Office of Business Opportunity



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA #**

SUBJECT: Report of Tax Year 2012 Appraisal Roll Information, Certification of the Anticipated Collection Rate and Appoint Representatives to Calculate the Effective and Rollback Tax Rates	Category #	Page 1 of <u>1</u>	Agenda Item# 6
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FROM: (Department or other point of origin): Kelly Dowe, Director Finance Department	Origination Date August 29, 2012	Agenda Date AUG 29 2012
---------------------------------------------------------------------------------------------------	--------------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE: <i>Victor Gonzalez for Kelly Dowe</i>	Council Districts affected: All
---------------------------------------------------------------------------	-------------------------------------------

cc: Victor Gonzalez

For additional information contact: Victor Gonzalez, Assistant Director Phone: 832-393-9019 Jennifer Chen, Division Manager Phone: 832-393-9056	Date and identification of prior authorizing Council Action September 13, 2011 Motion No. 2011 0706
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------

RECOMMENDATION: (Summary) from the Director of the Finance Department that the City Council receive the tax year 2012 Appraisal Roll information, Certification of the Anticipated Collection Rate and appoint Jennifer Chen, and Alma Tamborello to calculate and publish the City's Effective and Rollback Tax Rates in accordance with the "Truth-In-Taxation" provision of the State Tax Code.

Amount of Funding: Not Applicable	F & A Budget:
---------------------------------------------	--------------------------

SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

 Other (Specify)

SPECIFIC EXPLANATION:

The Truth-In-Taxation provisions of the State Tax Code require the City to take certain steps before adopting its ad valorem tax rate each year. The first of these steps are to, (1) submit the City's tax year 2012 appraisal roll information to City Council, (2) certify an anticipated collection rate to City Council, and (3) appoint representatives to calculate and publish the Effective and Rollback Tax Rates.

Attached are the required reports of the tax year 2012 appraisal roll information and the certification of anticipated collection rate.

It is recommended that the City Council receive the tax year 2012 Appraisal Roll Information, Certification of the Anticipated Collection Rate and appoint Jennifer Chen and Alma Tamborello to calculate and publish the City's Effective and Rollback Tax Rates in accordance with the "Truth-In-Taxation" provisions of the State Tax Code.

cc: David M Feldman, City Attorney
Sameera Mahendru, Assistant City Attorney
Marta Crinejo, Agenda Director

REQUIRED AUTHORIZATION

Other Authorization:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Motion to approve Kingwood Community Center rental fees

Category #

Page 1

Agenda Item
7

FROM (Department or other point of origin):

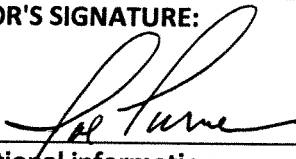
Houston Parks and Recreation Department

Origination Date:
August 20, 2012

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE:



Joe Turner, Director

Council District(s) affected:

E

For additional information contact:

Luci Correa, 832-395-7057

Date and Identification of prior authorizing Council Action: NA

RECOMMENDATION (Summary):

Approve a motion to establish rental fees for the new Kingwood Community Center.

Amount and Source of Funding:

No Funding Required

Finance Budget:

SPECIFIC EXPLANATION:

The Houston Parks and Recreation Department (HPARD) requests approval of a motion to establish rental fees for the new Kingwood Community Center located at 4102 Rustic Woods Drive, Houston, Texas 77345. The center is an 11,200 square-foot facility with 2 meeting rooms, an auditorium which can be divided in half and has built in audio-visual equipment, a fully furnished commercial kitchen, a kitchen servery, a lobby, and office/reception areas. The center is available for weddings receptions, parties, meetings, workshops, and specialty classes. It will be open for rental on September 4, 2012.

Below is a table of the proposed rental fees. These fees are subject to the annual Consumer Price Index increase.

Description	1 st 3 Hours	Each Additional Hour
Auditorium - Full	\$700	\$175
Auditorium - Half	\$350	\$50
Kitchen	\$250	\$100
Meeting Room 1 (Up to 30 people)	\$55	\$15
Meeting Room 1 (More than 30 people)	\$70	\$15
Meeting Room 2 (Up to 30 people)	\$55	\$15
Meeting Room 2 (More than 30 people)	\$70	\$15
Servery	\$25	\$15

Additional Fees:

Description	Flat Rate
Auditorium - Full Clean-Up/Set-Up	\$150
Auditorium - Half Clean-Up/Set-Up	\$75
Meeting Room Clean-Up/Set-Up	\$25

Finance Director:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Water Environment Research Foundation (WERF)
Annual Fees for Subscription Year 2012

Page
1 of 1

Agenda Item

8

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

8/23/12

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE

copy

Daniel W. Krueger, P.E.
Director, Public Works and
Engineering Department

Council District affected: ALL

For additional information contact:

Jason A. Iken
Senior Assistant Director

Phone: (832) 395-4989

Date and identification of prior authorizing
Council action:

Motion No. 2011-0911, dated December 14, 2011

RECOMMENDATION: Authorize payment of the WERF invoice for **\$88,769.52** for Subscription Year 2012 (09/01/2012 to 08/31/2013).

Amount and Source of Funding: \$ 88,769.52 - from Water and Sewer System Operating Fund 8300

8/10/12 *[initials]*

SPECIFIC EXPLANATION:

This is a Request for Council Action to authorize payment of an invoice received from the Water Environment Research Foundation (WERF) for their annual subscriber fee. The amount assessed is a function of the average annual wastewater flow for the City of Houston, which is 222.48 MGD.

WERF supports leading edge research projects on matters related to water quality, wastewater treatment, residuals handling, and asset management. WERF also receives substantial funding from EPA. WERF funds research in the following areas: wastewater collection and treatment, watersheds and ecosystems, and human health. Of particular interest to the Wastewater Operations Branch are projects that focus on inspection and maintenance of gravity sewers and force mains, wet weather issues, biosolids, and asset management. As a subscriber to WERF, the City of Houston is entitled to access proprietary information such as: research publications, interim research findings from ongoing projects, online tools, and conference proceedings.

WERF is currently in various stages of valuable research in the following subject areas:

- The design, evaluation, rehabilitation and optimization of centralized and decentralized water, wastewater and storm water systems.
- Facility and asset management at plants and collection systems including security strategies and tactics, early warning systems and energy management.
- Technologies for the removal of nutrients, pathogens, micro-pollutants, air pollutants and odors from centralized and decentralized treatment technologies.
- Solids treatment and reuse including land application, odor and pathogens control.
- Storm water system monitoring, compliance, optimization and sustainability.
- Watershed management and water quality including human and ecological risks from contaminants.

Recommend that City Council approve the Department of Public Works and Engineering's request to pay WERF the invoiced amount of **\$88,769.52**.

REQUIRED AUTHORIZATION

CUIC 20JAI455

Finance Department

Other Authorization:

Other Authorization:

Jun Chang, P.E., D.WRE
Deputy Director
Public Utilities Division

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Brays Village Drainage Improvements; WBS No. M-000280-0001-4, S-000500-0098-4, and R-000500-0098-4.

Page 1 of 2

Agenda Item # 9

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

8/23/12

AUG 29 2012

DIRECTOR'S SIGNATURE:

Council District affected:

Daniel W. Krueger, P.E., Director

F (F)

For additional information contact:

Date and identification of prior authorizing Council action:

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

Phone: (832) 395-2355

Ord. # 2011-208 dated 03/23/2011

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$5,962,259.21 or 4.90% under the original Contract Amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$7,222,000.00 with \$6,186,000.00 from the Drainage Improvements Commercial Paper Series F, Fund No. 4030, and \$1,036,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

PROJECT NOTICE/JUSTIFICATION: This project was part of Storm Drainage Capital Improvement Plan (CIP) and was required to provide drainage improvements to alleviate flooding due to insufficient pipe capacity along Boone Road and certain side streets to serve the Brays Village area within Comprehensive Drainage Plan (CDP) Outfall 0687.

DESCRIPTION/SCOPE: This project consisted of the construction of approximately 44,300 square yards of 8-inch thick reinforced concrete roadway pavement with curb and gutter, approximately 10,808 linear feet of storm sewer pipe of various sizes including inlet leads, approximately 2,000 linear feet of water line of 4 to 12-inch, approximately 4,500 linear feet of 8-18-inch sanitary sewer line, including all appurtenances. The project also included driveway, sidewalk and wheelchair ramp construction. SES Horizon, Inc. designed the project with 420 calendar days allowed for the Contract. The Contract was awarded to SER Construction Partners, Ltd. with an original Contract Amount of \$6,269,147.02.

LOCATION: The project area is generally bounded by Harwin Drive on the north, Brays Bayou (HCPCD Unit Number D100-00-00) on the south, Baynard Drive on the east and Wild Acres Drive on the west. The project is located in Key Map Grids 529B and F.

CONTRACT COMPLETION AND COST: The Contractor, SER Construction Partners, Ltd., has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 and 2 is \$5,962,259.21, a decrease of \$306,887.81 or 4.90% under the original Contract Amount

The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of an underrun in Bid Item No. 21 - Off-Site Transportation And Disposal (Contaminated Ground Water), and Extra Unit Price Items, which were not necessary to complete the project.

REQUIRED AUTHORIZATION

20HA181

Finance Department:

Other Authorization:

Other Authorization:

[Signature]

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

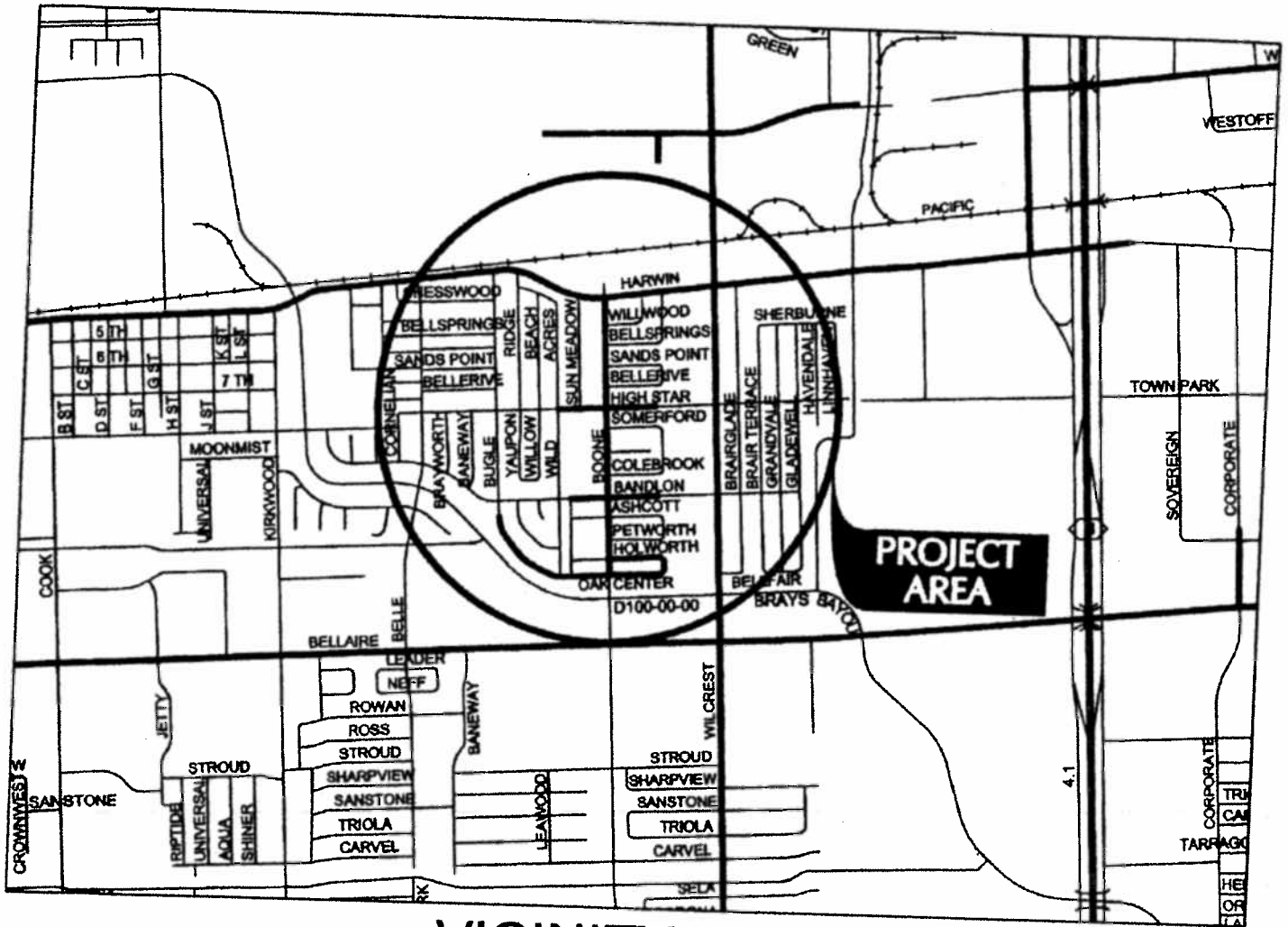
NOT

Date	SUBJECT: Accept Work for Brays Village Drainage Improvements; WBS No. M-000280-0001-4, S-000500-0098-4, and R-000500-0098-4.	Originator's Initials <i>ME</i>	Page 2 of 2
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M/W/SBE PARTICIPATION: The M/W/SBE goal established for this project was 16.00%. According to Office of Business Opportunity, the participation was 26.71%. Contractor's M/W/SBE performance evaluation was rated Outstanding.

[Handwritten signature]
DWK:DRM:JTL;AK:JE:na

Z:\E&C Construction\South Sector\PROJECT FOLDER\M-000280-0001-4 (BRAYS VILLAGE)\RCA\RCA - Closeout.doc



VICINITY MAP

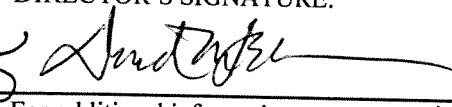
KEY MAP NO. 529 B, F
COUNCIL DISTRICT F

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Parcels AY8-285 & AY8-290; City of Houston v. Richard Nguyen and Nancy Huynh, et al., Cause No. 1011755; Yale Street Improvements Project (Tidwell - W. Parker) WBS/CIP No. N-000592-0001-2-01; Legal Department File No. 052-1000036-008.	Page 1 of 2	Agenda Item # 10
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FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney	Origination Date 07/12/12	Agenda Date AUG 29 2012
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DIRECTOR'S SIGNATURE: 	Council District affected: "H" Edward Gonzalez; Key Map# 452D
-----------------------------------------------------------------------------------------------------------	------------------------------------------------------------------

For additional information contact: Joseph N. Quintal Phone: 832.393.6286 (alternatively Ondrea U. Taylor 832.393.6280)	Date and identification of prior authorizing Council action: 2011-1088, psd. 12/7/11; 2010-231, psd 3/24/10; 2011-0007, psd. 1/5/11
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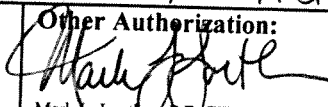
RECOMMENDATION: (Summary)
 Authorize the City Attorney, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court incurred in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.

Amount and Source of Funding:
 \$214,127.00; No additional funding required. Funds previously appropriated under Ordinance No. 2010-231 out of the Street and Bridge Consolidated Construction Fund 4506 and re-appropriated by Ordinance No. 2011-1088 into Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF. *M.P. 8/17/2012*

SPECIFIC EXPLANATION:
 The Yale Street Improvements Project (Tidwell - W. Parker) provides for the right-of-way acquisition, engineering and construction of two 24 foot-wide concrete roads with curbs, sidewalks, driveways and the necessary underground utilities. The improvements will upgrade the existing roadway to Major Thoroughfare Standards.

This eminent domain proceeding involves the acquisition of two (2) permanent easements respectively containing 1,091 square feet and 497 square feet (0.050 acre) of land. The properties are located at 5600, 5606 Yale Street and 5624 Yale Street. The owners are Richard Nguyen and Nancy Huynh. The properties are not contiguous. Parcel AY8-285, located at 5600 -5606 Yale, is improved with a multi tenant building containing a tire shop, used appliance store, computer/electronic repair and a radiator shop. Parcel AY8-290, located at 5624 Yale, is improved with a 2,080 square-foot concrete masonry building being utilized as a neighborhood food market.

The City's taking involves a rectangularly shaped street easement, ranging from 5.77 feet in width to 19.02 feet in width and extending 185.01 feet, along the existing Yale Street right-of-way. Situated within the taking are 1,300 sf of concrete drives/paving, a planter box, an illuminated on-site sign and metal railing to protect the sign. The City's final offer of \$247,589.00 to purchase the needed property was rejected by the landowner's legal representative who submitted a counter-offer of \$281,730.00 to convey the needed properties to the City of Houston. The counter-offer was reviewed and rejected by Public Works & Engineering. Efforts by Public Works & Engineering to negotiate the purchase failed and the matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the property.

h:\mark\nguyen\alerca.wpd		
REQUIRED AUTHORIZATION		
Other Authorization:	Other Authorization:	Other Authorization:  904H260 Mark A. Loethen, PE/CFM, PTOE, Deputy Director Planning and Development Services Division, PWE

Date 07/12/12	SUBJECT: Parcels AY8-285 & AY8-290; City v. Richard Nguyen & Nancy Huynh, et al; Yale Street Improvements Project; LD No. 052-1000036-008;	Originator's Initials JNQ/OUT	Page 2 of 2
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The Legal Department combined the two matters into one eminent domain case and retained one of the appraisers, utilized by Public Works & Engineering, to prepare appraisal reports on both parcels for the Special Commissioners' Hearing. The hearing was scheduled and the parties were cited and served as required by law.

City's Testimony Before the Special Commissioners: \$203,890.00

(i.e. \$5.50 psf x 1,091sf + \$5.00 psf x 497 for the land being acquired; \$17,592.00 for the improvements thereon and \$177,812.00 as damages to the remainder)

Landowner's Testimony Before the Special Commissioners: \$396,172.00

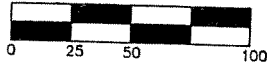
(i.e. \$5.50 psf x 1,091sf + \$5.00 psf x 497 for the land being acquired; \$18,508.00 for the improvements thereon and \$369,178.00 as damages to the remainder)

Award of Special Commissioners: \$203,890.00.

The landowner filed objections to the Award of Special Commissioners and the matter was placed on the Court's trial docket.

The "Costs of Court" are: \$187.00 filing fee; \$225.00 Service of process fee; \$2,700.00 Special Commissioners' fees (i.e. \$900.00 x 3); \$7,125.00 Appraiser's fee; **Total: \$10,237.00.** These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed herein.

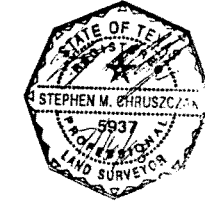
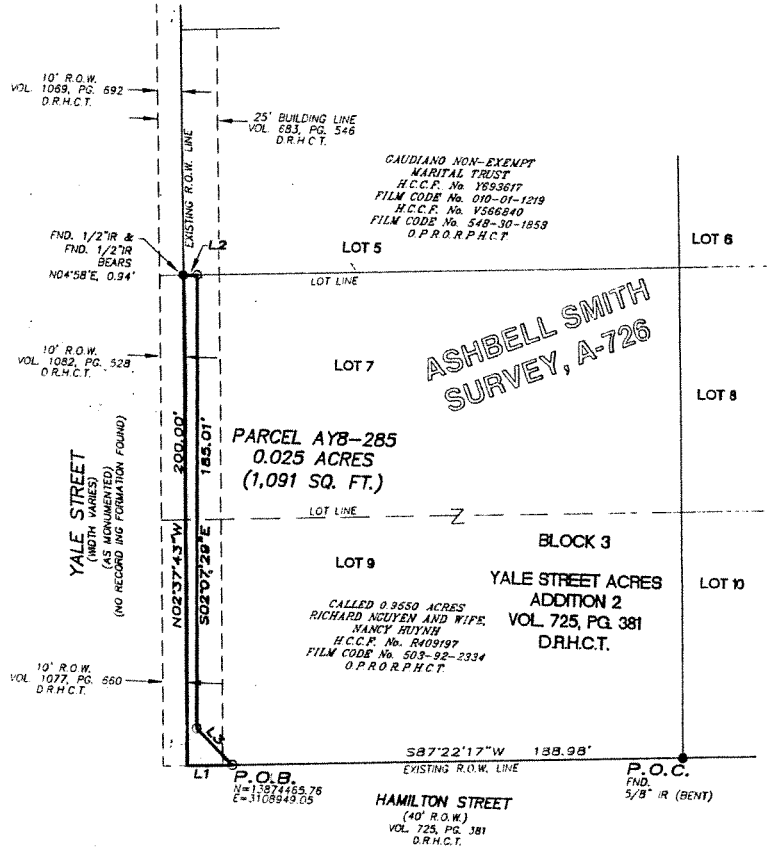
We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court and pay the costs of court incurred in this matter. Funding will be provided by a previously approved blanket Appropriation Ordinance.



SCALE: 1" = 50'

LEGEND

- 5/8-INCH IRON ROD WITH "GS" CAP SET
- MONUMENT FOUND (SIZE & TYPE NOTED)
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- H.C.M.R. HARRIS COUNTY MAP RECORDS
- O.P.R.O.R.P.H.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY HARRIS COUNTY, TEXAS
- D.R.H.C.T. DEED RECORDS HARRIS COUNTY, TEXAS



LINE TABLE

No.	BEARING	DISTANCE
L1	S87°22'17"W	19.02'
L2	N87°22'17"E	5.77'
L3	S47°22'36"E	21.12'

NOTES

1. BEARINGS ARE BASED ON STATIC RTK GPS OBSERVATIONS HOLDING ISARP MONUMENTS RM 050170 AND RM 050175. COORDINATES ARE RELATED TO TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD83. ALL COORDINATES ARE SURFACE IN US SURVEY FEET USING A SURFACE ADJUSTMENT FACTOR OF 1.000085276.
2. ABSTRACT INFORMATION PROVIDED BY FIRST TEXAS TITLE COMPANY. SURVEYOR DID NOT ABSTRACT TRACT.
3. THIS SURVEY DOES NOT PROVIDE ANY DETERMINATION CONCERNING WETLANDS, FAULTLINES, TOXIC WASTE AREAS, OR ANY OTHER ENVIRONMENTAL ISSUES.
4. SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED UPON MATHEMATICAL CLOSURES AND DO NOT NECESSARILY REPRESENT THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
5. METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

Solutions,LTD

1440 Lake Front Circle, Suite #110
The Woodlands, Texas 77380
Phone: 281-881-0766 Fax: 281-881-0770

SURVEY OF
0.025 OF AN ACRE
OUT OF ASHBELL SMITH SURVEY
ABSTRACT NO. 726



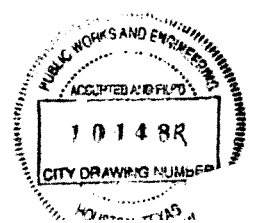
**CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT**

09-05-08
DATE:

CHIEF SURVEYOR

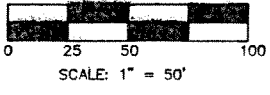
RIGHT OF WAY SECTION

KEY MAP NO. 295-Z	GIMS MAP NO.
PARCEL NO. AY8-285	
DATE: 07/2008	
N-000592-0001-3	
CIP NO.	
GFS NO.	
CM NO.	



LEGEND

- 5/8-INCH IRON ROD WITH "GS" CAP SET
- MONUMENT FOUND (SIZE & TYPE NOTED)
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- H.C.M.R. HARRIS COUNTY MAP RECORDS
- OPRORPHCT OFFICIAL PUBLIC RECORDS OF REAL PROPERTY HARRIS COUNTY, TEXAS
- DRHCT DEED RECORDS HARRIS COUNTY, TEXAS



ASHBELL SMITH SURVEY, A-726

**LOT 21
LITTLE YORK ANNEX
VOL. 95, PG. 309
DRHCT.**

CALLED 12.740 ACRES
CP YALE
H.C.C.F. No. W302160
FILM CODE No. 560-67-1279
O.P.R.O.R.P.H.C.T.

**PATRICK STREET
(60' R.O.W.)
VOL. 32, PG. 43
H.C.M.R.**

**LOT 1
PEDRO PARDO
H.C.C.F. No. 7315767
FILM CODE No. 521-57-3149
O.P.R.O.R.P.H.C.T.**

**LOT 2
LARRY GENE MIKOLAJCZAK AND WIFE
DEBBIE W. MIKOLAJCZAK
H.C.C.F. No. 7057183
FILM CODE No. 519-07-1640
O.P.R.O.R.P.H.C.T.**

**MARCOS CORTES
H.C.C.F. No. V878616
FILM CODE No. 553-15-0495
O.P.R.O.R.P.H.C.T.**

**LOT 4 LOT 5
BLOCK 5
NORTH PARK ADDITION
VOL. 32, PG. 43
H.C.M.R.**

10' DEDICATION
VOL. 32, PG. 43
H.C.M.R.

YALE STREET
(AS MONUMENTED)
(NO RECORD INFORMATION FOUND)

**PARCEL AY8-290
0.011 ACRES
(497 SQ. FT.)**

LOT 1

GCK, INC.
H.C.C.F. No. L747416
FILM CODE No. 121-72-2167
O.P.R.O.R.P.H.C.T.

P.O.B.
N=13974921.58
E=3164317.13

S87°22'17"W 199.97'

P.O.C.
FND. 1/2 TWP
R54S
N75°38'W, 0.58'

10' R.O.W.
VOL. 1079, PG. 580
DRHCT.

25' BUILDING LINE
VOL. 870, PG. 546
DRHCT.

LOT 3

**YALE STREET ACRES
SECTION 2
VOL. 725, PG. 381
DRHCT.**

GAUDLAND NON-EXEMPT
MARITAL TRUST
H.C.C.F. No. V893617
FILM CODE No. 010-01-1219
H.C.C.F. No. V566840
FILM CODE No. 548-30-1858
O.P.R.O.R.P.H.C.T.

**SURVEY OF
0.011 OF AN ACRE
OUT OF
THE ASHBELL SMITH SURVEY,
ABSTRACT NO. 726**

LINE TABLE

No.	BEARING	DISTANCE
L1	S87°22'17"W	8.03'
L2	N02°37'43"W	60.00'
L3	N87°22'17"E	8.56'
L4	S02°07'29"E	60.00'



- NOTES**
- BEARINGS ARE BASED ON STATIC RTK-GPS OBSERVATIONS HOLDING TSARP MONUMENTS RM 050170 AND RM 050175. COORDINATES ARE RELATED TO TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD83. ALL COORDINATES ARE SURFACE IN US SURVEY FEET USING A SURFACE ADJUSTMENT FACTOR OF 1.000095276.
 - ABSTRACT INFORMATION PROVIDED BY FIRST TEXAS TITLE COMPANY SURVEYOR DID NOT ABSTRACT TRACT
 - THIS SURVEY DOES NOT PROVIDE ANY DETERMINATION CONCERNING WETLANDS, FAULTLINES, TOXIC WASTE AREAS, OR ANY OTHER ENVIRONMENTAL ISSUES.
 - SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED UPON MATHEMATICAL CLOSURES AND DO NOT NECESSARILY REPRESENT THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
 - METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

Solutions,LTD

1440 Lake Front Circle, Suite #110
The Woodlands, Texas 77380
Phone: 281-371-2766 Fax: 281-371-9779

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

APPROVAL

08/27/09
DATE

[Signature]
CHIEF SURVEYOR

[Signature]
RIGHT OF WAY SECTION

KEY MAP No. 452D

GIMS MAP No. 5361C

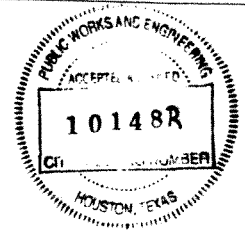
PARCEL NO. AY8-290

WBS No. N-000592-0001-3

CIP NO

GFS NO.

