

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 26, 2013 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Burks

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 - FEBRUARY 27, 2013 - 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 38

MISCELLANEOUS - NUMBERS 1 through 2A

1. RECOMMENDATION from City Attorney and Director Office of Business Opportunity for approval of the City of Houston Title VI Program Plan for Federal Fiscal Years 2012 through 2014
2. ORDINANCE appropriating \$396,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to contract between the City of Houston and **PEPPER LAWSON WATERWORKS, LLC** for East Water Purification Plant: Replacement of Filter Media at Plants 1, 2, and 3 and Rehabilitation of Pilot Plant (Approved by Ordinance No. 2012-0447)
DISTRICT E - MARTIN
- a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 1 on contract with **PEPPER LAWSON WATERWORKS, LLC** for East Water Purification Plant: Replacement of Filter Media at Plants 1, 2, and 3 and Rehabilitation of Pilot Plant - **DISTRICT E - MARTIN**

ACCEPT WORK - NUMBER 3

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$292,106.84 and acceptance of work on contract with **DESERT EAGLE, LLC dba PANORAMA** for Northwest Harris County MUD No. 25 Lift Station Rehabilitation 7.33% under the original contract amount - **DISTRICT A - BROWN**

PROPERTY - NUMBERS 4 through 8

4. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Janet Baccus, P.E., Jones & Carter, Inc., on behalf of GLIC Houston, LLC, (Kenneth Aboussie, Jr., Manager), for abandonment and sale of ±3,657 square feet of excess right-of-way adjacent to Mid Lane and Bettis Drive, located within the Briarglen Addition, out of the William Harris Survey, Parcel SY13-035 - **DISTRICT G - PENNINGTON**
5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jeremy Yeglin, Golder Associates, Inc., on behalf of Waste Management of Texas, Inc., (Charles A. Rivette, Director), for abandonment and sale of a portion of a 35-foot-wide water line and access easement, in exchange for the conveyance to the City of a 35-foot-wide water line and access easement, out of the Victor Blanco Survey, A-2, Parcels SY13-036 and QY13-002
6. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY12-055, located on Fondren Road between Hillcroft and FM 2234, owned by CG Reserve 164 Texas L. P., Tom Carter, President, C. M. Garver, General Partner, for the **FONDREN ROAD PAVING AND DRAINAGE PROJECT from Hillcroft to McHard/FM 2234**
DISTRICT K - GREEN
7. RECOMMENDATION from Director Department of Public Works & Engineering to purchase and pay relocation assistance expenses for Parcel AY11-256, located at 9625 Fulton Street, owned by William C. Defoe, for the **FULTON PAVING AND DRAINAGE PROJECT from East Tidwell to East Parker** - **DISTRICT H - GONZALEZ**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of relocation assistance payments related to the acquisition of Parcel AY8-313, located at 6449 North Freeway, owned by Yakoob Z. Moton, for the **YALE STREET IMPROVEMENTS PROJECT from Tidwell to Parker** - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 and 10

9. **GLOBE ELECTRIC CO., INC** - \$306,800.00, **INTERNATIONAL ROADWAY RESEARCH LLP** - 58,632.00 and **THE D.S. BROWN COMPANY** - \$117,180.00 for Runway and Taxiway Repair Materials for the Houston Airport System - Enterprise Fund
10. **TIMES CONSTRUCTION, INC** for Structural Remediation Services for the General Services Department - \$819,000.00 and contingencies for a total amount not to exceed \$900,900.00 In-House Renovation Revolving Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 38

11. RESOLUTION designating the **MONTGOMERY-REYNOLDS HOUSE located at 2111 Del Monte Drive** within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**
12. RESOLUTION designating the **OTTO PECH HOUSE located at 1810 Summer Street** within the City of Houston as a landmark and protected landmark - **DISTRICT H - GONZALEZ**
13. ORDINANCE **AMENDING ARTICLE VIII OF CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to off street parking and loading facilities in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause
14. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a water line easement and a water main easement in the Enclave at Reflections Apartments Addition, Section One, Joel Wheaton Survey, A-80, Harris County, Texas; vacating and abandoning the easements to AHC Chalfonte, L.P., abutting owner, in consideration of its payment to the City of \$9,725.00 and other consideration - **DISTRICT G - PENNINGTON**
15. ORDINANCE approving and authorizing contract for Group Vision Insurance Administration between the City and **BLOCK VISION, INC**, Administrator for National Guardian Life Insurance Company
16. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HOUSTON VOLUNTEERS LAWYERS PROGRAM, INC**, to provide up to \$175,000.00 for the continuation of a Legal and Supportive Services Program under the Housing Opportunities for Persons With AIDS Program
17. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **A CARING SAFE PLACE, INC**, to extend the original contract and provide an additional \$389,940.00 in Housing Opportunities for Persons With AIDS Funds for the operation of a community residence for low-income and homeless persons living with HIV/AIDS, along with the provision of supportive services - **DISTRICT B - DAVIS**
18. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **A CARING SAFE PLACE, INC**, to extend the original contract and provide an additional \$179,460.00 in Housing Opportunities for Persons With AIDS Funds for the operation of a SRO community residence for low-income and homeless persons living with HIV/AIDS, along with supportive services - **DISTRICTS B - DAVIS and H - GONZALEZ**

RESOLUTIONS AND ORDINANCES - continued

19. ORDINANCE approving and authorizing a second amendment to Lease Agreement between the City of Houston, Texas, as Landlord, and **FOURTH WARD CLINIC, dba GOOD NEIGHBOR HEALTHCARE CENTER, as Tenant**, for leased space located at the West End Multi-Service Center located at 190 Heights Boulevard, Houston, Texas - **DISTRICT H - GONZALEZ**
20. ORDINANCE awarding contract to **AT&T CORP.** for Telecommunication Circuit Services for the Houston Public Library; providing a maximum contract amount - 3 Years with two one-year options - \$869,467.00 - General Fund
21. ORDINANCE issuing a permit to **SEKISUI SPECIALTY CHEMICALS AMERICA, LLC**, 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 provision under which the permit issued - **DISTRICT E - MARTIN**
22. ORDINANCE consenting to the addition of 0.5135 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 185**, for inclusion in its district
23. ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on: proposed amendments to the Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 120, FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194, WHITE OAK BEND MUNICIPAL UTILITY DISTRICT**, and **CINCO MUNICIPAL UTILITY DISTRICT NO. 12** and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 345** and **CORNERSTONES MUNICIPAL UTILITY DISTRICT** and on proposals for the City of Houston to annex for limited purposes certain territory located within such districts in Harris and Fort Bend Counties; proposed amendments to Strategic Partnership Agreements between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109** and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5** and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such districts in Harris County; proposed Strategic Partnership Agreements between the City of Houston and **PARKWAY UTILITY DISTRICT**, and **DOWDELL PUBLIC UTILITY DISTRICT** and on proposals for the City of Houston to annex for limited purposes certain territory located within and in the vicinity of such districts in Harris County; proposals for the City of Houston to impose the City of Houston's Sales and Use Tax in such territory; providing for the publication of notice of such hearings
24. 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 Sanitary Sewer Service to Unserved Areas Package 2 - Plantation Hills and Hidden Echo Sanitary Sewer Improvements Project; authorizing the acquisition of Fee Simple Title Interest in or easement to seven parcels of land required for the project and situated in the Gilbert Brooks Survey, Abstract No. 6 in Harris County, Texas; said parcels of land being located in Lots 28, 96, 87, 56, 38 and 9 of Block 2 and Lot 7 of Block 1 of Plantation Hills, an unrecorded subdivision 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 relocation assistance, 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 seven parcels of land required for the project - **DISTRICT E - MARTIN**

RESOLUTIONS AND ORDINANCES - continued

25. 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 West Little York Paving and Drainage Project from T. C. Jester to Alabonson; authorizing the acquisition of Fee Simple Title Interest in or easement to 10 parcels of land required for the project and situated in the Samuel Leeper Survey, Abstract No. 522; the Ellis Benson Survey, Abstract No. 110; and the James Love Survey, Abstract No. 528; in Harris County, Texas, said parcels of land being along the north and south lines of West Little York Road from T. C. Jester to Alabonson 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 relocation assistance, 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 10 parcels of land required for the project - **DISTRICTS A - BROWN and B - DAVIS**
26. ORDINANCE appropriating \$2,141,386.46 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the Reconstruction of South Shaver Road from Interstate Highway 45 to State Highway 3 (Approved by Ordinance No. 2000-0308); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT E - MARTIN**
27. ORDINANCE appropriating \$202,500.00 out of Street & Traffic Control and Storm Drainage DDSRF and \$17,500.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Professional Engineering Services Contract between the City of Houston and **HALFF ASSOCIATES, INC** for Pleasantville and Glendale Area Drainage and Paving (Sub-Project 1) (Approved by Ordinance No. 2011-0596); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF - **DISTRICT B - DAVIS**
28. ORDINANCE appropriating \$243,480.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PIERCE, GOODWIN, ALEXANDER & LINVILLE, INC dba PGAL** for Westpark Drive Paving & Drainage from Wilcrest to Dairy Ashford; providing funding for contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF **DISTRICT F - HOANG**
29. ORDINANCE appropriating \$500,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NEDU ENGINEERING SERVICES, INC** for Safe Sidewalk Program; providing funding for contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF
30. ORDINANCE appropriating \$500,000.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC d/b/a EHRA** for Safe Sidewalk Program; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Metro Projects Construction DDSRF
31. ORDINANCE appropriating \$1,454,208.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HAZEN AND SAWYER, P.C.** for Lift Station Renewal and Replacement - Willie, Dockal, Tidwell Road No. 1, Iroquois West, Canino Road and John Alber Road; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - DAVIS and H - GONZALEZ**

RESOLUTIONS AND ORDINANCES - continued

32. ORDINANCE appropriating \$991,100.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HR GREEN, INC** for Lift Station Renewal and Replacement - Findlay, Garden Villas, Goodyear and Reveille Lift Station; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS E - MARTIN and I - RODRIGUEZ**
33. ORDINANCE appropriating \$575,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BLACK & VEATCH CORPORATION** for Negotiated Work Order Engineering Services associated with the Almeda Sims Wastewater Treatment Plant Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**
34. ORDINANCE appropriating \$975,693.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **UNITED ENGINEERS, INC** for Neighborhood Sewer System Improvements - Basins AS074 and SB142, Fuqua Lift Station/Force Main Discharge Line; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - COHEN; D - ADAMS; I - RODRIGUEZ and K - GREEN**
35. ORDINANCE appropriating \$1,495,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CIVIL TECH ENGINEERING, INC** for Negotiated Work Orders for Sewer Collection System Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
36. ORDINANCE appropriating \$14,453,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for Services associated with the Surface Water Transmission Program; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
37. ORDINANCE appropriating \$1,917,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CAROLLO ENGINEERS, INC** for Engineering Services associated with the Clearwell Condition Assessment and Replacement of Selected Valves and Actuators at the East Water Purification Plant; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT E - MARTIN**
38. ORDINANCE appropriating \$856,328.00 out of Metro Projects Construction DDSRF, awarding contract to **STATEWIDE TRAFFIC SIGNAL COMPANY** for Create Smart Arterial Corridors; 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 Metro Projects Construction DDSRF - \$2,580,401.00 - Grant Fund - **DISTRICTS A - BROWN; B - DAVIS; C - COHEN; H - GONZALEZ; I - RODRIGUEZ and J - LASTER**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 39 and 40

39. MOTION by Council Member Gonzalez/Seconded by Council Member Pennington to adopt recommendation from Purchasing Agent to award to **DATABANK IMX, LLC** for OnBase Software and Software Hosting through the Texas Department of Information Resources Agreement for the Housing and Community Development Department - \$397,739.73 - TIRZ Affordable Housing Fund - **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 8 on Agenda of February 20, 2013

40. ORDINANCE approving and authorizing Professional Service Agreements between the City of Houston and the **BODE TECHNOLOGY GROUP, INC** and **SORENSEN FORENSICS, LLC** for DNA Analysis; providing a maximum contract amount - \$4,400,000.00 - General and Grant Funds **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 21 on Agenda of February 20, 2013

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Noriega first

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

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

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

***CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY
FEBRUARY 26, 2013 - 2:00 PM***

NON-AGENDA

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MS. GRACIE CAVNAR – Post Office Box 56445 – 77256 – 713-520-0443 – Recipe for Success Veg. Out! Initiative

MS. HEATHER KELLY - 12210 Beaumont Hwy – 77049 – 713-557-7834 – Disparity Study

MS. JANICE AIKMAN – 5809 Dolores, No. E – 77057 – 713-703-1027 – NBA All-Star Weekend

MR. ALI NAQVI – 9223 Misty Vale Dr. – 77075 – 281-704-9073 – Crime, speed bumps and unfair citation in our neighborhood

MR. ALBERT McNEAL – 3317 Caroline - 77004 – 713-632-6275 – Want criminal charges brought against sister for selling my car

MR. KALEIGH CLUNN – 16522 Cypress Rose Hill Rd. – Cypress – TX – 77249 – 281-961-0051 – Adding MWBE to the contractor participation

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

MR. BENJAMIN CALHOUN – 8510 N. Main – 77022 - 713-694-6899 – Not able to access Lexis Nexis at Law Library

PREVIOUS

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PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – Black America History Month – 5 US Presidents - Impeachments w/Victory – Re-Election w/Capital Punishment

| | | | | |
|--|--|---|-----------------------------------|---------------------------|
| SUBJECT: Approval of the City of Houston Title VI Program Plan for Federal Fiscal Years 2012 through 2014 | | Category # | Page 1 of 1 | Agenda Item # 1 |
| FROM (Department or other point of origin): Legal Department Office of Business Opportunity | | Origination Date Feb. 12, 2013 | Agenda Date FEB 27 2013 | |
| DIRECTOR'S SIGNATURE: David M. Feldman, City Attorney Carlecia D. Wright, Director | | Council District affected: All | | |
| For additional information contact: Senior Assistant City Attorney Donald J. Fleming (832)393-6303 | | Date and identification of prior authorizing Council action: | | |
| RECOMMENDATION: (Summary) The City Attorney and the Director of the Office of Business Opportunity recommends that City Council adopt the City of Houston's Title VI Program Plan for Federal Fiscal Years 2012 through 2014, in compliance with Title VI of the Civil Rights Act of 1964, as amended. | | | | |
| Amount and Source of Funding: n/a | | Finance Budget: | | |
| 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: The City of Houston ("City") is required to comply with Title VI of the Civil Rights Act of 1964, as amended, and all related regulations and directives ("Title VI"). Title VI provides that no person in the United States shall on the grounds of race, color, national origin, or English proficiency be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs and activities" to include all programs and activities of Federal aid recipients, sub-recipients, and contractors, whether such programs and activities are Federally assisted or not. Federal financial assistance is defined as any Federal dollars that are assigned to the City to support any program, activity or service by way of grant, loan or contract, other than a contract of insurance or guaranty. Under Title VI, the City is required to submit a plan for compliance with Title VI as a condition of receipt of Federal Transit Administration ("FTA") assistance. The City Attorney and the Director of the Office of Business Opportunity recommends the approval of this plan. | | | | |
| REQUIRED AUTHORIZATION | | | | |
| Finance Director: | Other Authorization: David M. Feldman, City Attorney | | Other Authorization: | |

CITY OF HOUSTON

Annise D. Parker

Mayor

TITLE VI PROGRAM Federal Fiscal Years 2012-14



July 2012

Revised February, 2013

TABLE OF CONTENTS

| Sections | Page Numbers |
|--|---------------|
| I. Title VI Nondiscrimination Statement of Policy | 3 – 4 |
| II. City of Houston Organization Chart | 5 |
| III. Title VI Implementation and History for City of Houston | 6 |
| IV. Requirement to Provide Annual Title VI Certification and Assurance | 6 |
| V. Requirement to Develop Title VI Complaint Procedure | 7 – 8 |
| VI. Requirement to Keep Record of Title VI Investigations and Lawsuits | 8 |
| VII. Requirement to Provide Language Access | 8 – 12 |
| VIII. Requirement to Notify Beneficiaries of Protection Under Title VI | 12 |
| IX. Requirement to Provide Additional Information Upon Request | 12 |
| X. Requirement to Prepare and Submit Title VI Program | 12 |
| XI. Construction Projects During the Reporting Period | 12 |
| XII. Guidance on Conducting Environmental Justice Analysis of Construction Projects | 12 |
| XIII. Guidance on Promoting Inclusive Public Participation | 12 |
| XIV. Public Participation Plan | 13 |
| XV. Racial Demographics of City of Houston Boards and Commissions | 13 |
| XVI. 2012 Annual Plan | 13-14 |
| XVII. City of Houston Title VI Assurances | 14-15 |

I. Title VI Nondiscrimination Statement of Policy

Title VI Policy Statement

The City of Houston (COH) is committed to compliance with Title VI of the Civil Rights Act of 1964, 49 CFR, part 21, and all related regulations and directives. City of Houston assures that no person shall on the grounds of race, color, national origin, or English proficiency be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any City of Houston program, activity or service. The City of Houston further assures every effort will be made to ensure non-discrimination in all of its programs, activities and services, whether those programs, activities and services are federally funded or not. In the event the City of Houston distributes Federal aid funds to another entity, the City of Houston will include Title VI language in all written agreements and will monitor for compliance.

City of Houston is also committed to assure every effort will be made to prevent the discrimination of low-income and minority populations as a result of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and in Low-Income Populations. In addition, City of Houston assures every effort will be made to provide meaningful access to persons that have Limited English Proficiency, in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

Definition of Federal Financial Assistance and Recipients Affected

Federal financial assistance is defined as any Federal dollars that are assigned to the City of Houston to support any program, activity or service by way of grant, loan or contract, other than a contract of insurance or guaranty.

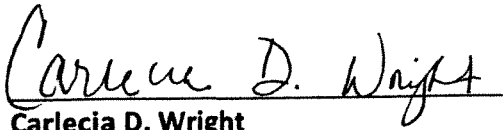
Specific Forms of Discrimination Prohibited

City of Houston efforts to prevent discrimination are, but are not limited to:

- The denial of services, financial aid, or other benefits provided under a program.
- Distinctions in the quality, quantity, or manner in which the benefit is provided.
- Segregation or separation of persons in any part of the program.
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others.
- Different standards or requirements for participation.
- Methods of administration which directly or indirectly or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination.
- Discrimination in any activities or services related to a highway, infrastructure or facility built or repaired in whole or in part with Federal funds.
- Discrimination in any employment resulting from a program or services, the primary purpose of which is to provide employment.

City of Houston Programs and Services Covered by Title VI

City of Houston Title VI Plan applies to all of the entities programs, activities and services, regardless of funding source. Some sections deal with specific requirements (e.g. FTA, FHWA and FAA funded programs).



Carlecia D. Wright

Director and DBELO

City of Houston – Office of Business Opportunity

2/11/13

Date



David Feldman

City Attorney

City of Houston

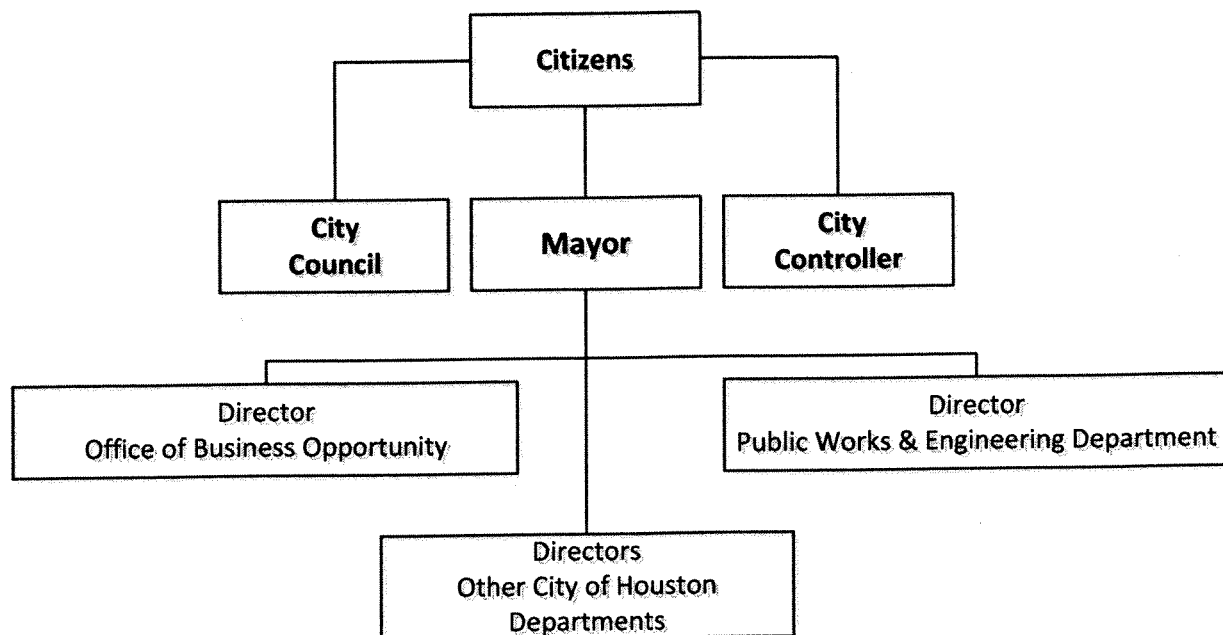
2/12/13

Date

II. City of Houston Organizational Chart

Organizational Chart 7/2012

CITY OF HOUSTON ORGANIZATION CHART



III. Title VI Implementation and History for City of Houston

As authorized by the Mayor, City of Houston, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring the City of Houston's compliance with Title VI requirements as follows:

- **Program Administration:** Administer the Title VI program and coordinate implementation of the plan. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing, and resources; provide recommendations as required to the Mayor, City of Houston;
- **Complaints:** Review Written Title VI complaints that may be received by the City of Houston following the adopted procedural guidelines (see Section VI-Complaint Procedures). Ensure every effort is made to resolve complaints informally at the local level;
- **Training Programs:** Conduct or facilitate training programs on Title VI issues and regulations for the City of Houston's employees; facilitate Title VI training for appropriate staff, contractors and sub-recipients;
- **Public Dissemination:** Work with City of Houston staff to develop and disseminate Title VI program information to City of Houston employees and sub-recipients, including contractors, subcontractors, consultants, and sub-consultants and beneficiaries, as well as the general public. Public dissemination may include postings official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of the informational brochures. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English'
- **Elimination of Discrimination:** Work with the Public Works Department and other City of Houston offices to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination that may be discovered in any City of Houston processes.

Compliance History: In the period July-August 2009, the Houston Airport System (HAS) enjoyed a Title VI review by the Office of Civil Rights, Federal Aviation Administration. A summary of the FAA's preliminary findings is articulated in Exhibit A attached. There have been no other audits at the City of Houston within the last 3 year period.

IV. Requirement to Provide an Annual Title VI Certification and Assurance

The City of Houston will submit its annual Title VI assurance as part of its annual Certification and Assurance submission to the Federal Transit Administration (FTA) in TEAM.

The City of Houston shall collect an annual Title VI assurance from its sub-recipients (if any) as part of the annual Certifications and Assurances provided by sub recipients to City of Houston.

V. Requirement to Develop Title VI Complaint Procedure

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964

Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any City of Houston service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, or limited English proficiency has the right to file a complaint.

An individual, group of individuals or entity may file a formal Title VI complaint with City of Houston. Complaints must be submitted to the City of Houston Title VI Coordinator in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence).

The complaint should be submitted to the following address:

Attn: Donald J. Fleming
Section Chief-Labor Employment & Civil Rights
Office of the City Attorney
P. O. Box 368
Houston, TX 77001
don.fleming@houstontx.gov

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail. Title VI complaints may also be filed directly with the United States Department of Transportation (USDOT) within the 180 day period of the alleged discriminatory act (or latest occurrence).

The Title VI Coordinator will be responsible for notifying the respondent(s) of receipt of the complaint within five working days of receipt. The Title VI Coordinator's name and telephone number shall be included. Additionally the Title VI Coordinator shall forward a copy of the complaint to the FTA Regional Office and City of Houston's City Attorney for review.

Title VI complaints received by City of Houston shall be documented by the representative receiving the complaint. This document shall include the name of the person filing the complaint, the time date and place the alleged incident occurred, as well as any other information necessary to fully allow for the complete investigation of the complaint. The complaint shall be dated and assigned a tracking number for tracking purposes. All Title VI complaints shall be investigated and addressed with a formal written response within 30 days of the date the complaint is received. Sub recipients (if any) of City of Houston shall use the Title VI complaint investigation and tracking procedures developed by City of Houston. An annual Log of Complaints must be maintained by the City of Houston. The Log of Complaints shall contain, in addition to the information required in this paragraph, the following: disposition of the complaint along with the status of the complaint.

These complaint procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints informally at the City of Houston and sub-recipient level. The option of informal mediation meeting(s) between the affected parties and a designated mediator may be utilized for resolution.

City of Houston does not have any Title VI lawsuits or complaints being investigated on the basis of race, color, national origin, or limited English proficiency during the reporting period.

Ensuring Sub recipients Comply with Requirements of Title VI

City of Houston does not have any sub-recipients at this time.

VI. Requirement to Keep a Record of Title VI Investigations and Lawsuits

City of Houston shall prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming City of Houston or its sub recipients that allege discrimination on the basis of race, color, and national origin or limited English proficiency. This list shall include the date the investigation, lawsuit or complaint; and actions taken by City of Houston or its sub recipients in response to the investigation, lawsuit or complaint.

VII. Requirement to Provide Language Access

City of Houston has developed a Limited English Proficiency (LEP) Plan that directly corresponds to Harris County, Texas the area that encompasses City of Houston Projects.

Limited English Proficiency

Limited English Proficiency (LEP) is a term used to describe people who do not speak English as their primary language and who may have limited ability to read, write or understand English.

According to the American Community Survey (ACS) for 2006-2008, a three (3) year estimate for "Language Spoken at Home by the Ability to Speak English for the Population (16) Years and Over", Harris County which covers the City of Houston residents has population total of 1,845,004 with an aggregate of 22% for all transportation modes that speak English less than "very well". Of the total LEP population in City of Houston, Harris County, Texas 19.3 % of the population speaks Spanish and the other languages spoken is 2.8% which does not meet the safe harbor threshold.

Of the population that speaks a language other than English at home, 32.7% speak Spanish while around 7.8% speak other languages.