G.M. NO.



REQUEST FOR COUNCIL ACTION

RCA# 9426

TO: Mayor via City Secretary

Subject: Purchase of a Medium-Duty Cab & Chassis and Truck Body Through the Houston-Galveston Area Council for the Houston Fire Department S38-E24331

Category # 4

Page 1 of 1

Agenda Item

11

FROM (Department or other point of origin):

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

Origination Date

August 17, 2012

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells

For additional information contact:

Neil Depascal Phone: (832) 394-6755
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected

All

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of a medium-duty cab & chassis and truck body through the Houston Galveston Area Council (H-GAC) in the amount of \$152,409.00 for the Houston Fire Department.

Award Amount: \$152,409.00

Finance Budget

[Signature]

\$152,409.00 - 2011 Urban Area Security Initiative Fund (Fund 5030)

SPECIFIC EXPLANATION:

The Chief of the Houston Fire Department and the City Purchasing Agent recommend that City Council approve the purchase of a medium-duty cab & chassis and truck body through the Interlocal Agreement for Cooperative Purchasing with H-GAC for the Houston Fire Department in the amount of \$152,409.00 and that authorization be given to issue a purchase order to the H-GAC contractor, Houston Freightliner, Inc. This new medium-duty cab & chassis and truck body will be used citywide by the Department as a front line rescue truck during long term disaster events.

This new vehicle will come with a full warranty of three years/36,000 miles on the cab & chassis and truck body and the life expectancy is seven years or 100,000 miles. This vehicle will replace Shop No. 32386, a ten-year-old unit with 201,096 miles that has reached its life expectancy and will be sent to auction for disposition.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase. The aforementioned notwithstanding, Houston Freightliner, Inc. is an approved Hire Houston First firm.

Buyer: Lena Farris
PR Nos. 10115805

B

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

[Signature]

Other Authorization:

MA

[Signature]

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9442

Subject: Sole Bid Received for Fire Ground Communication Equipment for the Houston Fire Department S36-S24029

Category #
4

Page 1 of 1

Agenda Item

12

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

Origination Date
July 13, 2012

Agenda Date
AUG 29 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Neil Depascal Phone: (832) 394-6755
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Scott Technologies, Inc. dba Scott Safety on its sole bid in an amount not to exceed \$631,616.70 for fire ground communication equipment for the Houston Fire Department.

Estimated Spending Authority: \$631,616.70

Finance Budget

\$631,616.70 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Scott Technologies, Inc. dba Scott Safety on its sole bid in an amount not to exceed \$631,616.70 for fire ground communication equipment for the Houston Fire Department. It is further requested that authorization be given to make purchases, as needed, for a thirty-six (36) month period, with two one-year options to extend. This award consists of fire ground communication equipment which includes speaker boom, voice amplifier that is integrated into the face piece, connectors, brackets, external push-to-talk unit, and mil-spec connectors that attach to the portable radios.

The fire ground communication equipment, also known as the EZ Com communication device, enables fire crew members to communicate effectively with one another in extremely hostile environments. The enhanced communication improves fire ground accountability, fire crew integrity and reduces the need for additional radio traffic due to incomprehensible communication.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempt procurements.

HIRE HOUSTON FIRST:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids were not solicited because the Department requires these items to preserve or protect the public health or safety of the municipality's residents.

Buyer: Valerie Player-Kaufman

Attachment: M/WBE zero-percent goal document approved by the Mayor's Office of Business Opportunity.

Estimated Spending Authority

Department	FY2013	Out Years	Total
Fire	\$126,323.40	\$505,293.30	\$631,616.70

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

B

[Signatures]

[Signature]

2)

9442



Memorandum

RECEIVED

AUG 14 2012

OBO

To: Marsha Murray, Assistant Director
 Mayor's Office of Business Opportunity

From: Terry A. Garrison, Chief
 Houston Fire Department

Date: August 14, 2012

Subject: MWBE Participation Waiver Request

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: 0% New Goal: 0%

If requesting a revision, how many solicitations were received:

Solicitation Number: _____ Estimated Dollar Amount: \$640,040.70 Goal on Last Contract: 0%

Anticipated Advertisement Date: NA Solicitation Due Date: NA Was Goal met: Yes No

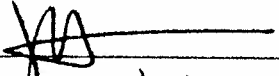
If goal was not met, what did the vendor achieve: _____

Name and Intent of this Solicitation: Fire Ground Communication Equipment

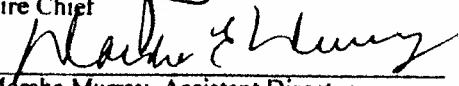
Rationale for requesting a Waiver of Revision (Zero percent goal or revision after advertisement):

The Houston Fire Department has a continuing need to purchase Fire Ground Communication Equipment, which is used by fire fighters to communicate effectively with other team members in extremely hostile situations. The bid for this procurement is based on Texas Local Government Code Chapter 252, Section 252.022 (a) (2), to preserve or protect the public health or safety of the municipality's residents. The items will be shipped directly from the factory in Monroe, North Carolina to the Houston Fire Department. Due to the intrinsically safe portion of the NFPA guidelines, the Fire Ground Communication Equipment can only be serviced by highly trained factory technicians or the warranties are voided. Therefore, the Houston Fire Department is requesting for the Mayor's Office of Business Opportunity approval of a Zero (0%) percent goal for the above-referenced agreement.

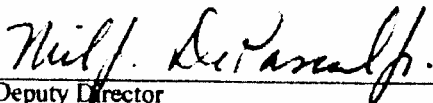
Concurrence:



 Fire Chief



 Marsha Murray, Assistant Director
 *Office of Business Opportunity



 Deputy Director

Attachment: previous MWDBE goal sign-off

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



**RCA #9442 BACK-UP
FOR
FIRE GROUND COMMUNICATION EQUIPMENT
S36-S24029**

I. CURRENT AWARD

A. H23417/OA #4600010353

- | | |
|-----------------------------------|-----------------------------------------------|
| 1. Awarded: | May 5, 2010 – Ordinance #2010-0342 |
| 2. Duration: | Thirty-six (36) months w/two one-year options |
| 3. Total Dollar Amount: | \$272,424.79 |
| 4. Expiration Date: | May 18, 2013 |
| 5. Amended: | July 25, 2011 – Ordinance 2011-0708 |
| 6. Increased by: | \$108,969.92 |
| 7. New Spending Authority: | \$381,394.71 |
| 8. Total Expenditures: | \$228,540.00 |
| 9. Remaining Balance: | \$152,854.71 |

B. **Awarded To:** **Scott Technologies, Inc. d/b/a Scott Health & Safety**

II. NEW AWARD

A. S36-S24029

- | | |
|-------------------------|-----------------------------------------------|
| 1. Duration: | Thirty-six (36) months w/two one-year options |
| 2. Total Dollar Amount: | \$631,616.70 |
| 3. Bids Expire: | October 20, 2012 |

B. **Awarded To:** **Scott Technologies, Inc. \$631,616.70**
dba Scott Safety
4320 Goldmine Road
Monroe, NC 28110

III. NARRATIVE

This is a line item award consists of fire ground communication equipment, which includes mouth amplifiers that is integrated into the face shields, and voice amplifiers, connectors, brackets, and external push-to-talk buttons to be used by the Houston Fire Department. The fire ground communication equipment enables fire crewmembers to communicate effectively with one another in extremely hostile environments. The enhanced communications improves fire ground accountability, fire crew integrity and reduces the need for additional radio traffic due to incomprehensible communication.

The new award total dollar amount of \$631,616.70, compared to the previous award total dollar amount of \$381,394.71, reflects a 60.38% increase in total estimated expenditures. The increase is due to the departments' need to purchase new interface equipment for its existing fire ground communication equipment to meet Federal Communications Commission (FCC) regulations. The FCC is mandating all public safety and industrial/business licensees convert existing 25 kHz radio systems to minimum narrowband 12.5 kHz efficiency technology by January 1, 2013. The purpose of the narrowband mandate is to promote more efficient use of the VHF and UHF land mobile frequency bands. The increase to the total dollar amount of

**RCA #9442 BACK UP
FIRE GROUND COMMUNICATION EQUIPMENT
S36-S24029**

IV. NARRATIVE (continued)

the new award will accommodate immediate purchases required to upgrade and bring into compliance the existing fire ground communication equipment prior to the January 1, 2013 deadline, and to meet future operational needs. The current award's remaining balance in the amount of \$152,854.71 is sufficient to accommodate immediate needs until the renewal is processed.

III. NARRATIVE, CONTINUED

This procurement is exempt from the competitive bid process pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempt procurements.

IV. MWBE

The previous bid solicitation was issued with a 0% M/WBE Goal approved by the Mayor's Office of Business Opportunity. The 0% M/WBE Goal was assigned and approved because the supplier, Scott Technologies, Inc. dba Scott Safety, is located in Monroe, North Carolina, and the items will be direct shipped, using a common carrier, to the user department on an as needed basis. Scott Technologies, Inc. dba Scott Safety does not have a local inventory warehouse. Based on prior history and the manufacturer's location and operations, the Mayor's Office of Business Opportunity approved a 0% M/WBE Goal.

V. REMARKS

It is requested that this RFCA be placed on the agenda for City Council approval at the earliest possible date to ensure an award is in place to make purchases to upgrade equipment to meet the FCC January 1, 2013 deadline.

SECTION A. OFFICIAL BID FORM FOR FIRE GROUND COMMUNICATION EQUIPMENT FOR THE HOUSTON FIRE DEPARTMENT, CONTINUED:

LINE ITEM INFORMATION

The following are to be bid according to specifications.

ITEM NO.	MATERIAL NUMBER	DESCRIPTION	U/M	EST QTY	NET UNIT PRICE	SUB-TOTAL
1	10033323	EZ Radio Comm II, Communication Equipment. Part No. 200119-502	Each	432	\$1072.50	\$463,320.00
2	10033324	Boom Amp/Ear, EZ Radio Comm II, Voice Amplifier Section. Part No. 200119-01H	Each	262	\$487.50	\$127,725.00
3	10033325	Cable Assembly Connector, EZ Radio Comm II. Part No. 200126-501C	Each	157	\$222.95	\$35,003.15
4	10033326	Bracket, Communication, Right Clamp. Part No. 200716-01	Each	13	\$15.60	\$202.80
5	10033227	Push-to-Talk, EZ Radio Comm II. Part No. 200126-501A	Each	13	\$412.75	\$5365.75

GRAND TOTAL.....\$ 631,616.70

Buyer: *A. Kaufman*

Date: *July 9, 2012*

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9461

Subject: Best Value Bids Received for Chemical, Liquid Polymer Flocculent for the Public Works & Engineering Department S12-S24221

Category #
4

Page 1 of 2

Agenda Item

13

FROM (Department or other point of origin):

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

Origination Date

August 13, 2012

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

David Guernsey Phone: (832) 395-3640
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Polydyne, Inc. on its best value bid in an amount not to exceed \$15,167,529.00 for liquid polymer flocculent chemicals for the Public Works & Engineering Department.

Estimated Spending Authority: \$15,167,529.00

F & A Budget

\$15,167,529.00 - Water & Sewer System Operating Fund (Fund 8300)

SPECIFIC EXPLANATION:

The Director of the Public Works & Engineering Department and the City Purchasing Agent recommend that City Council approve an award to Polydyne, Inc. on its best value bid in an amount not to exceed \$15,167,529.00 for liquid polymer flocculent chemicals for the Public Works & Engineering Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period upon approval of City Council. Liquid polymer flocculent chemicals are utilized on a daily basis by the Department's Drinking Water Operations Branch at the Water Production Plants to aid in the dewatering of waste sludge by-products during the potable drinking water treatment process. Liquid polymer flocculent chemicals are required to maintain compliance with the Environmental Protection Agency and the Texas Commission on Environmental Quality and the Safe Drinking Water Act mandates.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Ten prospective bidders downloaded the solicitation document from SPD's e-bidding website and two bids were received. The bids were evaluated based upon the following criteria:

- Bid price
- Polymer test evaluation
- Service & Technical expertise
- Financial strength of bidder
- M/WBE subcontracting capacity

Polydyne, Inc. received the highest overall score.

M/WBE Subcontracting:

This bid was issued with an 11% goal for M/WBE participation. Polydyne, Inc. has designated the below named companies as its certified M/WBE subcontractors:

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NDT

Q

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>
Trinity Freight Services, LLC	Bulk Chemical Delivery	\$882,815.50
Environmental Machines and Services, LLC	Package Polymer Warehousing	\$126,116.50
Coyote Transportation Services	Package Polymer Delivery	\$126,116.50

This award will be monitored by the Mayor's Office of Business Opportunity.

HIRE HOUSTON FIRST:

This procurement included the "Hire Houston First" provision. However, no bids were received from approved "Hire Houston First" firms.

Buyer: Martin L. King

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance authorizing the abandonment and sale of a 15-foot-wide sanitary sewer easement, out of the John Reinerman Survey, A-642. Parcel SY12-001A

Page 1 of 1

Agenda Item #

14

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

8/23/12

AUG 29 2012

DIRECTOR'S SIGNATURE:

Council District affected: C

JP for TB

Daniel W. Krueger, P.E., Director

Key Map 492L

For additional information contact:

Date and identification of prior authorizing Council Action:

Nancy P. Collins Phone: (832) 395-3130
Senior Assistant Director-Real Estate

C.M. 2011-0863 (11/30/11)

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of a 15-foot-wide sanitary sewer easement, out of the John Reinerman Survey, A-642. Parcel SY12-001A

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Motion 2011-0863, City Council authorized the abandonment and sale to Park Memorial Condominium Association, Inc. (Sameer Soleja, President) of a 15-foot-wide sanitary sewer easement, out of the John Reinerman Survey, A-642. Subsequent to the Motion, JLB Park Memorial Partners L.P. [JLB Park Memorial, LLC (Bay Miltenberger, Manager) General Partner] purchased the Park Memorial Condominiums. JLB Park Memorial Partners L.P., the new property owner, plans to construct a 375-unit condominium complex in the location of the subject easement.

JLB Park Memorial Partners L.P. has completed the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will sell to JLB Park Memorial Partners L.P.:

Parcel SY12-001A

2,748-square-foot sanitary sewer easement \$78,318.00
Valued at \$28.50 per square foot

TOTAL ABANDONMENT AND SALE \$78,318.00

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a 15-foot-wide sanitary sewer easement, out of the John Reinerman Survey, A-642.

DWK:NPC:tj

c: Jun Chang, P.E., D.WRE
Marta Crinejo
Marlene Gafrick

tj\sy12-001.rc2.doc

CUIC #20TJ023

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

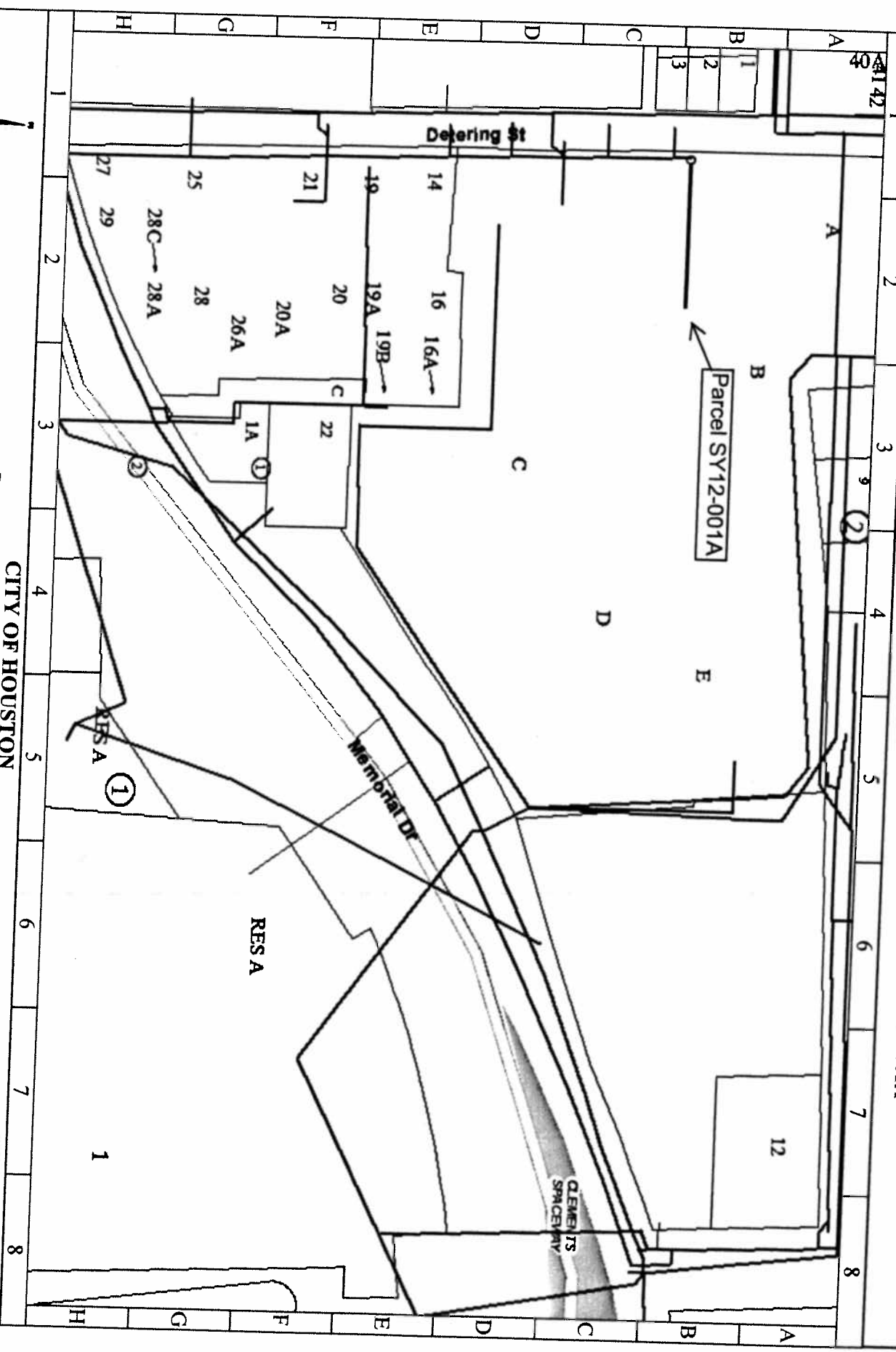
Mark L. Loethen

Mark L. Loethen, P.E., CFM, PTOE

Deputy Director

Planning and Development Services Division

Abandonment and sale of a 15-foot-wide sanitary sewer easement, out of the John Reinerman Survey, A-642. Parcel SY12-001A



1 inch = 118 feet

CITY OF HOUSTON
 Department of Public Works and Engineering
 Geographic Information & Management System (GIMS)

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



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

2

SUBJECT: An ordinance authorizing and approving a contract with the Texas Department of State Health Services for 12 Houston Department of Health and Human Services Programs for FY 2013.	Category # 9	Page 1 of 3	Agenda Item # 15
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FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	Origination Date 08/23/12	Agenda Date AUG 29 2012
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CWS

DIRECTOR'S SIGNATURE: <i>Olivia Janga Ridge</i>	Council District affected: ALL
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For additional information contact: Kathy Batton Telephone: 832-393-5045; 713-826-5801	Date and identification of prior authorizing Council action: 09-20-11; 2011-2011-0807; 08-18-10; 10-0662; 06-01-05; 2005-0685, 12-20-06; 2006-1253; 08-8-10; 2010-0664; 09-20-2011; 09-20-11; 2011-0806; 09-1-10; 2010-0707; 06-23-9; 09-582; 06-30-10; 2012-0516; 08-17-10; 2010-0663; 09-20-11; 2011-0808; 08-18-10; 2010-0661; 2012-0063; 01-25-12; 11-25-03; 2011-1147; 03-02-05; 05-188; 12-20-05; 05-1393; 01-03-08; 2008-4; 2010-1021
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RECOMMENDATION: (Summary)

Approval of a contract with the Texas Department of State Health Services for 12 Houston Department of Health and Human Services Programs for FY 2013.

Amount of Funding: Total Project Cost: \$8,945,902.92 Federal State Local – Pass Through Fund (5030) HDHHS' Total Matching Funds: \$561,400.00	Finance:
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SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of a contract with the Texas Department of State Health Services (DSHS) for 12 Houston Department of Health and Human Services Programs for FY 2013. The project period is September 1, 2012 through August 31, 2013 in the amount of \$8,945,902.92. The total match amount under this contract is \$561,400.00.

In previous years each of the following HDHHS programs were processed and approved by council as individual contracts. However, for the sake of convenience and expediency, DSHS has consolidated most of their funding programs as attachments under one core contract with the program period being the same as the State's fiscal year. DSHS "bundled" the program contract in an effort to make it easier for local governmental entities to contract with DSHS since all local governmental entities require some level of contract approval by their governing bodies.

cc: Finance
Legal Department
Agenda Director

REQUIRED AUTHORIZATION

Finance Director	Other Authorization:	Other Authorization:
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Date 8/20/12	Subject: An ordinance authorizing and approving a contract with the Texas Department of State Health Services (DSHS) for 12 Houston Department of Health and Human Services Programs for FY 2013.	Originator's Initials NJ	Page 2 of 3
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The programs included in this bundle are the following:

Preparedness and Prevention: Community Preparedness Section/Laboratory Response Network **\$40,009.00**
Funding from DSHS will enable HDHHS to enhance abilities of hospitals and healthcare systems to prepare for and respond to bioterrorism and other public health emergencies. Activities include but are not limited to collaboration with other hospitals, lab training for hospitals, systems for specimen transport from local laboratories and a surge capability plan.

Current Population Statistics/Laboratory Response Network **\$242,813.92**
Funding from DSHS will enable HDHHS to continue preparedness activities for response to bioterrorism, outbreaks of infectious disease, and other public health threats and emergencies as well as support PHEP local activities for the Laboratory Response Network.

HIV Rapid Testing to Clients Accessing Emergency Services **\$1,050,000.00**
Funding from DSHS will enable HDHHS to conduct Human Immunodeficiency Virus (HIV) routine testing to promote identification of HIV-infected clients early in disease course, to link clients to a system of medical care, and to provide referrals to HIV prevention resources for those who test negative.

Current Population Statistics/Cities Readiness Initiative **\$611,981.00**
Funding from DSHS will enable HDHHS to develop plans and infrastructure to provide preventive medications to the population within 48 hours of a large-scale public health emergency such as a bioterrorism attack. A \$242,813.00 match is required for this funding which will be provided through Volunteers who will serve as resources to support the training and preparedness activities.

TB State African-American Project and Harmony House **\$1,178,930.00**
Funding from DSHS will enable HDHHS to expand outreach services to individuals of identified special populations who have TB or who are at high risk of developing TB. HDHHS will develop and maintain an active coalition of the public and professionals who will work with the African-American community in Houston to create an awareness of tuberculosis and availability of TB diagnosis and treatment, prevention and control. Harmony House has provided housing for TB patients since 2000. Harmony House provides a stable environment to house contagious patients and provide public health workers access to patients for directly observed therapy (DOT). Once a patient completes appropriate treatment and become non-contagious he/she can return to a traditional congregate setting or to their family.

Harmony House is the only facility identified by HDHHS to provide this type of specialized housing, including negative air flow, HEPA filtration and ultra violet lighting. These environmental controls, along with a separate room for each resident are necessary for housing infectious patients to prevent TB transmission.

Preparedness and Prevention: Community Preparedness - Bioterrorism/Discretionary **\$890,254.00**
Funding from DSHS will enable HDHHS to perform public health activities and programs for community preparedness, emergency operations center coordination, information sharing, medical countermeasures, medical material management and distribution and public health laboratory testing. A - \$99,992.00 match is required for this funding which will be provided through personnel, fringe and supplies.

Prevention Preparedness: Community Preparedness Section PPCPS/Hazards **\$1,483,927.00**
The purpose of this contract is to upgrade and integrate state and local public health jurisdictions' preparedness for response to bioterrorism, outbreaks of infectious disease, and other public health threats and emergencies pursuant to CDC Public Health Emergency Preparedness (PHEP) Goals. A - \$148,394.00 match is required for this funding which will be provided through personnel and fringe.

Infectious Disease Control - FLU-LAB **\$5,000.00**
Funding from DSHS will enable HDHHS to receive clinical and test specimens and perform Center for Disease Control and Prevention (CDC) Real Time (RT) Polymerase Chain Reaction Method (PCR) for typing influenza viruses.

Date 8/20/12	Subject: An ordinance authorizing and approving a contract with the Texas Department of State Health Services (DSHS) for 12 Houston Department of Health and Human Services Programs for FY 2013.	Originator's Initials NJ	Page 3 of 3
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Hansen Health and Human Services Department

Funding from DSHS will enable HDHHS to coordinate Hansen's Disease (HD) services (early identification, assessment, treatment) and case-manage clients who are suspected to have, or are diagnosed with, Hansen's disease. **\$94,991.00**

IMMUNIZATION BRANCH

Funding from DSHS will enable HDHHS to continue to operate an immunization program for children, adolescents, and adults with special emphasis on accelerating interventions to improve the immunization coverage of children two (2) years of age or younger (0 to 35 months of age). A - \$70,201.00 match is required for this funding which will be provided through supplies and one temporary staff hire. **\$1,405,595.00**

Local Public Health System

Funding from DSHS will enable HDHHS to develop objective(s) to address public health issues; provide resources to conduct activities and services in support of essential public health services; assess, monitor, and evaluate the essential public health activities and develop strategies to improve the delivery of essential public health service(s). **\$297,701.00**

STD-HIV

Funding from DSHS will enable HDHHS to conduct programs to control and prevent the spread of Sexually transmitted diseases (STDs), including human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and viral hepatitis. Activities under this program include: community and individual behavior change interventions; medical and laboratory services; partner services; leadership and program management; surveillance and data management; and training and professional development. **\$1,644,701.00**

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

R

SUBJECT: An ordinance authorizing and approving a participation agreement between the Houston Department Health Department of Health and Human Services, Houston Fire Department and the with Greater Houston Healthconnect	Category # 9	Page 1 of 1	Agenda Item # 16
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FROM (Department or other point of origin): Houston Department of Health and Human Services	Origination Date 8/23/12	Agenda Date AUG 29 2012
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WJG **DIRECTOR'S SIGNATURE:** *Celina Ganza Ridge for SW*

For additional information contact: Kathy Barton Telephone: 832-393-5045 ; 713-826-5801	Council District affected: ALL	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Approval of an ordinance authorizing and approving a participation agreement between the Houston Department Health Department of Health and Human Services, Houston Fire Department and the with Greater Houston Healthconnect

Amount of Funding: Maximum Contract Amount: \$160,000.000 General Fund – Fund 1000	Finance Department:
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SOURCE OF FUNDING: [X] General Fund [] Grant Fund [] Enterprise Fund [] Other (Specify)

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services (HDHHS) and the Houston Fire Department (HFD) request City Council approval of an ordinance authorizing a participation agreement with Greater Houston Healthconnect (GHH). GHH owns and operates an internet-based system that provides secure electronic exchange of protected health information (PHI). The term of the agreement is for one year from the date of countersignature with 4 one-year renewals. The maximum contract amount is \$160,000. There is no charge for the first year of the agreement; the service for each additional year will not exceed \$40,000 per year.

GHH is a new system that allows Houston area hospitals and medical care providers to share the PHI of those patients who authorize their PHI to be included in the exchange with other participating entities. The sharing of information between providers increases the coordination and quality of care and improves efficiency in the health care system. At this time, other participants include Harris County Hospital District, UTMB, Texas Children's Hospital, Christus Health, Legacy Community Health Services and other individual physicians.

HDHHS and HFD will designate staff users of the system. Only staff whose job responsibilities require that they have access to the system will be authorized to access using a protected username and password that must not be shared.

The system is beneficial for HDHHS because it will enable providers and laboratories to send reportable data electronically to HDHHS and alleviate the need to continue to purchase one-to-one connections to each medical facility or to process this information manually. Currently, HFD staff contacts each hospital that they delivered a patient to in order to obtain the records to close their files, which is very time consuming and not always successful. GHH will give HFD access to patient treatment and payment information immediately.


cc: Agenda Director
Legal Department
Finance Department

REQUIRED AUTHORIZATION

Finance Department	Other Authorization:	Other Authorization:
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SUBJECT: An Ordinance approving and authorizing the allocation of \$800,000 in CDBG funds to provide funding for the construction of a new cemetery located at 21122 Crosby Eastgate, Crosby, Texas 77532, to serve low to moderate income Houstonians.	Category #	Page 1 of 1	Agenda Item # 17
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FROM: Neal Rackleff, Director Housing and Community Development	Origination Date 4/11/2012	Agenda Date AUG 29 2012
------------------------------------------------------------------------------	--------------------------------------	-----------------------------------

CMS
DIRECTOR'S SIGNATURE:  (FOR NEAL RACKLEFF)

For additional information contact: Marc Eichenbaum Phone: 713-865-4557	Council District affected: N/A	Date and identification of prior authorizing Council action: Ordinance # 09-0937 10/28/2009 Ordinance # 11-617 7/26/2011
--------------------------------------------------------------------------------------	------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------

RECOMMENDATION: Approval of an Ordinance allocating of \$800,000 in CDBG funds to provide funding for the construction of a new cemetery located at 21122 Crosby Eastgate, Crosby, Texas 77532, to serve low to moderate income Houstonians.

Amount of Funding: \$800,000.00	Finance Budget:
------------------------------------------------------	------------------------

SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund
Community Development Block Grant (Fund 5000)

SPECIFIC EXPLANATION:

The Housing and Community Development Department requests approval of an Ordinance to enter into a partnership with Harris County to share the construction cost of the new Harris County Cemetery located at 21122 Crosby Eastgate Road, Crosby, Texas 77532. The new Cemetery will serve both County and City residents as the final resting place for adults and infants without next of kin, or whose families don't have the financial resources to provide burial elsewhere. The current County Cemetery serves over 400 low to moderate income persons a year, half of which are residents of the City of Houston.

Through the partnership, the City proposes investing \$800,000 of Community Development Block Grant Funds for construction of the Cemetery that will ensure that the City's most indigent residents, and those without the support of friends or family, will be laid to rest in a dignified setting. The total estimated cost for the project is \$1,050,000, of which Harris County is contributing \$250,000. Harris County is also responsible for the cemetery's operating and burial costs at an annual approximate cost of \$655,000.

Construction activities include drainage and land contouring, landscaping, lighting and signage, placement of an entryway and fencing, new access roads and parking areas, installation of pedestrian walkways, building a pavilion to provide a covered setting to conduct dignified services, a storage space for large maintenance equipment, and an ADA-compliant restroom facility for visitors.

Referrals for burial at the public cemetery come from the County Medical Examiner, local hospitals and funeral homes. The Harris County Community Service Department conducts a comprehensive assessment of the deceased to determine if he/she has less than \$600 in available financial resources and qualifies for burial at the public cemetery. All other requests are referred to private funeral homes for low cost or sliding scale burials.

This item was presented to the Housing, Sustainable Growth and Development Committee on April 17, 2012.

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

REQUIRED AUTHORIZATION

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

TO: Mayor via City Secretary

Subject: Interlocal Agreement – Public Safety Video Partnership with Harris County

Category

Page 1 of 1

Agenda Item

18

FROM (Department or other point of origin):
Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security

Origination Date
August 23, 2012

Agenda Date
AUG 29 2012

DIRECTOR'S SIGNATURE

Handwritten signature of Dennis J. Storemski

Council District(s) affected: All

For additional information contact: Phone: 832-393-0875
Dennis Storemski

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary) Approval of an ordinance authorizing execution of an Interlocal Agreement with Harris County for mutual access to video networks.

Amount of Funding: No funding required

F & A Budget:

SOURCE OF FUNDING: No funding required

SPECIFIC EXPLANATION:

Background

In 2006 the City of Houston initiated a grant-funded initiative to develop a Public Safety Video infrastructure. The mission was to improve the security posture of populated areas dense with critical infrastructure and other key resources by deploying a scalable and robust Public Safety Video System that leverages existing public and private cameras and networks to provide enhanced situational awareness for appropriate command and control centers operated by first responders in the region. In addition to deploying cameras in public spaces, a key component of the initiative is to enter into partnerships with regional agencies and other stakeholders with existing video systems that support this mission to share and utilize video sources for joint situation awareness and incident management and response.

To date the Mayor's Office of Public Safety and Homeland Security has obtained \$16 Million to develop a robust, scalable digital video system that is currently being used by regional public safety personnel to address Public Safety and Homeland Security concerns.

This agreement will extend the reach of that system to include cameras and video infrastructure owned and operated by Harris County and providing them the reciprocal infrastructure and capabilities from the Public Safety Video System developed by the City of Houston. Each agency will maintain control, ownership and responsibility of their respective systems.

The most significant impact of this agreement will be the access to the ship channel video network recently implemented by Harris County in conjunction with the Houston Ship Channel Security District to enhance security at the port and around other critical infrastructure in the region.

No funding is required to execute this agreement.

Recommendation

It is recommended that the City Council authorize the Mayor to execute this Interlocal Agreement.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA#

Subject: AN ORDINANCE APPROVING THE CHANGE OF CONTROL OF CEQUEL III COMMUNICATIONS I, LLC DBA SUDDENLINK COMMUNICATIONS THAT HOLDS THE RIGHT, PRIVILEGE AND FRANCHISE TO OWN, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM WITHIN THE CITY OF HOUSTON, PURSUANT TO CITY OF HOUSTON, TEXAS ORDINANCE NO. 2003-621

Category #

Page 1 of 1

Agenda Item

19

FROM (Department or other point of origin):

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

Origination Date

August 16, 2012

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE

Council District(s) affected
District E

For additional information contact:

Tina Paez Phone: (713) 837-9630
Juan Olguin Phone: (713) 837-9623

Date and Identification of prior authorizing Council Action:

Ord. 2003-621 (6-25-2003), Ord. 2002-458 (6-12-2002), Ord. 98-15 (1-28-1998)

RECOMMENDATION: (Summary)

Authorize an ordinance approving the change of control of Cequel III Communications I, LLC dba Suddenlink Communications that holds the right, privilege and franchise to own, operate and maintain a cable television system within the City of Houston, pursuant to City of Houston, Texas Ordinance No. 2003-621.

Amount of Funding: N/A

Finance Budget

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

SPECIFIC EXPLANATION:

The Administration & Regulatory Affairs Department (ARA) recommends that Council authorize an ordinance approving the change of control of Cequel III Communications I, LLC dba Suddenlink Communications, a Delaware limited liability company ("Cequel III") and under the control of Cequel Communications Holdings, LLC ("Cequel Holdings"), that holds the right, privilege and franchise to own, operate and maintain a cable television system within the City of Houston, pursuant to City of Houston, Texas Ordinance No. 2003-621 approving the assignment of the franchise granted by City of Houston, Texas Ordinance 98-15 as amended by City of Houston, Texas Ordinance No. 2002-458 (the "Franchise").

Cequel III has operated its cable system in Houston since 2002. The company pays the City approximately \$800,000 annually in cable franchise fees, as well as fees in support of Public, Educational and Governmental programming, and serves residential customers primarily in the Kingwood area.

Pursuant to the terms of the Franchise, the company is required to obtain the approval of the City prior to any change in control or assignment. Cequel III is the holder of the Franchise and has notified the City that it anticipates a change in control of Cequel Holdings by sale of all the equity interests of Cequel Holdings to Nespresso Acquisition Corporation.

The Administration & Regulatory Affairs Department (ARA) recommends that Council authorize an ordinance approving the change of control of Cequel III that holds the right, privilege and franchise to own, operate and maintain a cable television system within the City of Houston, pursuant to City of Houston, Texas Ordinance No. 2003-621.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

19

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA#

Subject: AN ORDINANCE CALLING A PUBLIC HEARING AT WHICH INTERESTED PERSONS WILL BE GIVEN THE OPPORTUNITY TO BE HEARD ON THE REPORT TO CITY COUNCIL BY THE DIRECTOR OF THE ADMINISTRATION AND REGULATORY AFFAIRS DEPARTMENT RECOMMENDING THE TERMINATION OF THE CABLE TELEVISION FRANCHISE GRANTED TO TVMAX HOUSTON, L.P. BY CITY OF HOUSTON ORDINANCE NO. 2005-582, AS MODIFIED BY ORDINANCE 2010-559.

Category #

Page 1 of 1

Agenda Item

20

FROM (Department or other point of origin):

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

Origination Date

August 20, 2012

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE

Council District(s) affected
All

For additional information contact:

Tina Paez Phone: (713) 837-9630
Juan Olguin Phone: (713) 837-9623

Date and Identification of prior authorizing Council Action:

Ord. 2005-582 (5-18-2005), Ord. 2010-559 (7-14-2010)

RECOMMENDATION: (Summary)

The Administration and Regulatory Affairs Department (ARA) recommends City Council approve an ordinance calling a public hearing at which interested persons will be given the opportunity to be heard on the report to City Council by the Director of the Administration and Regulatory Affairs Department recommending the termination of the cable television franchise granted to TVMAX Houston, L.P. by City of Houston Ordinance No. 2005-582, as modified by Ordinance 2010-559. (Suggested date: October 31, 2012).

Amount of Funding: N/A

Finance/Budget

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

SPECIFIC EXPLANATION:

The Administration & Regulatory Affairs Department (ARA) recommends City Council approve an ordinance calling a public hearing at which interested persons will be given the opportunity to be heard on the report to City Council by the Director of the Administration and Regulatory Affairs Department recommending the termination of the cable television franchise granted to TVMAX Houston, L.P. by City of Houston Ordinance No. 2005-582, as modified by Ordinance 2010-559.

TVMAX Houston, L.P. d/b/a Wavevision ("TVMAX") is a City of Houston cable franchisee serving residents throughout the City of Houston, comprised predominantly of multifamily dwellings. Under the terms of the franchise, TVMAX is required to pay the City a quarterly franchise fee, a quarterly fee in support of Public, Educational and Governmental programming, and an annual capital contribution. TVMAX is delinquent in its obligations to the City, and extensive efforts by ARA and the City Attorney's Office to work with TVMAX to bring this delinquency current have failed.

Pursuant to Section 30.A. of Ordinance 2005-582, the ARA Director has determined that a failure to comply with a material provision of the Franchise has occurred and that such failure is not excusable and has not been cured by TVMAX in a manner and in accordance with a schedule that is satisfactory. Therefore, the Director of ARA recommends that the franchise be terminated, and that City Council approve an ordinance calling a public hearing to allow interested persons the opportunity to hear the Director's report and recommendation regarding TVMAX.

Attached to this request for Council Action is the "Director's Report to City Council" outlining TVMAX's failure to abide by the terms of its cable franchise agreement. This report and the Director's recommendation to terminate the franchise agreement will be the subject of the hearing. The Council agenda for the date of the hearing will also include an ordinance for Council's consideration terminating the cable franchise agreement.

Per the terms of the franchise agreement, TVMAX will be afforded at least 45 days notice of the hearing and be provided opportunity to address City Council at the hearing.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:



CITY OF HOUSTON

Administration & Regulatory Affairs

Interoffice

Memorandum

To: Mayor Annise D. Parker
City Council Members

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

Date: August 10, 2012

**Subject: Report to City Council
Regarding TVMAX Houston, LP
As Required by Ordinance No.
2005-582, Section 30.A.3**

This memorandum comprises my written report to City Council regarding TVMAX Houston, LP. TVMAX Houston, L.P. d/b/a Wavevision ("TVMAX") is a City of Houston cable franchisee serving approximately 5,153 accounts within the City of Houston, comprised predominantly of multifamily dwelling units. As described further herein, under the terms of the Franchise Agreement, TVMAX is required to pay the City a quarterly franchise fee, a quarterly fee in support of Public, Educational and Governmental programming, and an annual capital contribution. TVMAX is delinquent in its obligations to the City, owing the City of Houston a total of \$809,789.91 (see attached **Exhibit A, "Summary of Amounts Owed by TVMAX"**). Extensive efforts in the past by ARA and the City Attorney's Office to work with TVMAX to bring this delinquency current have failed; accordingly, ARA is recommending termination of the Franchise.

Ordinance No. 2005-582, Section 30.A. states:

"If the Director determines that failure to comply with a material provision has occurred and that such failure is not excusable and has not been or will not be cured by the Grantee in such a manner and in accordance with a schedule satisfactory to the Director, then the Director shall so notify the City Council in a written report which may recommend action to be taken by the City Council."

Based on TVMAX's failure to bring this delinquency current, I have determined that a failure to comply with a material provision of the Franchise has occurred, and that such failure is not excusable and has not been cured by TVMAX in a manner and in accordance with a schedule that is satisfactory. I am therefore notifying City Council of this determination via this report. A copy of this report will be provided to TVMAX.

TVMAX's Franchise with the City of Houston allows for the termination of the Franchise by ordinance adopted by City Council. However, before any such ordinance is adopted by City Council, TVMAX

City of Houston



Administration &
Regulatory Affairs

must be given at least 45 days' advance written notice. The written notice must set forth the causes and reasons for the proposed termination and cancellation, and advise TVMAX that it will be provided an opportunity to be heard by the City Council regarding such proposed action before any such action is taken, and shall set forth the time, date and place of the hearing. At the hearing, TVMAX shall be entitled to all the rights of due process consistent with City procedures including, but not limited to, the rights to present evidence, to be represented by counsel, to cross-examine witnesses and to make a transcript of the proceedings at its own expense. TVMAX will be provided the hearing notice at the same time it is provided a copy of this *Written Report to City Council*.

In the event TVMAX cures its failure prior to the hearing date, the hearing will be cancelled. If TVMAX fails to cure its failure by the conclusion of the hearing, the Franchise Agreement allows for the following options for City Council's consideration:

1. Seek monetary damages from TVMAX as compensation for such material breach;
2. Revoke the Franchise by termination of the franchise ordinance; and/or
3. Seek such other remedy as may be available at law or in equity.

The City is currently engaged in civil action against TVMAX for failure to pay the amounts owed under the Franchise. This civil action will continue to its proper conclusion in the hopes of collecting monies owed the City of Houston. The civil action has, thus far, failed to bring TVMAX into payment compliance.

The Council agenda for the date of the hearing will include an ordinance for Council's consideration terminating TVMAX's franchise. The agenda item will be pulled if TVMAX cures its failures at any time up to the consideration of the agenda item. If the ordinance is approved, the administration expects TVMAX to immediately cease providing cable television service to its customers. If TVMAX continues to do so, the administration will immediately seek a civil injunction to prevent them from doing so.

IMPACT ON TVMAX CUSTOMERS

When TVMAX ceases providing cable television services upon a vote by City Council to terminate its Franchise Agreement, its 5,153 subscribers within the city limits will be left with no cable television services. The typical TVMAX customer is the management company for a multi-family dwelling or a homeowner's association for a multi-unit condominium or townhome residence. Typically, a contract is entered into with the management company to provide bulk cable television service to all of the residents in the apartment building, whether the individual resident uses the cable television services or not, usually for a basic tier of service. The cost of this basic tier of cable television service is typically included in the monthly apartment rental fee, either as a line-item or factored into the base apartment rental fee. Apartment residents can enter into an individual agreement with TVMAX to receive internet service or premium cable television services for an additional fee. While an individual apartment dweller is free to contract with any cable television provider for services (federal law prohibits exclusive contracts), the reality is that no cable television company will incur the expense of installing wiring to one individual

apartment unit in order to provide them service. The revenue stream does not justify the installation cost, which results in an "all-or-nothing" situation for the apartment/condominium complex.

In these situations, management companies and homeowner's associations wishing to continue providing cable television services to their residents will need to contract with an alternate provider. These are private party agreements and the City will not get involved. ARA assumes existing agreements with TVMAX include a provision for opting out without penalty if TVMAX is no longer able to provide service, but this is up to each individual TVMAX customer to ascertain and, again, the City will not get involved.

As TVMAX is also a broadband internet provider, the poles, conduits and wires owned by TVMAX in the City's public rights-of-way will remain. As an internet provider, TVMAX is required to obtain and pay for the appropriate construction permits from Public Works & Engineering before building and maintaining their infrastructure in the public rights-of-way. However, federal law prohibits states and municipalities from charging any right-of-way fees to broadband internet providers or from refusing them reasonable entry into the public right-of-way.

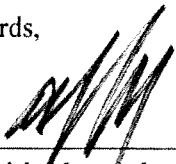
CONCLUSION AND RECOMMENDATION

ARA regrets that the course of events has reached this point. However, TVMAX's failure to cure its delinquency of fees in the amount of \$809,789.91 required under its Franchise Agreement with the City of Houston, as well as its failure to respond on a timely basis to inquiries, or to provide a concrete plan for meeting its obligations, leave the City with no other choice than to proceed with a franchise termination. In light of this, I recommend that:

- a. City Council set a prompt hearing to consider termination of TVMAX's cable Franchise; and,
- b. At the conclusion of the hearing, City Council approve termination of TVMAX's Franchise unless appropriate arrangements have been made by TVMAX to cure its Franchise defaults.

Any questions or concerns regarding this *Written Report to City Council* may be directed to Tina Paez at (713) 837-9630 or Juan Olguin at (713) 837-9623.

Regards,



Alfred J. Moran, Jr., Director

cc: Waynette Chan
James Koski
David Feldman
Marta Crinejo
Tina Paez
Juan Olguin

Administration & Regulatory Affairs
Report to City Council Regarding TVMAX Houston, LP
August 10, 2012

Exhibit A
Summary of Amounts Owed by TVMAX

EXHIBIT A

TVMax-Ordinance No. 2005-582

As per the Installment Agreement into by TVMax and the City of Houston, TVMax agreed to pay the amount of \$664,683.75, for past due fees due through June 30, 2011, in 24 monthly payments of \$27,695.16 commencing October 1, 2011. the payments received from TVMax on their installment agreement are as follows:

Due Dates	Date Paid-check no.	Amount Paid
Due 10/1/11 and 11/1/11	Paid 11/30/11-check no. 331418	\$55,390.32
Due 12/1/11	Paid 12/1/11-check#331435	\$27,695.16
Due 1/1/12	Paid 1/24/12 Check # 331478	\$27,695.16
Due 2/1/12	Paid 2/17/12 Check #331419	\$27,695.16
Due 3/1/12	Paid 4/3/12 Check #1309	\$27,695.16
Due 4/1/12	Paid 5/9/12 Check #1354	\$27,695.16
Due 5/1/12	Delinquent	
Due 6/1/12	Delinquent	
Payments to Date		\$193,866.12


Balance Due **\$470,817.63**

TVMax-FY12 Amounts Due								
FY Year	Calendar Qtr	Pymt. Due	Franchise Fee Payment Due	PEG Fee Payment Due	Capital Contribution (due annually-8/3)	Late pp Due (through 7/17/12)	Amount Due	
FY12	3rd qtr 2011	11-15-2011	\$113,779.93	\$6,666.17	0	\$9,542.32	\$129,988.42	
FY12	4th qtr 2011	2-15-2012	\$84,484.93	\$5,695.66	0	\$4,357.67	\$94,538.26	
FY12	1st qtr 2012	5-15-2012	\$76,281.94	\$5,752.47	0	\$1,596.19	\$83,630.60	
Amount Due			\$274,546.80	\$18,114.30	\$0.00	\$15,496.18	\$308,157.28	

Attorney's fees \$ **30,815.00**

TOTAL DUE \$809,789.91

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

SUBJECT: An Ordinance setting the dates and times of three public hearings for the bond election to be held on November 6, 2012		Category #	Page 1 of 1	Agenda Item # 2
FROM (Department or other point of origin): Legal Department		Origination Date August 23, 2012		Agenda Date AUG 29 2012
DIRECTOR'S SIGNATURE: 		Council District affected: ALL		
For additional information contact: David M. Feldman Phone: 713-393-6491		Date and identification of prior authorizing Council action: 2012-714		
RECOMMENDATION: (Summary) That the City Council adopt an ordinance setting the dates and times of three public hearings in connection with the Election to be held on November 6, 2012				
Amount and Source of Funding: N/A			F & A Budget: N/A	
SPECIFIC EXPLANATION: It is recommended that City Council adopt the dates and times of three public hearings on Propositions "A" through "E" regarding the issuance of public improvement bonds. The hearings are intended to provide information to voters and allow Council to discuss the propositions that will be on the ballot on November 6, 2012. The following are the dates and times to receive public comment on the propositions to be considered by the voters at the Special Election to be held on November 6, 2012 pursuant to the proposed ordinance: Wednesday, September 19, 2012 at 9:00 a.m. Wednesday, September 26, 2012 at 6:00 p.m. Wednesday, October 3, 2012 at 6:00 p.m. All three hearings will be conducted in the City Council Chambers, City Hall, 901 Bagby, 2 nd floor, Houston, Texas.				
F & A Director:		Other Authorization:		Other Authorization:

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Ordinance No. 2011-388, subsequently amended by Ordinance Nos. 2011-399 and 2011-738, for the purpose of updating the list of voting precincts that comprise the City's single member council districts	Category #	Page 1 of 1	Agenda Item # <i>22</i>
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FROM (Department or other point of origin): Planning and Development Department	Origination Date August 20, 2012	Agenda Date
-------------------------------------------------------------------------------------------	--------------------------------------------	--------------------

DIRECTOR'S SIGNATURE: <i>Margaret A. Wallace</i>	Council District affected: ALL
------------------------------------------------------------	------------------------------------------

For additional information contact: Margaret Wallace Phone: 713-837-7826	Date and identification of prior authorizing Council action: 2011-738, 2011-399, and 2011-388
------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------

RECOMMENDATION: (Summary)
That the City Council approve an ordinance updating the list of voting precincts that comprise the existing Council single-member Districts as established in May 2011 by ordinance no. 2011-388 and amended by ordinance nos. 2011-399 and 2011-738.

Amount and Source of Funding: N/A	F & A Budget: N/A
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SPECIFIC EXPLANATION:
On May 18, 2011, City Council passed Ordinance No. 2011-388 establishing the boundaries of the single member districts from which District Council Members are elected and defining the single member districts by listing the Harris, Fort Bend, and Montgomery Counties' voting precincts that comprise those districts. The Ordinance was subsequently amended by Ordinance Nos. 2011-399 (June 1, 2011) and 2011-738 (August 24, 2011) to correct errors in the listing of voting precincts. Since that time, Harris County has split a number of voting precincts into two, thereby creating additional voting precincts within the city limits of the City of Houston. This action is to update the list of voting precincts that comprise the City's Council districts by identifying those added precincts only and assigning them to a Council District. No changes to the overall boundaries of the Council Districts are being changed.

No population or territory is being move from one District to another. The boundaries of the single member districts from which District Council Members are elected remain in the exact configuration they were established in by Ordinance No. 388 on May 2011.

Attached is a list of the new precincts and their assigned Council Districts.

- Copy: Marta Crinejo, Agenda Director
David Feldman, Legal
Tracy Calabrese, Legal
YuShan Chang, Legal
Anna Russell, City Secretary

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreement between UCM/GP-1301 FANNIN, L.P. (Landlord) and the City of Houston (Tenant) at 1301 Fannin Street, Houston, Texas for the Records Management System Project Team of the Houston Police Department

Page
1 of 1

Agenda Item
23

FROM (Department or other point of origin):
General Services Department

Origination Date

Agenda Date
AUG 29 2012

DIRECTOR'S SIGNATURE: *8/24/12*
Scott Minnix *Scott Minnix*

Council District affected: I

For additional information contact:
Jacquelyn L. Nisby Phone: 832-393-8023

Date and identification of prior authorizing Council action:

RECOMMENDATION: Approve and authorize a Lease Agreement between UCM/GP-1301 FANNIN, L.P. (Landlord), and the City of Houston (Tenant) at 1301 Fannin Street, Houston, Texas for the Records Management System Project Team of the Houston Police Department.

Amount and Source Of Funding:

General Fund:
\$1,031,400.00 Rent
\$ 504,240.00 Estimated Operating Expenses
\$ 110,700.00 Parking
\$1,641,840.00 Total

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department recommends approval of a Lease Agreement between UCM/GP-1301 FANNIN, L.P., (Landlord) and the City of Houston (Tenant) for approximately 15,280 square feet of lease space at 1301 Fannin Street, Houston, Texas for the Records Management System Project Team of the Houston Police Department (HPD). HPD will utilize the space to house the City and contract personnel responsible for implementation of HPD's Automated Records Management System which is currently located at 811 Dallas. HPD's current lease at 811 Dallas expires on September 23, 2012. The landlord and the City were unable to agree on renewal terms.

The proposed Lease Agreement provides for a three-year base term. The total monthly rental payment includes the base rent and operating expenses. The new lease term will commence on September 17, 2012 and will expire on September 16, 2015.

The total monthly rental breakdown is as follows:

Year	Base Rent PSF/YR	Operating Expense PSF/YR	Total PSF/YR	Total Monthly Payment	Annual Payment
Year 1	\$22.00	\$11.00	\$33.00	\$44,970.00	\$539,640.00
Year 2	\$22.50	\$11.00	\$33.50	\$45,606.67	\$547,280.04
Year 3	\$23.00	\$11.00	\$34.00	\$46,243.33	\$554,919.96

In addition, the lease provides the Tenant with 30 parking spaces (25 spaces at \$95.00 per space, per month and 5 spaces at \$140.00 per space, per month).

The lease space does not require build-out. The Landlord will provide a \$5.00 psf allowance for cabling and relocation.

The Landlord is responsible for maintaining the building.