Authority and Guidance

- Title VI of the Civil Rights Act of 1964
- Presidential Executive Order 13166 – *Improving Access to Services for Persons with Limited English Proficiency*

- 1987 Civil Rights Restoration Act

Federal publications providing implementing guidance:

- United States Department of Justice Guidance, Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons with Limited English Proficiency, Federal Register/Vol. 65, No. 159, August 2000.
- United States Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficiency Persons, Federal Register/Vol. 70, No. 239/December 2005

Four Factor Analysis

LEP individuals should have the opportunity to meaningful access to services, programs and activities of recipients of federal or state funds. Access should include having language assistance provided at no cost to the LEP individual(s). A flexible and data driven analysis to assess the need for language assistance is covered by the following four factors:

Factor 1 The number or proportion of LEP persons served or encountered in the eligible service population.

The City of Houston, Harris County, Texas has total population of 1,845,004, of which 22% are a part of the Limited English Proficient population of according to the American Community Survey (ACS) 3-year estimate for "Means of Transportation to work by language spoken and ability to speak English for the Population 16 Years and over"¹. This shows that a significant part of the population speaks English less than "Very Well" and the City of Houston will ensure this population is not denied access to, be allowed to participate in, and not be subject to discrimination in any federally funded project.

Factor 2 The frequency with which individuals come in contact with the program, activity or service.

City of Houston understands the more frequent the contact with an LEP population the more services should consider the need to effectively inform and communicate with the affected LEP population(s). Where the frequency merits, City of Houston will provide language assistance including:

- Multi-Lingual staffing
- Telephone interpretation services
- Post LEP information signs in specified high volume public areas
- Translation or translated summary of vital documents

¹ See Exhibit A

Public outreach to invite and promote public involvement for transportation projects and services to areas is central to a successful LEP Program. Transportation projects and services should consider appropriate LEP measures where LEP populations are affected.

Factor 3 The nature and importance of the program, activity, or service provided by the program.

Analyzing and identifying where programs and services could have serious consequences to individuals if a language barrier exist preventing that individual from the benefit of that program or service is critical in the development of a complete LEP program.

The baseline of the evaluation of a program or service is that the more important the function of the program or service (e.g. a program is the primary transportation source for one's travel to employment), or importance of the information relating to that program or service (e.g. emergency evaluation procedures) the more likely the language services will be needed.

Factor 4 The resources available to the recipient and cost.

The resources available to City of Houston will be focused on providing LEP assistance where the data suggests it is needed the most. The frequency of contact and importance of the program to LEP populations will also help dictate where and what type of language assistance services should be provided.

Any initiative or action to provide meaningful access to LEP persons should be based on what is necessary and reasonable from the four factor analysis.

Oral Language Services

LEP persons may require oral language interpretive services either in person (at public service locations or at public information meetings) or via telephone contact. Language assistance will be provided by multilingual staffing at City of Houston.

The City of Houston Title VI Coordinator shall develop a process to have the necessary oral language assistance services available by employing sufficient number of staff with bilingual Spanish fluency. A review of City of Houston division operations that handle high volume of public contact will also be conducted to assess the availability and diversity of staff to provide language assistance services.

If the decision is made to use a third party interpreter, beyond employing bilingual staff, the interpreter shall meet the following minimum qualifications:

- Have the ability to communicate accurately both in English and the language needing interpretation. Also, the interpreter must also have the ability to interpret in an effective manner (e.g. consecutive, simultaneous, summarization or slight translation).
- Have the knowledge and ability to communicate specialized terms and concepts in both languages.
- Understand the role as impartial interpreter without deviating into the role of a consoler, legal advisor, or other partial.

Training and Monitoring LEP Program

The Title VI Coordinator shall identify City of Houston high volume public contact staff. The Title VI Coordinator or designate shall be responsible for training identified personnel, which will include a summary of the background of the LEP Plan and the processes and procedures for handling LEP persons' contact.

Title VI Coordinator Responsibilities

The Title VI Coordinator has the following responsibilities as related to LEP requirements:

- Monitor compliance of City of Houston LEP responsibilities
- Provide, as needed, technical assistance and guidance to City of Houston staff as related to LEP responsibilities.
- Coordinate the implementation of the LEP Plan.
- Provide training to appropriate staff of the LEP Plan.
- Report LEP statistical information.
- Provide assistance and guidance relating to LEP requirements to staff.

Additionally the Title VI Coordinator, assigned to monitor transportation planning compliance with Title VI, shall:

- Monitor the transportation planning process overall strategies and goals and ensure compliance with Title VI requirements.
- Review operational policies and procedures to ensure Title VI compliance.
- Monitor the service equities of planning data collection and analysis for potential impacts on social, economic, and/or ethnic groups.
- Monitor City of Houston projects to ensure the opinions and views of all groups within their populations are solicited and considered in the planning of transportation projects.
- Monitor compliance with Environmental Justice issues to identify low-income and minority populations that may be impacted by transportation planning process.
- Monitor the gathering and utilization of demographic data used to identify and locate low-income and minority populations in order to investigate the possible benefits and detriments of transportation plans on these populations.
- Monitor compliance with Limited English Proficiency populations to improve access and comprehension of the transportation planning process for individuals comprising the LEP population.
- Report transportation planning accomplishments and identify problem issues and possible efforts to mitigate these issues.

Monitoring and Updating LEP Plan

The Title VI Coordinator shall, periodically, review the LEP Plan for updating and revision. In addition, the Title VI Coordinator shall monitor the demographics of City of Houston, Harris County, Texas and specifically areas where City of Houston programs, services and activities have the most presence. The LEP Plan shall be updated accordingly to any changes in the LEP demographics. Also, the Title VI Coordinator shall, as much as possible, incorporate public feedback in the evaluation and updating the

LEP Plan. The public feedback component will be accomplished through the public meetings of the RTD Board. The RTD Board meets on a monthly basis on the first Friday of every month.

The following language is used on all agendas for Board meetings: "If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing of the meeting, please contact the City of Houston at 311 at least one week prior to the meeting, or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats."

VIII. Requirement to Notify Beneficiaries of Protection under Title VI

The City of Houston has an Executive Branch which consists of the Mayor and legislative branch which consists of the City Council. The City of Houston will provide a notice of beneficiary rights under Title VI on the District's Website www.houstontx.gov/obo.

IX. Requirement to Provide Additional Information Upon Request

City of Houston shall respond to all written requests from U.S Department of Transportation (FTA, FAA, FHwy or any recipient that the City receives grants from) for information to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

X. Requirement to Prepare and Submit a Title VI Program

City of Houston shall submit a Title VI Program to the FTA Regional VI civil rights officer once every three (3) years.

XI. Construction Projects During the Reporting Period

The City of Houston does not have a current construction project for its system during the report period.

XII. Guidance on Conducting an Environmental Justice Analysis of Construction Projects

The City of Houston does not have a current construction project for its system during the report period.

XIII. Guidance on Promoting Inclusive Public Participation

City of Houston has implemented a Public Participation Plan and it is in accordance with the guidelines under the Final Rule of 23 CFR §450.316 Metropolitan Transportation Planning and in compliance with all federal laws and regulations throughout the public participation process, including adherence to Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990.

XIV. Public Participation Plan

The City of Houston has an inclusive public participation plan, these activities include:

- All meetings of the Council and of all committees are open to the public and the rules of the Council provide that citizens of the city shall have a reasonable opportunity to be heard at any such meetings in regard to any matter to be considered. These meetings take place every Tuesday of every week, unless it is public holiday. The meetings take place at City Hall, 901 Bagby Street , Council Member Chambers (2nd Floor), Houston, Texas
- The City of Houston, its prime contractors, and other delegates conduct stakeholder meetings to provide information and collect feedback from interested parties. The meetings locations are coordinated with stakeholders to ensure maximum participations.
- The City of Houston, its prime contractors and other delegates' public meetings are to provide information and collect feedback from individuals that have public comments. The meetings take place in public venues in the respective communities and neighborhoods for which the project is undertaken. The meetings are scheduled on weekday evenings after 6 pm.
- The City of Houston also publishes web based and mail notices to notify public and to collect public comments.

XV. Racial Demographics of City of Houston Boards and Commissions

| Racial Demographics of City of Houston Boards & Commissions | | |
|---|------------|--------|
| <i>Representing 1825 non-elected advisors from 146 Boards & Commissions</i> | | |
| Category of Race | Percentage | Number |
| White | 55.45% | 1012 |
| Black or African American | 23.51% | 429 |
| Hispanic | 14.41% | 263 |
| Asian | 6.47% | 118 |
| American Indian or Alaska Native | 0% | 0 |
| Native Hawaiian or Other Pacific Islander | 0% | 0 |
| Other | 0.16% | 3 |
| Total Filled Positions | 100% | 1825 |

XVI. 2012 Annual Plan

1. Training

| Action Item | Completion Date |
|---|--------------------|
| Identify personnel needing to complete Title VI training. | Sept 1, 2012 |
| Schedule Title VI Training for identified personnel. | September 15, 2012 |
| Conduct annual Title VI training | October 1, 2012 |

2. Compliance Review

| Action Item | Completion Date |
|--|-----------------|
| Monitor Title VI activities and conduct reviews as necessary | Continuous |

3. Public Outreach

| Action Item | Completion Date |
|--|-----------------------------------|
| City Council Public Agenda Develop public outreach plan that will use various forms of communication to inform public of Title VI Rights (Website, pamphlets, training, etc.) | October 1, 2011 Revised 2/2013 |
| Monitor City of Houston policies and procedures for necessary Title VI (Civil Rights) language. | Continuous |
| Respond to all inquiries and issues brought by sub-recipients relating to Title VI | Continuous |

4. Submit Title VI Plan Update

| Action Item | Completion Date |
|--|---------------------------------------|
| Submit to FTA 2011 – 2013 Title VI Plan (include update from all program areas). | September 30, 2012 Revised 2/2013) |

XVII. City of Houston Title VI Assurances

City of Houston, (hereafter referred to as the "Recipient") in keeping with our policy of nondiscrimination, hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d - 42 U.S.C. 2000d-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to: Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, nondiscrimination in Federally-assisted programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives. To that end, in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of religion, race, color, national origin, gender, age, disability, income status or limited English proficiency be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration (FTA). The City of Houston HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7 (a) (1) of the Regulations.

Carlecia D. Wright

Carlecia D. Wright

Director and DBELO

City of Houston – Office of Business Opportunity

2/11/13

Date

David Feldman

David Feldman

City Attorney

City of Houston

2/12/13

Date

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of Change Order No.1 and Additional Appropriation for East Water Purification Plant: Replacement of Filter Media at Plants 1, 2, and 3 and Rehabilitation of Pilot Plant; WBS No. S-000056-0059-4.

Page
1 of 2Agenda Item
#

202A

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected:E
(E)**For additional information contact:**Daniel R. Menendez, P.E.
Deputy Director

Phone: (832) 395-2201

Date and identification of prior authorizing Council action:

Ord. # 2012-0447 dated: 05/09/2012

RECOMMENDATION: (Summary) Adopt a motion approving Change Order No. 1 and adopt an Ordinance approving additional appropriation of \$396,000.00.

Amount and Source of Funding: \$396,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500. Total (original) appropriation of \$8,000,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Capital Improvement Program (CIP) to increase safety, reliability and the efficiency of operations at the East Water Purification Plant.

DESCRIPTION/SCOPE: The project consists of filter media replacement and the rehabilitation of filter structures. It includes the replacement of sand and anthracite media with new media, cleaning, resurfacing and grouting filter walls and canals and the repair of associated appurtenance at 36 filter locations. The rehabilitation also includes the repairs to the pilot plant which entails cleaning and flushing all pipes, tanks drums, replacement of pumps and motors and supervised control and data acquisitions (SCADA) programming to automate the testing process. ARCADIS U.S., Inc. designed the project with 600 days calendar days allowed for construction. The project was awarded to Pepper Lawson Waterworks, LLC. with an original Contract Amount of \$7,112,000.00.

LOCATION: The project is located at 2300 Federal Road. The project is located in Key Map Grids 496U, Y.

PROPOSED CHANGE ORDER NO. 1: An approval is requested of an appropriation of \$396,000.00 in excess of the original contract value and extension of 112 days of contract time, for additional work required to replace the entire underdrain system and gravel in filter No. 13 and 15; to replace the damaged flume filters; and underdrain filters containing media in filter 13 and 15; and to inspect Plant 2 filter flumes for filter No. 17 and 19. This scope of work is added due to Drinking Water Operations could not drain the basin in order to perform inspection by the engineer during the design phase.

The requested appropriation will cover the additional work identified and leave the 5% contingencies balance for the completion of remaining contract work.

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

LTS #4892

REQUIRED AUTHORIZATION

20HA218

Finance Department:

Other Authorization:

Other Authorization:

Jan Chang, P.E., D.WRE
Deputy Director, Public UtilitiesDaniel R. Menendez, P.E., Deputy Director
Engineering and Construction Division

| | | | |
|------|--|-----------------------|----------------|
| Date | SUBJECT: Approval of Change Order No.1 and Additional Appropriation for East Water Purification Plant: Replacement of Filter Media at Plants 1, 2, and 3 and Rehabilitation of Pilot Plant; WBS No. S-000056-0059-4. | Originator's Initials | Page 2 of 2 |
|------|--|-----------------------|----------------|

M/W/SBE PARTICIPATION: The M/W/SBE goal established for this contract is 18%. The original Contract approved by Ordinance No. 2012-0447 totals \$7,112,000.00. Assuming approval of the request additional appropriation the Contract amount will increase to \$7,508,000.00. According to Office of Business Opportunity the Contractor's to date M/WBE performance is 28.81%.

DWK:DRM:SKF:TGD:ha
H:\E&C Construction\Facilities\Projects\S-000056-59-4 EWPP Filter Media Replacement, Pilot Plant Rehab\RCA\RCA for additional appropriation and C.O.#1.doc

Document 00941

CHANGE ORDER No. 1

PROJECT: EWPP: Replacement of Filter Media at Plants 1, 2 and 3 and Rehabilitation of Pilot Plant

CONTRACT No.: 4600011554 PROJECT No.: S-000056-0059-4 (S-000056-0059)

TO: Pepper-Lawson Waterworks, LLC.

4555 Katy Hockley Cut-Off Road

Contractor and
Address for Written Notice

Katy, TX 77493

1.01 DESCRIPTION OF CHANGES

CONTRACT CHANGE

| Amount | Time |
|--------------|---------|
| \$155,000.00 | 28 Days |

ITEM 1 SCOPE: Plant No. 2, Filter No. 13:
A. Remove air scour piping.
B. Replace air scour piping item.
C. Inspect filter flume, remove and replace 48 inch blind flange.
E. Remove filter gravel.
F. Replace filter gravel.
G. Remove tile under drain.
I. Replace tile under drain.

JUSTIFICATION: The Design Scope of Work did not include provisions for rehabilitation of the filter under drain tiles.

| Unit Item | Unit Item Description | Unit | Add/Deduct Qty | Unit Price | Add/Deduct Amount |
|-----------|--|------|----------------|--------------|-------------------|
| 243 | Plant No. 2, Filter 13, Rehabilitation | LS | 1.00 | \$155,000.00 | \$155,000.00 |

ITEM 2 SCOPE: Plant No. 2, Filter No. 14:
A. Remove air scour piping.
B. Replace air scour piping.
E. Remove filter gravel.
F. Replace filter gravel.

\$55,000.00 21 Days

JUSTIFICATION: Once filter 14 was drained, pot holes were observed in the existing media, prompting an inspection of the filter flume.

| Unit Item | Unit Item Description | Unit | Add/Deduct Qty | Unit Price | Add/Deduct Amount |
|-----------|--|------|----------------|-------------|-------------------|
| 244 | Plant No. 2, Filter 14, Rehabilitation | LS | 1.00 | \$55,000.00 | \$55,000.00 |

00941-1

Print Date: 02/18/2013

**CITY OF HOUSTON
STANDARD DOCUMENT**

CHANGE ORDER

PROJECT No.: S-000056-0059-4 (S-000056-0059)

CHANGE ORDER No. 1

\$155,000.00 28 Days

ITEM 3 SCOPE: Plant No. 2, Filter No. 15:
A. Remove air scour piping.
B. Replace air scour piping.
C. Inspect filter flume, remove and replace 48 inch blind flange.
E. Remove filter gravel.
F. Replace filter gravel.
G. Remove tile under drain.
I. Replace tile under drain.

JUSTIFICATION: The Design Scope of Work did not include provisions for rehabilitation of the filter under drain tiles.

| Unit Item | Unit Item Description | Unit | Add/Deduct Qty | Unit Price | Add/Deduct Amount |
|-----------|--|------|----------------|--------------|-------------------|
| 245 | Plant No. 2, Filter 15, Rehabilitation | LS | 1.00 | \$155,000.00 | \$155,000.00 |

ITEM 4 SCOPE: Plant No. 2, Filter No. 17:
A. Remove air scour piping - partial scope.
B. Replace air scour piping - partial scope.
C. Inspect filter flume, remove and replace 48 inch blind flange.
E. Remove filter gravel, partial scope.
F. Replace filter gravel, partial scope.
H. Remove tile under drain.
J. Replace tile under drain.

\$25,000.00 21 Days

JUSTIFICATION: Once filter 17 was drained, pot holes were observed in the existing media, prompting an inspection of the filter flume.

| Unit Item | Unit Item Description | Unit | Add/Deduct Qty | Unit Price | Add/Deduct Amount |
|-----------|--|------|----------------|-------------|-------------------|
| 246 | Plant No. 2, Filter 17, Rehabilitation | LS | 1.00 | \$25,000.00 | \$25,000.00 |

ITEM 5 SCOPE: Plant No. 2, Filter No. 19:
Item C: Inspect filter flume, remove and replace 48 inch blind flange
Item J: Repair grout, replace Steel Support, partial scope.

\$6,000.00 14 Days

JUSTIFICATION: Once filter 19 was drained, pot holes were observed in the existing media, prompting an inspection of the filter flume.

| Unit Item | Unit Item Description | Unit | Add/Deduct Qty | Unit Price | Add/Deduct Amount |
|-----------|--|------|----------------|------------|-------------------|
| 247 | Plant No. 2, Filter 19, Rehabilitation | LS | 1.00 | \$6,000.00 | \$6,000.00 |

TOTALS: \$396,000.00 112 Days

00941-2

Print Date: 02/18/2013

CITY OF HOUSTON
STANDARD DOCUMENT

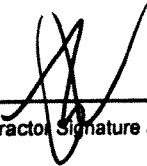
CHANGE ORDER

PROJECT No.: S-000056-0059-4 (S-000056-0059)

CHANGE ORDER No. 1


1.02 ACCEPTANCE BY CONTRACTOR

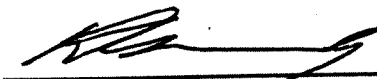
Contractor agrees to perform change(s) included in this Change Order for the price and time indicated. The prices for changes include all costs associated with this Change Order.


MANAGING PARTNER
Contractor Signature and Title

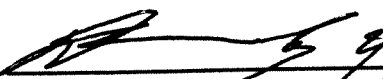
2/19/2013
Date


1.03 ACCEPTANCE BY THE CITY

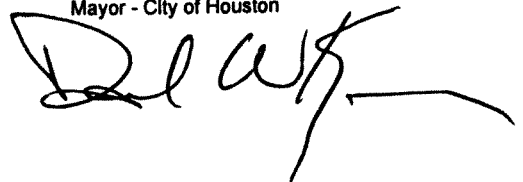

Samuel Davis 2/19/2013
Project Manager Date


2/20/13
Deputy Director Date


2/20/2013
Chief Engineer Date


2/20/13
City Engineer Date


2/19/13
Assistant Director Date

Mayor - City of Houston

Date

cc: File No. S-000056-0056, 9.0
File No. (S-000056-0059)

**CITY OF HOUSTON
STANDARD DOCUMENT**

CHANGE ORDER

PROJECT No.: S-000056-0059-4 (S-000056-0059)

CHANGE ORDER No. 1

EXECUTIVE SUMMARY

| 1.01 CONTRACT PRICE SUMMARY | | <u>DOLLAR AMOUNT</u> | <u>PERCENT</u> |
|-----------------------------|-------------------------|----------------------|----------------|
| A. | Original Contract Price | \$7,112,000.00 | 100.00% |
| B. | Previous Change Orders | \$0.00 | 0.00% |
| C. | This Change Order | \$396,000.00 | 5.57% |
| D. | Contract Price | \$7,508,000.00 | 105.57% |

| 1.02 CONTRACT TIME SUMMARY | | <u>DURATION</u> | <u>COMPLETION DATE</u> |
|----------------------------|------------------------|-----------------|-------------------------|
| A. | Original Contract Time | 600 Days | Saturday, March 1, 2014 |
| B. | Previous Change Orders | 0 Days | Saturday, March 1, 2014 |
| C. | This Change Order | 112 Days | Saturday, June 21, 2014 |
| D. | Contract Time | 712 Days | Saturday, June 21, 2014 |

1.03 TOTAL VALUE OF INCREASES OUTSIDE OF GENERAL SCOPE OF WORK

- A. Including this Change Order, the following table is provided to track conditions related to Paragraph 7.1.2.3 of Document 00700 - General Conditions.

| <u>CHANGE ORDER No.</u> | <u>AMOUNT ADDED</u> | <u>PERCENT OF ORIGINAL CONTRACT PRICE</u> |
|-----------------------------|---------------------|---|
| 1 | \$396,000.00 | 5.57% |
| TOTALS | | \$396,000.00 5.57% |

00941-4

Print Date: 02/18/2013

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Northwest Harris County MUD No. 25
Lift Station Rehabilitation; WBS No. R-000267-00B4-4.Page
1 of 1Agenda Item
#

3

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected:A
(A)**For additional information contact:**

Daniel R. Menendez, P.E.

Deputy Director

Phone: (832) 395-2201

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

Ord. # 2011-0569 dated: 06/29/2011

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$292,106.84 or 7.33% 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 \$363,100.00 from Water and Sewer System Consolidated Construction Fund No. 8500.**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's ongoing program to replace/upgrade its lift stations facilities.**DESCRIPTION/SCOPE:** This project consisted of rehabilitation of lift station including replacement of pumps, valves, fittings, and discharge piping, polyvinyl chloride lining of wet well, upgrade of electrical and controls, new concrete site paving, fencing, and storm water detention. Neel-Schaffer, Inc. designed the project with 270 calendar days allowed for construction. The project was awarded to Desert Eagle, LLC. DbA Panorama with an original Contract Amount of \$315,213.80.**LOCATION:** The project area is located at 10702 West Little York Road in Northeast Houston. The project is located in Key Map Grid 409U.**CONTRACT COMPLETION AND COST:** The Contractor, Desert Eagle, LLC. DbA Panorama has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$292,106.84, a decrease of \$23,106.96 or 7.33% under the original Contract Amount.

The decreased cost is a result of the difference between planned and measured quantities and previously approved Change Order No. 1. This decrease is primarily the result of an underrun in Bid Item No. 13 - 8" Reinforced Concrete for Site Paving, and Extra Unit Price Items, which were not necessary to complete the project.

M/SBE PARTICIPATION: The Contract was not a goal-oriented per Art. V, Chapter 15.

MA

DWK:DRM:SKF:MA:ha

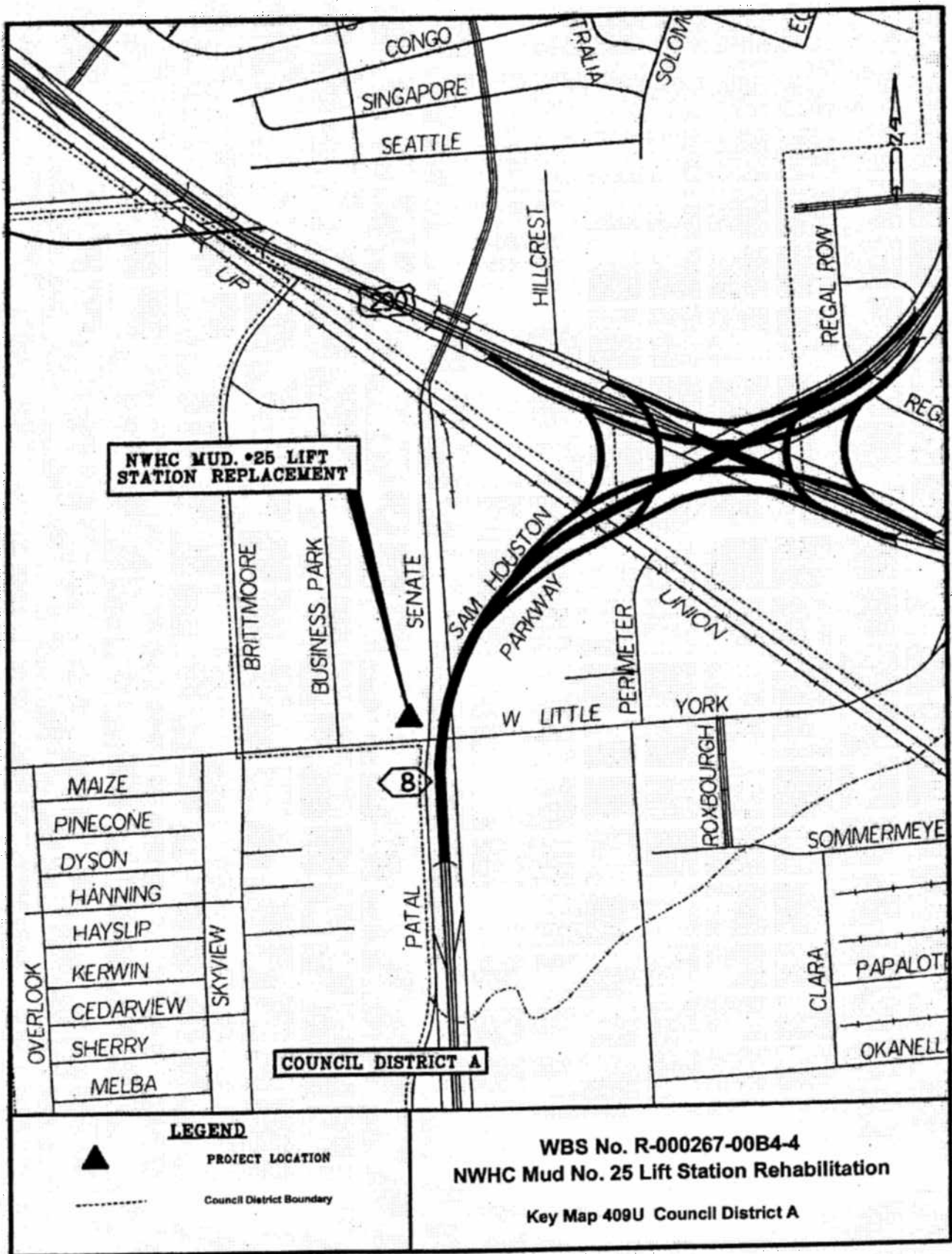
H:\E&C Construction\Facilities\Projects\R-00267-00B4-4 MUD 25\21.0 Close-Out Documentation\RCA\RCA - Closeout.doc

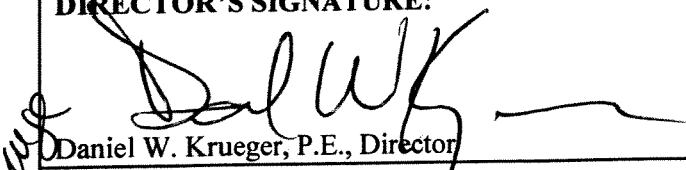


REQUIRED AUTHORIZATION

20HA208

NOT

Finance Department:**Other Authorization:****Other Authorization:**Daniel R. Menendez, P.E., Deputy Director
Engineering and Construction Division



| | | |
|---|---|--|
| SUBJECT: Abandonment and sale of $\pm 3,657$ square feet of excess right-of-way adjacent to Mid Lane and Bettis Drive, located within the Briarglen Addition, out of the William Harris Survey. Parcel SY13-035 | Page <u>1 of 2</u> | Agenda Item # <u>4</u> |
| FROM (Department or other point of origin): Department of Public Works and Engineering | Origination Date <u>2/21/13</u> | Agenda Date <u>FEB 27 2013</u> |
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director | Council District affected: G Key Map: 491V  | |
| For additional information contact: Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director-Real Estate | Date and identification of prior authorizing Council Action: | |

RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the abandonment and sale of $\pm 3,657$ square feet of excess right-of-way adjacent to Mid Lane and Bettis Drive, located within the Briarglen Addition, out of the William Harris Survey. **Parcel SY13-035**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

Janet Baccus, P.E., Jones & Carter, Inc., 6335 Gulfton, Suite 100, Houston, Texas, 77081, on behalf of GIIC Houston, LLC, (Kenneth Aboussie, Jr., Manager), requested the abandonment and sale of $\pm 3,657$ square feet of excess right-of-way adjacent to Mid Lane and Bettis Drive, located within the Briarglen Addition, out of the William Harris Survey. GIIC Houston, LLC, the abutting property owner, plans to incorporate the subject excess right-of-way into the adjacent tracts to facilitate the construction of a multiple-use development that will include multiple-family units, a hotel, office space, and parking. Signs notifying the public of the pending street right-of-way abandonment application were posted for at least thirty days.