SM:HB:JLN:FA:fa

xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby, Steve Hanner

REQUIRED AUTHORIZATION CUIC ID# 25 FA 32

General Services Department:

Humberto Bautista

Humberto Bautista, P.E.
Assistant Director

Houston Police Department:

Charles A. McClelland, Jr.
Chief of Police

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreement between North Houston, LP. (Landlord) and the City of Houston (Tenant) at 12941 North Freeway, Houston, Texas for the Psychological Services Division of the Houston Police Department

Page
1 of 1

Agenda Item
24

FROM (Department or other point of origin):
General Services Department

Origination Date
8/23/12

Agenda Date
AUG 29 2012

DIRECTOR'S SIGNATURE:
Scott Minnix

Council District affected: B

For additional information contact:
Jacquelyn L. Nisby Phone: 832-393-8023

Date and identification of prior authorizing Council action:

RECOMMENDATION: Approve and authorize a Lease Agreement between North Houston, LP (Landlord), and the City of Houston (Tenant) at 12941 North Freeway, Houston, Texas for the Psychological Services Division of the Houston Police Department.

Amount and Source Of Funding:
General Fund:
\$518,272.92

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department recommends approval of a Lease Agreement between North Houston, LP (Landlord) and the City of Houston (Tenant) for approximately 5,293 square feet of lease space at 12941 North Freeway, Houston, Texas for the Psychological Services Division of the Houston Police Department (HPD). HPD will utilize this space for general office purposes. HPD's current lease at 12707 North Freeway expires on September 24, 2012.

The proposed Lease Agreement provides for a sixty two-month base term with one five-year renewal option at the then prevailing market rate. This is a full service lease, covering all operating expenses and up to 15 unreserved parking spaces. The new lease term will commence on October 1, 2012 and expire on November 30, 2017.

The total monthly rental breakdown is as follows:

Month	Monthly Payment
Months 1-14	\$7,718.96 (\$17.50 psf per year/\$1.46 psf per month)
Months 15-26	\$8,049.77 (\$18.25 psf per year/\$1.52 psf per month)
Months 27-38	\$8,380.58 (\$19.00 psf per year/\$1.58 psf per month)
Months 39-50	\$8,711.40 (\$19.75 psf per year/\$1.65 psf per month)
Months 51-62	\$9,042.21 (\$20.50 psf per year/\$1.71 psf per month)

The Landlord will build-out the lease space to meet the requirements of HPD. In addition, the Landlord will provide to HPD, a relocation allowance of \$15,400.00 to be used at HPD's discretion.

The Landlord is responsible for maintenance, taxes, insurance and utilities.


SM:HB:JLN:FA:fa

xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby, Steve Hanner

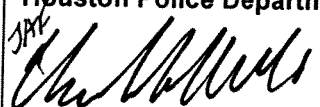
REQUIRED AUTHORIZATION

CUIC ID# 25 FA 31

General Services Department:


Humberto Bautista, P.E.
Assistant Director

Houston Police Department:


Charles A. McClelland, Jr.
Chief of Police

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Sub-Grant Agreement between the Houston Parks and Recreation Department and the United States Soccer Federation Foundation, Inc. for the *Houston Soccer for Success* after-school program.

Category #

Page
1 of 2

Agenda Item:

25

FROM (Department or other point of origin):

Houston Parks and Recreation Department

Origination Date:

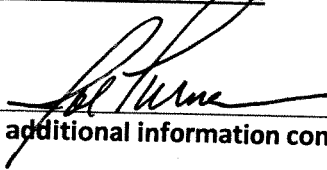
July 23, 2012

Agenda Date:

AUG 29 2012

DIRECTOR'S SIGNATURE:

Handwritten initials



Joe Turner, Director

Council Districts Affected:

A, B, E, H, and I

For additional information contact:

Luci Correa (832) 395-7057
Rose Esteves (832) 395-7058

Date and identification of prior authorizing Council Action:

N/A

RECOMMENDATION (summary):

The Houston Parks and Recreation Department (HPARD) recommends City Council approve an Ordinance authorizing a two-year, sub-grant agreement with the United States Soccer Federation Foundation, Inc. (USSF) to receive \$230,000 in grant funding from the Corporation for National and Community Service Social Innovation Fund for the *Houston Soccer for Success* after-school program.

Amount and Source of Funding:

\$230,000 Corporation for National and Community Service Social Innovation Fund
\$120,000 City of Houston General Fund (\$60,000 FY13 Approved Budget & \$60,000 FY14 Budget)
\$110,000 Houston Parks Board

Finance Budget:

SPECIFIC EXPLANATION:

The United States Soccer Foundation, Inc. (the Foundation) selected the Houston Parks and Recreation Department (HPARD) to receive a two-year, sub-grant award from the Corporation for National and Community Service United Social Innovation Fund for the *Houston Soccer for Success* after-school program. The sub-grant agreement makes these federal reimbursable funds available to HPARD from July 1, 2012 thru June 30, 2014.

The total estimated cost of the two-year project is \$460,000. The grant award is \$230,000 or 50% of project cost. A 50% cash match of \$230,000 is required. HPARD has budgeted \$60,000 for the Program Manager's Salary from FY2013 General Funds, and will budget the same amount for FY2014 to help meet the cash match. The Houston Parks Board will provide the remaining \$110,000 cash match through private fundraising events and programs such as the semi-annual H-Town Soccer Tournament at Houston Amateur Sports Park, *Joga Futsal* indoor soccer, and the 8 v 8 adult soccer league. More than \$18,500 has already been raised for the grant.

Houston Soccer for Success is an after-school program that uses the sport as a vehicle for youth development and obesity prevention. The grant will expand the program to serve an additional 600 at-risk youth for a total of 1,500 who will participate in after-school programming in a safe environment with structured physical activity, nutritional education, and mentorship. The program operates a minimum of three (3) days a week for at least two (2) 12-week seasons in the fall, winter, and/or spring. Each session runs for at least 90 minutes, and has a minimum child-to-adult ratio of 15:1.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

July 24, 2012

Subject: Sub-Grant Agreement between the Houston Parks and Recreation Department and the United States Soccer Federation Foundation, Inc. for the *Houston Soccer for Success* after-school program.

Page 2 of 2

The following schools and parks were selected to participate in the program because the schools requested the program, they are in underserved, low-income, and at-risk communities, and also if they successfully completed a previous season of *Houston Soccer for Success*:

SCHOOL/PARK	COUNCIL DISTRICT
Shadydale Elementary	B
Fonwood Elementary	B
Jefferson Elementary	H
Patrick Henry Middle	B
Westwood Elementary	A
Scroggins Elementary	H
Southmayd Elementary	I
Park Place Elementary	I
McReynolds Middle	H
Patterson Elementary	E
Milby Park	I
Shady Lane Park	B

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9478

Subject: Approve an Ordinance authorizing the execution of an agreement between the City of Houston and Genesys Works for participation of high school student interns in various City Departments

Category #
4

Page 1 of 2

Agenda Item

26

FROM (Department or other point of origin):

Charles T. Thompson
Chief Information Officer
Information Technology


Origination Date

August 22, 2012

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE

CS


Council District(s) affected
All

For additional information contact:

Somayya Scott

Phone: (832) 393-0082

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approval of an ordinance authorizing the execution of an agreement between the City of Houston and Genesys Works for participation of six (6) high school student interns to assist in various functions within Information Technology, Solid Waste, General Services and Mayor's Office of Business Opportunity.

Award Amount: \$100,000.00.

Finance Budget

Source of Funding:

- \$15,000.00 – Mayor's Office of Business Opportunity - General Fund (1000)
- \$33,000.00 – General Services Department - General Fund (1000)
- \$34,000.00 – Information Technology Department – General Fund (1000)
- \$18,000.00 – Solid Waste Management Department – Recycling Revenue Fund (2305)

\$100,000.00

SPECIFIC EXPLANATION:

The Chief Information Officer recommends approval of an agreement between the City of Houston and Genesys Works for student interns to provide services to various City Departments. The term of this agreement is for two (2) years with three (3) automatic one (1) year renewal periods. The amount of \$100,000.00 listed above is for the first year's funding. Out year funding will be determined by the amount of departmental participation requested and would require further Council action.

Genesys Works is a nonprofit 501[c] (3) corporation. The program mentors non-college bound students into positions as corporate interns, where they work half days during senior year in high school, exposing them to opportunities in Information Technology, Accounting and/ or Engineering Drafting. This approach has successfully achieved 95% of their participants to be college bound and 75% have either graduated or continue to be enrolled in a college program. This success has gotten the national recognition at the White House where they were featured at the inauguration of the Office of Social Innovation. The mission is to enable economically disadvantaged high school students to enter and thrive in the economic mainstream by providing them the opportunity to receive the knowledge and work experience required to succeed as professionals. The interns will be managed by each department individually; weekly timesheets will be required to monitor hours worked. Timesheets will require signoff prior to submission to Genesys Works who will in turn invoice each department for their respective intern(s).

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date:
8/22/2012

Subject: Approve an Ordinance authorizing the execution of an agreement between the City of Houston and Genesys Works for participation of high school student interns in various City Departments

Originator's
Initials
JB

Page 2 of 2

The departmental participation:

Departments	No. of Students	Activity	Amount
Mayor's Office of Business Opportunity	1	Accounting	\$15,000.00
Solid Waste Management	1	Drafting / Engineering	\$18,000.00
General Services	1	Drafting / Engineering	\$18,000.00
	1	Accounting	\$15,000.00
Information Technology	1	Technical Intern	\$19,000.00
	1	Accounting	\$15,000.00
Total	6		\$100,000.00

Listed below is the fee schedule for the hourly rates that will be paid to Genesys for the intern services. This schedule shall remain into effect for the duration of this agreement. The City will not pay for more than 1,000 hours for each Intern in any 12 month period.

Fee Schedule

Category	Hourly Rate
Information Technology	\$19.00 / hr
Engineering / Drafting	\$18.00 / hr
Accounting	\$15.00 / hr

Pay or Play:

The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

This item was presented at the August 14, 2012 Transportation Technology and Infrastructure Committee.

REQUEST FOR COUNCIL ACTION

RCA# 9472

TO: Mayor via City Secretary

Subject: Purchase of a Telecommunications Expense Management system for the Information Technology Department through the Texas Department of Information Resources (DIR)

Category #
4

Page 1 of 1

Agenda Item

27+27A

FROM (Department or other point of origin):

Charles T. Thompson
Chief Information Officer
Information Technology

Origination Date

August 23, 2012

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE

Charles T. Thompson

Council District(s) affected
All

For additional information contact:

Gary Morris Phone: (832) 393-0065
Somayya Scott Phone: (832) 393-0082

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing a change order with AT&T, Inc. for a Telecommunications Expense Management system for the Information Technology Department and authorize purchase orders

Award Amount: \$2,000,000.00 Central Service Revolving Fund (1002)
(\$400,000 FY13; \$1,600,000 out years)

Finance Budget

SPECIFIC EXPLANATION:

The Chief Information Officer requests City Council approval of an ordinance authorizing a change order and approval of a purchase order to AT&T, Inc. for an enterprise solution to a Telecommunications Expense Management for the Information Technology Department through the Texas Department of Information Resources (DIR). The change order has a three-year term with two one-year options.

The initial phase of the Telecommunication Expense Management project provides four modules which will allow the City to: 1) Process paper and electronic wire line and wireless vendor invoices; 2) Provide account payables (AP) export to the SAP Accounting System; 3) Upload paid invoice information as provided by ITD; 4) Provide comprehensive asset inventory including but not necessarily limited to telecom voice circuits and devices (wire line and wireless), telecom data circuits, routers, servers, switches and 5) allow comparison of plan rates to actual cost for wireless devices; at a cost of \$133,000.00.

The proposed change order provides on-going support and maintenance services at \$1.02 per product; an estimated monthly rate of \$33,000.00. Following the initial phase, a product count or "true up" will be taken on March 15th of each year thereby determining the monthly fee for the following 12 months. Subsequently, the AT&T monthly fee going forward will be predicated on the number of products in use at the time of "true up".

Additionally, this will authorize ITD to issue purchase orders for estimated costs. Out year payment amounts will be determined annually based on the "true up". This system will allow ITD to maintain a management tool to track expenses generated by citywide asset users.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date:
8/20/2012

Subject: Ordinance to amend and approve a change order and a Motion to approve a new purchase order to AT&T, Inc. for a Telecommunications Expense Management for the Information Technology Department

Originator's
Initials
JB

Page 2 of 2

The following is a list of the type of services that will be implemented.

Initial Services

1. Implementation of Wireless Management & Reporting Module
2. Implementation of Wire line Management & Reporting Module
3. Implementation of the Invoice Management Module & Reporting
4. Implementation of the Work Order Module

Ongoing Services

1. Process Paper and Electronic Vendor Invoices
2. Work with the City of Houston to obtain Invoice approval based on defined business rules
3. Provide one AP Export to City of Houston to interface into SAP Accounting System
4. Upload of Paid Invoice information as provided by City of Houston
5. Provide monthly reporting for Vendor invoice disputes, missing invoices and total spend
6. Process daily Cost Center Update to maintain Cost Center Structure in the system
7. Process daily HR Update to maintain current employees for use with the Mobile Device reporting
8. Provide monthly mobile reporting to include but not be limited to spend by vendor, comparison to plan, 3 month trending, mobile device with no usage, cost by Cost Center

Estimated Spending Schedule

	Amount	Total
FY2013	\$400,000	
FY2014	\$400,000	\$800,000
FY2015	\$400,000	\$1,200,000
FY2016	\$400,000	\$1,600,000
FY2017	\$400,000	\$2,000,000

Pay or Play:

The proposed change order 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.

Attachment: MWBE Zero -Percent Goal Document Approved by Mayor's Office of Business Opportunity.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #20RPS20

SUBJECT:

Ordinance to issue a pipeline permit to DCP Southern Hills Pipeline, LLC for one existing pipeline and one new pipeline for the underground transportation of materials within portions of certain City street rights of way.

Category #

Page

Agenda Item#

1 of 1

28

FROM: (Department or other point of origin):

Public Works and Engineering

Origination Date

8/23/12

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE:

[Handwritten Signature]

Daniel W. Krueger, P.E. Director

Council Districts affected:

B, E, I *[Handwritten initials]*

For additional information contact:

Richard Smith, P.E., PTOE *[Handwritten initials]*
Phone: (832) 394-9137

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance granting a permit to DCP Southern Hills Pipeline, LLC; a Limited Liability Corporation to operate, maintain, improve, repair and replace one existing pipeline and one new pipeline for underground transportation of materials under portions of certain street rights of way.

SPECIFIC EXPLANATION:

It is recommended that City Council approve a pipeline permit pursuant to the provisions of Article IX of Chapter 40 of the Code of Ordinances, authorizing DCP Southern Hills Pipeline, LLC; a Limited Liability Corporation to operate, maintain, improve, repair one existing pipeline and one new pipeline for the underground transportation of materials under portions of certain street rights of way in the City, as listed below and more specifically detailed in the permit ordinance:

Pipeline Name	Diameter Size	Materials
DCP Southern Connection - 18"	18-inch	Natural Gas Liquids
DCP Southern Hills Pipeline - 20"	20-inch	Natural Gas Liquids

DCP Southern Hills Pipeline, LLC submitted the initial required application permit fee of \$2,064.60 plus \$1,032.30 per pipeline for a total of \$4,129.20. A fee of \$1,032.30 due and payable January 1 of each year during the term of this permit ordinance. The permit is for 30 years.

LOCATION: The pipeline is located in Key Map grid(s) 252TX, 293W, 333BLR, 334UTP, 374DH, 375JNS, 417M, 456QUYZ, 496CFGYZ

DWK:MLL:RPS:tss

- cc: Marta Crinejo
Mark L. Loethen, P.E., PTOE, CFM
Deborah McAbee
Mary F. Clark

REQUIRED AUTHORIZATION

CUIC ID 20RPS20

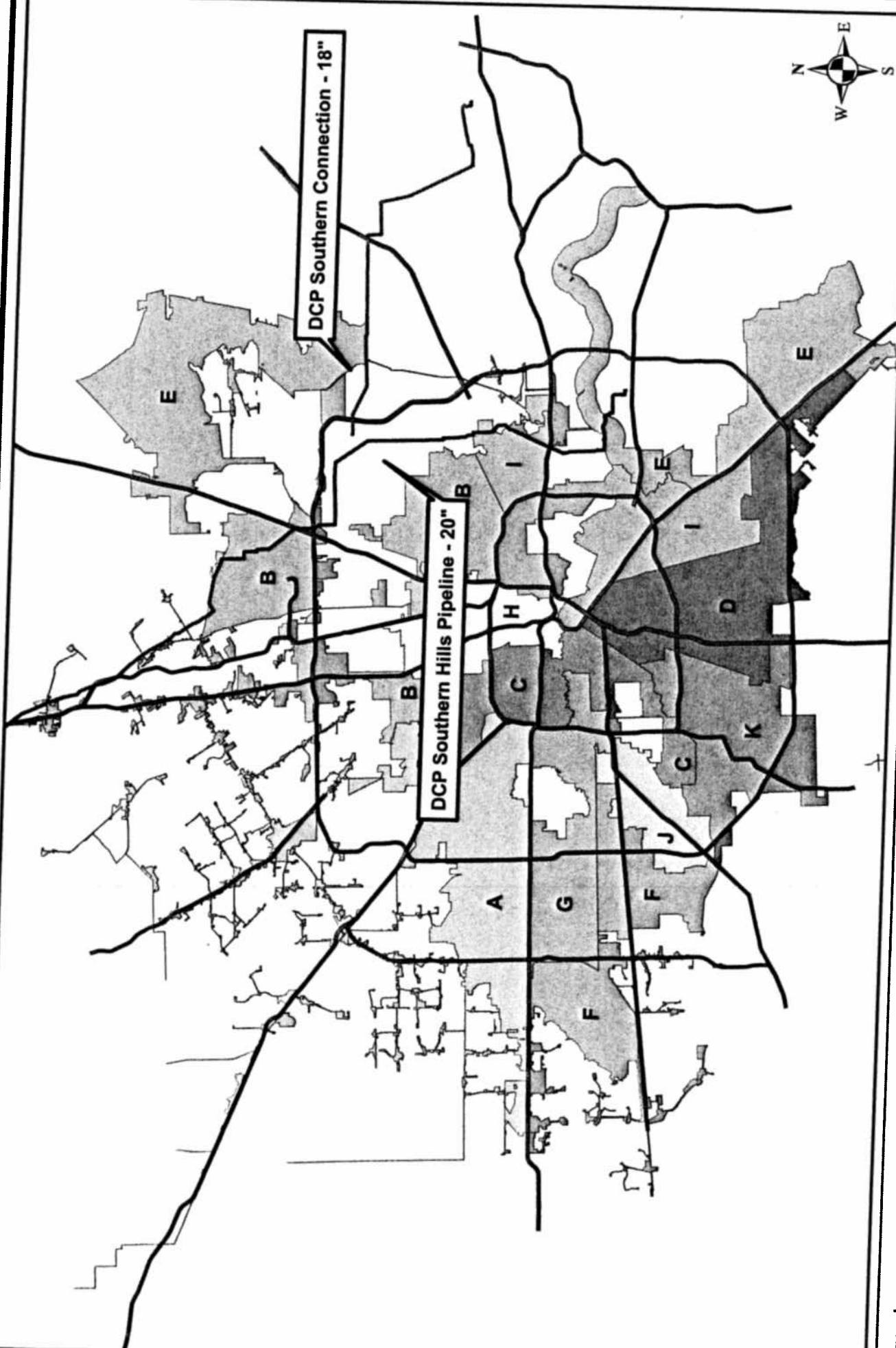
Finance Director:

Other Authorization:

Other Authorization:

[Handwritten Signature]

Mark L. Loethen, P.E., PTOE, CFM
Planning & Development Services



Legend

- DCP Southern Hills Pipeline, LLC
- DCP Southern Hills Pipeline - 20"
- DCP Southern Connection - 18"

- DISTRICT A
- DISTRICT B
- DISTRICT C
- DISTRICT D
- DISTRICT E
- DISTRICT F
- DISTRICT G
- DISTRICT H
- DISTRICT I
- DISTRICT J
- DISTRICT K

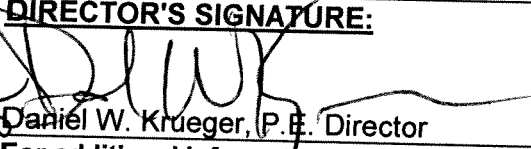


Document Control
Number: 2012-003

CITY OF HOUSTON
PUBLIC WORKS AND ENGINEERING
DCP Southern Hills Pipeline, LLC
Permit Request
N.T.S
Vicinity Map
Council District(s)
"BEI"

REQUEST FOR COUNCIL ACTION

TQ: Mayor via City Secretary

RCA #20RPS22

SUBJECT: Ordinance to issue a pipeline permit to NETCO Pipeline, LLC for one existing pipeline for the underground transportation of materials within portions of certain City street rights of way.	Category #	Page 1 of 1	Agenda Item# 29
	FROM: (Department or other point of origin): Public Works and Engineering		Origination Date 8/23/12
DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E. Director		Council Districts affected: A, B, F, G 	
For additional information contact: Richard Smith, P.E., PTOE  Phone: (832) 394-9137		Date and identification of prior authorizing Council Action:	

RECOMMENDATION: (Summary)
 Approve an ordinance granting a permit to NETCO Pipeline, LLC, a Limited Liability Company; to operate, maintain, improve, repair and replace one existing pipeline for underground transportation of materials under portions of certain street rights of way.

SPECIFIC EXPLANATION:
 It is recommended that City Council approve a pipeline permit pursuant to the provisions of Article IX of Chapter 40 of the Code of Ordinances, authorizing NETCO Pipeline, LLC, a Limited Liability Company; to operate, maintain, improve, repair one existing pipeline for the underground transportation of materials under portions of certain street rights of way in the City, as listed below and more specifically detailed in the permit ordinance:

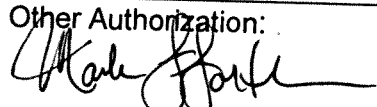
Pipeline Name	Diameter Size	Materials
NETCO Pipeline, LLC	4/14-inch	Natural Gas

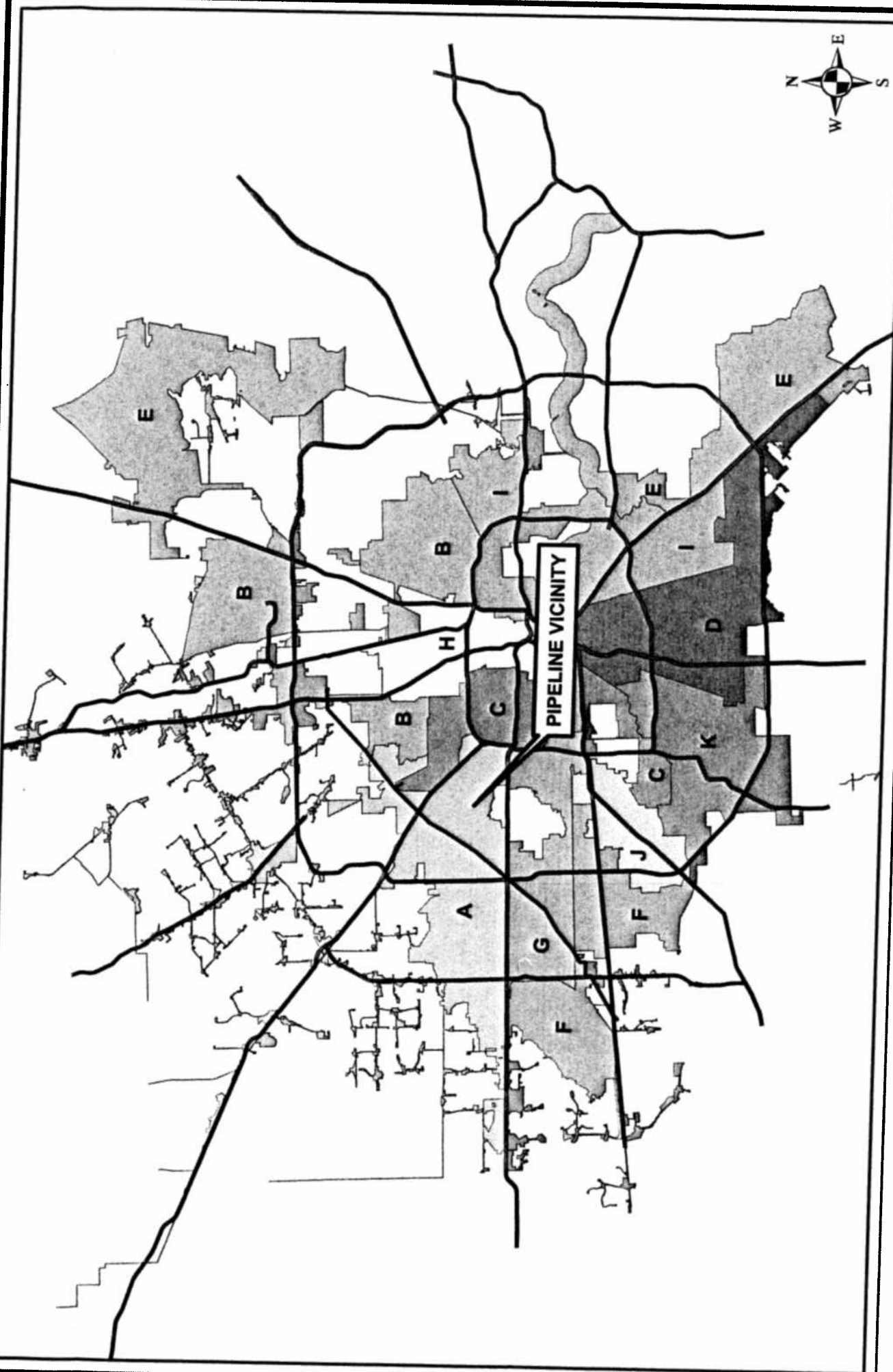
NETCO Pipeline, LLC submitted the initial required application permit fee of \$2,000.00 plus \$1,000.00 per pipeline for a total of \$3,000.00. A fee of \$1,032.30 due and payable January 1 of each year during the term of this permit ordinance. The permit is for 30 years.

LOCATION: The pipeline is located in Key Map grid(s) 410Z, 411QRSTUX, 412CD, 449Z, 450CDGKLNPSW, 487Z, 488QRTUW, 489CDFGJN, 527D

DWK:MLL:RPS:tss

- cc: Marta Crinejo
 Mark L. Loethen, P.E., PTOE, CFM
 Deborah McAbee
 Mary F. Clark

REQUIRED AUTHORIZATION		CUIC ID 20RPS22
Finance Director:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., PTOE, CFM Planning & Development Services



Legend

NETCO Pipeline, LLC

NETCO Pipeline, LLC

NETCO Pipeline, LLC

- DISTRICT A
- DISTRICT B
- DISTRICT C
- DISTRICT D
- DISTRICT E
- DISTRICT F
- DISTRICT G
- DISTRICT H
- DISTRICT I
- DISTRICT J
- DISTRICT K
- DISTRICT H

Document Control
#2012-010

CITY OF HOUSTON
PUBLIC WORKS AND ENGINEERING
NETCO Pipeline, LLC
Permit Request
N.T.S
Vicinity Map
Council District(s)
"ABFG"

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

SUBJECT: Advance Funding Agreement for a Congressional Streetscaping Project between the City and Texas Department of Transportation (TxDOT) for the Construction of Museum District/Main Street Corridor Improvement Project. WBS Number: N-000824-0002-4

Page
1 of 1

Agenda Item

30

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

Origination Date

8/23/12

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE

ms

Daniel W. Krueger, P.E.

Council District affected:

C & D *ms*

For additional information contact:

Richard Smith, P.E., PTOE *rs*

Managing Engineer, PW&E

Phone: (832) 394-9137

Date and identification of prior authorizing

Council action: Ordinance # 2010-0600, 07/28/2010; Ordinance # 2010-0581, 07/14/2010; and Ordinance # 2008-707, 07/13/2008.

RECOMMENDATION: (Summary)

Approve an ordinance for Advance Funding Agreement between the City and TxDOT.

No Additional Funding Required.

PROJECT DESCRIPTION: This project includes right-of-way enhancements in the vicinity of the Museum District and Main Street Corridor to enhance pedestrian mobility and create transit supportive environment. *M.P. 8/10/2012*

PREVIOUS HISTORY: On July 28, 2010 City Council approved a Local Advance Funding Agreement with TxDOT and appropriated funds in the amount of \$20,000.00 under Ordinance # 2010-0600. The original agreement included Federal Participation of \$3,050,000.00 and approved a local match of \$762,500.00 for construction and TxDOT oversight fees. The new agreement adjusts the Federal Participation to \$3,040,601.00 and reduces the required Local participation of this project to a total of \$450,664.00. The original Funding Agreement between the City and TxDOT will be terminated with execution of the new Funding Agreement.

SCOPE OF THIS AGREEMENT: This agreement outlines adjustment to Local, Federal participation, and State oversight fees for the construction of the Museum District/Main Street Improvement Project. The proposed agreement consists of \$1,237,946.00 Federal Demonstration Funds and \$1,802,655.00 Federal High Priority Safety (HPS) Funds for a total of \$3,040,601.00. Local participation (20% match) is only required for the HPS Funds. This reduces the local funding required to \$450,664.00, which includes TxDOT oversight fees. The local matching consists of \$260,000.00 contribution received from Rice University and Grayco Partners LLC with Ordinance # 2010-0581 and reserved under Contribution for Capital Projects (Fund Number 4510); and \$190,664.00 from Sale of Calumet Street right-of-way with Ordinance # 2008-707 and reserved under Woodland Regional Participation Fund (Fund Number 2425).

LOCATION: The Project is generally bound by Southmore on the North, Holcombe Boulevard on the South, Main Street on the West and Fannin Street on the East. It also includes the Museum District Area bound by Southmore on the North, MacGregor on the South, Montrose on the West and Crawford on the East. Key Map Grid No. 532D, 532H, 493W & 533A.

REQUIRED AUTHORIZATION

CUIC ID# 20RPS15

Finance Department:

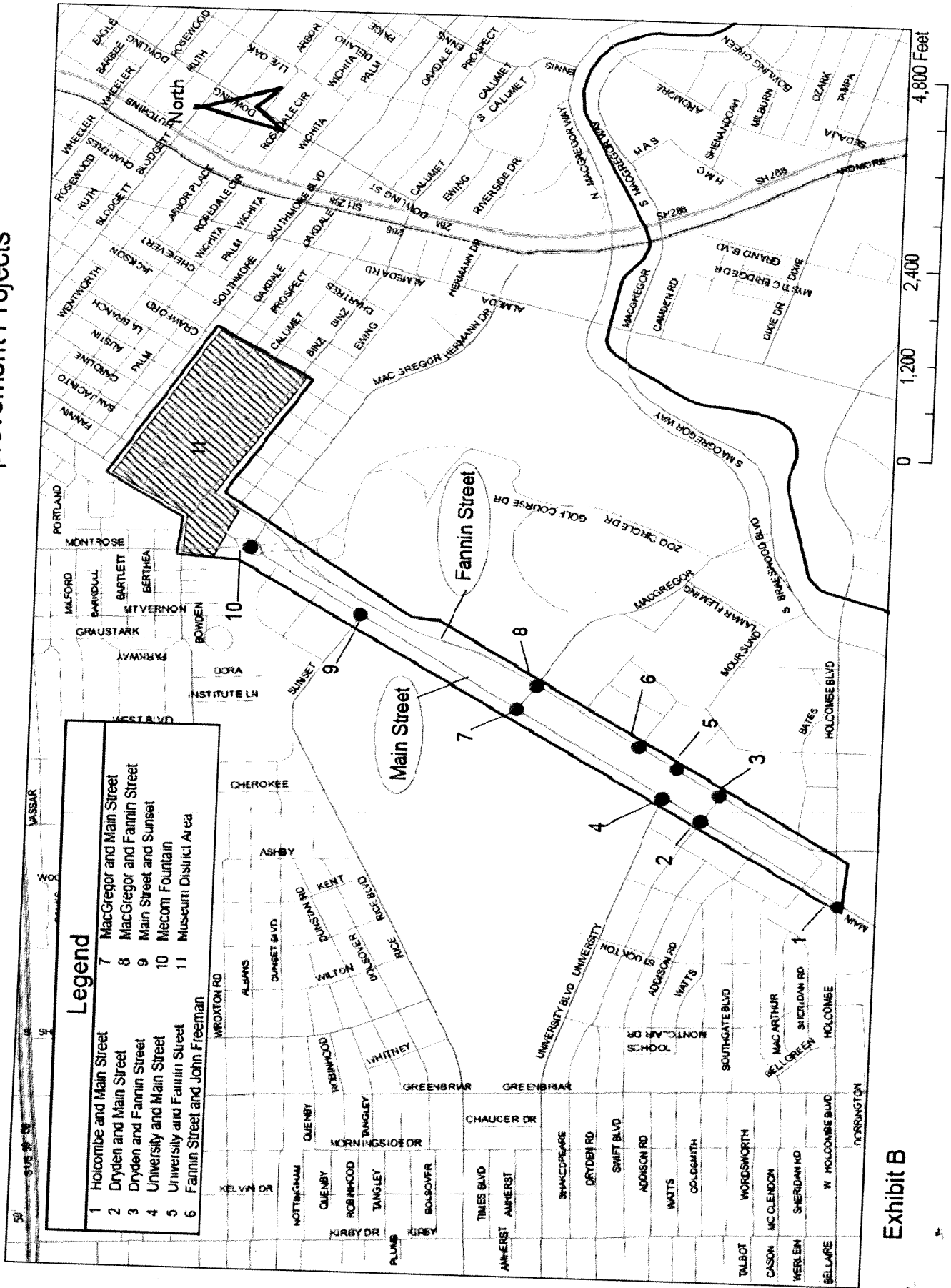
Other Authorization:

Other Authorization:

Mark L. Loethen
Mark L. Loethen, P.E., PTOE, CFM
Deputy Director, Planning and Development
Services Division.

ms 8-23-12

Museum District / Main Street Corridor Improvement Projects



Legend

- | | |
|----|--------------------------------|
| 1 | Holcombe and Main Street |
| 2 | Dryden and Main Street |
| 3 | Dryden and Fannin Street |
| 4 | University and Main Street |
| 5 | University and Fannin Street |
| 6 | Fannin Street and John Freeman |
| 7 | MacGregor and Main Street |
| 8 | MacGregor and Fannin Street |
| 9 | Main Street and Sunset |
| 10 | Mecom Fountain |
| 11 | Museum District Area |

Exhibit B

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance to adopt a Municipal Setting Designation prohibiting the use of designated groundwater for RectorSeal Corporation for the site located at 2601 Spenwick Drive, Houston, TX 77055. (MSD # 2012-042-RSC)

Page 1 of 1

Agenda Item # 31

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

8/23/12

Agenda Date

AUG 29 2012

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected:

AJ6

For additional information contact:

Jedediah Greenfield^{JG} Staff Analyst (832) 394-9005

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the RectorSeal Corporation site located at 2601 Spenwick Drive, Houston, TX 77055, and support issuance of an MSD by the Texas Commission on Environmental Quality (TCEQ). (MSD # 2012-042-RSC)

Amount and Source of Funding: N/A

BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designates an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010).

RECTORSEAL CORPORATION APPLICATION: RectorSeal Corporation is seeking a Municipal Setting Designation (MSD) for approximately 21.5-acres of land located at 2601 Spenwick Drive, Houston, TX 77055. The contamination consists of trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-Dichloroethene (trans-1,2-DCE), and vinyl chloride (VC). The RectorSeal Corporation site historically operated as a retail distribution facility for a department store chain. A gasoline underground storage tank release was discovered in 1992 and in 1993 the tank was removed and the affected soil excavated. Chlorinated solvents were discovered in groundwater in 1997 when RectorSeal purchased the property, and they enrolled the site into the State's Voluntary Clean Up Program. Affected groundwater is contained on-site and a licensed Professional Geologist has certified that the area of contamination is delineated, stable and in most cases decreasing in concentration.

RectorSeal Corporation is seeking an MSD for this property to restrict access to groundwater to protect the public against exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. A public meeting was held on July 10, 2012 at the Sosa Community Center, and a public hearing was held on August 14, 2012 during the Transportation, Technology, and Infrastructure Council Committee. Both meetings are necessary steps prior to City Council's consideration of support.

RECOMMENDATIONS: It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the RectorSeal Corporation site located at 2601 Spenwick Drive, Houston, TX 77055, and support issuance of an MSD by the Texas Commission on Environmental Quality.

MLL:TJH:RM:jbg
P:\UTILITY ANALYSIS-DEVELOPER SERVICES\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC
C: Marta Crinejo, Ceil Price

REQUIRED AUTHORIZATION

CUIC ID #20UPA171




Other Authorization:

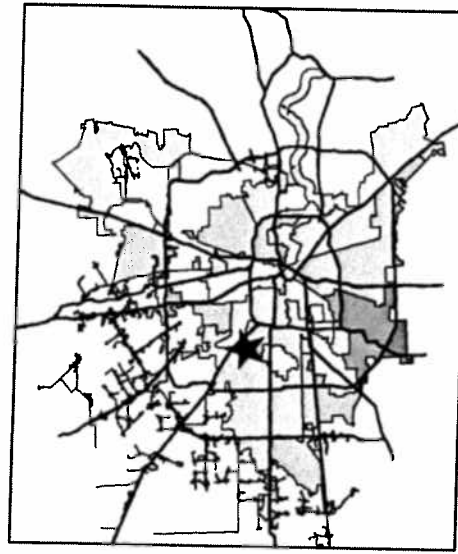
Authorization:

Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning & Development Services Division

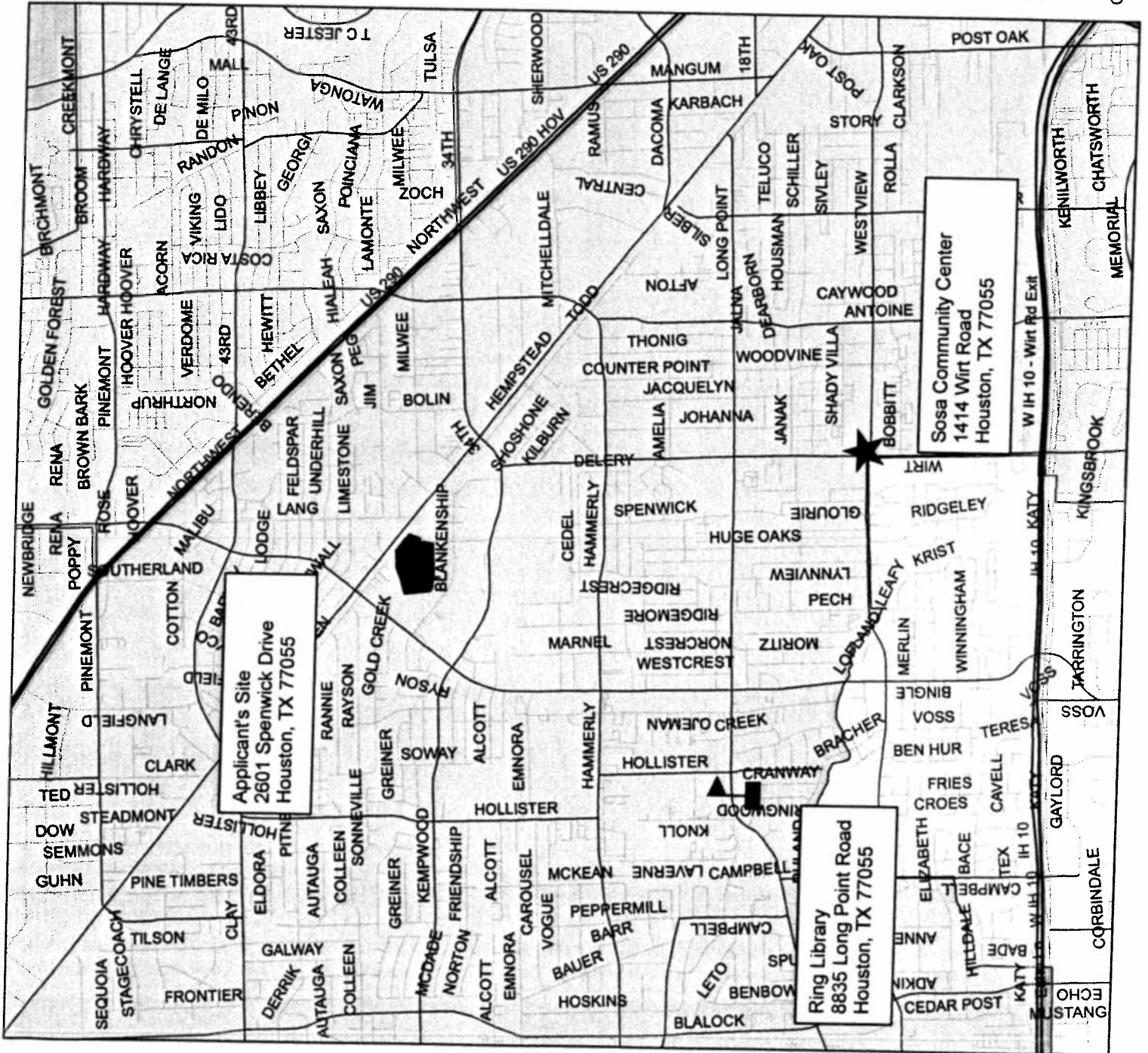
Other Authorization:

Municipal Setting Designation 2012-042-RSC Vicinity Map

- Legend**
-  MSD Site
 -  Community Center
 -  Library



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



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the FONDREN ROAD PROJECT (from Hillcroft to McHard/FM 2234) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS N-000821-0001-2-01	Page 1 of 1	Agenda Item # 32
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/23/12	Agenda Date AUG 29 2012
-------------------------------------------------------------------------------------------------------	------------------------------------	-----------------------------------

DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: K  Key Map 570 Z and 610 D	
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For additional information contact: Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director – Real Estate Planning and Development Services Division	Date and identification of prior authorizing Council Action: Ordinance 2010-0675, passed 8/18/10 Ordinance 2011-1088, passed 12/7/11	
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RECOMMENDATION: (Summary)
An ordinance for the FONDREN ROAD PROJECT (from Hillcroft to McHard/FM 2234) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source of Funding: No additional funding required. (Funds were previously appropriated under Ordinance 2010-0675 out of the Street and Bridge Consolidated Construction Fund 4506 and re-appropriated by Ordinance 2011-1088 into Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF) *M.P. 7/30/2012*

SPECIFIC EXPLANATION:
The Department of Public Works and Engineering is requesting that an ordinance for the FONDREN ROAD PROJECT (from Hillcroft to McHard/FM 2234) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project provides for the construction of a four-lane divided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control, and other necessary underground improvements to meet City of Houston standards and improve traffic flow.

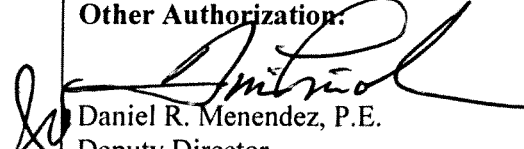
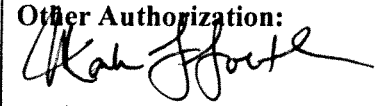
This action authorizes payment for costs of land purchases/condemnations, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment of the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceeds the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the FONDREN ROAD PROJECT (from Hillcroft to McHard/FM 2234).

DWK:NPC:cr

cc: Marta Crinejo

CUIC #20CDR35

REQUIRED AUTHORIZATION

Other Authorization:  Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
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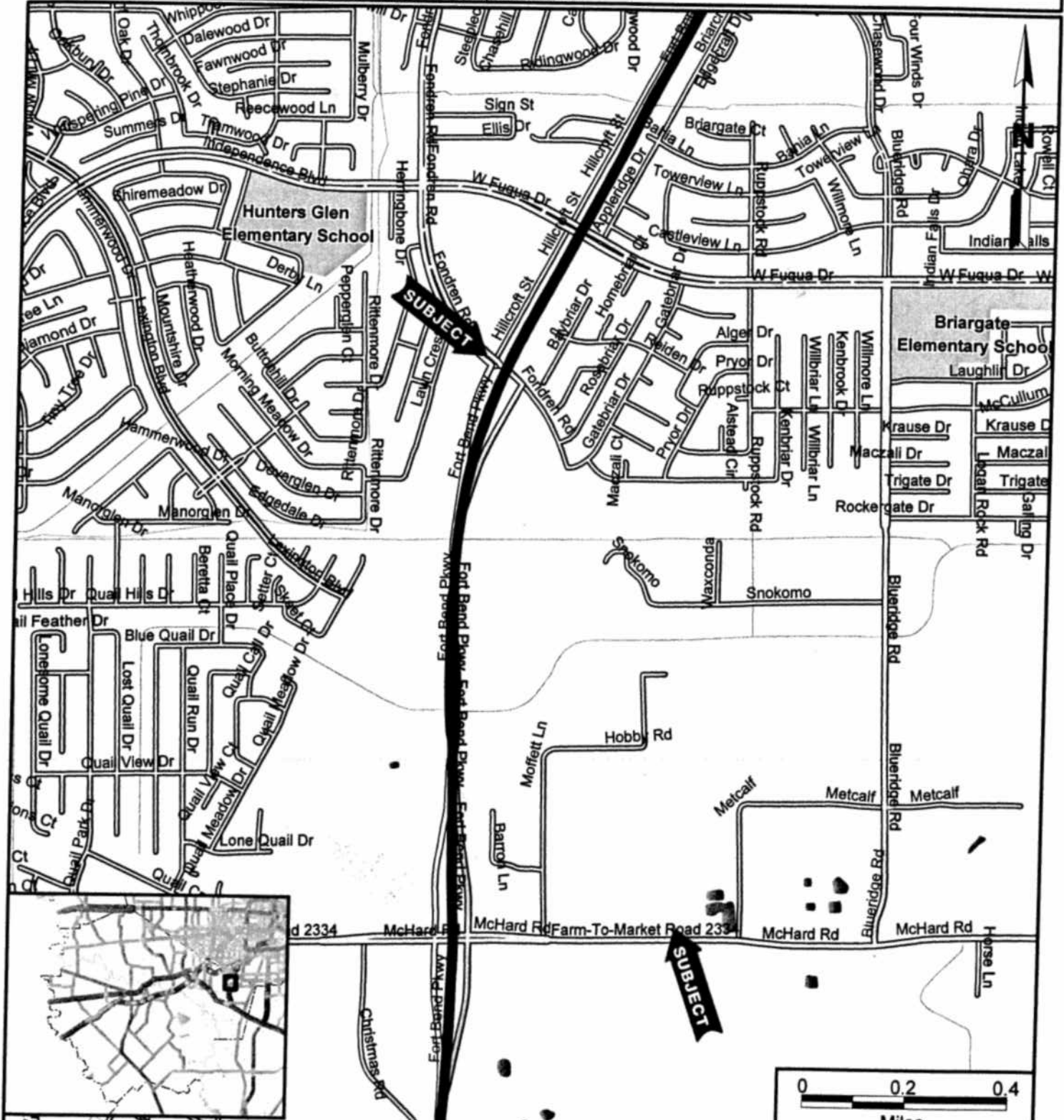
LOCATION MAP

Description: FONDREN ROAD PAVING AND DRAINAGE PROJECT (from Hillcroft to McHard)

WBS N-000821-0001-2, Key Map 570 Z and 610 D

Council District K

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



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

Copyright 1994-2012, MapPro, Inc.

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the NORTH HOUSTON ROSSLYN AT BREEN INTERSECTION IMPROVEMENTS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS N-000662-0040-2-01

Page
1 of 1

Agenda Item #

33

FROM: (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

8/23/12

DIRECTOR'S SIGNATURE:

Council District affected:

Daniel W. Krueger, P.E., Director

A
Key Map 411 E

For additional information contact:

Date and identification of prior authorizing Council Action:

Nancy P. Collins Phone: (832) 395-3130
Senior Assistant Director – Real Estate
Planning and Development Services Division

Ordinance 2012-0521, passed 5/30/12

RECOMMENDATION: (Summary)

An ordinance for the NORTH HOUSTON ROSSLYN AT BREEN INTERSECTION IMPROVEMENTS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source of Funding:

No additional funding required (covered under Blanket Appropriation Ordinance 2012-0521, N-000663-00RE-2-01 Fund 4042- Street & Traffic Control and Storm Drainage DDSRF)

M.P. 7/30/2012

SPECIFIC EXPLANATION:

The Department of Public Works and Engineering is requesting that an ordinance for the NORTH HOUSTON ROSSLYN AT BREEN INTERSECTION IMPROVEMENTS PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project provides intersection redesign work, such as improving the turn radius, repaving a portion of the intersection, adding new wheel chair ramps, new curbs, median improvements, a new traffic signal and sign installations at the existing intersection to meet City of Houston standards, increase public safety and improve traffic flow.

This action authorizes payment for costs of land purchases/condemnations, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment of the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceeds the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the NORTH HOUSTON ROSSLYN AT BREEN INTERSECTION IMPROVEMENTS PROJECT.

DWK:NPC:cr

cc: Marta Crinejo

CUIC #20CDR36

REQUIRED AUTHORIZATION

Other Authorization:

Other Authorization:

Other Authorization:

Daniel R. Menendez, P.E.
Deputy Director

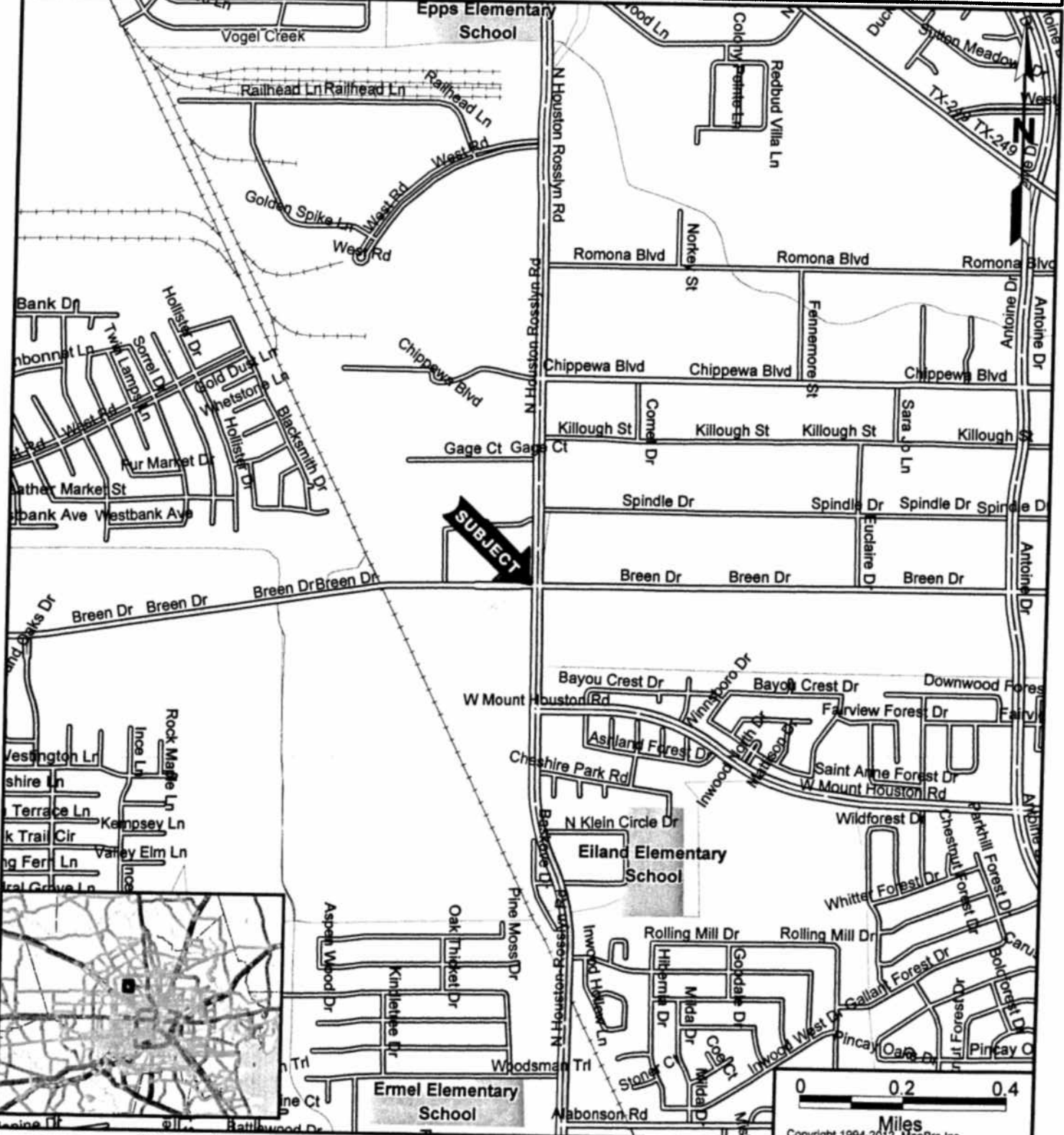
Mark L. Loethen, P.E., CFM, PTOE
Deputy Director

Engineering and Construction Division

Planning and Development Services Division

LOCATION MAP

Description: NORTH HOUSTON ROSSLYN AT BREEN INTERSECTION IMPROVEMENTS PROJECT
 WBS N-000662-0040-2-01, Key Map 411 E
 Council District A
 Prepared by: City of Houston, 611 Walker, Houston, TX 77002




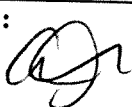
CAUTION: The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.