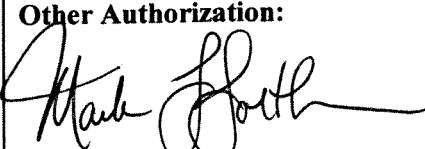
This is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works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


1. The City abandon and sell $\pm 3,657$ square feet of excess right-of-way adjacent to Mid Lane and Bettis Drive, located within the Briarglen Addition, out of the William Harris Survey;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to: (a) cut, plug, and abandon the 6-inch sanitary sewer line in the subject portion of Mid Lane, from its terminus to outside of the abandonment area, (b) construct a back end manhole at the new terminus of the sanitary sewer line, and (c) pay the depreciated value for the abandonment of the sanitary sewer line and manhole. All of the foregoing items must be completed at no cost to the City and under the proper permits;

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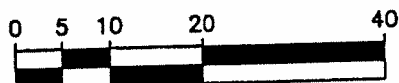
CUIC #20DOB9335

REQUIRED AUTHORIZATION

| | | |
|----------------------------|-----------------------------|--|
| Finance Department: | Other Authorization: | Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division |
|----------------------------|-----------------------------|--|

| | | | |
|--|---|--|-------------------------------------|
| Date: | Subject: Abandonment and sale of ±3,657 square feet of excess right-of-way adjacent to Mid Lane and Bettis Drive, located within the Briarglen Addition, out of the William Harris Survey. Parcel SY13-035 | Originator's Initials  | Page <u>2</u> of <u>2</u> |
| <p>4. The applicant be required to prepare drawings that show all public utilities (sanitary sewer) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the Motion shall be attached to the plan set when it is submitted for plan review;</p> <p>5. The Legal Department be authorized to prepare the necessary transaction documents; and,</p> <p>6. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.</p> <p>DWK:NPC:dob</p> <p>c: Jun Chang, P.E., D.WRE Marta Crinejo David Feldman Marlene Gafrick Terry A. Garrison Daniel Menendez, P.E. Jeffrey Weatherford, P.E., PTOE</p> | | | |

Subject: Abandonment and sale of ±3,657 square feet of excess right-of-way adjacent to Mid Lane and Bettis Drive, located within the Briarglen Addition, out of the William Harris Survey. **Parcel SY13-035**



SCALE: 1" = 20'

 Area To Be Abandoned

BETTIS DRIVE

MID LANE

Exist Storm MH
Exist San Sew MH
(To Be Abandoned
& Removed)

Prop San Sew MH

*Exist San Sew Line
(To Be Abandoned)*

MID LANE

Exist Oak
Tree

Exist Chain
Link Fence

Exis
Curb

—Exist
Sidewalk

Prop
Curb

~~£130.62.~~

£110.28

±69.02

-GHC HOUSTON, LLC

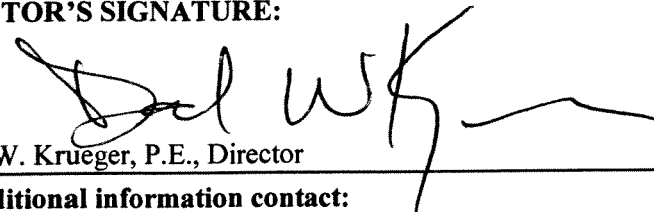


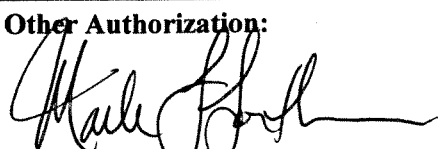
**EXHIBIT OF
0.0840-ACRE TRACT
(3,657 SQ FT)**


OUT OF THE
W.M. WHITE SURVEY, A-836
HARRIS COUNTY, TEXAS

NOVEMBER 2012

ENGINEER:

JC JONES & CARTER, Inc.
ENGINEERS • PLANNERS • SURVEYORS
Texas Board of Professional Engineers Registration No. E-419
5734 Gailhorn Dr. Suite 100 Houston, Texas 77061 (713) 777-6331

| | | | |
|--|-----------------------------|--|---------------------------------------|
| SUBJECT: Abandonment and sale of a portion of a 35-foot-wide water line and access easement, in exchange for the conveyance to the City of a 35-foot-wide water line and access easement, out of the Victor Blanco Survey, A-2. Parcels SY13-036 and QY13-002 | | Page <u>1</u> of <u>2</u> | Agenda Item # 5 |
| FROM (Department or other point of origin): Department of Public Works and Engineering | | Origination Date 2/21/13 | Agenda Date FEB 27 2013 |
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director | | Council District affected: ETJ Key Map: 376J  | |
| For additional information contact: Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director-Real Estate | | Date and identification of prior authorizing Council Action: | |
| RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the abandonment and sale of a portion of a 35-foot-wide water line and access easement, in exchange for the conveyance to the City of a 35-foot-wide water line and access easement, out of the Victor Blanco Survey, A-2. Parcels SY13-036 and QY13-002 | | | |
| Amount and Source of Funding: Not Applicable | | | |
| SPECIFIC EXPLANATION: Jeremy Yeglin, Golder Associates, Inc., 500 Century Plaza Drive, Suite 190, Houston, Texas, 77073, on behalf of Waste Management of Texas, Inc., (Charles A. Rivette, Director), requested the abandonment and sale of a portion of a 35-foot-wide water line and access easement, in exchange for the conveyance to the City of a 35-foot-wide water line and access easement, out of the Victor Blanco Survey, A-2. Harris County Flood Control District is in the process of reconstructing a flood control ditch in the location of the subject 35-foot-wide water line and access easement. The design of the proposed ditch requires a portion of the subject 35-foot-wide water line and access easement to be relocated. The subject 35-foot-wide water line and access easement is not in a Council District but in the Extra Territorial Jurisdiction (ETJ) of the City of Houston near Council District E. This is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an Ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended: 1. The City abandon and sell a portion of a 35-foot-wide water line and access easement, in exchange for the conveyance to the City of a 35-foot-wide water line and access easement, out of the Victor Blanco Survey, A-2; 2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property; | | | |
| s:\dob\sy13-036.rc1.doc | | CUIC #20DOB9334 | |
| REQUIRED AUTHORIZATION | | | |
| Finance Department: | Other Authorization: | Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division | |

| | | | |
|--------------|---|---|-------------------------------------|
| Date: | Subject: Abandonment and sale of a portion of a 35-foot-wide water line and access easement, in exchange for the conveyance to the City of a 35-foot-wide water line and access easement, out of the Victor Blanco Survey, A-2. Parcels SY13-036 and QY13-002 | Originator's Initials  | Page <u>2</u> of <u>2</u> |
|--------------|---|---|-------------------------------------|

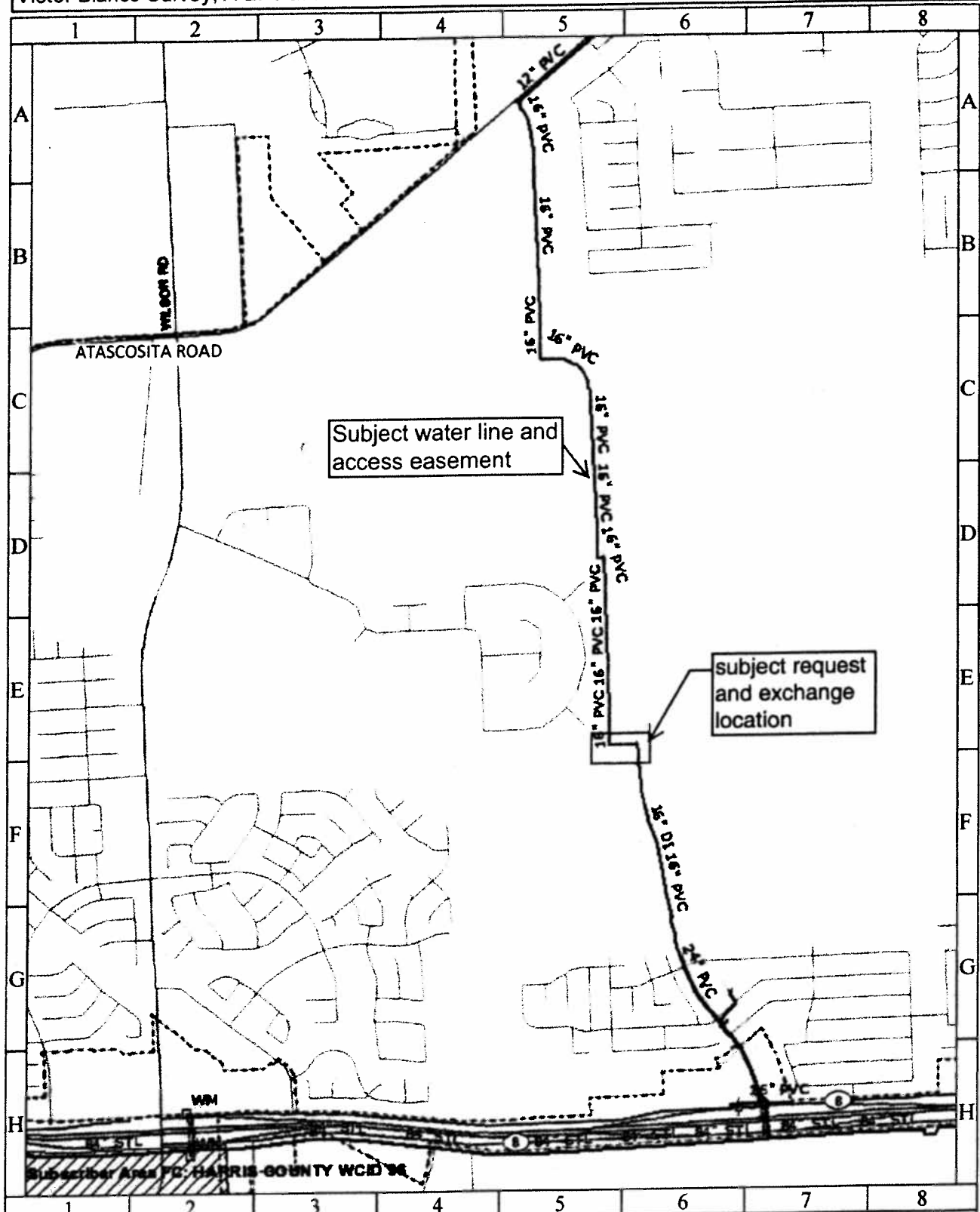
3. The applicant be required to: (a) cut, plug, and abandon the subject portion of the 16-inch water line within the existing 35-foot-wide water line and access easement, (b) construct a 16-inch water line not centered within the 35-foot-wide water line and access easement to be conveyed to the City but at least ten feet from the east line of the said easement, (c) clearly mark the water line and access easement with posts that extend a minimum of six feet above ground level spaced at intervals no greater than 300 feet per 30 Tex. Admin. Code § 330.543 requirements, and (d) relocate the entire water line into a new water line and access easement, if landfill waste is ever deposited within 125 feet of the 35-foot-wide water line and access easement. All of the foregoing items must be completed at no cost to the City and under the proper permits;
4. The applicant be required to prepare drawings that show all public utilities (water) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the council motion shall be attached to the plan set when it is submitted for plan review;
5. The Legal Department be authorized to prepare the necessary transaction documents; and,
6. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

DWK:NPC:dob

c: Jun Chang, P.E., D.WRE
Marta Crinejo
David Feldman
Marlene Gafrick
Terry A. Garrison
Daniel Menendez, P.E.

MARTIN FILE: AT WL RELOCATION ESMT2012.DWG

Subject: Abandonment and sale of a portion of a 35-foot-wide water line and access easement, in exchange for the conveyance to the City of a 35-foot-wide water line and access easement, out of the Victor Blanco Survey, A-2. **Parcels SY13-036 and QY13-002**



CITY OF HOUSTON
 Department of Public Works and Engineering
 1 inch = Geographic Information & Management System (GIMS)
 1605 feet

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

SUBJECT: PROPERTY: PURCHASE of Parcel AY12-055, located on Fondren Road between Hillcroft and FM 2234 for the FONDREN ROAD PAVING AND DRAINAGE PROJECT (from Hillcroft to McHard/FM 2234).

WBS N-000821-0001-2-01

Owner: CG Reserve 164 Texas L.P., Tom Carter, President,
C. M. Garver, General Partner

Page

1 of 1

Agenda Item
#

6

FROM: (Department or other point of origin):

Origination Date

2/21/13

Agenda Date

FEB 27 2013

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected:

K

Key Map 570 Z and 610 D

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 2012-0521, passed May 30, 2012

RECOMMENDATION: (Summary)

Authority be given through Council Motion to PURCHASE Parcel AY12-055.

Amount and \$61,588.00

Source of Funding: No additional funding required (Funds were appropriated under Ordinance Number 2012-0521)

SPECIFIC EXPLANATION:

The FONDREN ROAD PAVING AND DRAINAGE PROJECT (from Hillcroft to McHard/FM 2234) is a designated major thoroughfare consisting of a four-lane divided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control, and necessary underground utilities to meet City of Houston standards and improve traffic flow.

The City will acquire 63,644 square feet out of vacant land. The City's offer was based on an appraisal by Michael J. Urban, MAI, SRA. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

Parcel AY12-055 (Easement)

63,644 square feet @ \$0.87 per square foot \$ 55,522.00(R)

COST TO CURE \$ 4,688.00

TOTAL CONSIDERATION..... \$ 60,210.00

Title Policy and Services \$ 1,378.00

TOTAL AMOUNT..... \$ 61,588.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY12-055 located on Fondren Road between Hillcroft and FM 2234, owned by CG Reserve 164 Texas L.P., Tom Carter, President, C. M. Garver, General Partner for the FONDREN ROAD PAVING AND DRAINAGE PROJECT (from Hillcroft to McHard/FM 2234). Parcel AY12-055 is a tract of land being a 1.4611 acre (63,644 square feet) tract of land out of that called 212.0554 acre tract of land, conveyed to CG Reserve 164 Texas, L.P. as described and recorded by special warranty deed filed under Fort Bend County Clerk's File (F.B.C.C.F.) Number 2005109813 of the Official Public Records of Fort Bend County, Texas (O.P.R.F.B.C.T.), same being situated in the Edward Drew Survey, Abstract Number 163, Fort Bend County, Texas, located in the City of Houston, according to City of Houston approved field notes.

DWK:NPC:cr

cc: Marta Crinejo

REQUIRED AUTHORIZATION

CUIC #20CDR39

Finance Department:

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

**FONDREN ROAD PAVING AND DRAINAGE PROJECT
PARCEL VALUATION
PARCEL AY12-055**

Following is a breakdown of the consideration for **Parcel AY12-055**:

Parcel AY12-055: (Easement)

VALUATION:

| | |
|--|--------------------|
| 63,644 square feet @ \$0.87 per square foot..... | \$ 55,522.00(R) |
| COST TO CURE | \$ 4,688.00 |
| (Perimeter fencing) | |
| Title Policy and Services | <u>\$ 1,378.00</u> |
| TOTAL AMOUNT | \$ 61,588.00 |

GENERAL NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, ZONE 14N, HAD 83 HONOLULU, HAWAII, BEING THE POINT OF ORIGIN FOR THE COORDINATE SYSTEM. ALL COORDINATES ARE GIVEN IN FEET AND DECIMALS THEREOF. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF. BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999973225.

2. ALL OF THE TRACT SHOWN HEREON LIES WITHIN THE 10' SANITARY SEWER EASEMENT, GREEN RIDGE MUNICIPAL UTILITY DISTRICT, VOL. 1145, PG. 798, TRACT THREE, O.P.R.F.B.C.T. CO RESERVE 164 TEXAS, L.P. 212.0554 AC C.F. No. 2005109813 O.P.R.F.B.C.T.

3. A METES AND BOUNDS DESCRIPTION OF EVERY DATE WAS PREPARED IN CONNECTION WITH THIS SURVEY PLAT.

EDWARD DREW SURVEY A-163

CG RESERVE 164 TEXAS, L.P. 212.0554 AC C.F. No. 2005109813 O.P.R.F.B.C.T.

PARCEL NO. AY12-055 1.4611 ACRE - 63,644 SQ. FT.

10' SANITARY SEWER EASEMENT GREEN RIDGE MUNICIPAL UTILITY DISTRICT VOL. 1145, PG. 798 TRACT FIVE O.P.R.F.B.C.T.

| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH | CHORD BEARING |
|-------|----------|--------------|------------|-----------------|
| C1 | 1950.00' | 18° 22' 53" | 551.52' | N 10° 08' 45" E |
| C2 | 2050.00' | 15° 03' 38" | 538.84' | S 09° 13' 16" W |
| C3 | 49.80' | 109° 34' 00" | 95.24' | S 37° 47' 40" E |
| C4 | 1950.00' | 04° 23' 32" | 149.48' | N 18° 08' 28" E |
| C5 | 2050.00' | 07° 30' 23" | 101.81' | S 15° 21' 52" W |
| C6 | 2050.00' | 07° 13' 33" | 258.34' | N 07° 28' 09" E |



Sheet 17 of 21

LAND TITLE SURVEY PLAT OF 1.4611 ACRE PARCEL EDWARD DREW SURVEY, A-163 HOUSTON, HARRIS COUNTY, TEXAS

CITY OF HOUSTON

PUBLIC WORKS AND ENGINEERING DEPARTMENT



APPROVAL

[Signature]

DATE 8/20/2012

SURVEY SECTION RIGHT OF WAY SECTION

KEY MAP No. 6100

PARCEL NO. AY12-055

SHEET 1 OF 2

SCALE: 1" = 50'

JOB NO.

WBS NO. N-000821-0001-3

C.M. NO.

OTMS MAP No. 50500



10' SANITARY SEWER EASEMENT GREEN RIDGE MUNICIPAL UTILITY DISTRICT VOL. 1145, PG. 798 TRACT THREE O.P.R.F.B.C.T.

MATCHLINE 39+00.00

CON SURVEY MONUMENT #5000-1508 X=5,079,535.13 Y=13,779,222.37 ELEV.=70.78' FWD 3 1/2" DIA. BRASS DISK

BASELINE AND SETBACK MONUMENTS SET 1" I.R. W/CONTROL CAP

SET 1" I.R. W/CONTROL CAP

SET 1" I.R. W/CONTROL CAP

SET 1" I.R. W/CONTROL CAP

SET 1" I.R. W/CONTROL CAP

SET 1" I.R. W/CONTROL CAP

SET 1" I.R. W/CONTROL CAP

GENERAL NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE 1983 ADJUSTED MEAN SEA LEVEL, U.S. STANDARD, SOUTH CENTRAL ZONE, 4250, AND AS (2001 ADJ.) AS DETERMINED FROM CITY OF HOUSTON RECORDS. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF. ALL SURFACE AREAS CAN BE CONVERTED TO GRID AREA BY APPLYING THE APPROPRIATE SCALE FACTOR OF 0.99973225.
2. ALL OF THE TRACT SHOWN HEREON LIES EITHER IN A 50' WIDE DRAINAGE EASEMENT DETERMINED TO BE OUTSIDE THE 500-FOOT FLOOD HAZARD ZONE, AND HAS BEEN DETERMINED BY SCALING THE FEDERAL EMERGENCY MANAGEMENT AGENCY MAP FOR THE CITY OF HOUSTON, TEXAS, AND INCORPORATED AREAS, DATED REVISED JUNE 1, 1993, AND STATEMENT DOES NOT IMPLY THAT THE REMAINING PROPERTY MAJOR STRUCTURES THEREON WILL BE PROTECTED FROM FLOODING. FLOODING CAN BE INCREASED BY MAN-MADE OR NATURAL CAUSES.
3. A METES AND BOUNDS DESCRIPTION OF EVERY DATE PLAT PREPARED IN CONNECTION WITH THIS SURVEY PLAT.

JOHN LAFAYETTE SURVEY

A-200

BEARINGS N 64°10'10" E 100.32'
A-200
A-163
M 87°14'08" E 100.32'
A-200
A-163
50' WIDE DRAINAGE EASEMENT
VOL. 459, PCL. 15
F.B.C.D.R.

EDWARD DREW SURVEY

10' SANITARY SEWER EASEMENT
UTILITY DISTRICT
VOL. 1145, PCL. 796
O.P.R.F.B.C.T.

CG RESERVE 164 TEXAS, L.P.
212.0554 AC
C.F. No. 2005109813
O.P.R.F.B.C.T.

CG RESERVE 164 TEXAS, L.P.
212.0554 AC
C.F. No. 2005109813
O.P.R.F.B.C.T.

| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH | CHORD LENGTH | CHORD BEARING |
|-------|----------|-------------|------------|--------------|---------------|
| C2 | 1950.00' | 18°22'53" | 557.52' | 555.63' | N 10°08'45" E |
| C3 | 2050.00' | 15°03'38" | 537.29' | 536.84' | S 09°15'18" W |
| C11 | 1950.00' | 11°58'21" | 408.04' | 407.30' | N 07°58'58" E |
| C12 | 2050.00' | 12°13'12" | 437.22' | 436.39' | S 07°50'04" W |

SCALE (IN FEET)
0 25 50 100

Sheet 18-F21

LAND TITLE SURVEY PLAT OF
1.4611 ACRE PARCEL
EDWARD DREW SURVEY, A-163
HOUSTON, HARRIS COUNTY, TEXAS

CITY OF HOUSTON

PUBLIC WORKS AND
ENGINEERING DEPARTMENT

APPROVAL

DATE 05/04/2012

SURVEY SECTION

GIMS MAP No. 50500

KEY MAP No. 6100

PARCEL NO. AY12-055

SHEET 2 OF 2

SCALE: 1" = 50'

JOB NO.

WBS NO. H-000821-0001-3

C.M. NO.



SURVEYOR'S CERTIFICATE
TO CITY OF HOUSTON

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUNDS AND COMPLETES ON OCTOBER 1911. THAT THIS MEASUREMENT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND IS IN ACCORDANCE WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONVENTION B SURVEY, AS DESCRIBED IN THE MANUAL OF PRACTICE.

BY: *Robert A. Lupton*
ROBERT A. LUPTON, S.A.L.S.
HARRIS COUNTY, TEXAS
DATED: 4-23-2013
REVISED: 4-24-2013
LMA T. SAMPY & ASSOCIATES
2408 AUGUSTA, SUITE 301
HOUSTON, TEXAS 77057
TELE: 713.747.2238
FAX: 713.747.2234

MATCHLINE 39+00.00

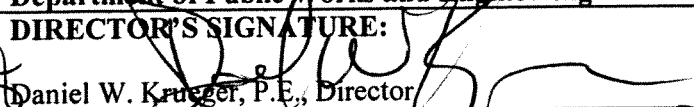
PARCEL NO. AY12-055
1.4611 ACRE - 63,644 SQ. FT.