To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the NORTHLINE RECONSTRUCTION PROJECT (from Parker to Canino) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS N-000696-0001-2-01	Page 1 of 1	Agenda Item # 34
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/23/12	Agenda Date AUG 29 2012
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: H  Key Map 413S and W	
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For additional information contact: Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director – Real Estate Planning and Development Services Division	Date and identification of prior authorizing Council Action: Ordinance 2009-0720, passed 8/5/09 Ordinance 2011-1088, passed 12/7/11	
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RECOMMENDATION: (Summary)
An ordinance for the NORTHLINE RECONSTRUCTION PROJECT (from Parker to Canino) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source of Funding: No additional funding required. (Funds were previously appropriated under Ordinance 2009-0720 out of the Street and Bridge Consolidated Construction Fund 4506 and re-appropriated by Ordinance 2011-1088 into Fund 4042 Street & Traffic Control and Storm Drainage DDSRF)

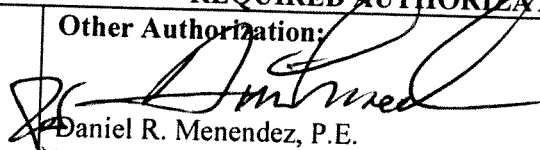
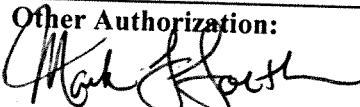
SPECIFIC EXPLANATION:
The Department of Public Works and Engineering is requesting that an ordinance for the NORTHLINE RECONSTRUCTION PROJECT (from Parker to Canino) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project provides for the reconstruction of approximately 5,800 feet of four-lane undivided concrete roadway with storm sewer system, curbs, sidewalks, street lighting, and other utilities. In addition, construction will include a two-lane asphalt street between Rosamond and Parker that includes sub-regional stormwater detention basins with an extended offsite stormwater system along Rosamond from Northline to Yale.

This action authorizes payment for costs of land purchases/condemnations, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment of the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceeds the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the NORTHLINE RECONSTRUCTION PROJECT (from Parker to Canino).

DWK:NPC:eg
cc: Marta Crinejo

CUIC #20ELG40

REQUIRED AUTHORIZATION

Other Authorization:  Daniel R. Menendez, P.E. Deputy Director Engineering and Construction Division	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
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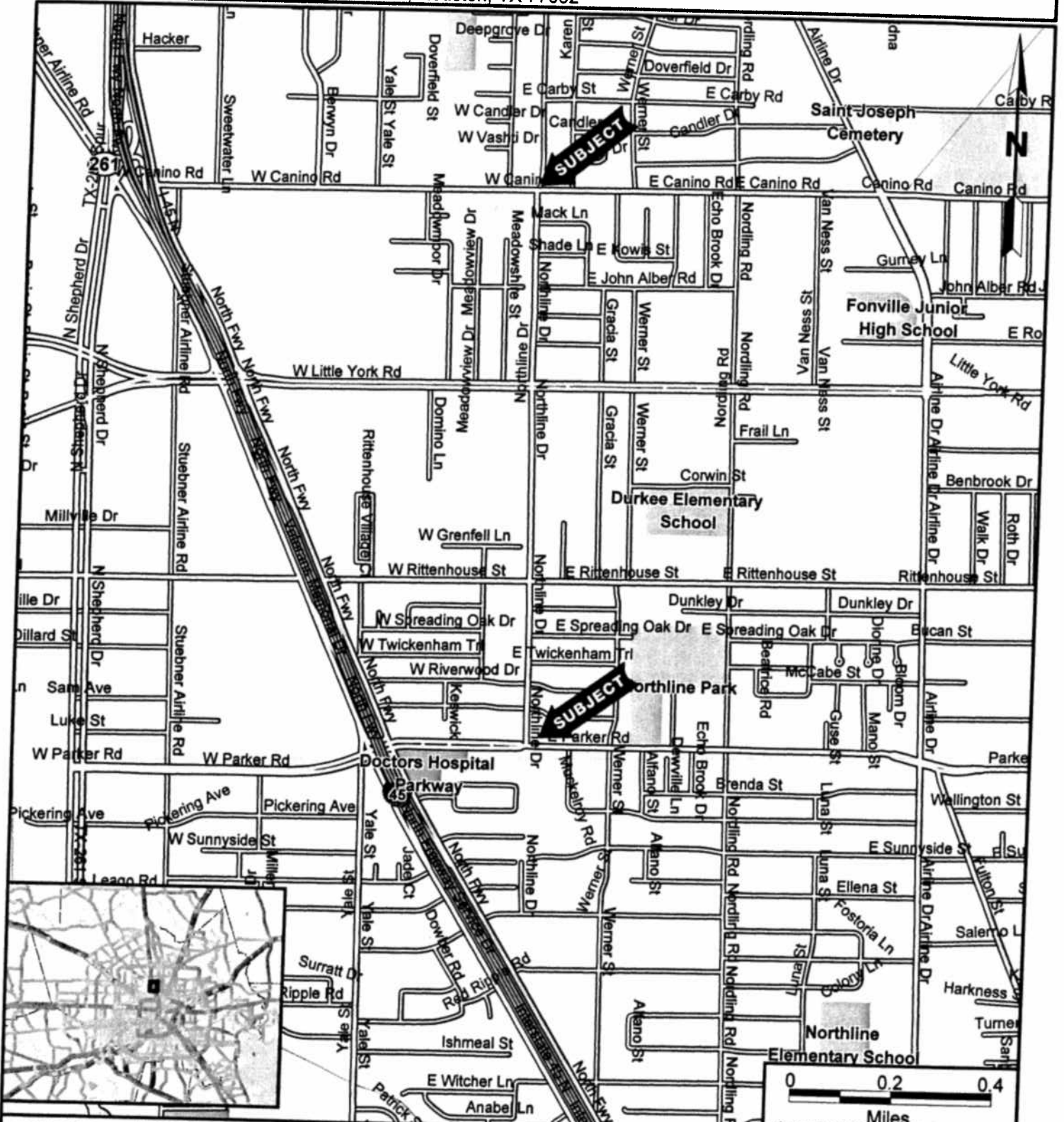
LOCATION MAP

Description: Northline Reconstruction Project (from Parker to Canino)

WBS N-000696-0001-2, Key Map 413 W and S

Council District H

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



CAUTION:

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

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the WILLOWCHASE LIFT STATION DIVERSION PROJECT (from Mills Road to Willowchase Boulevard) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS R-000267-0083-2-01	Page 1 of 1	Agenda Item # 35
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/23/12	Agenda Date AUG 29 2012
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DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director	Council District affected: A Key Map 369M
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For additional information contact: Nancy P. Collins Phone: (832) 395-3130 Senior Assistant Director – Real Estate Planning and Development Services Division	Date and identification of prior authorizing Council Action: Ordinance 2005-1102, passed 9/21/2005
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RECOMMENDATION: (Summary)
An ordinance for the WILLOWCHASE LIFT STATION DIVERSION PROJECT (from Mills Road to Willowchase Boulevard) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2005-1102 R-000019-00RE-2-01 Water and Sewer System Consolidated Construction Fund 8500) *W.P. 7/30/2012*

SPECIFIC EXPLANATION:
The Department of Public Works and Engineering is requesting that an ordinance for the WILLOWCHASE LIFT STATION DIVERSION PROJECT (from Mills Road to Willowchase Boulevard) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project is a part of the City's on-going program to upgrade existing lift station facilities and related sewer systems by rehabilitation, repair and/or consolidation and provides for the elimination of the existing lift station, acquisition of three permanent sewerline easements and one temporary construction easement to divert flows.

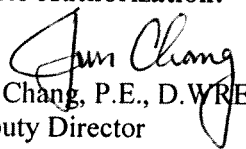
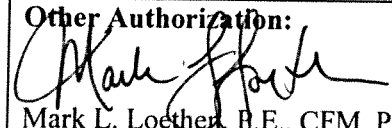
This action authorizes payment for costs of land purchases/condemnations, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause Eminent Domain proceedings to be filed and acquire rights-of-way and easements for said purposes and authorizes payment of the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceeds the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the WILLOWCHASE LIFT STATION DIVERSION PROJECT (from Mills Road to Willowchase Boulevard).

DWK:NPC:eg

cc: Marta Crinejo

CUIC #20ELG43

REQUIRED AUTHORIZATION

Other Authorization:	Other Authorization:  Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	Other Authorization:  Mark L. Loether, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
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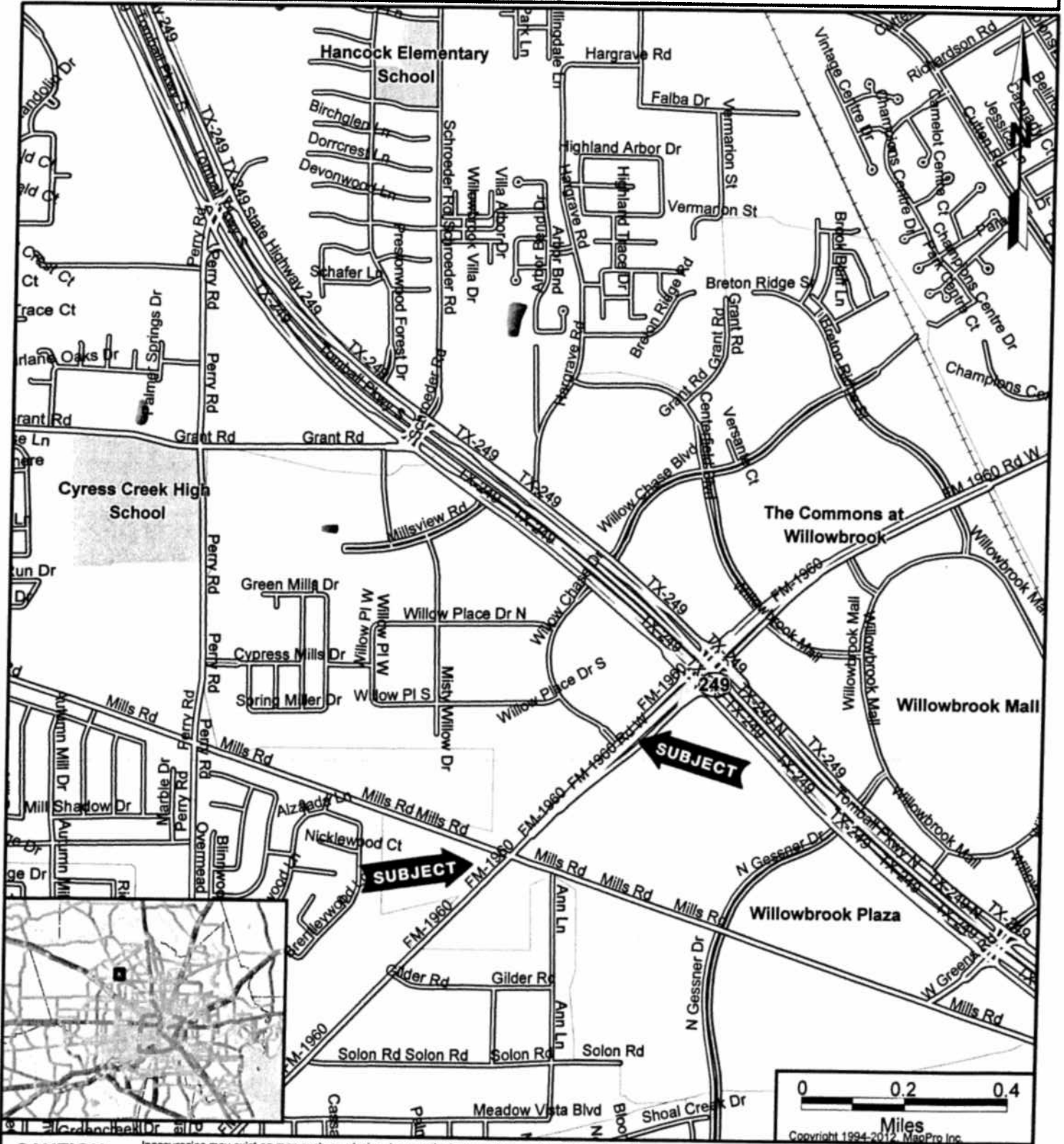
LOCATION MAP

Description: Willowchase Lift Station Diversion Project (from Mills to Willowchase)

WBS R-000267-0083-3-01

Key Map 369M

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



CAUTION:

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

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

SUBJECT: Ordinance approving the Transfer of Water and Wastewater Service of Customers in Harris County Municipal Utility District No. (HCMUD) 321; providing an effective date and notice to customers	Page 1 of 1	Agenda Item # <i>36</i>
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FROM (Department or other point of origin): Office of the City Attorney	Origination Date <i>8/23/12</i>	Agenda Date <i>AUG 29 2012</i>
-----------------------------------------------------------------------------------	-------------------------------------------	------------------------------------------

DIRECTOR'S SIGNATURE <i>[Signature]</i> David Feldman	Council District affected: All
--------------------------------------------------------------------	------------------------------------------

For additional information contact: Augustus L. Campbell 832-393-6486	Date and identification of prior authorizing Council action Ord. No. 2011-0605; Ord. No. 2010-919
---------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------

RECOMMENDATION: (Summary)
Approve the Transfer of Water and Wastewater Service in Accordance with a Treated Water Supply Contract and Sanitary Sewer Service Contract Between the City and HCMUD 406 and HCMUD 321

Amount and Source of Funding: No funds required.

SPECIFIC EXPLANATION:
BACKGROUND: HCMUD 321 is outside the City limits but inside the City's extraterritorial jurisdiction. The City has supplied water and wastewater service to customers (currently 59 commercial customers) in HCMUD 321 pursuant to a Water Supply and Waste Disposal Agreement, dated July 1, 1988, between HCMUD 321 and the City. The City assumed a contract to provide service to HCMUD 321 when it annexed the now-dissolved HCMUD 203.

The City, HCMUD 321, and HCMUD 406 entered into a Sanitary Sewer Service Agreement on December 7, 2010 (Ord. No. 2010-919) and a Treated Water Supply Agreement On July 7, 2011 (Ord. No. 2011-0605) (the "Agreements"). The Agreements provide that HCMUD 321 will begin providing water and wastewater service to the customers within the HCMUD 321 boundaries after making certain payments and improvements. HCMUD 321 has made or authorized the necessary payments and improvements.

RATE ORDER: On July 17, 2012, HCMUD 321 issued a rate order for customers within its boundaries and authorized the assumption of water and wastewater service from the City of Houston. After transfer of service, these 59 customers will begin receiving water and wastewater service from the HCMUD 321 via the designated operator, Hays Utilities Corporation South. The rates that HCMUD 321 will charge are different from the City, and some low-volume customers in HCMUD 321 may see a rate increase.

FINAL ORDER: Since the decision to transfer service rests with City Council, ~~the final order to change~~, the City Council would be the entity that makes the "final order of a rate change" for HCMUD 321 customers.

REASON FOR REQUEST: To meet Texas regulatory requirements, the City must provide customers outside its city limits with notice of a rate change within 30 days of providing a "final order of a rate increase". The City should not transfer service until a certain period after sending appropriate notice. To make sure the City provides appropriate notice, the effective date of transfer of service to HCMUD 321 should be on or after October 29, 2012.

Cc: Marta Crinejo Daniel W. Krueger Jun Chang

REQUIRED AUTHORIZATION

Finance Department	Other Authorization: <i>[Signature]</i> Mark L. Loethen, P.E., CFM, PTOE, Deputy Director Planning and Development Services	Other Authorization: <i>[Signature]</i> Susan Bandy, Deputy Director Resource Management Division
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TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Petition for the City's consent to the addition of 71.247 acres of land to New Caney Municipal Utility District (Key Map No. 297-A,B,C)

Page
1 of 1

Agenda Item
#

37

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

AUG 29 2012

DIRECTOR'S SIGNATURE

Council District affected:
"ETJ"

Daniel W. Krueger, P.E.

For additional information contact:

Date and identification of prior authorizing
Council action:

Mark L. Loethen, P.E., CFM, PTOE
Deputy Director (832) 395-2705

RECOMMENDATION: (Summary)

The petition for the addition of 71.247 acres of land to New Caney Municipal Utility District be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

New Caney Municipal Utility District has petitioned the City of Houston for consent to add 71.247 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of White Oak Creek, FM 1485 and Caney Creek. The district desires to add 71.247 acres, thus yielding a total of 9,235.367 acres. The district is served by the New Caney Municipal Utility District Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for New Caney Municipal Utility District is White Oak Creek which flows into Caney Creek and finally into Lake Houston.

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

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

Attachments

cc: Marta Crinejo Marlene Gafrick Jun Chang
Bill Zrioka Deborah McAbee


REQUIRED AUTHORIZATION

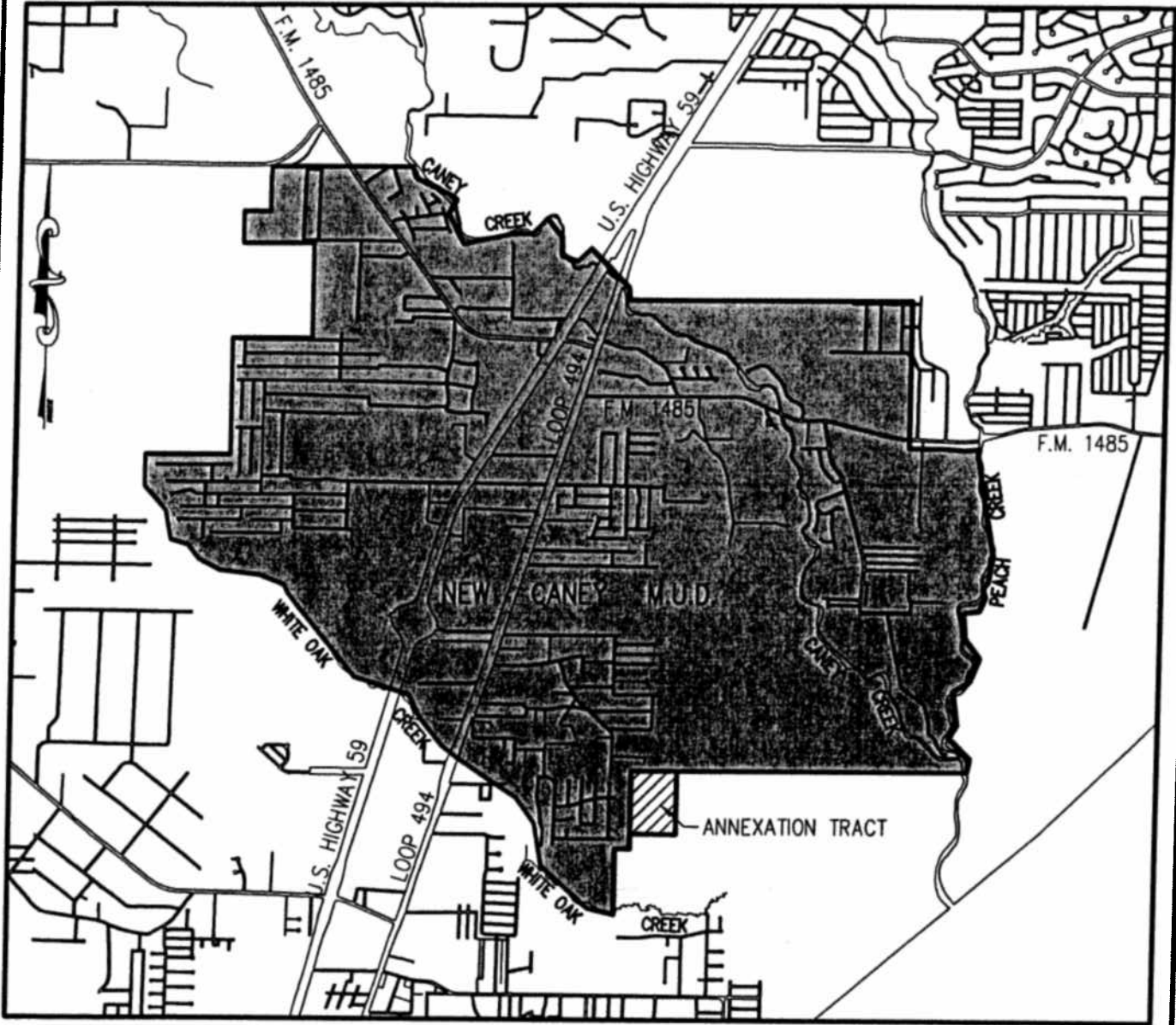
20UPA170

Finance Department

Other Authorization:

Other Authorization:


Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning & Development Services Div.




**NEW CANEY MUNICIPAL UTILITY DISTRICT
VICINITY MAP**

N.T.S.

KEY MAP: 255 R,V
 256 E,F,G,H,I,J,K,L,M,N,P,Q,R,S,T,U,V,X,Y,Z
 257 J,K,L,N,P,Q,S,T,U,W,X,Y
 296 C,D,G,H
 297 A,B,C

GMS MAP: 5673 A,B,D
 5772 A,B,C,D
 5773 A,B,C,D
 5872 A
 5873 A,C

LJA Engineering, Inc.		
2929 Briarpark Drive Suite 600 Houston, Texas 77042		
Phone 713.953.5200		Fax 713.953.5026
SCALE: N.T.S.		FRN - F-1386
JOB No. E206-0170-901		OCTOBER, 2011



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

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

Application is hereby made for consent of the City of Houston to the creation/ addition of 71.247 acres to New Caney M.U.D. under the provisions of 51 Texas Water Code.

Attorney for the District

Attorney: Jon C. Pfennig

Address: P.O. Box 269, Baytown, TX

Zip: 77522-0269

Phone: 832-556-0059

Engineer: LJA Engineering, Inc.

Address: 11821 East Freeway Suite 400, Houston, TX

Zip: 77029

Phone: 713-450-1300

Owners: William E. Dark, Pres. of White Oak Developers, Inc.

Address: 19221 IH-South 370, Conroe, TX

Zip: 77385

Phone: 281-367-1194

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

LOCATION

INSIDE CITY

OUTSIDE CITY

Survey N/A

NAME OF COUNTY (S) Montgomery

Abstract N/A

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

North of: White Oak Creek

East of: White Oak Creek

South of: FM 1485

West of: Caney Creek

WATER DISTRICT DATA

Total Acreage of District: 9,164.12

Existing Plus Proposed Land 9,235.367

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

Single Family Residential 87%

Multi-Family Residential 2%

Commercial 10%

Industrial 1%

Institutional 0%

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

Regional Plant

Sewage Treatment Plant Name: New Caney M.U.D. Sewer Plant

NPDES/TPDES Permit No: WQ0012274001

TCEQ Permit No: RN-10279837



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 2

Ultimate Capacity (MGD): _____

Size of treatment plant site: 9 square feet/acres.

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

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

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

Total permitted capacity: _____

MGD of (Regional Plant).

Name of District: _____

MGD Capacity Allocation _____

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

Water Treatment Plant Name: _____

New Caney M.U.D. Water Treatment Plant #1
22505 Lawsuit Lane, New Caney, TX 77357

Water Treatment Plant Address: _____

New Caney M.U.D. Water Treatment Plant #2
21455 Lodge Rd, New Caney, TX 77357

Well Permit No: _____

New Caney M.U.D. Water Treatment Plant #3
21700 McCleskey Rd, New Caney, TX 77357

Existing Capacity:

Well(s): 3,850 GPM

Booster Pump(s): 7,900 GPM

Tank(s): 1,763,000 MG

Ultimate Capacity:

Well(s): 5,000 GPM

Booster Pump(s): 10,000 GPM

Tank(s): 2,430,000 MG

Size of Treatment Plant Site: Plant #1-2 acres/ Plant #2-1 acre/ Plant #3-1 acre square feet/acres.

Comments or Additional Information: _____

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

SUBJECT: Petition for the City's consent to the addition of 4.9880 acres of land to Northwest Harris County Municipal Utility District No. 32 (Key Map No. 290-P)

Page
1 of 1

Agenda Item
#

38

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

AUG 29 2012

DIRECTOR'S SIGNATURE

Daniel W. Krueger, P.E.

Council District affected:
"ETJ"

For additional information contact:

Mark L. Loethen, P.E., CFM, PTOE
Deputy Director (832) 395-2705

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

The petition for the addition of 4.9880 acres of land to Northwest Harris County Municipal Utility District No. 32 be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Northwest Harris County Municipal Utility District No. 32 has petitioned the City of Houston for consent to add 4.9880 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Alvin A. Klein Drive, FM 2920 and Kuykendahl Road. The district desires to add 4.9880 acres, thus yielding a total of 589.3074 acres. The district is served by the Northwest Harris County Municipal Utility District No. 32 Wastewater Treatment Plant. The other district served by this plant is Northwest Harris County Municipal Utility District No. 30. The nearest major drainage facility for Northwest Harris County Municipal Utility District No. 32 is Willow Creek which flows to Cypress Creek, then to Spring Creek, then into the San Jacinto River and finally into Lake Houston.

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

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

Attachments

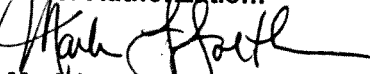
cc: Marta Crinejo Marlene Gafrick Jun Chang
Bill Zrioka Deborah McAbee

REQUIRED AUTHORIZATION

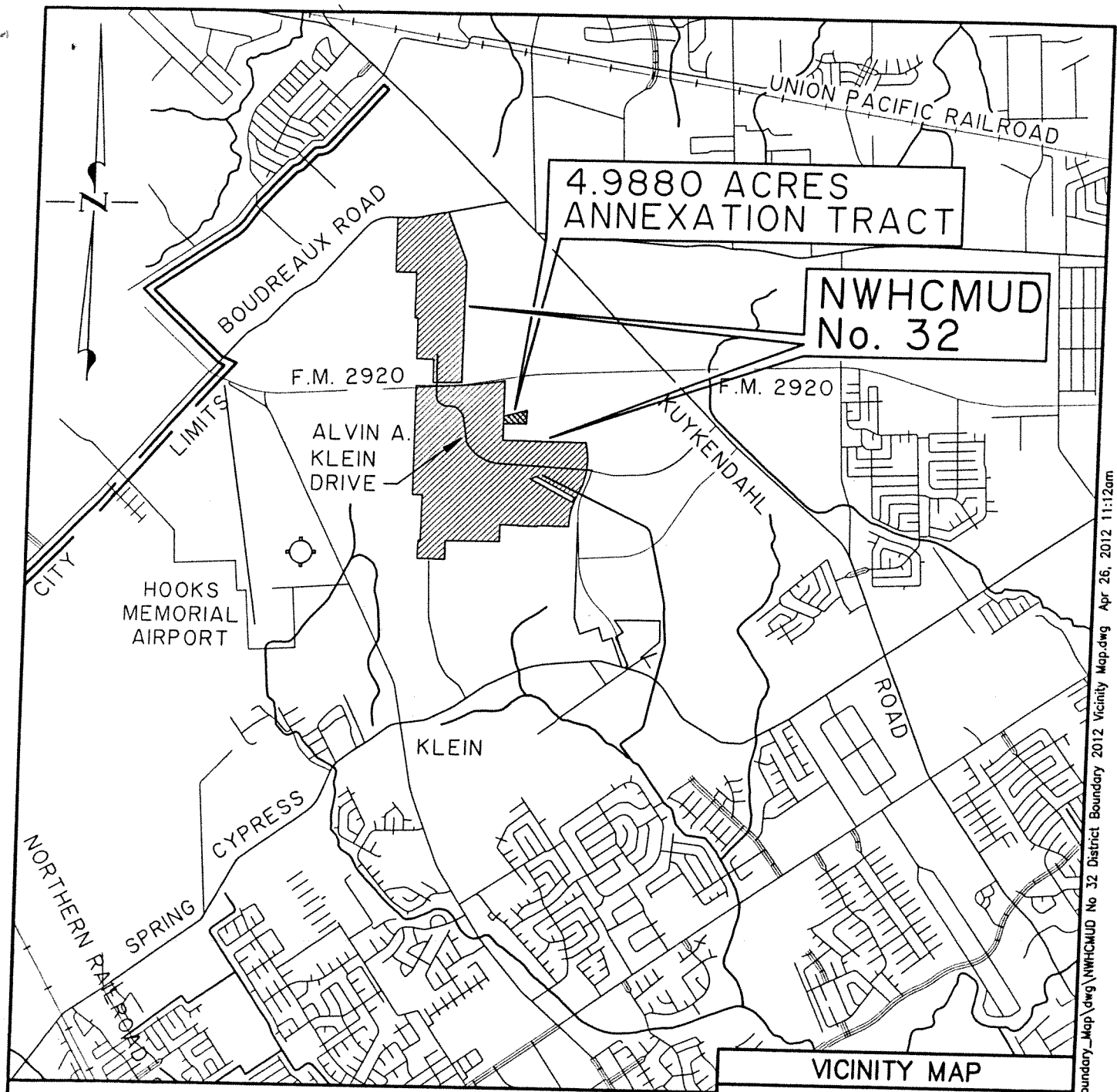
20UPA168

Finance Department

Other Authorization:


Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning & Development Services Div.

Other Authorization:



4.9880 ACRES
ANNEXATION TRACT

NWHCMUD
No. 32

VICINITY MAP

N.W.H.C.M.U.D. No. 32
589.3074 ACRES
HARRIS COUNTY, TEXAS

JACOBS[®]
JACOBS ENGINEERING GROUP INC.
5995 ROGERDALE ROAD
HOUSTON, TX 77072
(832) 351-6000

SCALE:	N.T.S.	PROJ. NO.	WHX15692
DRAWN BY:	JJP	DATE	SHEET
CHK'D BY:	DCD	04/26/12	1 of 1
APPROVED:	DCD		

20 UPA 168



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

received
8/2/12 [signature]

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

Application is hereby made for consent of the City of Houston to the creation/ addition of 4.9880 acres to Northwest HC MUD No. 32 under the provisions of Chapters 49 and 54, Texas Water Code.

Abraham Rubinsky

Attorney for the District

Attorney: Abraham. I Rubinsky, Schwartz Page & Harding, LLP

Address: 1300 Post Oak Boulevard, Suite 1400, Houston, TX Zip: 77056

Phone: 713-623-4531

Engineer: David C. Dybala, Jr., Jacobs Engineering Group

Address: 5995 Rogerdale Road, Houston, TX

Zip: 77072

Phone: 281-983-2344

Owners: DL Lincoln Distillery, LLC

Address: 166 Golden Shadow Circle, The Woodlands, TX

Zip: 77381

Phone: 713-481-2270

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

LOCATION

INSIDE CITY OUTSIDE CITY
Survey G.C. & S.F.R.R. Survey

NAME OF COUNTY (S) Harris
Abstract A-1301

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

North of: Alvin A. Klein Drive

East of: Alvin A. Klein Drive

South of: FM 2920

West of: Kuykendahl Road

WATER DISTRICT DATA

Total Acreage of District: 584.3194

Existing Plus Proposed Land 589.3074

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

Single Family Residential _____

Multi-Family Residential _____

Commercial 100% Industrial _____

Institutional _____

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

Sewage Treatment Plant Name: NWHCMUD NO. 32 WWTP

NPDES/TPDES Permit No: WQ0013152001

TCEQ Permit No: _____



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.683

Ultimate Capacity (MGD): 0.683

Size of treatment plant site: 42,173.58 sf square feet/acres.

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

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

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

Total permitted capacity: 0.683

MGD of (Regional Plant).

Name of District: NWHCMUD No. 32

MGD Capacity Allocation 0.38825

or property owner(s)

Name of District: NWHCMUD No. 30

MGD Capacity Allocation 0.29475

Water Treatment Plant Name: NWHCMUD No. 32 Water Plant

Water Treatment Plant Address: 20305 Doerre Road, Spring, Tx 77379

Well Permit No: 114832

Existing Capacity:

Well(s): 1,500

GPM

Booster Pump(s): 4,500

GPM

Tank(s): 0.5

MG

Ultimate Capacity:

Well(s): 1,500

GPM

Booster Pump(s): 4,500

GPM

Tank(s): 650,000

MG

Size of Treatment Plant Site: 1.87 acres

square feet/acres.

Comments or Additional Information: _____

TC: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 3400-3500 block of North Parkwood Drive, north and south sides, between Del Rio Street and Parkwood Drive as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 39
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 8/9/2012	Agenda Date AUG 29 2012
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: D
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 3400-3500 block of North Parkwood Drive, north and south sides, between Del Rio Street and Parkwood Drive as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of Lot 16, Block 54, of the Riverside Terrace Section 10 Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 72% of the area. Notification was mailed to the 14 (fourteen) property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. One (1) written protest was filed. The Houston Planning Commission considered the protest on July 19, 2012 and voted to recommend that the City Council establish the Special Minimum Lot Size Area.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 17,035 sf.

MLG:kw

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

xc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
David M. Feldman, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Special Minimum Lot Size Area No. 343

Planning Director's Approval

Planning Director Evaluation:

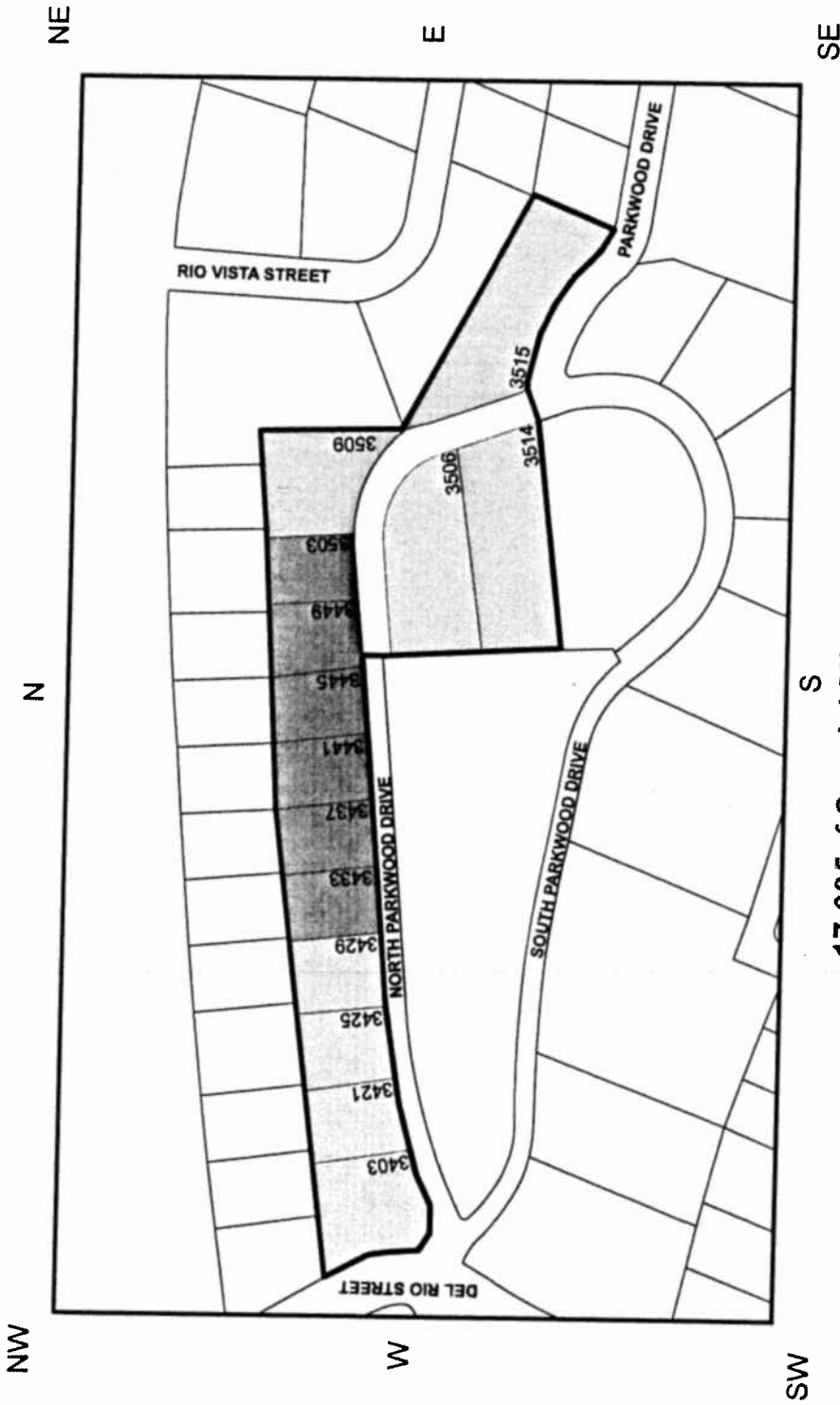
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 3400-3500 block of North Parkwood Drive, north and south sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>100% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 72% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 17,035 sq ft exists on eight (8) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1937. The houses originate from the 1940's. The establishment of a 17,035 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Eight (8) out of fourteen (14) lots (representing 71.9% of the application area) are at least 17,035 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.


 _____ 7/19/12
 Mark A. Kilkeny, Chair Date
 or

 Sonny Garza, Vice-Chair Date

RIVERSIDE TERRACE SECTION 10



17,035sf Special Minimum Lot Size

MAP/SKETCH

SMLSA No. 343

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 3400-3600 block of South Parkwood Drive, north and south sides, between Del Rio Street and Parkwood Drive as a Special Minimum Lot Size Area		Category #	Page 1 of _____	Agenda Item # <i>40</i>
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date 8/9/2012		Agenda Date AUG 29 2012
DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>		Council District affected: D		
For additional information contact: Kevin Calfee Phone:713.837.7768		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) Approval of an ordinance designating the 3400-3600 block of South Parkwood Drive, north and south sides, between Del Rio Street and Parkwood Drive as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.				
Amount and Source of Funding:			Finance Budget:	
<p>SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Tract 10, Block 56, of the Riverside Terrace Section 10 Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 60% of the area. Notification was mailed to the 10 (ten) property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Two (2) written protest was filed. The Houston Planning Commission considered the protest on July 19, 2012 and voted to recommend that the City Council establish the Special Minimum Lot Size Area.</p> <p>It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 52,285 sf.</p> <p>MLG:kw</p> <p>Attachments: Planning Commission's Approval, Special Minimum Lot Size Application, Evidence of support, Map of the area, Protest Letters</p> <p>xc: Marta Crinejo, Agenda Director Anna Russell, City Secretary David M. Feldman, City Attorney Deborah McAbee, Land Use Division, Legal Department</p>				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

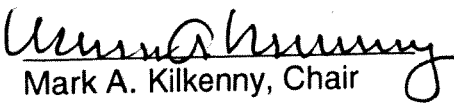
Special Minimum Lot Size Area No. 342

Planning Director's Approval

Planning Director Evaluation:

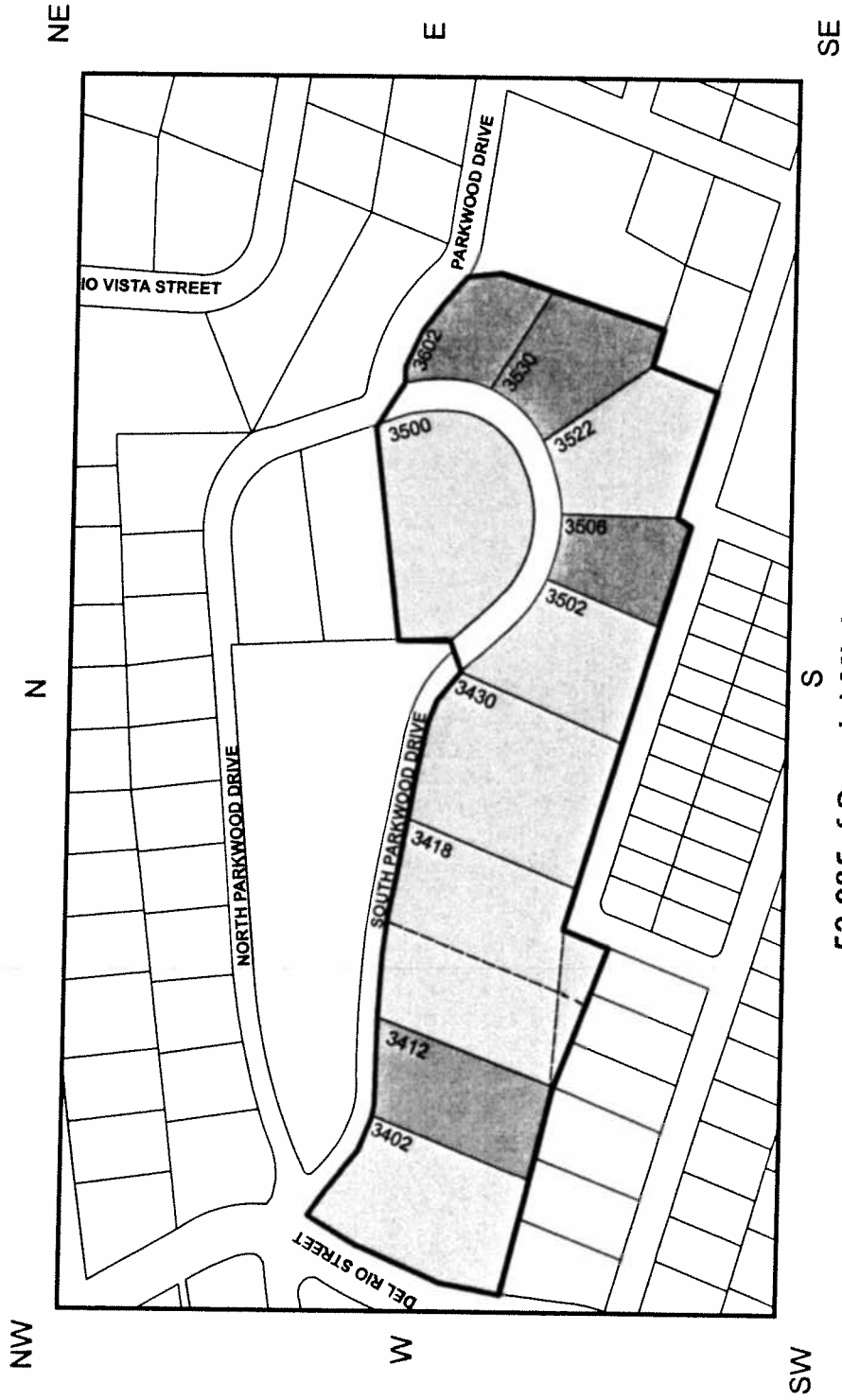
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 3400-3600 block of South Parkwood Drive, north and south sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>100% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 60% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 52,285 sq ft exists on seven (7) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1937. The houses originate from the 1940's. The establishment of a 52,285 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Seven (7) out of ten (10) lots (representing 74.5% of the application area) are at least 52,285 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.


 Mark A. Kilkenney, Chair _____ Date _____
 or

_____ Date _____
 Sonny Garza, Vice-Chair

RIVERSIDE TERRACE SECTION 10



52,285sf Special Minimum Lot Size

MAP/SKETCH

SMLSA No. 342

- Properties that meet the 52,285sf Special Minimum Lot Size
- Properties less than the 52,285sf Special Minimum Lot Size
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance appropriating funds to cover advertising costs for Capital Improvement Plan Projects. WBS Nos. M-000126-00AD-4, N-000668-00AD-4, R-000019-00AD-4, and S-000019-00AD-4

Page 1 of 1

Agenda Item #

41

FROM: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date:

8/23/12

Agenda Date:

AUG 29 2012

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E.
Director

Council District affected: ALL *W**

For additional information contact:

Ravi Kaleyatodi 8/1/12
Ravi Kaleyatodi, P.E., C.P.M. Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:

- Ord. No. 2004-0557 (06/02/04)
- Ord. No. 2007-0319 (03/21/07)
- Ord. No. 2008-1193 (12/17/08)
- Ord. No. 2010-0738 (09/22/10)

RECOMMENDATION: (Summary)

Appropriate funds for advertising costs for projects in Capital Improvement Plan

Amount and Source of Funding: \$145,000.00

\$ 65,000.00 Fund No. 4042 - Street and Traffic Control and Storm Drainage DDSRF

\$ 80,000.00 Fund No. 8500 - Water & Sewer System Consolidated Construction

\$145,000.00 Total Cost

M.P. 8/2/2012

SPECIFIC EXPLANATION

The Department of Public Works and Engineering is requesting that an ordinance be approved appropriating \$145,000.00 to cover advertising costs for construction projects that are included in the following Programs within the Capital Improvement Plan.

- Storm Drainage System Improvements
- Street & Traffic Control Facilities Improvements
- Wastewater System Improvements
- Water System Improvements

Construction projects are advertised in a local publication for two consecutive weeks under the Legal Notices section.

RC cyb
DWK:DRM:RK:CYH:wka *ws*
RCA Req Advertise Funds 2012.DOC

REQUIRED AUTHORIZATION

CUIC# 20WKA01

Finance Department:

Other Authorization:

Jim Chang
Jim Chang, P.E., D.WRE
Deputy Director, Public Utilities
Division

Other Authorization:

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

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance for consent to enter into an Interlocal Agreement among the City of Houston, City of Dallas, North Texas Municipal Water District, Tarrant Regional Water District and the Trinity River Water Authority of Texas.	Page 1 of 1	Agenda Item # 425
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/23/12	Agenda Date AUG 29 2012
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DIRECTOR'S SIGNATURE Daniel W. Krueger, P.E. <i>[Signature]</i>	Council District affected: ALL
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For additional information contact: Carol Ellinger Haddock, P.E. Senior Assistant Director (832) 395-2686	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)

To approve the Interlocal Agreement among the City of Houston, the City of Dallas, the North Texas Municipal Water District, the Tarrant Regional Water District, and the Trinity River Authority of Texas.

Amount and Source of Funding:
 \$20,900
 Water and Sewer System Operating Fund 8300 *[Signature]*

SPECIFIC EXPLANATION:

In 2007, the Texas legislature passed Senate Bill 3 (SB3) requiring environmental flow regimes to be identified for each of the State's major river basin and bay areas. Pursuant to SB3, in 2011 the Texas Commission on Environmental Quality adopted rules establishing flow standards for the Trinity and San Jacinto Rivers and Galveston Bay. The SB3 process calls for adaptive management to periodically incorporate new data and information regarding flow requirements.

The City of Houston, the City of Dallas, North Texas Municipal Water District, Tarrant Regional Water District and the Trinity River Authority of Texas (the "Parties") have major sources of water supply in the Trinity River basin and would like to enter into an Interlocal Agreement to cost-share in a study (the "Study") that will provide information to advance the Parties understanding of the freshwater requirements of Galveston Bay. It is anticipated that the information may be used to help maintain reasonable flow standards that will safeguard both the environment and water supplies.

The Trinity River Authority will act as the administrator with respect to the Study and enter into an engineering services agreement with ESPEY, Inc. dba RPS Espey, to conduct the Study on the Parties behalf. The Study is not to exceed \$104,500, with each Party's share being \$20,900. Funds will not be released until the other Parties have executed the Interlocal Agreement. The Study is scheduled to be completed by November 30, 2013.

The Department of Public Works recommends that the Interlocal Agreement be approved.

Attachments

cc: Marta Crinejo Yvonne Forrest
 Carol Haddock Lisa Lattu

REQUIRED AUTHORIZATION 20IPB034

Finance Department	Other Authorization: <i>[Signature]</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.	Other Authorization: <i>[Signature]</i> Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division
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TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Untreated Water Supply Contract with Battleground Oil Specialty Terminal Company, LLC	Category #	Page 1 of 1	Agenda Item # <i>43</i>
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/23/12	Agenda Date AUG 29 2012
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DIRECTOR'S SIGNATURE <i>[Signature]</i> Daniel W. Krueger P.E.	Council District affected: All <i>[initials]</i>
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For additional information contact: <i>[Signature]</i> Mark L. Loethen, P.E., CFM, PTOE (713) 837-0724	Date and identification of prior authorizing Council action
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RECOMMENDATION: (Summary)
Approve an ordinance authorizing the Mayor to execute an Untreated Water Supply Contract with Battleground Oil Specialty Terminal Company, LLC.

Amount and Source of Funding:
NO FUNDS REQUIRED; REVENUE CONTRACT FOR UNTREATED WATER

SPECIFIC EXPLANATION:

Battleground Oil Specialty Terminal Company, LLC (BOSTCO) has requested to enter into a standard form Untreated Water Supply Contract for the City to supply untreated water to their facility for use in their industrial processes. This contract will charge rates for untreated water as specified in City of Houston Code of Ordinances, Section 47-85, currently \$0.5944 per thousand gallons.

The standard form contract contains a maximum daily use quantity that, if the customer exceeds by more than 10%, assesses a 5% surcharge on the consumption above the maximum. A telephone Dial-Inbound Automatic Meter Reading System allows PWE to monitor daily usage.

BOSTCO's maximum quantity will be nine thousand gallons per day. Yearly revenue to the city from this contract is expected to be approximately \$1,952.61.

The untreated water will be supplied to the BOSTCO facility via the Trinity River water supply system which is managed by the Coastal Water Authority.

The City of Houston Infrastructure Planning Branch has evaluated the request and found that the water supply and delivery system is adequate to provide the requested quantities.

cc: Marta Crinejo
Jun Chang, P.E.
Susan Bandy

CUIC# 20IPB019

Finance Department	Other Authorization: <i>[Signature]</i> Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0185-4		Page 1 of 2	Agenda Item # <i>44</i>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 8 23 12	Agenda Date AUG 29 2012
DIRECTOR'S SIGNATURE <i>Daniel W. Krueger</i> Daniel W. Krueger, P.E.		Council District affected: All	
For additional information contact: Jason Iken, P.E. Senior Assistant Director Phone: (832) 395-4989		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.			
Amount and Source of Funding: \$5,930,404.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III.		<i>U.P. 8/1/2012</i>	
SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.			
DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 730 calendar days.			
LOCATION: The project area is generally bounded by the City Limits.			
BIDS: Two (2) bids were received on February 2, 2012 for this project as follows:			
		<u>Bidder</u>	<u>Bid Amount</u>
1. PM Construction & Rehab, LLC			\$5,562,289.84
2. Portland Utilities Construction Co., LLC			\$6,378,267.50
File/Project No. WW 4257-127		REQUIRED AUTHORIZATION	
Finance Department		Other Authorization: <i>[Signature]</i>	Other Authorization: <i>[Signature]</i> Jun Chang P.E., D.WRE, Deputy Director Public Utilities Division

Date	Subject: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0185-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to PM Construction & Rehab, LLC, with a low bid of \$5,562,289.84.

PROJECT COST: The total cost of this project is \$5,930,404.00 to be appropriated as follows:

- Bid Amount \$5,562,289.84
- Contingencies \$278,114.16
- Engineering Testing Services \$90,000.00

Engineering Testing Services will be provided by Raba-Kistner Consultants, Inc. under a previously approved contract.

HIRE HOUSTON FIRST: Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/W/SBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the City of Houston. The bidder has proposed an MBE participation of 19.00% and WBE participation of 5.00%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
CBL Industries, LLC	Asphalt/Paving	\$278,114.49	5.00%
Chief Solutions, Inc.	Clean & Televisive Sewer Lines	\$278,114.49	5.00%
5M Rope & Supply, LLC	Supplies	\$417,171.74	7.50%
J. A. Gamez, Trucking Services	Dump Truck Services	\$83,434.35	1.50%
	TOTAL	\$1,056,835.07	19.00%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Advantage Manhole & Concrete Services, Inc.	Manhole Rehabilitation	\$139,057.25	2.50%
Deanie Hayes, Inc.	Supplies	\$139,057.25	2.50%
	TOTAL	\$278,114.50	5.00%

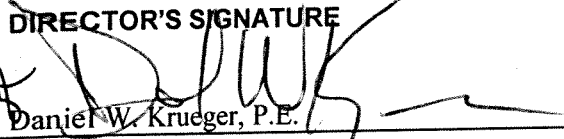
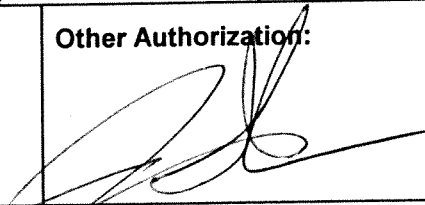

All known rights-of-way and easements required for this project have been acquired.

DL
DWK:JC:JI:DR:mb

File No. WW 4257-127

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0186-4		Page 1 of 2	Agenda Item # 45
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 8/23/12	Agenda Date AUG 29 2012
DIRECTOR'S SIGNATURE  Daniel W. Krueger, P.E.		Council District affected: All	
For additional information contact: Jason Iken, P.E. Senior Assistant Director Phone: (832) 395-4989		Date and identification of prior authorizing Council action: N/A	
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.			
Amount and Source of Funding: \$5,524,844.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III.		M.P. 8/1/2012	
SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.			
DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 730 calendar days.			
LOCATION: The project area is generally bounded by the City Limits.			
BIDS: Two (2) bids were received on February 16, 2012 for this project as follows:			
		<u>Bidder</u>	<u>Bid Amount</u>
1. PM Construction & Rehab, LLC			\$5,176,042.25
2. Portland Utilities Construction Co., LLC			\$5,848,569.50
File/Project No. WW 4257-128		REQUIRED AUTHORIZATION CUIC# 20JAI454 <i>NO</i>	
Finance Department	Other Authorization: 	Other Authorization:  Jun Chang P.E., D.WRE, Deputy Director Public Utilities Division	

Date	Subject: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0186-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to PM Construction & Rehab, LLC, with a low bid of \$5,176,042.25.

PROJECT COST: The total cost of this project is \$5,524,844.00 to be appropriated as follows:

- Bid Amount \$5,176,042.25
- Contingencies \$258,801.75
- Engineering Testing Services \$90,000.00

Engineering Testing Services will be provided by Aviles Engineering Corporation under a previously approved contract.

HIRE HOUSTON FIRST: Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/W/SBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the City of Houston. The bidder has proposed an MBE participation of 19.00% and WBE participation of 5.00%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
CBL Industries, LLC	Asphalt/Paving	\$258,802.11	5.00%
Chief Solutions, Inc.	Clean & Televise Sewer Lines	\$258,802.11	5.00%
5M Rope & Supply, LLC	Supplies	\$388,203.17	7.50%
J. A. Gamez, Trucking Services	Dump Truck Services	<u>\$77,640.63</u>	<u>1.50%</u>
	TOTAL	\$983,448.02	19.00%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Advantage Manhole & Concrete Services, Inc.	Manhole Rehabilitation	\$129,401.06	2.50%
Deanie Hayes, Inc.	Supplies	<u>\$129,401.06</u>	<u>2.50%</u>
	TOTAL	\$258,802.12	5.00%

All known rights-of-way and easements required for this project have been acquired.

DK
DWK:JC:JI:DR:mb

File No. WW 4257-128

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000266-0197-4	Page 1 of 2	Agenda Item # 46
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/23/12	Agenda Date AUG 29 2012
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DIRECTOR'S SIGNATURE Daniel W. Krueget, P.E.	Council District affected: All
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For additional information contact: Jason Iken, P.E. Senior Assistant Director Phone: (832) 395-4989	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract, and appropriate funds.

Amount and Source of Funding: \$765,358.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier II. *M.P. 8/7/2012*

SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace various deteriorated neighborhood collection systems throughout the City.