SET 10' WIDE DRAINAGE EASEMENT
A-163
A-200
X=3,078,812.14
Y=13,179,989.13
ELEV. -71.15

BASELINE
STATION 40+00
W/CONTROL CAP

To: Mayor, via City Secretary

REQUEST FOR COUNCIL ACTION

| | | |
|---|---|-----------------------------------|
| SUBJECT: PROPERTY: PURCHASE and pay relocation assistance expenses for Parcel AY11-256 located at 9625 Fulton Street for the FULTON PAVING AND DRAINAGE PROJECT (from East Tidwell to East Parker). WBS N-000542-0003-2-01 Owner: William C. Defoe | Page 1 of 1 | Agenda Item # 7 |
| FROM: (Department or other point of origin): Department of Public Works and Engineering | Origination Date 2/21/13 | Agenda Date FEB 27 2013 |
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director | Council District affected: H Key Map 453B | |
| 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 2012-0521, passed May 30, 2012 | |
| RECOMMENDATION: (Summary) Authority be given through Council Motion to PURCHASE and pay relocation assistance expenses for Parcel AY11-256. | | |

Amount and \$430,240.00**Source of Funding:** No additional funding required (Funds were appropriated under Ordinance Number 2012-0521)**SPECIFIC EXPLANATION:**

FULTON PAVING AND DRAINAGE PROJECT (from East Tidwell to East Parker) is coordinated with drainage diversion and outfall improvements associated with Sub-Project I in M-000284 (Airline Drive Drainage Improvements Segment I (Tidwell Outfall)) and provides for the right-of-way acquisition, design and construction of a four-lane divided concrete roadway with storm drainage improvements, curbs, sidewalks, driveways, street lighting, traffic control, and necessary underground utilities to meet City of Houston standards and improve traffic flow. This transaction involves the acquisition of 1,502 square feet of land located at 9625 Fulton Street.

The City will acquire 1,502 square feet out of land improved with a mixed use building. The City's offer was based on an appraisal by Gerald A. Teel, MAI, CRE, SGA and Jason M. Mushinski. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

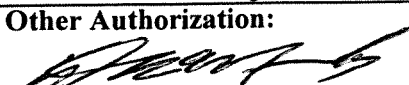
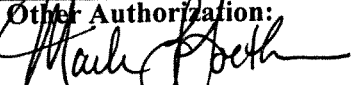
| | |
|--|----------------------|
| Parcel AY11-256 (Easement) | |
| 1,502 square feet @ \$3.25 PSF | \$ 4,882.00 |
| Improvements and Damages | \$ 260,330.00 |
| Total Consideration | \$ 265,212.00 |
| Title Policy and Services | \$ 2,344.00 |
| Estimated relocation assistance expenses | \$ 162,684.00 |
| TOTAL AMOUNT | \$ 430,240.00 |

It is recommended that authority be given through Council Motion to PURCHASE the land and improvements thereon and pay relocation assistance expenses for Parcel AY11-256 located at 9625 Fulton, owned by William C. Defoe, for the FULTON PAVING AND DRAINAGE PROJECT (from East Tidwell to East Parker). Parcel AY11-256 being 0.0345 of an acre (1,502 square feet) of land out of Lot 32 and Lot 33, Burbank Place, an unrecorded subdivision out of Tract No. 13, Thatchers Garden, recorded in Volume 73, Page 326 of the Harris County Deed Records (H.C.D.R.); said 0.0345 of an acre of land also being out of the same property described in a deed dated October 16, 1990 from Johnnie Ruth Cook to William C. Defoe, et ux, recorded under Harris County Clerk's File (H.C.C.F.) No. M87275; situated in the H.&T.C.R.R. Company Survey, Section 5, Abstract No. 428, Harris County, Texas according to City of Houston approved field notes.

DWK:NPC:dc
cc: Marta Crinejo

CUIC #20DC14

REQUIRED AUTHORIZATION

| | | |
|----------------------------|--|--|
| Finance Department: | 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 |
|----------------------------|--|--|

**FULTON PAVING AND DRAINAGE PROJECT
PARCEL VALUATION
PARCEL AY11-256**

Following is a breakdown of the consideration for **Parcel AY11-256**:

LAND: (Easement)
1,502 square feet @ \$3.25 PSF \$ 4,882.00(R)

IMPROVEMENTS
Concrete/asphalt driveways \$ 1,771.00

DAMAGES TO REMAINDER/COST TO CURE \$ 258,559.00
(Due to structure being bisected by the
new right-of-way)

TOTAL PARCEL VALUATION \$ 265,212.00
Title Policy and Services \$ 2,344.00

ESTIMATED RELOCATION COSTS

William Defoe d/b/a Airline's Best Resale Shop (owner occupant)
Relocation Expenses \$ 60,180.00
Business tenant is eligible for reestablishment,
storage of business property, and has elected
a negotiated self-move of business and personal
property.

Mar & Rosas Hair Salon \$ 18,084.00
Business tenant is eligible for reestablishment
and has elected a negotiated self-move of
business equipment and personal property.

Rosario Flores (3 bedroom apartment) \$ 33,936.00
Residential tenant may elect moving
assistance through a fixed schedule
room count of personal property and is
eligible for rental payment subsidy.

Tina Johnson \$ 32,484.00
Residential tenant may elect moving
assistance through a fixed schedule
room count of personal property and is
eligible for rental payment subsidy.

Texas Spice \$ 18,000.00
Business tenant is eligible for reestablishment
and has elected a negotiated self-move of
business and personal property.

Estimated relocation assistance expenses \$ 162,684.00

TOTAL AMOUNT \$ 430,240.00

H. & T. C. R. R. CO. SURVEY SECTION 5, ABSTRACT 428

THATCHERS GARDEN
VOL. 75, PG. 326, H.C.D.R.

TRACT 13

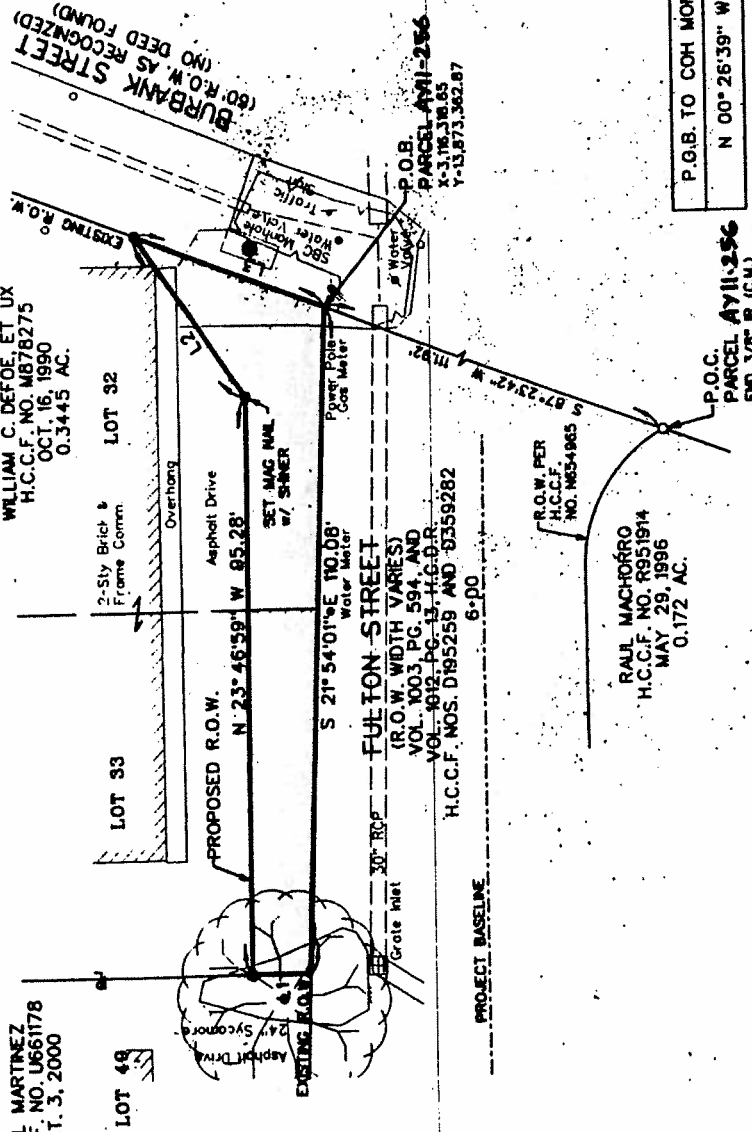
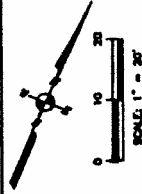
BURBANK PLACE
(UNRECORDED)

WILLIAM C. DEFOE, ET UX
H.C.C.F. NO. M878275
OCT. 16, 1990
0.3445 AC.

JOEL MARTINEZ
H.C.C.F. NO. U661178
OCT. 3, 2000

LEGEND / ABBREVIATIONS

- FOUND MONUMENT AS NOTED
- SET 5/8" IR W/ PLASTIC CAP STAMPED "LANDTECH CONSULTANTS" UNLESS OTHERWISE NOTED
- PROPERTY LINE
- I.R. = IRON ROD
- I.P. = IRON PIPE
- P.T.P. = PINCHED TOP PIPE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- H.C.D.R. = HARRIS COUNTY DEED RECORDS
- H.C.M.R. = HARRIS COUNTY MAP RECORDS
- H.C.C.F. = HARRIS COUNTY CLERK FILE
- (C.M.) = CONTROL MONUMENT
- R.O.W. = RIGHT OF WAY



NOTES:

- ALL COORDINATES AND BEARINGS SHOWN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, MAD 83 (CURS).
- ALL DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF 0.999903944.
- THIS SURVEY IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE.



Leo M. Delatorre
10/4/2011

LEO M. DELATORRE
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS REGISTRATION NO. 5113

LANDTECH CONSULTANTS, INC.
Civil Engineering & Land Surveying
2525 North Loop West
Suite 300
Houston, Texas 77008
Tel: (713) 861-1968 Fax: (713) 861-4131

CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

APPROVAL

08/15/2011

DATE

[Signature]

CHIEF SURVEYOR

RIGHT OF WAY SECTION

| |
|---|
| P.O.B. TO COM MON. NO. 5361-8107 |
| N 00° 26' 39" W - 1,144.97' |
| EXISTING TAKING REMAINING |
| 0.3445 ACRE 0.0345 ACRE 0.3100 ACRE |
| 15,006 SQ. FT. 1,502 SQ. FT. 13,504 SQ. FT. |

Paul S. 539

P.O.C.
PARCEL A711-256
FND 3/6" R (C.M.)

RAUL MACHORRO
H.C.C.F. NO. R951914
MAY 29, 1996
0.172 AC.

KEY MAP NO. 453 B

PARCEL NO. A711-256

SCALE: 1"=20'

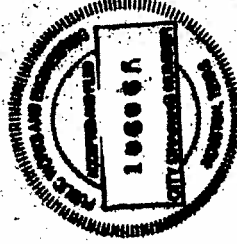
DATE: 4/21/2010

SHEET 1 OF 1

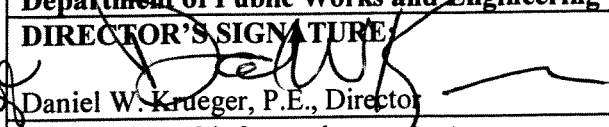
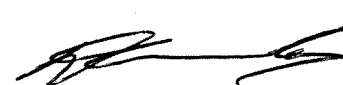
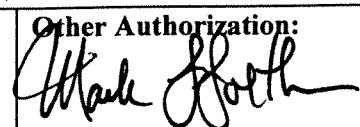
JOB NO.

WBS NO. N-000542-0003-3

C.M. NO.



PARCEL A711-256
WILLIAM C. DEFOE, ET UX

| | | | |
|--|--|--|-----------------------------------|
| SUBJECT: PROPERTY: Approval of relocation assistance payments related to the acquisition of Parcel AY8-313, located at 6449 North Freeway for the YALE STREET IMPROVEMENTS PROJECT (from Tidwell to Parker). WBS N-000592-0001-2-01 Owner: Yakoob Z. Moton | | Page 1 of 1 | Agenda Item # 8 |
| FROM: (Department or other point of origin): Department of Public Works and Engineering | | Origination Date 2/21/13 | Agenda Date FEB 27 2013 |
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director | | Council District affected: H Key Map 452D | |
| 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: Motion 2012-0743, passed October 17, 2012 Ordinance 2010-0231, passed March 24, 2010 Ordinance 2011-1088, passed December 7, 2011 | |
| RECOMMENDATION: (Summary) Authority be given through Council Motion for approval of relocation assistance payments related to the acquisition of Parcel AY8-313. | | | |
| Amount and Source of Funding: \$118,200.00 No additional funding required (Funds were appropriated under Ordinance Numbers 2010-0231 and 2011-1088) | | | |
| SPECIFIC EXPLANATION: The YALE STREET IMPROVEMENTS PROJECT (from Tidwell to Parker) is a federally-funded project that provides for right-of-way acquisition, engineering, and construction of two 24 foot-wide concrete roads with curbs, sidewalks, drainage improvements, and necessary underground utilities. By Motion 2012-0743 passed October 17, 2012, Council approved the payment of \$150,000.00 awarded by the Special Commissioners for Parcel AY8-313 to be deposited into the registry of the Court. Parcel AY8-313 containing 1,004 square feet of land is owned by Yakoob Z. Moton. The owner qualifies for relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended. The Uniform Act allows displacees to submit applicable claims up to eighteen months after closing. Approval of the relocation assistance payments not to exceed \$118,200.00 is needed to expedite the payment process upon completion of the relocation. Requested approval is based on estimated expenses in compliance with the Uniform Act. Parcel AY8-313 (Easement) TOTAL ESTIMATED RELOCATION EXPENSES \$ 118,200.00 It is recommended that approval be given through Council Motion for relocation assistance payments in the amount not to exceed \$118,200.00 related to the acquisition of Parcel AY8-313 located at 6449 North Freeway, owned by Yakoob Z. Moton, for the YALE STREET IMPROVEMENTS PROJECT (from Tidwell to Parker). DWK:NPC:eg cc: Marta Crinejo | | | |
| REQUIRED AUTHORIZATION CUIC #20ELG47A | | | |
| Other 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 | |

Part Acquired

REQUEST FOR COUNCIL ACTION

RCA# 9557

TO: Mayor via City Secretary

Subject: Formal Bids Received for Runway and Taxiway Repair Materials for the Houston Airport System S36-S24145

Category #
4

Page 1 of 2

Agenda Item

9

FROM (Department or other point of origin):

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

Origination Date

January 28, 2013

Agenda Date

FEB 27 2013

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

B, E, I

For additional information contact:

Dallas Evans
Desiree Heath

Phone: (281) 230-8001

Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in an amount not to exceed \$482,612.00 for runway and taxiway repair materials for the Houston Airport System.

Estimated Spending Authority: \$482,612.00

Finance Budget

\$482,612.00 HAS-Revenue Fund (8001)

SPECIFIC EXPLANATION:

The Director of the Houston Airport System and the City Purchasing Agent recommend that City Council approve various awards, as shown below, in an amount not to exceed \$482,612.00 for runway and taxiway repair materials for the Houston Airport System. 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. These awards consist of runway and taxiway repair materials to be used by the Houston Airport System to repair cracks, spalls, pavements joints, and full failures at George Bush Intercontinental, William P. Hobby, and Ellington Airports.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Five (5) prospective bidders downloaded the solicitation document from SPD's e-bidding website, and three (3) bids were received as detailed below:

Globe Electric Co., Inc.: Award on its sole bid for Item Nos. 1 and 10 (elastic asphalt filler and Ultra Prime 200) \$306,800.00.

International Roadway Research LLP: Award on its sole bid for Item No. 3 (asphalt patching material) in an amount not to exceed \$58,632.00.

The D.S. Brown Company: Award on its low bid for Item No. 4 (elastomeric concrete) in an amount not to exceed \$117,180.00.

| <u>Company</u> | <u>Total Amount</u> |
|-----------------------------|---------------------|
| 1. The D.S. Brown Company | \$117,180.00 |
| 2. Globe Electric Co., Inc. | \$120,540.00 |

Item No. 2 will not be awarded because no bids were received.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

| | | | |
|--------------------|---|--------------------------------|-------------|
| Date: 1/28/2013 | Subject: Formal Bids Received for Runway and Taxiway Repair Materials for the Houston Airport System S36-S24145 | Originator's Initials VK | Page 2 of 2 |
|--------------------|---|--------------------------------|-------------|

Item Nos. 5, 6 and 7 will not be awarded. These items will be purchased from a local supplier at a more competitive price.

Item Nos. 8 and 9 will not be awarded. The bidders submitted incorrect pricing and could not honor prices bid. These items will be purchased on an as needed basis.

Hire Houston First:

The proposed awards require compliance with the City's "Hire Houston First" ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, Globe Electric Co., Inc. and International Roadway Research LLP meet the requirements of Hire Houston First.

Buyer: Valerie Player-Kaufman

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

Estimated Spending Authority

| Department | FY2013 | Out Years | Total |
|------------------------|-------------|--------------|--------------|
| Houston Airport System | \$24,129.00 | \$458,483.00 | \$482,612.00 |

**CITY OF HOUSTON
INTEROFFICE CORRESPONDENCE**

TO: Carlecia D. Wright
Director
Mayor's Office of Business Opportunity

FROM: Mario C. Diaz
Director of Aviation
Houston Airport System


DATE: May 24, 2012

SUBJECT: Request for Approval of a Zero
Percent (0%) Goal for Runway &
Taxiway Repair Materials for the
Houston Airport System

The Houston Airport System (HAS) seeks to enter into a thirty-six month (36) with two 1-year options for the purchase of runway and taxiway repair materials for IAH, HOU and EFD.

Five of the seven (7) bid items are manufacturer-specific and will be shipped directly to the Houston Airport System. The remaining two items are not manufacturer-specific and the estimated value of the items did not meet the minimum required threshold of \$100,000. The total estimated value of this supply contract agreement is \$1,558,190.00.

Because there is little or no potential for subcontracting opportunities on this supply contract agreement, the Houston Airport System is requesting from the Mayor's Office of Business Opportunity approval of a Zero (0%) goal for the above referenced agreement (pursuant to City of Houston Code of Ordinances, Chapter 125, Article V Section 15.83 (c)(1)d.


Mario C. Diaz

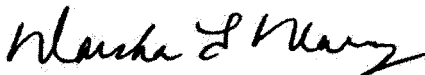
6.8.12
Date

Read and Approved

MCD/jer

Cc: Keven Gulsby
Dallas Evans
Janice Ruley

KLG
DE
JR



Marsha E. Murray
Assistant Director
Mayor's Office of Business Opportunity

REQUEST FOR COUNCIL ACTION

RCA# 9603

TO: Mayor via City Secretary

Subject: Formal Bids Received for Structural Remediation Services for the General Services Department
S50-C24445

Category #
4

Page 1 of 2

Agenda Item
10

FROM (Department or other point of origin):

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

Origination Date

February 15, 2013

Agenda Date

FEB 27 2013

DIRECTOR'S SIGNATURE

Calvin D. Wells

For additional information contact:

Jacquelyn L. Nisby Phone: (832) 393-8023
Ray DuRousseau Phone: (832) 393-8726

Council District(s) affected

A, B

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Times Construction, Inc. on its low bid in the amount of \$819,000.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$81,900.00 for a total amount not to exceed \$900,900.00 for structural remediation services for the General Services Department.

Award Amount: \$900,900.00

Finance Budget

\$900,900.00 - GSD - In-House Renovation Revolving Fund (1003)

SPECIFIC EXPLANATION:

The Director of General Services and the City Purchasing Agent recommend that City Council approve an award to Times Construction, Inc. on its low bid in the amount of \$819,000.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$81,900.00 for a total amount not to exceed \$900,900.00 for structural remediation services for the General Services Department and that authorization be given to issue purchase orders as necessary.

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

| <u>Company</u> | <u>Total Amount</u> |
|------------------------------------|---------------------|
| 1. Times Construction, Inc. | \$ 819,000.00 |
| 2. Caesar Landscape & Construction | \$1,500,000.00 |

The scope of work requires the construction contractor to provide all supervision, labor, materials, equipment, tools, transportation and ancillary items necessary to provide remediation services at the Houston Police Department's Northwest Command Station, located at 6000 Teague; Training Academy, Building "E" (Indoor Shooting Range) and Building "D" (Academic Building), located at 17000 Aldine Westfield. The civil work to be performed at each location includes, but is not limited to foundation repairs and lifting using "Helical" piles, concrete saw-cutting and slab demolition, installation of new concrete slabs and demolition of concrete masonry unit walls while maintaining the integrity of all utilities contained in the walls or underground. The Police Academy's Indoor Shooting Range, Academic building and Northwest Police Station experienced significant structural damage during the recent drought, resulting in cracked floors, interior and exterior walls and other building finishes. Structural remediation is necessary to prevent further damage and preserve the useful life of the buildings. Materials and workmanship for this project are warranted for one-year. After receipt of the notice-to-proceed, the contractor shall have 90 calendar days to complete the work at the Northwest Command Station, 120 calendar days at the Indoor Shooting Range (Building "E") and 90 calendar days at the Academic Building (Building "D").

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

MD
102

| | | | |
|---------------------------|---|--|--------------------|
| Date: 2/15/2013 | Subject: Formal Bids Received for Structural Remediation Services for the General Services Department S50-C24445 | Originator's Initials AL | Page 2 of 2 |
|---------------------------|---|--|--------------------|

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 has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

Buyer: ArtLopez

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a resolution designating the Montgomery-Reynolds House at 2111 Del Monte Drive as a Landmark in accordance with Chapter 33, Code of Ordinances

Category
#Page
1 of 1[illegible]

FROM (Department or other point of origin):
Planning and Development

Origination Date
February 8, 2013

Agenda Date
FEB 27 2013

DIRECTOR'S SIGNATURE:

Council District affected:
G

For additional information contact: Erin Glennon
Phone: (713) 837-7784

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

RECOMMENDATION: (Summary)
Approval of a resolution designating the Montgomery-Reynolds House at 2111 Del Monte Drive as a Landmark

Amount and Source of Funding: N/A

Finance Budget:

SPECIFIC EXPLANATION:

SPECIFIC EXPLANATION:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Montgomery-Reynolds House at 2111 Del Monte Drive was initiated by the owner.

A public hearing was held on December 6, 2012 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Attachments: Application and Staff Report

xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs
David M. Feldman, City Attorney
Omar Izfar, Real Estate Section, Office of the City Attorney
C.A. McClelland, Chief, Police Department
Terry A. Garrison, Chief, Fire Department

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Montgomery-Reynolds House

OWNERS: John & Melina Bishop

APPLICANTS: Same

LOCATION: 2111 Del Monte Drive - River Oaks

AGENDA ITEM: II

HPO FILE NO: 12L273

DATE ACCEPTED: Oct-31-2012

HAHC HEARING: Dec-06-2012

SITE INFORMATION

Lot 17, Block 44, River Oaks Section 3, City of Houston, Harris County, Texas. The site includes a historic two-story, traditional residence.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Montgomery-Reynolds House was built for Mr. and Mrs. Thaddeus Montgomery in 1938 at 2111 Del Monte. The house was designed by architect Ellwood E. Stowe of Stowe & Stowe in the Georgian Revival style. Mr. T.C. Montgomery was a life-time railroad man, who held the position of Chairman of the Southern Pacific Railroad union in the mid-1920s. The house was later occupied by Mr. and Mrs. Henry D. Reynolds.

The Montgomery-Reynolds House meets criteria 1, 4, and 6 for Landmark Designation.

HISTORY AND SIGNIFICANCE

Mr. and Mrs. T.C. Montgomery

The construction at 2111 Del Monte Drive was announced in the *Houston Post* on February 26, 1938:

“Mr. and Mrs. T.C. Montgomery have bought a site in the 2100 block of Del Monte drive and have started construction of their new home. Mr. Montgomery is with the Southern Pacific Railroad.”

The arrival of the Montgomery family to River Oaks was announced in the June 1938 edition of *River Oaks Magazine*:

“Mr. and Mrs. T.C. Montgomery and their two daughters have moved into their new residence at 2111 Del Monte. Their home, which is a modified Georgian, is built of a warm cream colored brick and is trimmed effectively with jade green blinds. The doorway is arched and recessed and has iron grided railings leading up to it on either side of the steps. The daughters of the house are Miss Madelyn Montgomery, who has recently been graduated from college and Joyce, who is a ninth grade student at St. Agnes Academy. Mr. Montgomery is assistant General Manager of the Southern Pacific lines.”

Thaddeus C. Montgomery was born June 13, 1884, in Texas. He built a railroad career from the bottom up, and was very successful. He began his business career around 1909, when he first

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

appears in the Beaumont City Directory as the chief clerk at the yardmaster's office for the T. & N.O. railroad. By 1912, he was the Night Yardmaster. In 1917-1918 the Jacksonville, Texas, City Directory lists him as a conductor of the Southern Pacific Railroad. In 1923, Montgomery is listed in the Houston City Directory as the Chairman of the Brotherhood of Railroad Trainmen at Southern Pacific lines. The Brotherhood was a railroad union. He held this position from 1923 to 1926.

The 1930 U.S. Census found Montgomery in Yoakum, Texas, where he was the trainmaster and conductor. By 1932, he and his family were living in Houston where he was the Superintendent of Wages for Southern Pacific Railroad. The Montgomerys stayed in Houston for the remainder of his career. By 1937, he was promoted to Assistant General Manager at Southern Pacific. He remained with the company until his retirement; his obituary states that he had worked for Southern Pacific for 52 years – his last position was as Personnel Manager. When he died in 1958, he was living in the Braes Heights area. He was a member of the Jacksonville Masonic Lodge, Scottish Rite, and the Arabia Temple Shrine. He was a member of St. Paul's Methodist Church. He married his wife Aurora prior to 1910. She died on February 11, 1971.

The Montgomery family lived in the home from 1938 until 1948, when they moved to Bellaire.

Fred and Katherine Dellone

Fred and Katherine Dellone lived in the house from 1948-1951. Fred Dellone worked in construction, often on underground construction projects. Mrs. Dellone was the first woman to sit on the Texas Real Estate Board. She owned her own real estate business, South End Properties.

Henry Davenport Reynolds

Mr. and Mrs. Henry Davenport Reynolds purchased the home in 1951. At the time, Mr. Reynolds worked for the Internal Revenue Service. He was born on October 15, 1921 in Falls, Texas, and grew up in Hempstead. He graduated from the University of Texas with a degree in Business Administration. He was active in business fraternities and clubs, and was the President of Beta Alpha Psi accounting fraternity in 1942. He served as a Lt. Commander in the U.S. Navy during World War II. He also received a Masters in Electronics Engineering. Henry Reynolds died on September 25, 1981.

He married Mary Dean Grimes on April 27, 1944. She was born in Selma, Alabama, and moved to Cleveland, Texas in her teens. She attended Stephens College and graduated from the University of Texas in 1944. She was a member of Zeta Tau Alpha. While in River Oaks, she was a Girl Scout leader, a library volunteer at River Oaks Elementary, and an active volunteer in the community. When she died in 2001, she had been a member of the Blue Bird Circle, and a member of First Presbyterian Church.

Mrs. Reynolds stayed in the house after Mr. Reynolds' death, and the house was sold in 1984.

Subsequent Owners

The home has belonged to several owners since the Reynolds, including Rusty Tamblyn, John and Cynthia Scofield, Erik Littlejohn, and Julie McClure and Troy Williams. The current owners purchased the home in 2011.

CITY OF HOUSTON

Ellwood E. Stowe

Ellwood Emmett Stowe was born in Galveston on November 15, 1881. By 1900, at the young age of 19, he had joined his older brother George B. Stowe in the design and building trade. Their architectural practice was called Stowe & Stowe, and at the height of their careers, they operated offices in Beaumont, Houston, and Galveston, simultaneously. Ellwood handled the office in Houston, keeping his home in Galveston and renting homes here in Houston.

Stowe and Stowe designed all types of buildings, including residential, multi-family, commercial, and industrial. In Galveston their projects included First Methodist Church, John's Oyster Resort, the Galveston Orphan's Home, the Leticia Rosenberg Women's Home, the Trust Building, and the Ikelheimer Building. They were also responsible for the raising of Trinity Episcopal Church, Galveston, following the 1900 Storm. In a 1967 article Stowe spoke about the variety of commissions:

"During our practice we designed and had constructed everything from the U.S. Government immigrant station on Pelican Island to log cabins, children's playhouses, an ice plant and even a milking parlor for cows..."

George Stowe died in 1932. Ellwood continued the business under the old name. The Great Depression caught up with him, as he stated in a 1963 *Galveston Daily News* article:

"The depression put the skids under my business about 1938," Stowe said. "so I went with the US Department of Interior's National Park Service in Santa Fe, N.M., and during World War II I was with the U.S Army Corps of Engineers in Galveston."

1937 marked the year in which Stowe became a registered architect. The 1938 date of the Montgomery-Reynolds House makes this project likely one of Stowe's last residential commissions in Houston.

Ellwood Stowe died in Galveston in December 1972. He was 91 years old. As late as 1969, he signed his letters to the *Galveston Daily News* as "Elwood E. Stowe, architect."

River Oaks

When Will C. Hogg, Mike Hogg, and Hugh Potter began the development of River Oaks in 1923, it was with the intention of making it into a demonstration of the highest standards of modern community planning, a role model for the rest of Houston to follow. Will Hogg's ambitiousness and Hugh Potter's skillful management of River Oaks during its first thirty years made the community known nation-wide as a symbol of Houston. Since its creation, River Oaks has been published in national news, real estate, and design media, and has been the focus of scholarly analysis, in recognition of its significant contributions to the history of Houston and twentieth-century American elite suburban community development.

The creation of this type of subdivision was unique for Houston in many respects. The subdivision was laid out at what was then the far western edge of Houston. Prior to 1923, the

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

majority of Houston's residential developments had occurred in a tight girdle around the downtown business district, such as Westmoreland (1902), Avondale (1907), Montrose (1911), Audubon Place (1906), Cherryhurst (1908), Binz, Southmore (1914), and Courtland Place (1906). River Oaks, however, was situated at the western city limits far away from other developments.

In addition, the developers broke with convention by laying out an organic pattern of roadways which lent a sense of spaciousness to the neighborhood, which was very different from the traditional Houston neighborhoods that followed a more rigid approach to development. These traditional neighborhoods used street grids which carved the land up into predictable square or rectangular blocks.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

The Montgomery-Reynolds House is a two story brick veneered 3,526 square foot residence sited on a 10,501 square foot lot facing north. The house is a Georgian Revival style house, very typical for the period in which it was built.

The house features a central entrance that is deeply recessed under a brick arch that features a decorative band of horizontally laid brick. The entrance features a wood paneled door with a single arched lite. The decorative brick arched entrance is flanked on either side by four lite fixed wood windows. The first floor also features two pairs of 6-over-6 wood sash windows on either side of the central entry.

The second story features two pairs of 6-over-6 wood sash windows and one 6-over-6 wood sash window. The second floor windows are located symmetrically above the first story bays, a common element in the Georgian Revival style.

The east façade of the house features an end gable exterior brick chimney. A band of flat wood trim runs around the house above the second story windows and under the eave of the roof.

The house is in very good condition and will be restored by the current owners, who purchased the house in 2012.

BIBLIOGRAPHY

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Houston City Directories

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"Obituary for Mary Dean Grimes Reynolds," *Houston Chronicle*, February 27, 2001.

"Obituary for Henry Davenport Reynolds," *Houston Chronicle*, September 27, 1981.

River Oaks Magazine, June, 1938.

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CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

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

APPROVAL CRITERIA FOR LANDMARK DESIGNATION

Sec. 33-224. Criteria for designation

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

- | S | NA | | S - satisfies | D - does not satisfy | NA - not applicable |
|-------------------------------------|-------------------------------------|--|----------------------|-----------------------------|----------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation; | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event; | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation; | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city; | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood; | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation; | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (7) Whether specific evidence exists that unique archaeological resources are present; | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride. | | | |

AND

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

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Montgomery-Reynolds House at 2111 Del Monte Drive.

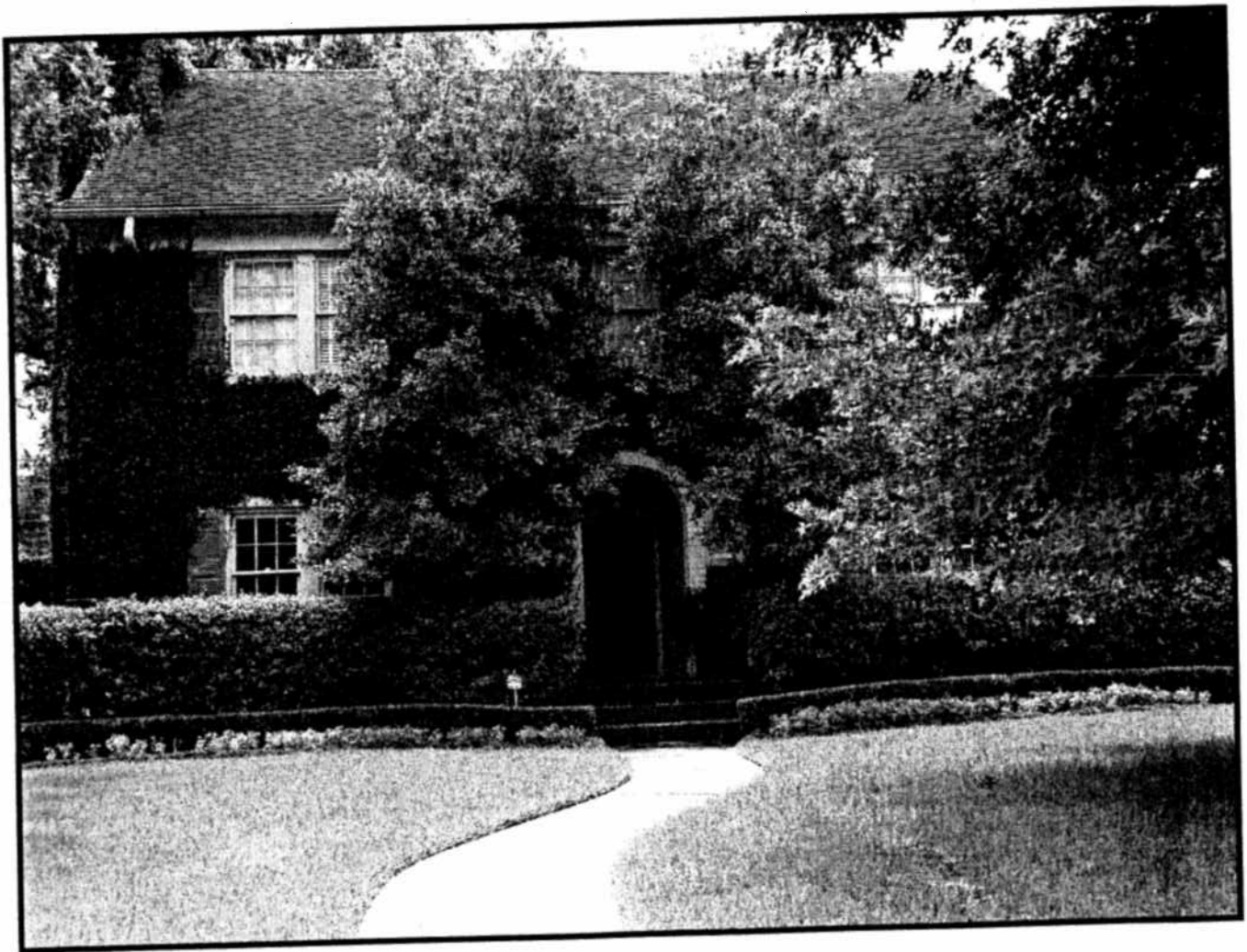
HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Landmark Designation of the Montgomery-Reynolds House at 2111 Del Monte Drive.

EXHIBIT A

PHOTO

Montgomery-Reynolds House
2111 Del Monte Drive

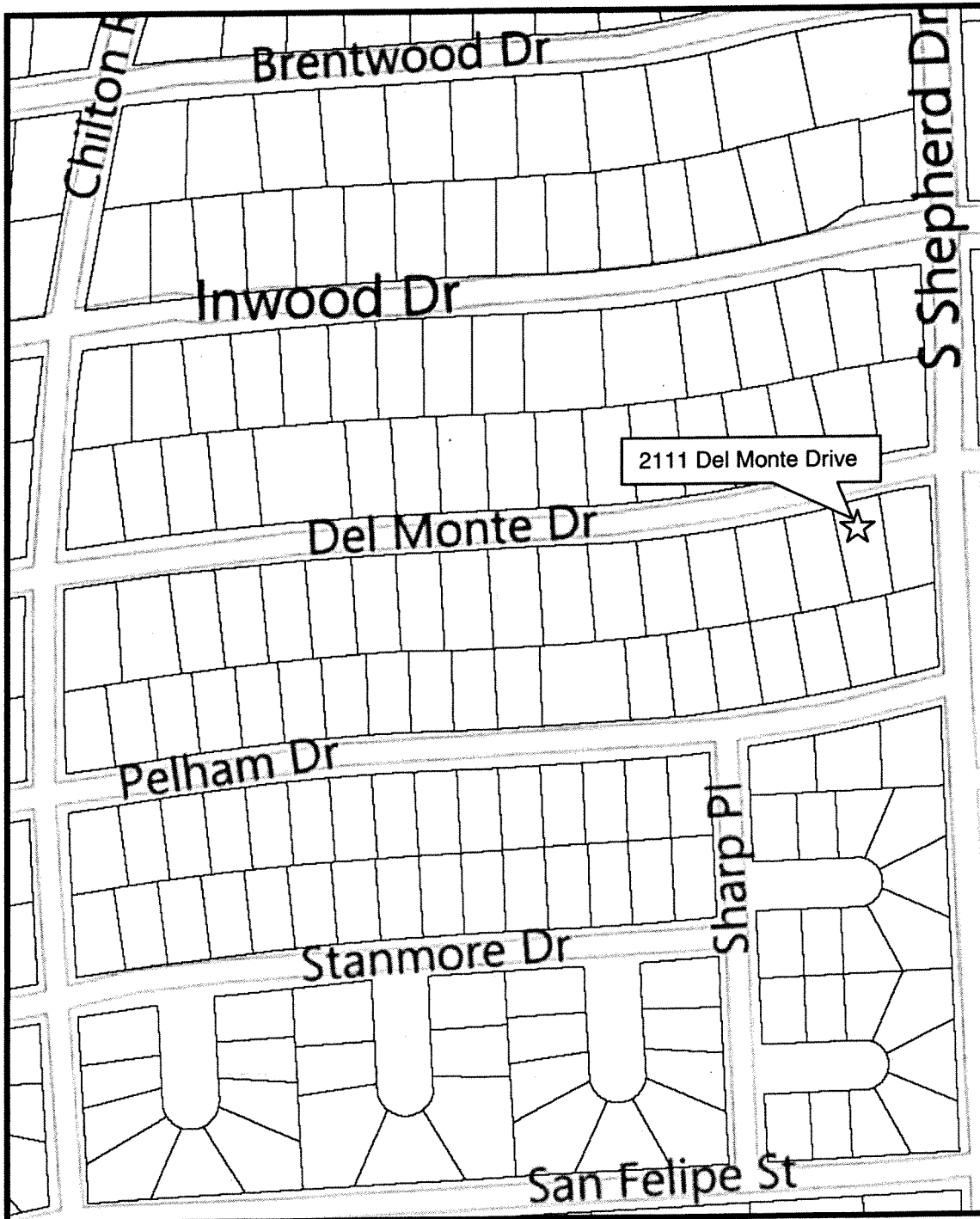


CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

EXHIBIT B
SITE LOCATION MAP
Montgomery-Reynolds House
2111 Del Monte Drive



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

| | | | | |
|--|-----------------------------|---|-----------------------------|-----------------------------------|
| SUBJECT: Approval of a resolution designating the Otto Pech House at 1810 Summer Street as a Landmark and Protected Landmark in accordance with Chapter 33, Code of Ordinances | | Category # | Page 1 of 1 | Agenda Item # 12 |
| FROM (Department or other point of origin): Planning and Development | | Origination Date February 8, 2013 | | Agenda Date FEB 27 2013 |
| DIRECTOR'S SIGNATURE: <i>Marlene A. Goff</i> | | Council District affected: H | | |
| For additional information contact: Erin Glennon Phone: (713) 837-7784 | | Date and identification of prior authorizing Council action: N/A | | |
| RECOMMENDATION: (Summary) Approval of a resolution designating the Otto Pech House at 1810 Summer Street as a Landmark and Protected Landmark | | | | |
| Amount and Source of Funding: N/A | | | Finance Budget: | |
| SPECIFIC EXPLANATION: A property owner may initiate an application for the designation of a Landmark and Protected Landmark, for which a 90-day waiver certificate may not be issued by the planning official. This application for Landmark and Protected Landmark designation of the Otto Pech House at 1810 Summer Street was initiated by the owner. A public hearing was held on December 6, 2012 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark and Protected Landmark designation. Attachments: Application and Staff Report xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs David M. Feldman, City Attorney Omar Izfar, Real Estate Section, Office of the City Attorney C.A. McClelland, Chief, Police Department Terry A. Garrison, Chief, Fire Department | | | | |
| REQUIRED AUTHORIZATION | | | | |
| Finance Director: | Other Authorization: | | Other Authorization: | |

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

PROTECTED LANDMARK DESIGNATION REPORT

LANDMARK NAME: Otto Pech House
OWNER: Four Square Design Studio LLC
APPLICANT: Evan Michaelides
LOCATION: 1810 Summer Street – First Ward

AGENDA ITEM: III.a
HPO FILE NO: 12PL114
DATE ACCEPTED: Oct-31-2012
HAHC HEARING: Dec-06-2012

SITE INFORMATION: Lot 3, Block 305, Shearn Subdivision, City of Houston, Harris County, Texas. The site includes a historic one-story, wood framed, single family residence built circa 1907 on a 5,000 square foot lot.

TYPE OF APPROVAL REQUESTED: Protected Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Otto Pech house at 1810 Summer Street was built circa 1907 in the Folk Victorian style. The house features a gable on hip roof with a partial front porch. The front porch features Folk Victorian detailing such as square turned columns with decorative wooden spandrels running in between.

The house was owned by Otto Pech, a carpenter for the Houston and Texas Central Railroad. Pech and his family lived at 1404 Bingham Street and most likely kept 1810 Summer Street as a rental property for railroad employees. At the end of the 19th century the railroad had emerged as one of the City's largest employers. During this time the First Ward became home to numerous railroad shops, many associated with rail companies such as Houston and Texas Central and Southern Pacific. These companies employed many of the residents from the First Ward.

The house went through a major restoration in 2010. 1810 Summer Street was just announced as a winner for Preservation Houston's 2013 Good Brick Award.

The Otto Pech House at 1810 Summer Street meets Criteria 1, 3, 4, and 5 for Protected Landmark designation.

HISTORY AND SIGNIFICANCE

Otto Pech

Otto Pech was born on November 18, 1846, in Saxony, Germany. Pech immigrated to the United States as a young boy in 1851. Pech worked as a carpenter for the Houston and Texas Central railroad, and Pech is listed as retired in the 1920 census. Pech and his family lived at 1404 Bingham Street and most likely kept the house at 1810 Summer Street as a rental property for fellow railroad employees, which was a common practice at the time. Otto Pech died on April 27, 1927, at the age of 80 years old.

The Pech family sold the 1810 Summer Street property sometime in the mid-20th century. By 1960 the property was owned by the Shearn family.

CITY OF HOUSTON

First Ward

The First Ward was established by the City of Houston in 1839. The Ward is located northwest of the intersection of Congress Avenue and Main Street where the Buffalo Bayou and White Oak Bayou converge. The Ward was settled largely by immigrants, first by German farmers and by the 20th century Italian immigrants. The First Ward was largely a working class community.

Because of the Ward's location along the Buffalo Bayou, which provided easy access to shipping, the First Ward became heavily involved in Houston's commodity and produce business. The Ward was home to many storehouses and family run grocery stores. By 1890 the railroad had emerged as one of the City's largest employers. During the late 19th century the First Ward had become home to numerous railroad shops, especially those of the Houston and Texas Central rail company and later the Southern Pacific rail company.

Today the First Ward has become a blend of industrial buildings, historic houses, new condominiums, artist studios, and small businesses. The neighborhood is still a major corridor for the railroad with freight traffic moving through daily. Although the Ward still contains a number of historic buildings, a large number of the neighborhood's older structures face the threat of demolition due to an increase in new development.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

The Otto Pech House at 1810 Summer Street was built in the Folk Victorian style circa 1907. The house is 1,236 square feet and is sited facing south on a 5,000 square foot lot.

The house features a gable on hip roof. The prominent front gable features a fixed single lite window and decorative fish scale shingle detailing in the gable. The front façade features a partial porch with a shed roof. The porch features turned square wooden columns and decorative spandrels between the columns.

The front gable façade features two, 2-over-2 new wood windows. The front façade under the porch features three, 2-over-2 new wood windows and salvaged wood paneled and single lite Eastlake entry door with a single lite transom.

The current owner purchased the house in 2009 and carried out an extensive interior and exterior restoration of the property in 2010, and the final steps of the restoration were completed in July 2012. When the house was purchased, the house featured 1-over-1 aluminum windows. The windows were removed and replaced with period appropriate 2-over-2 wood sash windows. The original cypress siding on the upper portion of the house was repaired and the lower five feet of the siding that was either damaged by termites or had been replaced with asbestos siding was removed and replaced with cementitious siding that was installed with irregular spacing to closely match the original cypress siding. The house features a new corrugated metal roof.

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CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

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<https://familysearch.org/pal:/MM9.3.1/TH-266-11822-133062-90?cc=1320964&wc=13012792>.

Trapp Chapman, Betty, *Houston's First Ward- Producing Food from Farm to Counter*, Houston History Magazine, <http://houstonhistorymagazine.org/2010/12/houstons-first-ward-producing-food-from-farm-to-counter/>. Dec. 20, 2010.

United States Census, 1920.

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

APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION

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

S NA

S - satisfies NA - not applicable

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

- ☒ ☐ (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;
- ☐ ☒ (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;
- ☒ ☐ (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;
- ☒ ☐ (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;
- ☒ ☐ (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

- ☐ ☒ (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation;
- ☐ ☒ (7) Whether specific evidence exists that unique archaeological resources are present;
- ☐ ☒ (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.

AND

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

OR

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

OR

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

OR

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

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Protected Landmark Designation of the Otto Pech House at 1810 Summer Street.

HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Protected Landmark Designation of the Otto Pech House at 1810 Summer Street.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

EXHIBIT A

Otto Pech House

1810 Summer Street

Before 2010 Restoration



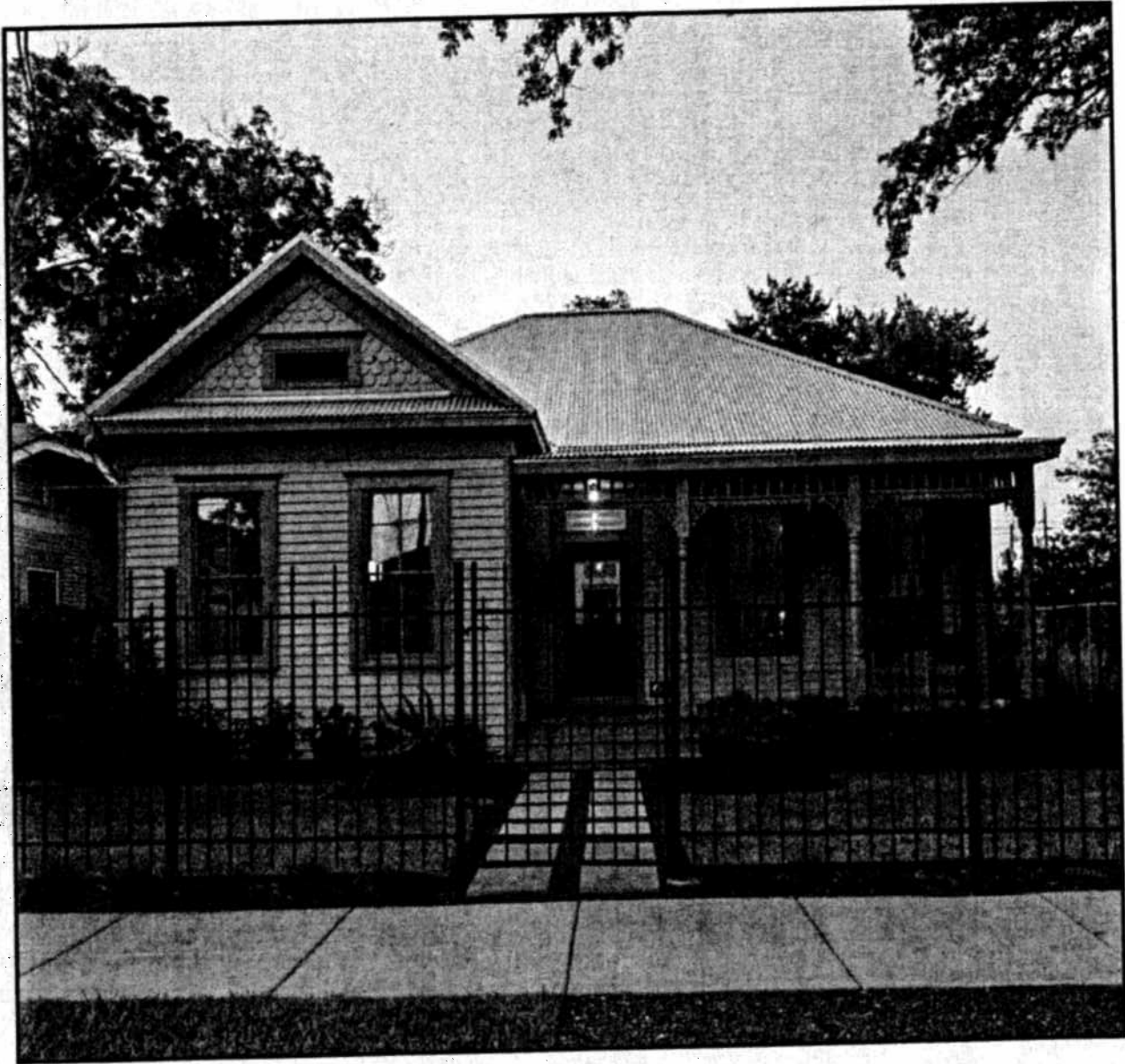
CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

EXHIBIT B

Otto Pech House
1810 Summer Street
After 2010 Restoration

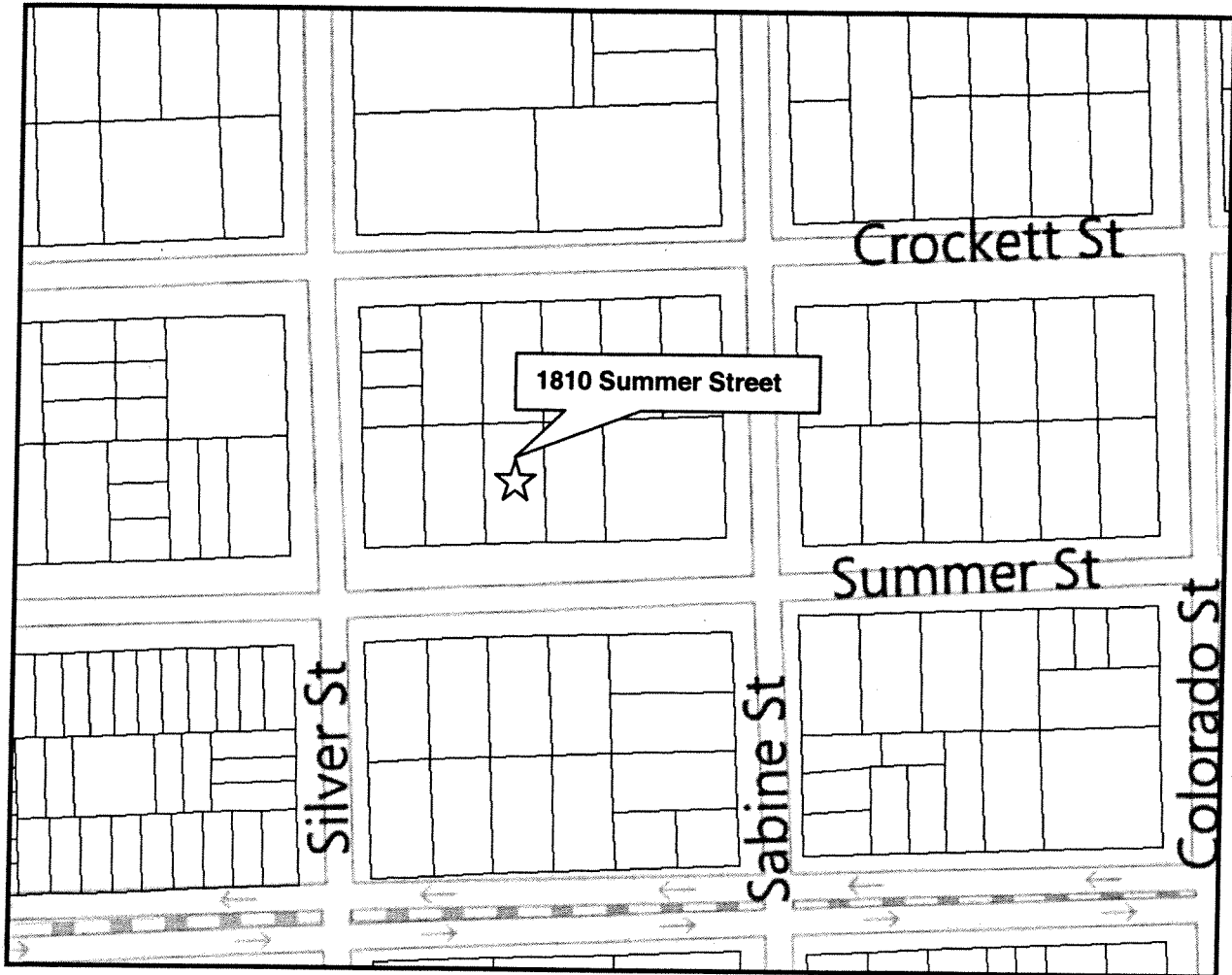


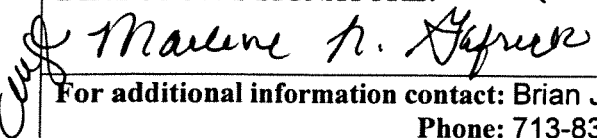
CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