DESCRIPTION/SCOPE: This project consists of sanitary sewer cleaning and television inspection in support of rehabilitation. The contract duration for this project is 365 calendar days.

LOCATION: The project area is generally bounded by the City Limits.

BIDS: Five (5) bids were received on June 07, 2012 for this project as follows:

Bidder	Bid Amount
1. CleanServe, Inc.	\$724,150.20
2. EnviroWaste Services Group, Inc.	\$745,168.22
3. Specialized Maintenance Services, Inc.	\$821,292.30
4. SWWC Operations, Inc.	\$826,590.96
5. Chief Solutions, Inc.	\$930,091.45

File/Project No. WW 4277-74	REQUIRED AUTHORIZATION	CUIC# 20JAI433
Finance Department	Other Authorization: 	Other Authorization: Jun Chang P.E., D.WRE Deputy Director Public Utilities Division

Date	Subject: Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000266-0197-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to CleanServe, Inc., with a low bid of \$724,150.20.

PROJECT COST: The total cost of this project is \$765,358.00 to be appropriated as follows:

- Bid Amount \$724,150.20
- Contingencies \$36,207.80
- Engineering Testing Services \$5,000.00

Engineering Testing Services will be provided by Geotest Engineering, Inc. under a previously approved contract.

HIRE HOUSTON FIRST: Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/WSBE PARTICIPATION: No City M/WSBE participation goal has been established for this project, as the contract will not be a goal oriented contract per Section 15-82 of the Code of Ordinances.

All known rights-of-way and easements required for this project have been acquired.

JDK
DWK:JC:JI:DR:nb

File No. WW 4277-74

47

AUG 29 2012

MOTION NO. 2012 0647

MOTION by Council Member Gonzalez that an item be placed on the Agenda of August 29, 2012, to receive nominations for Positions 10 and 12 of the Houston Archaeological and Historical Commission Board of Directors, for a two-year term that will end March 1, 2014.

Seconded by Council Member Hoang and carried.

Mayor Parker, Council Members Brown, Davis, Cohen, Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green, Costello, Burks, Bradford and Christie voting aye
Nays none

Council Members Adams and Pennington absent on personal business

Council Member Noriega out of the City on personal business

PASSED AND ADOPTED this 22nd day of August 2012.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 28, 2012.

City Secretary

47

48

AUG 29 2012

MOTION NO. 2012 0648

MOTION by Council Member Christie that an item be placed on the Agenda of August 29, 2012, to receive nominations for appointments, for Positions One through Four of the Animal Advisory Committee Board of Directors, for the remainder of a two year term that will end December 31, 2013.

Seconded by Council Member Bradford and carried.

Mayor Parker, Council Members Brown, Davis, Cohen,
Sullivan, Hoang, Gonzalez, Rodriguez, Laster, Green,
Costello, Burks, Bradford and Christie voting aye
Nays none

Council Members Adams and Pennington absent on personal business


Council Member Noriega out of the City on personal business

PASSED AND ADOPTED this 22nd day of August 2012.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 28, 2012.

City Secretary

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance amending Rule 6, Section 2-2 of the Code of Ordinances, Houston, Texas, relating to the Council Member Code of Conduct and procedures for the investigation and punishment of violations of the Standards of Conduct		Category #	Page 1 of 1	Agenda Item # 49 40
FROM (Department or other point of origin): David M. Feldman, City Attorney Legal Department		Origination Date 8/16/12	Agenda Date AUG 29 2012 AUG 22 2012	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Rashaad Gambrell Phone: 832.393.6439		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) That City Council pass an ordinance amending Rule 6, Section 2-2 of the Code of Ordinances regarding the Council Member Code of Conduct to provide for an expanded due process procedure in the investigation of alleged violations of the Standards of Conduct				
Amount of Funding: N/A		F & A Budget: N/A		
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: Section 6, Article VII of the Houston City Charter empowers City Council to determine its own rules of procedure and to punish its members for misconduct. On April 20, 2011, City Council took action in adopting a Council Member Code of Conduct ("Code of Conduct") that set forth Standards of Conduct applicable to City Council members and provided a procedure whereby complaints containing alleged violations of one or more of the Standards of Conduct, brought by one council member against another, could be reviewed and disciplinary action taken should City Council determine that a violation had occurred. The proposed ordinance amends Rule 6 by altering the review procedure to exclude participation of the Mayor, change the composition of the initial Review Panel to include the Mayor Pro Tem, Vice Mayor Pro Tem, and a third Council Member to be selected by a strike-off procedure, and to involve the Houston Ethics Commission in preliminary review. Additionally, the ordinance would require not less than a 2/3 vote of city council members to determine that a violation of the Standards of Conduct had occurred, as well as to impose any discipline. A discussion of all the proposed changes occurred at a meeting of the Council Ethics and Governance Committee conducted on July 16, 2012.				

CMS

Rule 6. Council Member Code of Conduct.

City council finds and determines that establishing rules of conduct for members of city council is conducive to the conduct of the affairs of the council as a governing body and to good governance. Furthermore, the city council alone is empowered by Article VII, Section 6 of the City Charter to establish standards of conduct for the members of city council and to assess appropriate discipline for failure to comply with those standards. Consistent with that authority, the city council hereby establishes the following standards of conduct and accompanying disciplinary procedures.

I. Standards of Conduct.

Council members shall at all times conduct themselves in a manner consistent with the importance and dignity of their office. To that end, council members shall observe:

- (1) All ethical standards of conduct stated in Chapter 18 of this the Code of Ordinances;
- (2) All requirements of the City Charter regarding conduct by members of city council, including specifically but not limited to Article VII, Section 4; and
- (3) All requirements of federal law, state law, ~~the City Charter,~~ and this the Code of Ordinances regarding the duties, responsibilities, and obligations of elected officials, ~~and all other laws regulating individual conduct.~~

II. Disciplinary Procedure.

A. *Complaints.* A complaint by any council member alleging non-compliance with one or more standards of conduct by another council member shall be submitted to the city attorney or his designee ~~mayor~~ and shall be in writing, dated, and either properly verified (a document will be considered properly verified when a notary executes it with the language "Signed and sworn to (or affirmed) before me on (date) by (the name of the person))" or conform to minimum state law requirements for unsworn declarations, and shall include:

- (1) The name and position or title of the party or parties filing the complaint (hereinafter referred to as the *complainant(s)*);
- (2) The name and position or title of the individual(s) alleged to have violated one or more standards of conduct (hereinafter referred to as the *respondent(s)*);
- (3) The nature of the alleged violation of the standards of conduct or of other law, rule, or regulation, ~~applicable to the performance of duties or~~

~~discharge of responsibilities;~~

- (4) ~~The specific facts or circumstances~~ allegations that constitute give rise to a violation of one or more of the standards of conduct, including the submission of any documentation in the possession of the complainant that relates to the alleged violation of the standards of conduct (the complaint shall not contain innuendo, speculative assertions, or conclusory statements); and
- (5) A statement ~~by that~~ the complainant acknowledging recognizes and agrees that the complaint and all associated materials shall, to the extent permitted by law, be deemed confidential throughout the review process, and shall not be released to any third party by the complainant, ~~the mayor, or any other individual privy to the information as provided herein,~~ until such time as the matter is brought before city council.

B. Review Panel.

Notwithstanding the disciplinary procedure provided herein, the Review Panel shall stay its review of any complaint containing allegations that are the subject of a pending investigation or prosecution by a law enforcement agency until such time as the investigation and any prosecution thereof is completed; provided however, the Review Panel may proceed with its review of the complaint following its receipt of a written request from the respondent requesting that the Review Panel move forward with its review of the complaint.

- (1) Not later than five business days after receiving the complaint, the city attorney or his designee ~~mayor~~ shall forward a true and complete copy of the complaint to the respondent, the mayor pro tem, and the vice mayor pro tem.
- (2) ~~Not later than ten days after receipt of the complaint by the mayor,~~ the complaint shall be reviewed by the mayor pro tem, a member of city council designated by the complainant, and the vice mayor pro tem, and a member of city council mutually agreed upon by the complainant and respondent a member of city council designated by the respondent (collectively referred to as the Review Panel), in consultation with the city attorney; provided however, the mayor pro tem, vice mayor pro tem, or any other members of council selected or designated to serve on the Review Panel shall not participate in the review of a complaint which alleges he/she has violated one or more standards of conduct.
- (3) If the complainant and respondent are unable to agree upon a member of city council to serve on the Review Panel within five business days of the

receipt of the complaint, the mayor pro tem shall submit to the complainant and respondent an identical list of council members not a party to the complaint. The complainant and respondent shall each have five business days from the date of the receipt of the list to:

- a. Strike not more than three names;
- b. Number the remaining names in order of preference; and
- c. Return the list to the mayor pro tem.

If the complainant or respondent does not return the list within the time specified, all council members named therein shall be deemed acceptable. From the names that have been approved on both lists, the mayor pro tem shall invite the acceptance of the identified council member to serve on the Review Panel in accordance with the designated order of mutual preference.

- (4) If the complainant and respondent fail to identify a mutually agreed upon council member from the names submitted in order of preference, or if any mutually agreed upon council members identified on their respective lists is unable or unwilling to serve on the Review Panel, the mayor pro tem shall select a council member to serve on the Review Panel by an impartial means of chance.

C. Review.

- (1)a- The Review Panel shall meet and conduct an initial review of the complaint and any documentation submitted therewith within five business days of its formation. The Review Panel shall then meet as often as necessary to review the complaint in conjunction with its receipt of any additional documentation it deems necessary and relevant in making a determination whether the complaint alleges a violation of the standards of conduct and the evidence, when viewed as a whole, establishes reasonable cause to believe there has been a violation of one or more of the standards of conduct.
- (2) The mayor pro tem shall immediately forward a copy of the complaint to the Houston Ethics Commission ("ethics commission") who shall endeavor to make a determination in accordance with sub items (a) and (b) below and furnish a written report to the Review Panel within 30 days of its receipt of the complaint. A member of the ethics commission shall recuse oneself and abstain from participating in the review of the complaint and making a determination in accordance with sub items (a) and (b) below if the member has any conflict of interest that would

preclude the member from being impartial in participating in the review of the complaint.

a. *No violation.* Upon the Review Panel's receipt of a written report from the ethics commission stating the complaint does not allege a violation of one or more of the ethical standards contained in the Chapter 18 of this Code, the Review Panel shall forward a copy of the written report to the complainant and respondent and cease any further inquiry and investigation of the matter as it pertains to an alleged violation of one or more of the ethics standards contained in Chapter 18 of the Code; provided however, the Review Panel shall immediately proceed with its review of the complaint to determine whether it contains any other alleged violations of the standards of conduct.

b. *Possible violation.* Upon the Review Panel's receipt of a written report from the ethics commission stating that the complaint alleges a violation of one or more of the ethical standards of conduct contained in Chapter 18 of this Code, the Review Panel shall forward a copy of the written report to the complainant and respondent and cease any further inquiry into the matter and take no further action pending receipt of a written report by the ethics commission whether there is reasonable cause to believe the respondent has violated one or more of the ethical standards of conduct contained in Chapter 18 of this Code.

~~(3) The Review Panel, and shall determine by majority vote whether if the evidence, when viewed as a whole, establishes reasonable cause to believe that a violation of one or more standards of conduct has occurred, and that as a consequence the complaint should be considered by city council. In making said determination the Review Panel may undertake any such inquiry as the Review Panel deems appropriate and necessary. Additionally, the Review Panel shall accept and take into consideration the receipt of a written report by the ethics commission stating whether there is reasonable cause to believe the respondent has violated one or more of the ethics standards of conduct contained in Chapter 18 of this Code. The Review Panel shall furnish a copy of the written report to the complainant and the respondent.~~

~~(4)b. Following its review, tThe Review Panel shall advise the complainant and the respondent of its the Panel's findings.~~

~~(5)b. Upon the Review Panel's determination that the complaint does not contain an alleged violation of the standards of conduct and the evidence, when viewed as a whole, does not establish reasonable cause to believe there has been a violation of one or more of the standards of conduct and~~

therefore should not be considered by city council, the matter is concluded.

- (6) Upon the Review Panel's determination that the complaint does contain an alleged violation of the standards of conduct and the evidence, when viewed as a whole, does establish reasonable cause to believe there has been a violation of one or more of the standards of conduct, the matter shall ~~should~~ be considered by city council and, the mayor pro tem shall request that the mayor present the complaint to city council by posting the same on an agenda of a meeting of the city council to be held not earlier than 20 business days following the date of the action of the Review Panel. If the respondent so desires, he or she may file a written response with the mayor not later than seven business days prior to the date of the council meeting. In lieu of filing a response, the respondent may within the same time frame file a written request with the mayor for and shall receive a one-time extension of two weeks (or until the next available council meeting thereafter) for initial consideration of the complaint; if such an extension is requested, the period for filing a response is likewise extended.

D. City Council Consideration.

For purposes of this rule of procedure, the term *city council* or *council members* shall exclude the mayor and shall mean only those individuals who have been elected to and are currently serving on the governing body of the City of Houston, Texas as a district council member or an at-large council member pursuant to Section 2, Article V of the City Charter.

- (12) The posted item for the agenda of the city council meeting to consider the complaint shall be to "Discuss, Consider, and Possibly Take Action" regarding the complaint. At the initial city council meeting, ~~the city~~ council shall consider the complaint on its face, shall consider any response thereto, and shall hear comment or where deemed appropriate sworn testimony from the complainant(s) and from the respondent(s). ~~Following discussion thereof, the council may determine if the complaint is sufficient or insufficient to establish a violation of the standards of conduct. If the council determines the complaint does not establish a violation of the standards of conduct, the matter is concluded.~~

- (23) ~~If the council determines a violation of the standards of conduct has occurred, the council shall then determine the appropriate discipline. If the~~ city council determines the complaint may have merit, but additional information is required to make a final decision, ~~the city~~ council may forward the matter to a future council meeting to take additional evidence and consider further action.

(34) If ~~the city council~~ defers action at the initial meeting at which the complaint is considered, ~~the city council~~ shall establish a future council meeting date to resume deliberations. Pursuant to Article VII, Section 5 of the City Charter, The city council may, pursuant to Article VII, Section 5 of the City Charter summon and compel the attendance of witnesses and the production of documents necessary to the consideration of the complaint. Following the discussion and consideration of additional evidence as ~~the city council shall deems~~ appropriate, ~~the city council~~ shall determine if the complaint is sufficient or insufficient to establish a violation of the standards of conduct. A vote of not less than two-thirds majority of council members shall be required to determine a violation of the standards of conduct has occurred.

(4) If ~~the city council~~ determines the complaint does not establish a violation of the standards of conduct, the matter is concluded. If ~~the city council~~ determines a violation of the standards of conduct has occurred, ~~the city council~~ shall then determine the appropriate discipline.

EG. *Discipline.*

(1) Upon a finding by the city council that a respondent has violated one or more of the standards of conduct, the council may, in addition to any other action taken by any agency or tribunal, assess the discipline it deems appropriate. A vote of not less than two-thirds majority of council members shall be required in determining the assessment of the appropriate discipline as listed in the following progressive order of seriousness:

a. Verbal Reprimand - a statement of disapproval made publicly during a meeting of city council admonishing the respondent.

b. Written Letter of Reprimand - a formal, written statement of disapproval memorializing the contents of a verbal reprimand which shall be read aloud at a meeting of city council and become part of city council's record of the meeting at which the written statement is read.

c. Official Censure - a written letter of reprimand and other sanction(s) including:

i. Removal of council committee chairmanship(s), if applicable, and other special appointments;

ii. Removal of membership from council committee(s); and/or

iii. Suspension of participation in a designated number of city council meetings.


d. Impeachment and Removal from Office - the removal of a council member from office creates a vacancy which shall be filled in a manner consistent with Section 2, Article VII of the Charter and applicable state law.

(2) All discipline imposed as a result of a finding that one or more of the standards of conduct have been violated shall be in addition to any other penalty or punishment that may be imposed pursuant to federal and state law or any other applicable provision of the City Charter or this Code of Ordinances, Houston, Texas.

III. Implementation.

Following adoption by ordinance of these standards of conduct, each current member of city council shall, within ten business days of adoption, execute an acknowledgment in a form acceptable to the city attorney stating that he/she has received and read this Code of Conduct. All newly elected members of city council shall execute a similar acknowledgment at the time of their receipt of the oath of office. All acknowledgments shall thereafter be placed in the official records of the City of Houston.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance amending various provisions of Chapter 18 of the Code of Ordinances, Houston, Texas, relating to ethics and financial disclosure		Category #	Page 1 of 1	Agenda Item # 50 #
FROM (Department or other point of origin): David M. Feldman, City Attorney Legal Department		Origination Date 8/16/12	Agenda Date AUG 29 2012 AUG 22 2012	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Rashaad Gambrell Phone: 832.393.6439		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) That City Council pass an ordinance amending various provisions of Chapter 18 of the Code of Ordinances relating to the city's ethics standards and financial disclosure requirements incumbent upon city officials.				
Amount of Funding: N/A		F & A Budget: N/A		
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: Chapter 18 of the City of Houston Code of Ordinances contains the city's ethical standards and financial disclosure requirements applicable to city officials, and other regulatory provisions addressing lobbying, the solicitation and receipt of campaign contributions, and campaign finance reporting. The proposed amendments are designed to advance the purposes of Chapter 18 in several respects. The amendments seek to strengthen the ethical standards of conduct imposed upon city officials by prohibiting interference with criminal or administrative investigations, as well as the use of city employees for private gain or advantage during work hours. The amendments also expand the prohibition against the delivery and acceptance of campaign contributions at city owned and operated facilities. Additionally, the amendments would prohibit members of the city's Ethics Commission from soliciting contributions for candidates to city elective office and impose additional restrictions on those eligible to serve on the Ethics Commission, in order to ensure complete neutrality. Finally, the amendments require that only active city officials file an annual financial disclosure statement; repeal outdated and ineffective Code provisions concerning campaign principles; and revise the classification of persons that are considered members of the executive branch for purposes of the city's regulatory provisions regarding lobbying. A discussion of all the proposed changes occurred at a meeting of the Council Ethics and Governance Committee conducted on July 16, 2012.				

aug

PLEASE SEE BACK UP FOR ITEM 11. 8-22-12

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Hirsch Road Paving and Drainage: Kelley to East Crosstimbers, WBS Numbers N-000617-0001-4, R-000500-0064-4 and S-000500-0064-4

Page 1 of 2
Agenda Item # ~~34~~

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

Origination Date
8/16/12

Agenda Date
AUG 29 2012

51

DIRECTOR'S SIGNATURE:
[Signature]
Daniel W. Krueger, P.E.

Council District affected:
3
B,H
JK

For additional information contact:
Ravi Kaleyatodi 7/30/12
Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326
Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)
Accept low bid, award construction contract and appropriate funds

Amount and Source of Funding:
Total of \$26,731,000.00 to be appropriated as follows:
\$18,314,084.00 from Fund 4042 – Street & Traffic Control & Storm Drainage DDSRF
\$4,417,346.00 from Fund 4040 – METRO Projects Construction DDSRF
\$3,999,570.00 from Fund 8500 – Water & Sewer System Consolidated Construction Fund

M.P. 8/15/2012

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement project (CIP) and is necessary to improve traffic circulation, enhance safety and provide drainage improvement in the service area.

DESCRIPTION/SCOPE: This project consists of the rehabilitation of approximately 6,500 linear feet of existing undivided two lane roadway to a four lane divided roadway per Major Thoroughfare Freeway Plan (MTFP) standards. The proposed project improvements include a four-lane divided concrete roadway with curbs, an underground storm sewer system to mitigate street flooding, new inlets, sidewalks, street lights and necessary utilities. The project will include a grade separation on Hirsch Road at the existing Union Pacific Railroad tracks. The contract duration for this project is 810 calendar days. This project was designed by Chiang, Patel & Yerby, Inc.

LOCATION: This section of Hirsch Road is generally located between Kelley Street on the south, East Crosstimbers Boulevard on the north, Eastex Freeway on the west and Lockwood Boulevard on the east. The project is located in Key Map Grids 454P and 454K.

BIDS: Bids were received on May 10, 2012. The three (3) bids are as follows:

Bidder	Bid Amount
1. Texas Sterling Construction Co.	\$22,949,736.90
2. BRH – Garver Construction, L.P.	\$24,189,617.50
3. Total Contracting Limited	\$25,310,633.75

AWARD: It is recommended that this construction contract be awarded to Texas Sterling Construction Co. with a low bid of \$22,949,736.90 and addendum number 1 be made a part of this Contract.

REQUIRED AUTHORIZATION

CUIC ID#20SMC47

Finance Department:

Other Authorization:
[Signature]
Jun Chang, P.E., D.WRE, Deputy Director, Public Utilities Division

Other Authorization:
[Signature]
Daniel R. Menendez, P.E., Deputy Director, Engineering and Construction Division

[Initials]

PROJECT COST: The total cost of this project is \$26,731,000.00 to be appropriated as follows:

• Bid Amount	\$22,949,736.90
• Contingencies	\$ 1,147,500.00
• Engineering and Testing Services	\$ 435,000.00
• Construction Management	\$ 1,510,000.00
• CIP Cost Recovery	\$ 688,763.10

Engineering and Testing Services will be provided by HTS, Inc. Consultants under a previously approved contract.

Construction Management Services will be provided by United Engineers, Inc. under a previously approved contract.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case the proposed contractor meets the requirements of Hire Houston First.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

M/WBE PARTICIPATION: The low bidder for Hirsch Road Paving and Drainage has submitted the following proposed program to satisfy the 7% MBE and 10% SBE goal for this project.

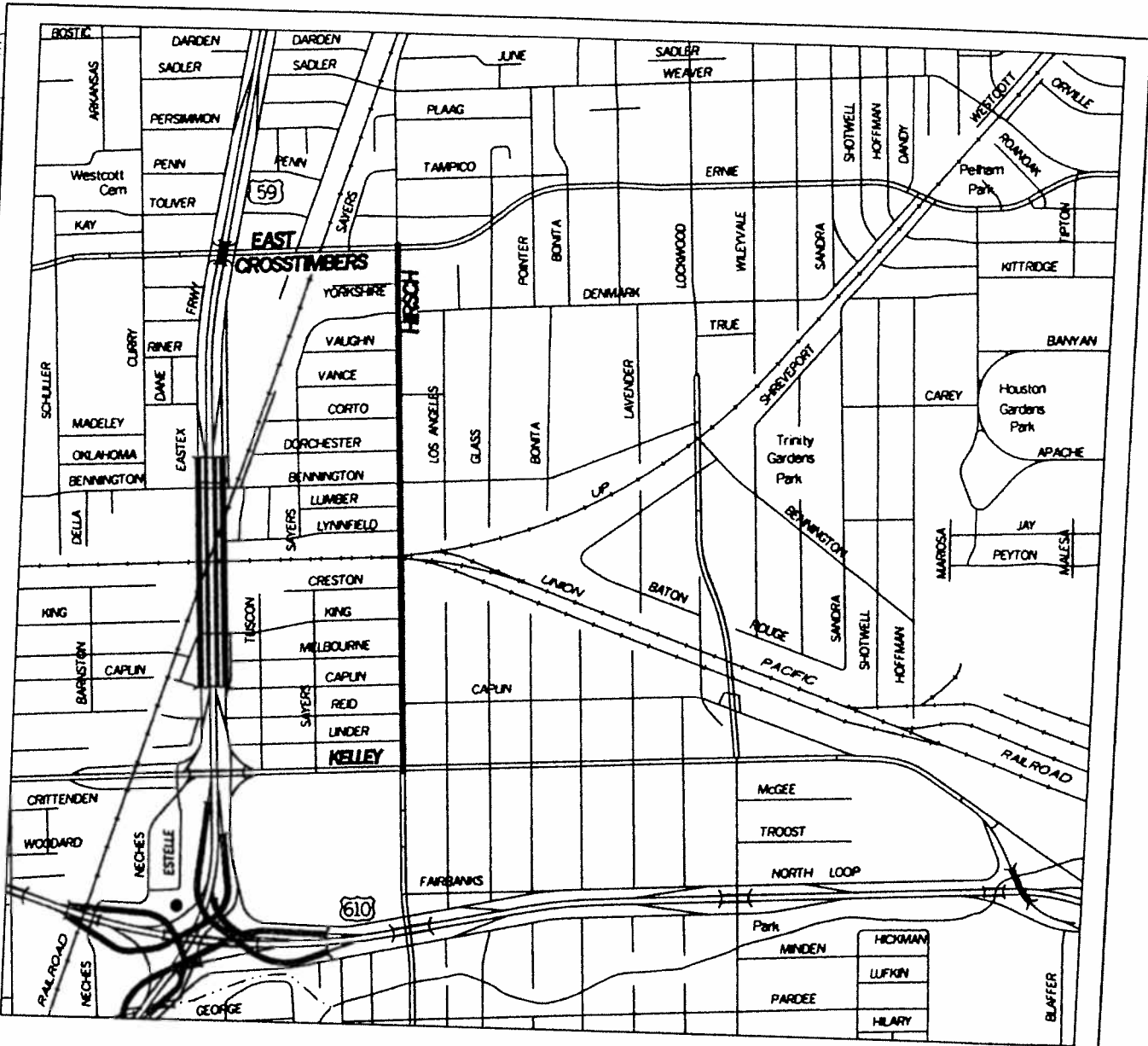
<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Rosales R. Trucking	Hauling of Excavation	\$593,107.00	2.58%
2. El Dorado Paving Company, Inc.	Install Driveways	\$467,491.95	2.04%
3. Reliable Signal & Lighting Solutions, LLC	Electrical and Signals	\$420,071.40	1.83%
4. Tricon Precast, Ltd.	Supplier of Precast Panels	\$306,087.40	1.34%
TOTAL		\$1,786,757.75	7.79%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Boring & Tunneling Company of America, Inc., DBA BorTunCo	Boring & Tunneling	\$1,890,000.00	8.24%
2. Batterson, LLP	Street Striping	\$ 138,021.64	0.60%
3. Contractors Paving Supply, LLP	Construction Materials	\$ 80,750.00	0.35%
4. KMA Contractors Services, Inc.	Plumbing Supply	\$ 125,068.00	0.55%
5. Mickie Service Company, Inc.	Install Water TS & V	\$ 10,750.00	0.04%
6. Environmental Allies, G.P., Inc.	SWPPP	\$ 45,928.66	0.20%
7. Willow City Sign & Rail, Inc.	Install Guard Rail	\$ 19,050.00	0.08%
TOTAL		\$2,309,568.30	10.06%

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

DWK:DRM:RK:JHK:SMC

Hirsch\COMMON\VICINITYMAP.dgn 07/08/2005 03:01:55 PM



VICINITY MAP
FROM KELLEY ST. TO E. CROSTIMBERS BLVD.



CPY Chiang, Patel & Yerby, Inc.
2425 Briar Park Suite 808, Houston, TX, 77042
(713)532-1738, Fax (713)532-1734

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

FROM KELLEY ST. TO
E. CROSTIMBERS BLVD

RECONSTRUCTION OF HIRSCH RD

EXHIBIT B
VICINITY MAP

FILE NO. SB9197	CITY OF HOUSTON PM
GFS NO. 0617-01-02	STEVE CAMPAGNA, P.E.
DRAWING SCALE	DATE SHEET NO.
NONE	07/08/2005 1 OF 1