EXHIBIT C SITE LOCATION MAP 1810 Summer Street



| | | | | |
|--|--|--|------------------------------|-----------------------------------|
| SUBJECT: Ordinance approving amendments to Chapter 26, Article VIII of the Code of Ordinances | | Category # | Page 1 of | Agenda Item # 13 |
| FROM (Department or other point of origin): Planning & Development Department | | Origination Date February 14, 2013 | | Agenda Date FEB 27 2013 |
| DIRECTOR'S SIGNATURE:  | | Council District affected: All | | |
| For additional information contact: Brian J. Crimmins Phone: 713-837-7833 | | Date and identification of prior authorizing Council action: 5/17/89, Ordinance No. 89-712 | | |
| RECOMMENDATION: (Summary) Approval of an ordinance to amend Chapter 26, Article VIII of the Code of Ordinances related to requirements for Off-Street Parking & Loading. | | | | |
| Amount and Source of Funding: Not Applicable | | | Finance Budget: NA | |
| SPECIFIC EXPLANATION: The proposed amendments balances the need to protect our neighborhoods with the changing development trends by creating flexible parking regulations that encourage parking and land use efficiencies. Specifically, these amendments will: <ul style="list-style-type: none"> • Establish "best practices" basis for determining parking requirements; • Allow the creation of alternative parking standards within a defined area to account for unique parking demands; and • Create new incentives, options, and opportunities for new and redeveloping businesses; • Update requirements to reflect the current development trends; • Eliminate confusion/discrepancies contained within the existing code. <p>The process began in spring 2010 with a Planning Commission subcommittee co-chaired by Commissioners Zakaria and Garza. Multiple community meetings were held to gather resident input to identify issues with the current parking requirements. As the subcommittee evaluated the concerns identified by the community, experts were brought in as needed to help further refine the proposals and create practical solutions. The City presented the recommendations to the public in October 2011 and answered questions. Next, the Planning Commission held a public hearing and two subsequent meetings in late 2011. Finally, City Council heard public comments in two separate council committee meetings – November 2011 and January 2013. This ordinance reflects some changes as a result of those comments.</p> <p>Key changes include overall clarification of standards and requirements, expanding options for shared parking and off-site parking, revising parking requirements for some uses, expanding the food & beverage category from two use classifications to eight, adding bike parking and incentives for bike parking, reducing parking requirements for historic buildings, and establishing a mechanism to allow the creation of special parking areas.</p> <p>xc: David Feldman, City Attorney Mark Kilkenny, Chair, Houston Planning Commission Omar Izfar, City Legal</p> | | | | |
| Finance Director: | | Other Authorization: | | Other Authorization: |

Item 13

**Redline for
Chapter 26**

ARTICLE VIII. OFF-STREET PARKING AND LOADING

Division 1. In General.

Sec. 26-471. Purpose and applicability.
Sec. 26-472. Definitions.
Sec. 26-473. Site plan submittal requirements.
Sec. 26-474. Review of site plan and building permit.
Sec. 26-475. Deed restriction compliance.
Sec. 26-476. Violations.
Secs. 26-477--26-488. Reserved.

Division 2. Requirements for Parking Spaces and Bicycle Spaces.

Sec. 26-489. In general.
Sec. 26-490. Use of parking space or bicycle space.
Sec. 26-491. Fractional requirements.
Sec. 26-492. Parking spaces for certain types of use classifications.
Sec. 26-493. Unspecified uses.
Sec. 26-494. Changes in use classification for grandfathered uses.
Sec. 26-495. Shopping centers with certain use classifications.
Sec. 26-496. Bicycle spaces for certain use classifications.
Sec. 26-497. Reduced parking space requirement for additional bicycle spaces.
Sec. 26-498. Reduced parking space requirement for a historic building.
Sec. 26-499. Off-site parking.
Sec. 26-500. Shared parking requirements.
Sec. 26-501. Memorandum of lease.
Sec. 26-502. Annual certification of valet parking.
Secs. 26-503 to 26-509. Reserved

Division 3. Special Parking Areas.

Sec. 26-510. Special parking areas.
Sec. 26-511. Application requirements for designation of a special parking area.
Sec. 26-512. Procedures for designation of a special parking area.
Sec. 26-513. Commission action on an application for designation of a special parking area.
Sec. 26-514. City council action on designation of a special parking area.
Sec. 26-515. Modification of a special parking area.
Sec. 26-516. Duties and responsibilities.
Sec. 26-517. Review of parking management plan.
Secs. 26-518 to 26-520. Reserved

Division 4. Requirements for Loading Facilities.

Sec. 26-521. In general.

Sec. 26-522. Requirements for certain loading facilities categories.

Sec. 26-523. Standards for loading berths.

Secs. 26-524--26-559. Reserved.

Division 5. Variances.

Sec. 26-560. Appeal of denial.

Sec. 26-561. Variance application procedure.

Sec. 26-562. Notification of application for a variance.

Sec. 26-563. Standards and review of variances.

Sec. 26-564. Commission consideration and action.

Sec. 26-565. Applicability of variance.

Sec. 26-566--26-580. Reserved.

Division 6. Construction, Maintenance, and Design.

Sec. 26-581. Construction standards for parking and loading facilities.

Sec. 26-582. Design and maintenance standards for parking and loading facilities.

Sec. 26-583. Design standards for bicycle spaces and bicycle racks.

Sec. 26-584. Alternate design standards for parking facilities used for valet parking.

Sec. 26-585. Design standards for parking facilities for compact cars.

Sec. 26-586. Parking lifts.

Sec. 26-587. Accessible parking.

Sec. 26-588. Reconstruction after Casualty.

DIVISION 1.

IN GENERAL

Sec. 26-471. Purpose and applicability.

(a) This article is enacted for the purpose of requiring all persons developing new and redeveloping existing buildings or tracts within the city to provide sufficient off-street parking and loading facilities at all times the buildings or tracts are in use or occupied for such buildings. ~~It is the intent that the provision for parking and loading be provided at all times while these buildings are occupied or otherwise in use, and that no building may be permitted to be used or occupied without provision for the facilities as required in divisions 2, 3, 4 and 76 of this article, except as provided in divisions 4 and 5 and 6 of this article.~~

(b) This article applies only to:

(1) ~~To~~The construction of a new buildings; ~~and~~

~~_____~~ (2) ~~To the~~The alteration of an existing ~~structures~~building or tracts where the alteration results in an increase in the parking factor;

~~_____~~ a. ~~The gross floor area of a building; or~~

~~_____~~ b. ~~The useable floor area in an existing free-standing structure; and~~

~~_____~~ c. ~~The unit of measurement used for calculating the required number of parking spaces.~~

or

(3) ~~To a change of land use; and~~A change of use classification; and

(4) ~~To a change of use in a free-standing building from one occupancy use classification to another occupancy class; and~~

~~_____~~ (5) ~~To An alteration of a change of use in a shopping center (strip) or neighborhood shopping center (neighborhood) that results in the addition or alteration of where the addition of a class 6 or 7 occupancy use classification to the strip or neighborhood shopping center, increases the total gross floor area of the shopping center used by class 6 or 7 occupancies; and~~

~~_____~~ (5) ~~Buildings or tracts within the central business district except that division 2 of this article shall not apply to buildings or tracts within the central business district.;~~

~~_____~~ (c) ~~This article does not apply to :~~

~~_____~~ (1) ~~Buildings or tracts within the central business district except that division 4 of this article shall apply to buildings or tracts within the central business district;~~

~~_____~~ (2) ~~Temporary classroom buildings for public schools where the director determines, upon reviewing the development plat that includes a temporary classroom building as well as information sufficient to make a determination, that:~~

~~_____~~ (1) ~~_____~~ a. ~~There is a reasonable likelihood that the construction necessitating a temporary classroom building will not continue for more than five years; and~~

~~_____~~ (2) ~~_____~~ b. ~~An analysis of the public school site supports the conclusion that timely compliance with the student/teacher ratio required by law cannot be achieved without the construction of the temporary classroom building.~~

(d) In the event of a conflict between the definitions or regulations of this article and any other provision of this Code, the definitions or regulations of this article shall control; provided, however, that requirements to provide off-street parking contained in chapter 42 of this Code that are not mentioned in section 26-492 of this Code shall be considered additional requirements to provide off-street parking.

Sec. 26-472. Definitions.

~~For the purpose of this article, the following terms, phrases and words will have the meanings ascribed to them. When not inconsistent with the context, words used in the present tense include the future; words in the singular include the plural; and words used in the plural number include the singular number.~~

~~Any office referred to herein by title will include the person employed for or appointed to that position or his duly authorized deputy or representative. As used herein the word "building" includes buildings, structures and portions thereof.~~

The following definitions shall apply to this article:

Alteration means (1) any addition to or modification of a ~~in construction of a building or structure tract~~ that results in an increase in the parking factor used to calculate the number of parking spaces, bicycle spaces, and loading berths required of the use classification, or (2) any change of ~~occupancy use classification~~ of a building or tract, ~~gross floor area of a building or in the useable floor area in a free-standing structure.~~

Apartment ~~house~~ means any building, or portion thereof, ~~which that~~ is designed, built, rented, leased, or let out ~~or hired out~~ to be occupied, or ~~which that~~ is occupied as the home or residence of three or more families living independently of each other, ~~and shall include including a flats and apartments, and shall include or~~ a condominium created under chapter 81 or 82 of the Texas Property Code.

Applicant means a property owner or his or her designated agent, landlord, or tenant, holder of certificate of occupancy, management entity or other person or entity to which this article applies, that is requesting a building permit, development plat, site plan review, review of a shared parking agreement, review of a memorandum of lease, designation of a special parking area, or is otherwise seeking compliance with a provision of this article.

Arcade or game room means a building designed primarily as a place of amusement and recreation that may include pinball machines, video games ~~and or~~ other related amusement machines or devices.

Arena means ~~an enclosed or unenclosed structure or area~~ area a building

~~which that includes contains facilities for a large area dedicated to seating for spectators. of sporting events and or other types of public amusement and entertainment.~~

Art gallery or museum means a building that contains ~~the~~ facilities for the sale, ~~loan~~ or display of ~~books~~, paintings, sculptures or other works or objects of art.

Auditorium means a building that contains facilities for use as a place for public or and/or private gatherings.

Auto parts and supply store means a building ~~containing a~~ that contains facilities ~~esy~~ for the sale of motor vehicle parts and related items to the general public.

Auto repair establishment means a building that contains facilities for the retail ~~establishment engaged in the~~ sale of automobile fuel, motor oil, or repair services ~~essential to the normal operation of~~ or motor vehicles.

Auto sales dealer means a building ~~containing a facility~~ that contains facilities for the display, service, and retail sales or ~~for the lease~~ ing of motor vehicles.

Bar, club or lounge means a building or a place of business that derives 75 more than 50 percent ~~or more~~ of its gross revenue from the ~~on premise~~ sale of alcoholic beverages for on-site consumption ~~and provided that the premises does not hold a food and beverage certificate issued by the Texas Alcoholic Beverage Commission.~~

Barber and or beauty shop means a building that contains facilities ~~containing a facility~~ for the cutting of hair, providing facial and manicure treatments or other beauty related services and is licensed by the State of Texas as a barber shop or beauty ~~establishment~~ shop or establishment.

~~*Berth* means a permanently allweather surfaced, marked area wholly within private property, the configuration of which complies with the written requirements of the traffic engineer for such berths.~~

Bicycle means a vehicle propelled by human power that has two tandem wheels at least one of which is more than 14 inches in diameter.

Bicycle space means a parking space provided solely for the parking of bicycles.

~~*Billiard hall* means a building or area within containing facilities designed primarily for the purpose of playing the game of billiards.~~

Bowling alley means a building that contains facilities primarily designed for playing the game of bowling.

Building means any structure or portion thereof, ~~which~~ that is built, or otherwise constructed, for the support, shelter or enclosure of persons, animals, or property of any kind.

Building materials or home improvement store means a building, ~~the major use of which is devoted to the~~ that contains facilities for the retail sale of lumber, tools, ~~screws, nails, paint~~ construction hardware, painting materials and related items.

Building permit means an official document issued by the building official authorizing performance of a specified activity under the Construction Code.

Car wash (automated) means a building ~~containing~~ that contains facilities for washing more than two motorized vehicles using automated production line methods with a chain conveyor, blower, steam cleaning device or other mechanical devices.

Car wash (all others) means a building that contains facilities for the washing of motorized vehicles.

Central business district means the area beginning at the intersection of I.H. 10 and U.S. 59, then in a southerly direction along U.S. 59 until its intersection with Chartres Street at Runnels Street, then in a southwesterly direction along Chartres Street until its intersection with Texas Street, then in a southeasterly direction along Texas Street until its intersection with Dowling Street, then in a southwesterly direction along Dowling Street until its intersection with Hadley Street, then in a northwesterly direction along Hadley Street as projected and extended across U.S. 59 until its intersection with Hamilton Street, then in a southwesterly direction along Hamilton Street until its intersection with McGowen Street, then in a northwesterly and northerly direction along McGowen Street until its intersection with Bagby Street, then in an easterly direction along Bagby Street until its intersection with Heiner Street, then in a northerly direction along Heiner Street and continuing along Heiner Street as projected and extended to Sabine Street until its intersection with Buffalo Bayou, then in an easterly direction along Buffalo Bayou until its intersection with I.H. 45, then in a northeasterly direction along I.H. 45 until its intersection with I.H. 10, then in an easterly direction along I.H. 10 until its intersection with U.S. 59, the point of beginning. Properties abutting and fronting on such streets are included in the district except that properties abutting and fronting I.H. 10, U.S. 59, and I.H. 45 but not within the area described above are not included in the district

~~Central business district or CBD means the area included and bounded by Buffalo Bayou, Chartress Street, Texas Street, Dowling Street, Hadley Street, Hamilton Street, McGowen Street, Bagby Street, and Heiner Street as projected and extended to Sabine Street. Properties abutting and fronting on such streets are included in the district.~~

An area that has:

- ~~(1) A permanent public transit system;~~
- ~~(2) Demonstrates a modal split in favor of public transportation;~~
- ~~(3) An equivalent level of municipally owned public parking; and~~
- ~~(4) Equivalent levels of vehicular traffic, as determined after a study by the director,~~

~~may be added to the above-described area and may, after a public hearing, be designated by the city council as a central business district.~~

Certificate of occupancy means an official—document issued by the building official after final inspections certifying that the building ~~or structure~~ complies with the provisions of this article and the Construction Code. Certificate of occupancy, and includes a temporary certificate of occupancy issued by the building official.

Church means a building ~~which that~~ is exempt from ad valorem taxes, in which a society of persons who profess a religious belief regularly assemble for religious worship or religious instruction or for propagating a particular form of religious belief.

Clinic (medical complex) means a group of interrelated buildings in close proximity to one another containing that contains facilities providing that provides ~~all types of human~~ human medical care under common management or control that may include including medical or dental professional buildings as a part of such a complex.

Clinic (medical or dental) means a building that contains facilities, ~~the principal use of which is~~ for the offices of physicians or dentists for the examination and treatment of persons on an out-patient basis. A clinic (medical or dental) shall include medical or dental professional buildings which are not a part of a clinic (medical complex) as ~~herein~~ defined by this section.

~~Clothing store means a building, the major use of which is devoted to the sale of clothing.~~

Collector street is defined in chapter 42 of this Code.

College, ~~or university,~~ or trade school means a building ~~containing that contains the~~ facilities for an institution of higher ~~learning education~~ beyond the level of secondary school, including but not limited to, s. training in occupational or vocational education.

Commission means the city's planning commission created by the provisions of chapter 33 of this Code.

Compact car means a vehicle with an overall length of 16 feet or less and an overall width of six feet or less.

Construction means any act of forming, assembling, erecting or building a structure, building or portion thereof.

~~Convenience market means an establishment which provides services, primarily to individuals, of a convenient and limited nature, often in access-controlled facilities which make twenty-four hour operation possible. This use may include the renting of private postal and safety deposit boxes to individuals and automated banking machines.~~

Department means the ~~department of~~ planning and development department of the city.

Dessert shop means ~~an establishment a building that contains facilities is used primarily for the sale of to sell pre-prepared desserts for on-site consumption and has a limited menu of foods such as ice cream, yogurt, custard, smoothies, cakes or cookies.~~

Development plat is defined in chapter 42 of this Code.

Director means the director of the department ~~of planning and development~~ and his or her designees.

~~Discount store means an establishment which primarily sells off-price goods or offers discounted prices for general retail merchandise.~~

Driving range (golf) means an tract area containing that contains facilities for practicing driving a golf ball to hit or impel a ball forcibly as practiced in the game of golf.

Dwelling unit means a ~~single, integral structure, or a building or~~ portion of a building that ~~provides complete,~~ has contains independent living facilities ~~for one or more persons including permanent provisions for living, eating, working~~

nontransient sleeping, cooking, and sanitation.

Financial facility means a building ~~with~~ that contains facilities for an establishment authorized to receive and safeguard money, lend money, execute bills of exchange and purchase and exchange foreign currency, including, but not limited to, banks, savings, and loan associations and savings banks.

Funeral home or mortuary means ~~an~~ a building that contains facilities establishment engaged in for undertaking services such as preparing ~~the human dead~~ for human burial and arranging and managing funerals.

~~*Floor area ratio* means the resulting number obtained by dividing the total floor area within a structure on a lot by the area of the lot.~~

Furniture store means a building, ~~the major facility of which is devoted to~~ that contains facilities for the retail sale and display of furniture ~~and appliances.~~

Golf course means ~~a geographically defined~~ a tract that contains facilities area of land for the playing of the game of golf and that is not a miniature golf course.

~~*Greenway* means an area generally described as follows:~~

- ~~(1) The area included and bounded by Buffalo Speedway, Richmond Avenue, Timmons Lane, Southwest Freeway (U.S. 59).~~
- ~~(2) The area included and bounded by the Southwest Freeway (U.S. 59), Edloe Street, Westpark Drive and Wesleyan.~~
- ~~(3) The area included and bounded by Wesleyan, Portsmouth Street, Timmons Lane and the Southwest Freeway (U.S. 59).~~
- ~~(4) The area included and bounded by Richmond Avenue, Edloe Street, Timmons Lane and a line approximately 500 feet north of and parallel to Richmond Avenue.~~

~~The Greenway Area is more particularly described in a metes and bounds description and map attached to Ordinance No. 89-712 as Exhibit "B." All properties abutting and fronting on the streets included in this description of this area may not be included in Exhibit "B."~~

Gross floor area or *GFA* means the area within the perimeter of the outside walls of a building as measured from the inside surface of the exterior walls, with no deductions.

Heavy manufacturing and industrial means a building that contains

facilities for the large-scale, capital-intensive, commercial production of goods.

~~*Holder of legal interests* means a person or entity which holds fee simple title to certain land or structures. This term shall also include lessees who hold a ground lease with a remaining term of at least 20 years.~~

Hospital means a building licensed by the State of Texas as a hospital that contains ~~ing facilities licensed by the State of Texas to provide for the provision of medical care of of~~ the sick or injured.

Hotel or motel means any a building containing that contains guest rooms ~~intended or designed to be to be used, rented, or let out or hired out to be occupied or which are occupied for sleeping purposes by guests, but shall not include any use that is considered a special residential use in this article or any other residential use.~~ .-

Leased tract means a tract subject to a memorandum of lease whether that tract part of a shared parking agreement; or leased for use as an off-site parking facility.

~~*Industrial facility* means a building containing facilities for the commercial production and sale of goods and services.~~

Library means a building ~~or buildings~~ that contains a repository or collection of literary and artistic materials such as books, periodicals and newspaper.

Loading means the act ~~or activity~~ of transferring items ~~of property~~ to or from a delivery motor delivery vehicle ~~licensed as a truck by the State of Texas.~~

Loading berth means a permanent, all-weather surfaced, marked designated interior or exterior space for the loading, unloading or parking of ~~trucks and~~ delivery motor vehicles other than motor vehicles principally designed for passengers, ~~that complies with the requirements of division 4 of this article.~~

Loading facilities category means the use of a building or tract for a purpose identified in section 26-522 of this Code.

Loading facility means a loading berth or other space used for the purpose of temporary loading and unloading or parking of trucks and motor vehicles other than motor vehicles principally designed for passengers.

Lot means (1) in the context of a subdivision plat, an undivided tract of land intended for single-family residential use contained within a block and designated on a subdivision plat by numerical identification; and (2) in the context

of a development plat, a parcel intended as an undivided unit for the purpose of development.

Major thoroughfare is defined in chapter 42 of this Code.

Management entity means a political subdivision, a local government corporation, or other entity that represents the property owners within its boundaries.

Manufactured home means a ~~structure~~building, transportable in one or more sections, ~~which-that~~ is eight body feet or more in width and 32 feet or more in length, ~~which-that~~ is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and ~~which~~ includes ~~the~~ plumbing, heating, air-conditioning and electrical systems.

Manufacturing facility means a building that contains facilities for the ~~performance of an operation or activity to make or processing of a~~ raw or partially completed material into a finished or partially finished product.

Memorandum of lease means ~~an agreement in recordable form signed by all interested parties that includes both a lessor and lessee setting forth the a legal description of the property covered, the term of the lease or agreement and providing that the applicable property will be used exclusively for the parking of motor vehicles for the related use~~ a summary of a lease agreement or shared parking agreement that designates certain property to be used exclusively for the parking of motor vehicles to satisfy all or part of the parking requirements of a use classification determined pursuant to this article.

Mini-warehouse facility~~ies~~ means a building ~~or group of buildings within an area primarily designed that contains facilities designed to as contain space in individual compartments available to the general public for rent or lease for as storage.~~

Miniature golf means a tract that contains facilities for simplified version of playing golf ~~played~~ on a miniature course.

Movie theater means a building ~~containing~~ that contains facilities for showing motion pictures to an audience ~~or audiences.~~

Museum means a building ~~or buildings~~ that contains facilities for the ~~loan or display of books, objects of art, and science, history, or other objects of cultural significance.~~

Neighborhood restaurant means a restaurant that does not have a drive-through facility and that is greater in size than 3,000 square feet of GFA plus

15% of GFA used as outdoor decks, patios and seating areas, but less than or equal to 4,500 square feet of GFA plus 15% of GFA used as outdoor decks, patios and seating areas. If a neighborhood restaurant increases in size to greater than 3,000 square feet of GFA plus 15% of GFA used as outdoor decks, patios and seating areas, then no part of the building or outdoor decks, patios and seating areas shall continue to be considered a neighborhood restaurant.

Nursery school or day care center means a building licensed by the State of Texas as a nursery school or day care that contains facilities related to the care and education of children primarily under six years of age including the age of six years. It shall include, but not ~~be~~ limited to, all buildings and facilities licensed by the State of Texas as child care facilities, under Chapter 42 of the Texas Human Resources Code.

Nursing home means a building licensed by the State of Texas as a nursing home containing that contains facilities licensed by the State of Texas to provide accommodations for convalescents or other persons who are not acutely ill and not in need of hospital care but require skilled care and related medical services.

~~*Occupancy* means the classification of the use of a building or structure pursuant to section 26-492 of this Code.~~

Occupants means the number of students, staff and guests estimated to be inside a school building as reflected by the latest utility capacity reservation letter for each facility building.

Off-site parking means a parking facility ~~or facilities~~ located on a ~~site tract~~ other than ~~the the tract where the site use classification is located for which a building or certificate of occupancy is sought that and which facilities must be available for parking for the use classification operated in order to comply with the requirements of this article.~~

Office means a building that contains facilities for housing professional, administrative, educational, financial, religious, philanthropic, scientific or statistical organizations or a building in which the regular transaction of business, whether public or private, occurs if that building has that is not more adequately described not been covered as a different use classification by elsewhere in this article.

On-site means a location ~~which that~~ is a genuine part of a development ~~and located on a contiguous tract or parcel of land, subdivided lot or contiguous lots, or parts thereof, or on acreage intended and suitable for development and that is located on the same lot or tract as the development.~~ An on-site location does not include properties located across a public ~~street or~~ right-of-way.

Park pavilion means an enclosed or semi-enclosed building ~~containing~~

that contains facilities for picnicking or recreation.

Parking facility means a parking lot, parking garage, loading berth, or other collection of parking spaces or bicycle spaces used for the purpose of temporary parking of vehicles.

Parking factor means the unique quality of a use classification that is used to calculate the required number of parking spaces, bicycle spaces, and loading berths of a use classification, such as, by way of example, gross floor area, useable floor area, and number of dwelling units, employees, sleeping rooms, occupants, storage units or bays, seats, golf course greens, and bowling alley lanes, etc.

Parking lift means a mechanical device that may be suitable for indoor and outdoor use powered by an electric motor or hydraulic pump used to increase parking capacity within a parking facility by moving motor vehicles into a temporary storage position.

Parking management plan means a plan submitted by a management entity that describes the shared parking plan, alternative parking regulations, or substituted requirements for the number of parking spaces, bicycle spaces, or loading berths ratios in a special parking area.

Parking management area or PMA district means a high density urban development with a minimum of 3,500,000 GFA and a minimum floor area ratio of 1.0 an area designated by council under a unified management entity in close proximity to permanent transit facilities that alternative parking requirements.

Parking space means an identified and marked area wholly within private property which that is all-weather surfaced and which that is designed for the storage of one parked vehicle complies with the requirements of this article.

Permit means a building permit or an occupancy a certificate issued by the building official.

Private sector parking Parking facility means a facility or facilities used for the purpose of storing parked vehicles.

Psychiatric hospital means a building containing that contains facilities licensed by the State of Texas Texas Department of Mental Health and Mental Retardation to provide care of the mentally ill or mentally disabled or retarded.

Reciprocal easement agreement means a written agreement in recordable form between two or more property owners which that includes, but is not limited to, a restriction on the use of certain property for parking purposes and designates describes the building or buildings tract which shall be that is entitled

to the exclusive use of the designated parking ~~areas~~facilities.

Responsible party means the property owner or his or her designated agent, landlord, tenant, holder of certificate of occupancy, management entity, or other person or entity to which this article applies who is responsible for complying with certain ongoing duties and responsibilities of a person or entity to which this article applies regardless of whether they are an applicant requesting a building permit, development plat, site plan review, review of a shared parking agreement, memorandum of lease, designation of a special parking area, or other provision of this article.

Restaurant means a building that contains facilities for the preparation of food or drinks to serve to customers including, but not limited to, coffee shops, cafeterias, concession stands, luncheonette, tavern, sandwich stand, soda fountain, and any other eating establishment, organization, or clubs that provide food service, including veterans' clubs which that gives or offers food for sale to the general public.

~~Restaurant (take-out or drive-through only) means a restaurant which does not provide seating for on-premises consumption of food or beverages.~~

~~Restaurant (with drive-in or drive-through facilities) means a restaurant which includes facilities for the service of meals, or portions thereof, to a person or persons while in automobiles.~~

~~Retail store (freestanding) means a freestanding building which that is generally designed contains facilities for the retail sale or rental of commonly used goods or merchandise including, but not limited to, clothing stores, apparel stores, furniture stores, discount stores, or establishments providing products or services including, but not limited to: household cleaning and maintenance products goods stores, office supplies supply stores, drug stores, and cards, stationery, notions, books stores, tobacco products, cosmetics, and specialty items, flowers, plants, hobby materials, toys and handcrafted items, jewelry, fabrics, and like items, cameras, photography services, household electronic equipment, records, sporting goods store equipment, kitchen utensils, home furnishings and appliances, art supplies, framing supplies, antiques, paint and wallpaper, carpeting, floor covering, interior decorating services, office supplies, or bicycles etc.~~

~~Retirement community (with kitchen facilities) means a building or series of buildings containing that contains two or more individual dwelling units with individual kitchen facilities which that are are:~~

~~————(1)——Specifically designed and restricted in use for to meet the needs of persons over 55 years of age,; and~~

=

~~———— (2) ——— Restricted for use for such purposes. ———~~

Retirement community (without kitchen facilities) means a building that contains two or more individual dwelling units without individual kitchen facilities that are specifically designed and restricted in use for the needs of persons over 55 years of age.

~~means a building or series of buildings containing two or more dwelling units without individual kitchen facilities which are:~~

~~———— (1) ——— Specifically designed to meet the needs of persons over 55 years of age; and~~

~~———— (2) ——— Restricted for use for such purposes. ———~~

Roller or ice skating rink means ~~a~~ a building that contains facilities ~~establishment~~ designed primarily for use as a roller skating or ice skating area with that may include a limited ~~auditorium~~ seating area.

School (public, denominational or private) means a building that contains facilities operated by a public, religious, private, or other agency with a curriculum for kindergarten, elementary or secondary education.

Service station means a building that contains facilities for the sale of gasoline ~~service of motor vehicles including but not limited to, the sale of gasoline and automobile repair and maintenance.~~

Shared parking means the use of the same off-street parking stall-space or stalls-spaces to satisfy the off-street parking requirements for two or more individual ~~land uses~~ use classifications ~~without significant conflict or encroachment.~~

~~*Shopping center (community/regional)* means a group of commercial establishments including but not limited to use classification 6, 7, 8 and 9 contained in a building or buildings encompassing a total building area from over 100,001 to 400,000 square feet developed as an integrated unit under common ownership or common parking agreement (reciprocal parking agreement or similar arrangement) with on-site parking.~~

Shopping center (neighborhood) means a group of commercial establishments contained in a one or more building or buildings encompassing a total building area GFA from greater than or equal to 25,000+ square feet and less than to 100,000 square feet developed as an integrated unit under common ownership or common parking agreement (reciprocal parking easement agreement or similar arrangement) ~~with on-site parking.~~

~~Shopping center (regional) means a group of commercial establishments contained in one or more buildings encompassing a total GFA greater than or equal to 100,000 square feet developed as an integrated unit under common ownership or common parking agreement (reciprocal easement agreement or similar arrangement).~~

~~Shopping center (regional) means a group of commercial establishments contained in a building or buildings encompassing a total building area from 400,001 to 1,000,000 square feet developed as an integrated unit under common ownership or common parking agreement (reciprocal parking agreement or similar arrangement) with on-site parking.~~

~~Shopping center (strip) means a group of commercial establishments contained in a one or more building or buildings encompassing a total building area GFA from 0 to below 25,000 square feet developed as an integrated unit under common ownership or common parking agreement (reciprocal parking easement agreement or similar arrangement) ~~with on-site parking.~~~~

~~Shopping center (super regional) means a group of commercial establishments (including but not limited to use classification categories 6, 7, 8 and 9) contained in a building or buildings encompassing a total building area in excess of 1,000,000 square feet developed as an integrated unit under common ownership or common parking agreement (reciprocal parking agreement or similar arrangement) with on-site parking.~~

~~Single-family residential means the use of a lot ~~with one building~~ designed for and containing not more than two separate units with facilities for living, sleeping, cooking and eating therein. A lot upon which is located a free standing building containing one dwelling unit and a detached secondary dwelling unit of not more than 900 square feet also shall be considered single-family residential. A building that contains one dwelling unit on one lot that is connected by a party wall to another building containing one dwelling unit on an adjacent lot shall be a single-family residential.~~

~~Single-family residential dwelling unit means a building designed to contain one or two separate living units with facilities for living, sleeping, cooking and eating.~~

~~"South Main/Texas Medical Center (South Main/TMC) means the area generally described as follows:~~

- ~~(1) The area included and bounded by Fannin, Holcombe, South Braeswood and North Macgregor and commonly known as the Original Campus.~~

- ~~(2) The area included and bounded by Holcombe, Main Street, Maroneal and Montclair and commonly known as the South Main Addition--Hotel Site.~~
- ~~(3) The area included and bounded by Holcombe, South Braeswood, Braes Bayou and Fannin and commonly known as the Fay Addition.~~
- ~~(4) The area included and bounded by South Braeswood, Wyndale, Cambridge, Old Spanish Trail and Selma.~~
- ~~(5) The area included and bounded by Old Spanish Trail, Cambridge, El Paseo and Knight Street and commonly known as the South Campus.~~
- ~~(6) The area included and bounded by Old Spanish Trail, Almeda, Holcombe and Cambridge and commonly known as the Veteran's Administration Medical Center.~~
- ~~(7) The area included and bounded by Holcombe, Braes Bayou and the northerly extension of Cambridge and commonly known as the Holcombe/Meyer Tracts.~~
- ~~(8) The area included and bounded by South Macgregor Way, HB&T RR and SH 288 and commonly known as the Anderson Campus.~~
- ~~(9) The area included and bounded by Main Street, Holcombe, Fannin, Braes Bayou and Greenbriar and commonly known as the South Main Addition.~~
- ~~(10) The area included and bounded by Fannin, Main, Holcombe and Macgregor.~~
- ~~(11) The area included and bounded by Holcombe, South Brasewood and Braes Bayou and commonly known as the Center Pavilion site.~~
- ~~(12) The area included and bounded by South Braeswood, Greenbriar, Old Spanish Trail and North Stadium and commonly known as one of the Smith Tracts.~~
- ~~(13) The area bounded by South Braeswood to the north and Greenbriar to the west, and being approximately the western half of the area included and bounded by South Braeswood, Phoenix, Colonnade and Greenbriar and commonly known as one of the Smith Tracts.~~

- ~~(14) The area bounded by Colonnade to the north, Greenbriar to the west, Old Spanish Trail to the south, and by the unrestricted tract in the Colonnade and Phoenix Drive Street Dedication Plat to the east and commonly known as one of the Smith Tracts.~~
- ~~(15) The area included and bounded by West Holcombe Boulevard to the north, Grand Boulevard to the east, Lockett Avenue to the south, and Alameda Road to the west.~~
- ~~(16) The area included and bounded by Dryden Street to the north, Main Street to the east, Southgate Boulevard to the south, and Travis Street to the west.~~
- ~~(17) The area included and bounded by Ewing Avenue to the north, Crawford Boulevard to the east, Hermann Avenue to the south, and La Branch Street to the west.~~

~~The South Main/Texas Medical Center is more particularly described in a metes and bounds description and map attached to Ordinance No. 89-712 as Exhibit "A," in Ordinance No. 93-1020 as Exhibit "A-1," in a metes and bounds description and map attached to Ordinance No. 2002-681 as Exhibit "A-2," and in a metes and bounds description attached to Ordinance No. 2007-1334 as Exhibit "A-3". Any reference in this article, or in Ordinance No. 89-712 to Exhibit "A" shall mean Exhibit "A" attached to Ordinance No. 89-712, Exhibit "A-1" attached to Ordinance No. 93-1020, Exhibit "A-2" attached to Ordinance No. 2002-681, and Exhibit "A-3" attached to Ordinance No. 2007-1334. All properties abutting and fronting on the streets included in the general description of this area may not be included on Exhibit "A," "A-1," "A-2," or "A-3."~~

~~*Special residential uses* means uses which include rooming houses, group dwellings, community facilities, homes for physically or mentally handicapped, lodging houses, hostels, or other similar uses.~~

~~*Site plan* means a detailed, graphical representation of the arrangement of buildings, parking and loading facilities, driveways and other improvements within on a given tract of land that is prepared and approved pursuant to section 26-473 of this Code.~~

~~*Small bar* means a bar, club or lounge that is greater in size than 2,500 square feet of GFA plus the any outdoor decks, patios and seating areas, but less than or equal to 4,000 square feet of GFA plus the any outdoor decks, patios and seating areas. If a small bar increases in size to greater than 4,000 square feet of GFA plus the any outdoor decks, patios and seating areas, then no part of the building or outdoor decks, patios and seating areas shall continue to be considered a small bar.~~

~~Small restaurant means a freestanding restaurant that does not have a drive-through facility and -that is less than or equal in size to 23,000 square feet of GFA plus 15% of GFA used as -including outdoor decks, patios and seating areas. If a small restaurant increases in size to greater than its GFA to over 23,000 square feet of GFA plus 15% of GFA used as outdoor decks, patios and seating areas, then no part of the building or outdoor decks, patios and seating areas shall continue to be considered a small restaurant.~~

~~Special parking area means an area designated by city council and managed by a management entity that may have alternative parking requirements to those required by this article.~~

~~Special residential uses means uses which include means a residential building that is not single family-residential or an apartment, which -that may contain rooming houses, group dwellings, community facilities, homes for physically or mentally disabled, lodging houses, hostels, or similar uses, or other similar uses.~~

~~Sports club or health spa means a building equipped that contains with facilities to promote and encourage for physical exercise, recreational sports, development and relaxation.~~

~~Sports complex means a facility or area building or tract containing that contains facilities for playing baseball, softball, football, and soccer fields and or other competitive sports related uses.~~

~~Stadium means a building with tiers of seats designed to accommodate spectator sports and other types of public amusement and entertainment.~~

~~Subdivision plat is defined in chapter 42 of this Code.~~

~~Supermarket means a building containing that contains facilities for the sale of a self-service retail food, groceries, and -and household goods store. Convenience stores shall be considered supermarkets, including but not limited to, convenience stores.~~

~~Swimming club means a building or area tract that contains facilities the designed primarily for y use of which is aquatic sports or recreation.~~

~~Take-out restaurant means a restaurant which that does not provide seating for on-premises consumption of food or beverages and may include a drive-through facilities or a take-out window or counter.~~

~~Tavern or pub means a bar, club or lounge that is less than or equal in size to 2,500 square feet of GFA plus the any outdoor decks, patios and seating~~

areas. If a tavern or pub increases in size to greater than 2,500 square feet of GFA plus the any outdoor decks, patios and seating areas, then no part of the building or outdoor decks, patios and seating areas shall continue to be considered a tavern or pub.

~~Tavern or pub means a freestanding bar, club or lounge that is less than or equal to 2,000 square feet of GFA including the building, outdoor decks, patios and seating areas. If a tavern or pub increases its GFA to over 2,000 square feet, then no part of the building or outdoor decks, patios and seating areas shall continue to be considered a tavern or pub.~~

Temporary classroom building means a building~~(s)~~ built on skids and ~~which is~~ utilized by a public school district for the purpose of eliminating the shortage of classrooms in order to bring the student/teacher ratio into compliance with state law.

Tennis ~~or /racquet~~ club means a building ~~equipped that contains facilities with courts~~ designed for playing racquet sports.

~~Tent means a structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.~~

Theater means a building or ~~areatract containing that contains~~ facilities for the performance of theatrical, literary or lyrical productions.

~~Title report means a current report, commitment, opinion or title policy that: (1) is prepared and executed by a title company authorized and in good standing to do business in the State of Texas or by an attorney licensed by the State of Texas; (2) provides a legal description of the property proposed to be subdivided or developed; (3) identifies the owner and lienholder of the property subject to the subdivision plat or development plat and the recording information of each instrument by which each owner or lienholder acquired its respective interest; and (4) describes all encumbrances of record that affect the property and the recording information of each instrument by which each encumbrance was established.~~

~~Tract means a parcel of land.~~

~~*Trade school* means a building providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a college or university, or school (private, denominational or private).~~

Transit facility means a permanent facility owned and operated by the Metropolitan Transit Authority of Harris County (METRO) designed to serve as points of access to METRO's transit infrastructure, which is:

~~(1) Owned and operated by the Metropolitan Transit Authority (METRO);~~

~~(2) A permanent and integral part of the transit system of METRO;~~

~~(3) Designed to serve as a point from which METRO patrons take ingress and egress from the METRO transit system; and~~

~~(4) Existing and has a remaining useful life which is at least equal to or greater than the life of the structures existing or proposed to be constructed within a proposed parking management area.~~

~~In addition, to qualify transit facility, an applicant must obtain a written certification from METRO addressed to the commission that each such facility meets the requirements for designation as a transit facility under this definition.~~

Transportation terminal means a building ~~or structure which~~that is used to accommodate the arrival and departure of passengers by aircraft, motor bus, ship, or railroad train.

Truck terminal means a building designed with two or more loading ~~docks~~ berths to facilitate the loading or unloading of trailer trucks.

~~*Uptown/Galleria* means an area generally described as follows:~~

~~(1) The area included and bounded by San Felipe, South Post Oak, Post Oak Lane and the south boundary of West Oaks Subdivision.~~

~~(2) The area included and bounded by San Felipe, West Loop South, Westheimer and McCue as extended to San Felipe.~~

~~(3) The area included and bounded by Brownway, Yorktown, Sage and West Alabama.~~

~~(4) The area included and bounded by McCue, Westheimer, Sage and a line approximately 600 feet north of and parallel to Westheimer.~~

~~(5) The area included and bounded by Westheimer, West Loop South, Richmond Avenue and Sage.~~

~~The Uptown/Galleria Area is more particularly described in a metes and bounds description and map attached to Ordinance No. 89-712 as Exhibit "C." All properties abutting and fronting on such streets included in this description of this area may not be included in Exhibit "C."~~

Use classification means the use of a building, structure, or tract for a purpose identified in division 2 of this article.

Useable floor area or UFA means the gross floor area of a structure building excluding lobbies, hallways, restrooms, elevators, stairwells, mechanical shaft or ~~vertical~~ vertical penetrations, atriums, mechanical rooms, ~~and~~ and service rooms.

Valet parking plan means a detailed graphical representation of the arrangement of parking spaces, drive aisles, and other improvements, that includes detailed dimensions of parking facilities that is prepared and approved pursuant to this article.

Veterinary clinic means a building, ~~the principal use of which is that contains facilities~~ for the examination and treatment of animals.

Warehouse means a building ~~in which that contains facilities for the storage of~~ goods or merchandise ~~are stored~~.

Sec. 26-473. Site plan submittal requirements ~~Site plan submittal requirements for off-street parking and loading; penalty for article violations.~~

(a) ~~(a) All to which this article applies~~ An applicant or responsible party shall submit a site plan to the department prior to obtaining a certificate of occupancy or a building permit, or in conjunction with a development plat required by chapter 42 of this Code. The site plan shall ~~plan must conform to the following standards:~~

- (1) ~~Be accompanied by the non-refundable fee set forth for this provision in the city fee schedule when the site plan is not submitted in conjunction with a development plat;~~
- (2) ~~The site plan must be to scale, contain provide the a north arrow, and contain bearings, and dimensions, and boundaries of the all subject tracts related to the use classification and the parking facilities;~~
- (3) ~~The site plan must include the calculation used to determine the number of parking spaces contain a parking calculation table, bicycle spaces, and loading berths required by this article;~~
- (4) ~~Include~~ Be accompanied by a survey of the tract or a copy of the most recently recorded subdivision plat of the tract; and
- (5) ~~The site plan must show:~~

- a. Each existing and proposed building, including dimensions and GFA of each building;
- b. Each proposed alteration to a building or tract, including dimensions and GFA of each alteration;
- c. The dimensions, design, and location of parking spaces, bicycle spaces, bicycle racks, loading berths, drive aisles, and landscaping islands, and other physical features relating to layout of parking and loading facilities;
- d. Existing and proposed trees, and shrubs, and screening fences required by the landscaping requirements of article V of chapter 33 of this Code;
- e. Building setback lines required by chapter 42 of this Code or contained in any separately recorded instruments;

proposed building alterations:

- f. The location of above-ground existing and planned physical features such as utility poles, fire hydrants, dumpsters, and bollards and other obstructions;

he dimensions, square footage of GFA and UFA, as applicable, of existing and proposed buildings, structures or improvements;

- g. The location of sidewalks and other improvements existing conditions within the pedestrian walkway such as sidewalks, utility poles, and intersection crossings;

b. he dimensions of parking spaces, drive aisles, and landscaping islands;

- h. The location, dimensions, distance, and clearly delineated pedestrian route to off-site parking facilities, as applicable; and
- i. The location and configuration of each drop-off, drive-in, or drive-through facility, as applicable.

(b) The following documents must be submitted with a site plan, as applicable:

- (1) Covenants and restrictions recorded in the real property records affecting the tracts contained in the site plan;

- (2) Licenses, permits, and other documentation required by federal, state, and other governments for the operation of a use classification listed in division 2 of this article;
- (3) All documents relied upon in making the calculation required by section 26-473(a)(3) of this Code, for example, floor plans, layout of golf course greens, tennis courts, outdoor decks, patios, and seating areas;
- (4) The most recent utility capacity reservation letter;
- (5) A valet parking plan;
- (6) A shared parking plan;
- (7) A memorandum of lease;
- (8) The layout and description of proposed amenities for extending the distance of off-site parking in accordance with this article, as applicable; and
- (9) A title report.
; and
— the location of proposed off site parking and, as applicable,

For buildings, structures or tracts that propose to lease off-site parking or use shared parking, the site plan must be submitted with a title report and either a survey of the subject tract or a copy of the most recently recorded subdivision plat of the subject tract;

Sec. 26-474. Review of site plan and building permit.

(aba) Upon receipt of a site plan containing all the information required by section 26-473 of this Code, the director shall perform The a review of the site plan review to verify compliance with all the off-street parking requirements of this article will be performed by the department. The site plan review process must be completed prior to the issuance of a building permit or certificate of occupancy. The building official shall not issue a building permit for the construction of a building or alteration to a building or tract within the city unless the director approves the site plan verifying that the applicant provides for the parking and loading facilities required by this article.

— (cb) No building permit shall be issued by the building official for the construction or alteration of a building or an increase in the unit of measurement used to

~~calculate the required number of parking spaces within the city unless the director approves the site plan verifying that the applicant provides for the parking and loading needs for the facilities subject tract as required in this article except as provided in divisions 4, 5, and 6 of this article. The director will be responsible for the review and approval of the site plan for compliance with the requirements of this article.~~

~~(d) The building official shall not issue a No~~ certificate of occupancy, ~~as that term is used in the Building Code,~~ ~~shall be issued by the building official for a new or altered building~~ the construction of a building or alteration of a to a building or tractor ~~an increase in the unit of measurement to calculate the required number of parking spaces wherein there has been a change in the use or occupancy classification unless the applicant constructs or provides for the required parking and loading facilities~~ ~~required for the new type of occupancy or use are constructed or provided.~~ Prior to the issuance of a certificate of occupancy, the building official shall inspect the parking and loading facilities provided to verify compliance with the approved site plan.

~~(c) The director shall not approve a site plan and the building official shall not issue a building permit or certificate of occupancy until the applicant has produced all supporting documentation including required licenses, title reports, deed restrictions, surveys, and other required documentation prior to the approval of a site plan, building permit, or certificate of occupancy. Any site plan approved or building permit or certificate of occupancy issued on the basis of either erroneous documentation or false information is void with the same force and effect as if it had never been approved or issued without the necessity of any action by the city or any other person or agency.~~

~~(d) The director shall not approve a site plan containing a drop-off, drive-in, or drive-through facility configuration unless the configuration provides sufficient area for access to the drop-off, drive-in, or drive-through facility without blocking the public right-of-way or any parking space required by this article. The director shall consider the recommendation of the traffic engineer regarding the configuration before approval of the site plan. The building official shall not issue a building permit or certificate of occupancy for any use classification containing a drop-off, drive-in, or drive-through facility unless the director approves the site plan.~~

~~(e) The director shall deny in writing all building permit applications and site plans that do not comply with the requirements of this article.~~

~~(f) The building official may issue a building permit that does not require the construction of parking or loading facilities required by this article if:~~

~~the building permit is for the reconstruction of an existing building after fire, damage or other casualty not intentionally caused by the owner of which 50 the building or the owner's agent and the estimated cost to rebuild is less than 75 percent or less was physically destroyed by flooding, fire, windstorm or acts of God. This exemption~~

~~shall apply only where of the estimated replacement cost of the entire building, not including the estimated replacement cost of the building foundation; and~~

~~(2) the reconstruction of that building will would not result in an increase in the GFA or UFA of the building or a change in the use classification of the building.~~

~~(f) Except as provided in section 26-499(h) of this Code, no site plan review shall be required for work performed by a tenant, on behalf of a tenant, in:~~

~~— (1) A shopping center; or~~

~~— (2) A portion of a building in excess of 20,000 square feet of GFA, unless that tenant finish work alters the exterior dimensions of the shopping center or the building. For buildings that are less than 20,000 square feet of GFA, a site plan review for compliance with this article shall be required where a change of occupancy is proposed for all or a portion of that building.~~

~~In addition, the building official shall issue a building permit that does not require the construction of parking or loading facilities if the building permit does not pertain to the construction or alteration of a building for the purpose of increasing the intensity of use on the site and does not result in an increase in intensity of use on the site or a change in use of that building specifically including, but not limited to, finish work performed by a tenant, or on behalf of tenant, in all or a portion of a shopping center or other structure.~~

~~— (d) The city council hereby finds and declares that a central business district(s) as herein defined has in place:~~

~~— (1) A demonstrated modal split of at least 20 percent ridership in favor of public transportation;~~

~~— (2) A significant level of parking that is available to the public without restriction (except for payment of a fee) that provides supplemental parking to that provided as a part of the individual land uses in the district(s); and~~

~~— (3) Hourly loading restrictions imposed by ordinance of the city council.~~

~~Having made these findings, city council has determined that the central business district has in place an adequate level of parking and loading facilities and it is hereby exempted from the requirements of this article.~~

~~— (e) **26-475. Violations.**~~

~~It shall be a violation of this article for any person to construct or alter any building or improvement upon any property within the territorial limits of the city without first complying with the provisions of this article; provided, however, that no submission~~

~~or approval of a site plan shall be required for the construction or alteration, of a building or improvement within the central business district. Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not less than \$100.00 nor more than \$500.00. Each day that such violation continues shall constitute a separate offense. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violation of this article.~~

Sec. 26-~~4744~~756. Deed restriction compliance.

(a) A site plan submitted for review ~~in order~~ to verify compliance with ~~all of the off-street~~ parking requirements of this article shall not include any land to be used for off-site parking that is used for or restricted to single-family residential use where the use or intended use of that restricted property as an off-site parking facility for a nonresidential-different purpose or enterprise would violate the applicable deed restrictions.

(b) No site plan submitted for review pursuant to this article shall be approved by the director if any portion of an ~~of the~~ off-site parking facility ~~or facilities utilized~~ used to satisfy the off-street parking requirements of this article includes any land that is used for or restricted to single-family residential use and the use or intended use of that restricted property as an off-site parking facility for a nonresidential-different purpose or enterprise would violate the applicable deed restrictions.

(c) Every applicant who submits a site plan for review to verify compliance with the requirements of this article shall furnish to the director a certified copy of the instruments containing the deed restrictions, ~~or the instrument of revocation or termination, or the declaratory judgment,~~ or any other recorded document containing restrictions that affect the use of all or any part of the property within the site plan, including all any property to be used for on-site and off-site parking facilities.

(d) _____ If there are no recorded restrictions affecting the use of any of the property included within the site plan then the applicant shall submit a current abstractor's certificate or a title commitment report which expressly states that there are no recorded restrictions applicable to the subject property. ~~An abstractor's certificate or Aa title commitment report or abstractor's certificate~~ required by this section shall be prepared within 30 days prior to the date submitted by a title company authorized by law to do business in this state or by an attorney licensed to practice law in this state.

Sec. 26-476. Reconstruction after Casualty.

The building official shall issue a building permit that does not require the construction of a parking and loading facility required by this article if:

(a) _____ The building permit is for the reconstruction of a building damaged by fire or other casualty not intentionally caused by the owner of the building or the owner's

~~agent and the estimated cost to rebuild is less than 75 percent of the estimated replacement cost of the entire building, not including the estimated replacement cost of the building foundation; and~~

~~(b) The reconstruction would not result in an increase in the parking factor or a change in the use classification of the building or tract.~~

Sec. 26-4767. Violations.

~~(a) It is a violation of this article for any person to construct a building or alter a building or tract in the territorial limits of the city without first complying with the provisions of this article. Any person violating any provision of this article is guilty of a misdemeanor and, upon conviction, shall be fined an amount not less than \$100.00 and not more than \$500.00. Each day that a violation continues shall constitute a separate offense. Prosecution or conviction under this provision shall not be a bar to any other remedy or relief for violation of this article.~~

~~(b) If a person constructs a building or alters a building or tract prior to complying with the requirements of this article, the fees described in this article shall be doubled for construction or alteration required to comply with the provisions of this article shall be doubled. The paying of a double fee shall not relieve a person from complying with the requirements of this article, and shall not be a bar to any other remedy or relief for violation of this article.~~

~~(d) No site plan shall be approved and no building permit or certificate of occupancy shall be issued until the requested supporting documentation has been produced. Any site plan approved or permit issued on the basis of either erroneous documentation or false information is void with the same force and effect as if it had never been approved or issued without the necessity of any action by the city or any other person or agency.~~

Secs. 26-475--26-490. Reserved.

Section 26-477. Central usiness District.

~~(a) The city council hereby finds and declares that a central business district as herein defined has in place:~~

~~(1) A demonstrated modal split of at least 20 percent ridership in favor of public transportation;~~

~~(2) A significant level of parking that is available to the public that provides supplemental parking in the district; and~~

~~(3) Hourly loading restrictions imposed by ordinance of the city council.~~

~~(b) Having made these findings, city council has determined that the central business district has in place an adequate level of parking and loading facilities and it is~~

hereby exempted from the requirements of this article.

Secs. 26-47788--26-49088. Reserved.

DIVISION 2.

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REQUIREMENTS FOR PARKING SPACES AND BICYCLE SPACES

Sec. 26-~~491~~489. In general.

The building official shall not issue a No-building permit or certificate of occupancy shall be issued for the construction of a building or alteration of a building, in or tract to be used as one of the categories listed in section 26-492 of this Code unless the building or tract includes the construction of or provides for the off-street parking facilities required by this article. Such-The parking facilities shall be on the same site-tract as the use classification those facilities are intended to serve except as otherwise provided for in this article.

Sec. 26-490. Use of parking space or bicycle space.

All required parking facilities shall conform to the following standards:

- (1) Parking~~Parking facilities~~ facilities shall be:
 - a. Available for use by employees, customers, and patrons;
 - b. Maintained at all times the building or tract is in use or occupied;
and
 - c. (3) —Used —exclusively for their intended purpose. A parking space shall be used exclusively for for the temporary parking of passenger automobiles, motor vehicles, or light trucks not exceeding one ton in capacity and a bicycle space shall be used exclusively for the temporary parking of bicycles;:
- (2) Parking facilities that are required by this article shall only be used for parking, and are not to be used for any other use, including but not limited to, the sale, display or storage of merchandise, as a place of public gathering, or for the storage or repair of vehicles or equipment. No parking spaces required by this article shall be covered with a tent. If a tract provides for more parking spaces than the number required by this article, the excess number of parking spaces may be used may be covered by a

~~tent or used for any purpose permitted by law. All parking spaces required by this article may be used for valet parking in accordance with the requirements of this chapter.~~

- ~~(3) For a project that will be built in phases, an applicant may install the required parking spaces or bicycle spaces in phases if the applicant has submitted a schedule for phased development and that schedule has been approved by the director. Each phased parking installation must include enough parking to meet the parking requirements for the completed phases of the development for which the parking is provided. This schedule for phased development must indicate the dates on which all parking approved pursuant to this article will be provided.~~

Sec. 26-491. Fractional requirements.

~~(a) If the parking space requirements of this article result in a fractional requirement that is 0.5 or greater, the applicant or responsible party shall provide parking spaces equal to the next higher whole number.~~

~~(b) If the bicycle space requirements of this article result in a fractional requirement, the applicant or responsible party shall provide bicycle spaces equal to the next higher whole number.~~

Sec. 26-492. Parking spaces for certain types of ~~occupancies~~use classifications.

~~Except for buildings, structures, or tracts located in a parking management area district created under the provisions of section 26-51500 of this Code, t~~The construction of a building or alteration of a building or tract for any of the following types of ~~occupancies-use classifications~~ shall provide the ~~requisite required~~ number of ~~off-street~~ parking spaces ~~and bicycle spaces~~, or the incremental increase in the number of ~~off-street~~ parking spaces ~~and bicycle spaces~~ in the case of an alteration, as shown below for that ~~type of occupancyuse classification~~. ~~The requirements of this division do not apply to the placement of a temporary classroom building(s) for public schools where:~~

~~(1) There is a reasonable likelihood that the construction necessitating a temporary classroom building will not continue for more than five years; and~~

~~(2) An analysis of the public school site and the buildings thereon support the conclusion that timely compliance with the statutory student/teacher ratio cannot be achieved without the installation of the temporary classroom building(s).~~

| <u>Type of OccupancyUse Classification</u> | <u>Required Number of</u> Parking Spaces |
|--|---|
| Class 1. Office: | |
| a. Office | 2.5 <u>parking</u> spaces for every 1,000 square feet of GFA or 2.75 <u>parking spaces</u> for every 1,000 square feet of UFA |

| | |
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| b. Financial facility | 4.0 <u>parking</u> spaces for every 1,000 square feet of GFA (see also section 26-541(a)(4)) |
| Class 2. Residential: | |
| a. Apartment house | 1.250 <u>parking</u> spaces for each efficiency apartment-dwelling unit |
| | 1.333 <u>parking</u> spaces for each one-bedroom apartment-dwelling unit |
| | 1.666 <u>parking</u> spaces for each two-bedroom apartment-dwelling unit |
| | 2.0 <u>parking</u> spaces for each apartment-dwelling unit with 3 or more bedrooms |
| b. Single-family residential or dwelling unit-manufactured home | 2.0 parking spaces for each dwelling unit, except that <u>a secondary dwelling units not larger than 900 square feet of GFA shall provide 1.0 parking space</u> |
| c. Manufactured home | 2.0 parking spaces per dwelling unit |
| dc. Special residential uses | 0.3 parking spaces <u>s</u> per sleeping room, plus 1.0 parking space per employee on largest shift |
| ed. Retirement community (with kitchen facilities) | 0.75 <u>parking</u> spaces <u>s</u> per dwelling unit, plus parking spaces for support based upon the provisions of section 26-499 of this Code <u>1.0 space per employee on the largest shift</u> |
| fe. Retirement community (without kitchen facilities) | 1.0 <u>parking</u> space for every 6 beds, plus 1.0 <u>parking</u> space per employee on largest shift |
| gf. Hotel or motel | 1.0 parking space for each sleeping room up <u>and including</u> to 250 rooms; |
| | 0.75 parking spaces for each sleeping room from 251 rooms to 500 rooms; |
| | 0.50 parking spaces for each sleeping room in excess of 500 rooms |

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| Class 3. Health Care Facilities: | |
| a. Hospital | 2.2 <u>parking</u> spaces for each bed proposed to be constructed |
| b. Psychiatric hospital | 1.0 <u>parking</u> space for each <u>every</u> 4 beds proposed to be constructed and 1.0 <u>parking</u> space for every 4 employees |
| c. Clinic (medical complex) | 2.7 <u>parking</u> spaces for every 1,000 square feet of GFA |
| d. Clinic (medical or dental) | 3.5 <u>parking</u> spaces for every 1,000 square feet of GFA |
| e. Nursing home | 1.0 <u>parking</u> space for every 3 beds proposed to be constructed and 1.0 <u>parking</u> space for every 4 employees |
| f. Funeral home or mortuary | 0.5 <u>parking</u> spaces for every chapel seat |
| g. Veterinary clinics | 5.0 <u>parking</u> spaces for every 1,000 square feet of UFA |
| Class 4. Industrial <u>and</u> , Commercial Manufacturing: | |
| a. Multi-tenant (or multi-building project): | |
| 1. At grade (no docks) | 2.5 <u>parking</u> spaces per 1,000 square feet of GFA of office space; and 1.0 <u>parking</u> spaces per 5,000 square feet of GFA of warehouse space ee |
| 2. Semi-dock high | 2.5 <u>parking</u> spaces per 1,000 square feet of GFA of office space; and 1.0 <u>parking</u> spaces per 5,000 square feet of GFA of warehouse space |
| 3. Full-dock high | 2.5 <u>parking</u> spaces per 1,000 square feet of GFA of office space; and 1.0 <u>parking</u> spaces per 7,000 square feet of GFA of warehouse space |
| b. Bulk warehouse | 2.5 <u>parking</u> spaces per 1,000 square feet of GFA of office space; and 1.0 <u>parking</u> spaces per 7,000 square feet of GFA of warehouse space |

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|---|--|
| c. Heavy manufacturing and industrial | 2.5 <u>parking</u> spaces per 1,000 square feet of GFA of office space; and 1.0 <u>parking</u> spaces per 2,000 square feet of GFA of warehouse space |
| d. Light manufacturing assembly and research and development | 2.5 <u>parking</u> spaces per 1,000 square feet of GFA of office space; and 1.0 <u>parking</u> space per 1,500 square feet of GFA of assembly space |
| e. Transportation terminal | 6.5 <u>parking</u> spaces per 1,000 square feet of GFA of waiting area |
| f. Truck terminal | 1.0 <u>parking</u> spaces per 2,000 square feet of GFA |
| g. Mini-warehouse facilities | 1.0 <u>parking</u> spaces for every 40 <u>50</u> storage units or bays |
| Class 5. Religious and Educational: | |
| a. Church | 1.0 <u>parking</u> space for every 5 fixed seats in auditorium or sanctuary or, if there are no fixed seats, 1.0 <u>parking</u> space for every 40 square feet of GFA in the main auditorium or sanctuary |
| b. Nursery school or day care center | 1.0 <u>parking</u> space for every employee on duty during the largest shift, plus 1.0 <u>parking</u> space for every 5 children in attendance when the facility is operating at maximum capacity or, if drop-off facilities are provided under section 26-541(a)(4) of this Code, 1.0 space for every employee on duty during the largest shift and 1.0 space for every 10 children in attendance when the facility is operating at maximum capacity |
| | <u>1.0 parking space for every employee on duty during the largest shift and 1.0 parking space for every 10 children in attendance when the facility is operating at maximum capacity if a drop-off, drive-in, or drive-through facility is provided</u> |
| c. School (public, denominational or private): | |
| 1. Elementary school | 1.5 spaces per thirty-person classroom <u>1.0 parking space per every 12 occupants</u> |
| 2. Junior high school <u>(including a school for 9th grade only)</u> | 3.5 spaces per thirty-person classroom <u>1.0 parking space per every 7 occupants</u> |

| | |
|---|---|
| 3. Senior high school | 9.5 spaces per thirty person classroom <u>1.0 parking space per every 3 occupants</u> |
| d. College or university or trade school | 1.0 <u>parking</u> space for every 3 employees plus 1.0 <u>parking</u> space for every 10 students residing on campus and 1.0 <u>parking</u> space for every 5 students not residing on campus |
| e. Library | 1.2 <u>parking</u> spaces for every 1,000 square feet of GFA |
| f. Art gallery or museum | 3.0 <u>parking</u> spaces for every 1,000 square feet of GFA of exhibit area or gallery space |
| Class 6. Recreation and Entertainment: | |
| a. Golf course | 5.0 <u>parking</u> spaces for every green |
| b. Movie theater | 0.3 <u>parking</u> spaces for every seat |
| c. Bowling alley | 5.0 <u>parking</u> spaces per lane |
| d. Theater, auditorium or arena | 1.0 <u>parking</u> space for every 3 seats |
| e. Tennis <u>or</u> racquet club | 3.0 <u>parking</u> spaces per court |
| f. Sports club <u>or</u> health spa | 5.0 <u>parking</u> spaces for every 1,000 square feet of GFA |
| g. Roller or ice skating rink | 5.0 <u>parking</u> spaces for every 1,000 square feet of GFA |
| h. Swimming club | 9.0 <u>parking</u> spaces per employee |
| i. Park (5 to -10 acres) | 1.0 <u>parking</u> space for the first 2 acres and 1.0 <u>parking</u> space for each additional acre and additional parking <u>spaces</u> must be provided for each additional facility or separate land use <u>classification</u> constructed in the park as herein provided |
| j. Park (over 10 acres) | 5.0 spaces for the first acre; and 1.0 space for each additional 10.0 acres <u>and</u> ; additional parking <u>spaces</u> must be provided for each additional facility or separate land use <u>classification</u> constructed in the park as herein provided |
| k. Park pavilion | 1.0 <u>parking</u> space for each picnic table |
| l. Sports complex | 1.0 <u>parking</u> space for every 40 square feet of seating |
| m. Miniature golf | 1.0 <u>parking</u> space for each hole |

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|---|--|
| n. Driving range (golf) | 1.0 <u>parking</u> space for each tee |
| o. Arcade or game room | 1.0 space for every 200 square feet of GFA <u>5.0 parking spaces for every 1,000 square feet of GFA</u> |
| p. Billiard hall | 2.0 spaces for every billiard table |
| Class 7. Bar or Restaurant <u>Food and Beverage</u> : | |
| a. Restaurant (take-out or drive-through only) Take-out restaurant | <u>4.0 parking spaces for every 1,000 square feet of GFA</u> |
| <u>b. Dessert shop</u> | <u>6.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA</u> |
| <u>c. Small restaurant</u> | <u>8.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA</u> |
| <u>d. Neighborhood restaurant</u> | <u>9.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas in excess of 15% of GFA</u> |
| aed. Restaurant (including outdoor decks, patio and/or seating areas) | 8.0-10.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and/or seating areas in excess of 15% of gross floor area <u>GFA</u> |
| <u>f.e. Tavern or pPub</u> | <u>10.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas</u> |
| <u>g. Small bar</u> | <u>12.0 parking spaces for every 1,000 square feet of GFA and outdoor decks, patio and seating areas</u> |
| bhf. Bar, club or lounge (including outdoor decks, patio and/or seating areas) | 10.0 <u>14.0 parking</u> spaces for every 1,000 square feet of GFA and outdoor decks, patios and/or seating areas |
| Class 8. Retail Services: | |
| <u>a. Supermarket</u> or convenience market | 5.0 <u>parking</u> spaces for every 1,000 square feet of GFA |
| b. Clothing store | 4.0 spaces for every 1,000 square feet of GFA |

| | |
|---|---|
| e.b. Furniture store | 2.0 <u>parking</u> spaces for every 1,000 square feet of GFA |
| dc. Retail store (freestanding) | 4.0 <u>parking</u> spaces for every 1,000 square feet of GFA |
| ed. Building materials or home improvement store | 4.0 <u>parking</u> spaces for every 1,000 square feet of GFA of retail sales area |
| fe. Barber or beauty shop | 3.0 spaces for each operator chair and 1.0 space for each employee 8.0 <u>parking spaces for every 1,000 square feet of GFA</u> |
| gf. Shopping center (strip) (up to 25,000 <u>square feet of</u> GFA) | 4.0 <u>parking</u> spaces for every 1,000 square feet of GFA, except the increment of GFA used for a bar, club or lounge shall provide the equivalent of 10 spaces for every 1,000 square feet of GFA¹ , <u>plus the incremental increase in the number of parking spaces required by 26-495(a)</u> |
| hg. Shopping center (neighborhood)(25,000 01 --100,000 <u>square feet of</u> GFA) | 4.0 <u>parking</u> spaces per 1,000 square feet of GFA, <u>plus the incremental increase in the number of parking spaces² required by 26-495(b)</u> |
| i. Shopping center (community) (100,001--399,999) | 4.0 spaces for every 1,000 square feet of GFA |
| jh. Shopping center (regional) (400,000--1,000,000 <u>over 100,000 square feet of</u> GFA) | 54.0 <u>parking</u> spaces for every 1,000 square feet of GFA |
| k. Shopping center (super regional) (over 1,000,000 GFA) | 4.0 spaces for every 1,000 square feet of GFA |
| l. Discount store | 4.0 spaces for every 1,000 square feet of GFA |
| Class 9. Automobiles: | |
| a. Auto sales dealer | 5.5 <u>parking</u> spaces for every 1,000 square feet of GFA |
| b. Auto repair establishment | 5.0 <u>parking</u> spaces for every 1,000 square feet of GFA |
| c. Car wash (automated) | 2.5 <u>parking</u> spaces for each bay or stall for stacking space |
| d. Car wash (all other) | 1.0 <u>parking</u> space per <u>bay or</u> stall |
| e. Service station | 3.0 <u>parking</u> spaces for each service stall and 1.0 space for each employee on duty during largest shift |
| f. Auto parts and supply store | 4.0 <u>parking</u> spaces for every 1,000 square feet of GFA of retail sales area. |

Sec. 26-493. Unspecified uses.

The director shall determine the minimum number of parking spaces and bicycle spaces required for any use not specified in section 26-492 of this Code. The director shall consider the following criteria to determine the parking requirements for the unspecified use:

- (1) Documentation supplied by the applicant regarding actual and anticipated parking demand for parking spaces and bicycle spaces for the proposed use;
- (2) Evidence or data in available planning and technical studies relating to the proposed use;
- (3) Parking requirements for the proposed use as determined by other comparable jurisdictions; and
- (4) Parking requirements for similar uses.

Sec. 26-494. -Changes in use classification for grandfathered uses.

For buildings or tracts with a valid building permit or certificate of occupancy that predates [insert the effective date of this ordinance], a change in use classification shall not require additional parking spaces or bicycle spaces if the following criteria are satisfied:

- (1) The number of parking spaces and bicycle spaces provided at the time of the most recently approved site plan, building permit, or certificate of occupancy is maintained;
- (2) The change in use classification of the building or tract results in a lower overall parking requirement than the number of parking spaces that would be required by this article if the current use on the tract was newly constructed;
- (3) Any construction of new buildings shall provide for the off-street parking facilities required by this article for the new construction;
- (4) Any alteration of existing buildings on the tract that results in an increase in GFA or UFA shall provide for the parking facilities required by this article for the incremental increase in GFA or UFA; and
- (5) Any change in use classification to a class 7 use classification under section 26-492 of this Code is only to a take-out restaurantrestaurant

~~(take-out or drive-through only).~~

Nothing in this section shall prevent a change in use classification that satisfies the parking and loading requirements of this article.

¹~~If more than 20 percent of a shopping center is occupied or to be occupied by class 6 and/or 7 occupancies, other than a bar, club or lounge, then the incremental increase in the number of off-street parking spaces required per 1,000 square feet of GFA will be calculated using the number assigned for the specific occupancy proposed for the new construction or alteration.~~

²~~If more than 20 percent of the shopping center is occupied or to be occupied by class 6 and/or 7 occupancies, then the incremental increase in the number of off-street parking spaces required per 1,000 square feet of GFA will be calculated using the number assigned for the specific occupancy proposed for the new construction or alteration.~~

Sec. 26-4952.1. Shopping centers with certain use classifications.

(a) A shopping center (strip) that contains 20 percent or more of its GFA as a class 6 or 7 use classification, excluding a tavern or pub, small bar, or bar, club or lounge, pursuant to section 26-492 of this Code shall provide the incremental increase in the number of parking spaces required for the class 6 or 7 use classification in excess of the 20 percent of its GFA. A shopping center (strip) that contains a tavern or pub, small bar, or bar, club, or lounge shall provide the incremental increase in the number of parking spaces required for the bar, club, or lounge.

(b) A shopping center (neighborhood) that contains 20 percent or more of its GFA as a class 6 or 7 use classification pursuant to section 26-492 of this Code shall provide the incremental increase in the number of parking spaces required for the class 6 or 7 use classification in excess of the 20 percent of its GFA.

(a) If more than 20 percent of a shopping center (strip) is used or to be used as class 6 or 7 use classification pursuant to Section 26-492 of this Code, or any percent used or to be used as a bar, club, or lounge, then the incremental increase in the number of parking spaces required per 1,000 square feet of GFA will be calculated using the number assigned for the specific use classification proposed for the new construction or alteration.

(b) If more than 20 percent of the shopping center (neighborhood) is used or to be used by class 6 or 7 use classifications pursuant to Section 26-492 of this Code, then the incremental increase in the number of parking spaces required per 1,000 square feet of GFA will be calculated using the number assigned for the specific use classification proposed for the new construction or alteration.

Sec. 26-4962.2. Bicycle spaces for certain use classifications.

For all use classifications under classes 1, 6, 7, 8, and 9 in section 26-492 of this Code, one bicycle space is required for a use that contains more than 5,000 square feet of GFA and less than 25,000 square feet of GFA. An additional bicycle parking space is required for each incremental 25,000 square feet of GFA between 25,000 square feet of GFA and 150,000 square feet of GFA. Bicycle spaces required by this article shall conform to the design criteria of section 26-583 of this Code.

Sec. 26-497. -Reduced parking space requirement for additional bicycle spaces.

(a) An applicant who provides bicycle spaces in addition to the minimum number of bicycle spaces required by section 26-496 of this Code shall receive a reduction of one parking space for every four additional bicycle spaces to the number of parking spaces required by section 26-492 of this Code.

(b) The maximum reduction in the number of parking spaces under this section shall be 10 percent of the number of parking spaces required by section 26-492 of this Code.

(c) A reduction of parking spaces under this section is available for all use classifications except single-family residential.

(d) Each additional bicycle space shall conform to the standards of section 26-583 of this Code.

Sec. 26-4982.. Reduced parking space requirement for a historic structurebuildings.

For a structuresbuilding designated as a protected landmark, or a contributing structure within a historic district pursuant to aArticle VII of Gchapter 33 of this Code, the total number of off-street parking spaces required by this article shall be reduced by 40 percent. No reduction under this section shall be permitted for a building where an exterior alteration or rehabilitation was performed without a certificate of appropriateness required by article VII of chapter 33 of this Code.

Sec. 26-493. Unspecified uses.

———— (a) ——— The director shall determine the appropriate use category classification in each case. If there is any uncertainty with respect to the amount of parking spaces required by the provisions of this article as a result of any indefiniteness as to the proposed use of a building or tractof land, the maximum requirement for the general type of use that is involved shall govern.

———— (b) ——— The director shall determine the minimum number of parking spaces

~~required for any use not specified above. The director shall consider the following in establishing parking requirements for an unspecified use:~~

- ~~—— (1) Documentation supplied by the applicant regarding actual and anticipated parking demand for the proposed use;~~
- ~~—— (2) Evidence or data in available planning and technical studies relating to the proposed use;~~
- ~~—— (3) Required parking for the proposed use as determined by other comparable jurisdictions; and~~
- ~~—— (4) Required parking for similar uses.~~

~~Sec. 26-494. Fractional requirements.~~

~~If the parking requirements of this article result in a fractional requirement, and that fraction is 0.5 or greater, the property owner shall provide parking spaces equal to the next higher whole number.~~

~~Sec. 26-495. Use of parking space.~~

~~All required parking facilities shall be available for employee and use and shall be maintained for the duration of the use requiring such areas. Such facilities shall be used exclusively for the temporary parking of passenger automobiles, motor vehicles, or light trucks not exceeding one ton in capacity and shall not be used for any other use including but not limited to the sale, display or storage of merchandise, as a place of public assembly, or for the storage or repair of vehicles or equipment. No required parking spaces may be covered with a tent. If a tract provides for more parking spaces than the number required by this article, the excess number of parking spaces may be covered by a tent or used for any purpose permitted by law. An owner may install the required parking spaces in phases if the schedule has been approved by the director. Each phased parking installation must include enough parking to meet the parking requirements for the completed phases of the development for which the parking is provided. This phasing schedule must specifically indicate the dates on which all parking approved pursuant to this article will be provided.~~

~~Sec. 26-496. Accessible parking.~~

~~Accessible parking spaces for vehicles operated by or for persons with disabilities shall be provided in accordance with state and federal standards. When only one parking space is required under this article, accessible parking requirements shall be in addition to the one parking space so required.~~

~~Sec. 26-497. Parking for compact cars.~~

~~A maximum of 35 percent of the parking spaces required by this article may be designed and reserved for small or compact cars. In addition, no such in accordance with the dimensions specified in the Building Code. No designated spaces for compact spaces cars shall be permitted in any building designed to be used for residential purposes or in parking lots of less than 40 parking spaces. Compact parking spaces shall be identified by appropriate directions and marking.~~

Sec. 26-499. Off-site parking.

(a) A parking space required by this article may be provided on off-site parking facilities if the following conditions are met:

(1) The off-site parking facilities are located less than 250 feet from the tract where the use classification is located except as provided for in items (2) and (3) of this subsection:

(2) Up to 25 percent of the required number of parking spaces may be provided on off-site parking facilities located:

a. Less than 800 feet from a tract where the use classification is located if the building for which the off-site parking is being provided contains less than 30,000 square feet of GFA; or

b. Less than 1000 feet from a tract where the use classification is located if:

[1] The building for which the off-site parking is being provided contains less than 30,000 square feet of GFA; and

[2] The director determines in his or her sole professional judgment that sufficient pedestrian amenities mitigate the impact of the extended distance of the off-site parking facilities.

(3) Up to 75 percent of the required number of parking spaces for a freestanding class 7 use under section 26-492 of this Code may be provided on off-site parking facilities located up to 1,000 feet from a tract where the use classification is located if:

a. The off-site parking facilities are used only for valet parking services in accordance with this chapter;

b. Valet parking services for the off-site parking facilities must be available during all operating hours of the use classification;

c. 25 percent or more of the parking spaces required by this article are located either on-site or on off-site parking facilities located within 250 feet of the tract where the use classification is located; and

d. The applicant or responsible party submits an annual certification of valet parking in accordance with the requirements of section 26-502 of this Code.

(4) The off-site parking spaces required by this article are not already being used to satisfy the parking requirement of a different building or tract.

(b) All distances shall be measured as the shortest clearly delineated pedestrian route between the property boundary of the tract where the use classification is located to the property boundary of the off-site parking facility as measured along sidewalks and other passageways that are open and accessible to the public at all times.

(c) When an off-site parking facility is located on a tract that is not owned by an applicant or responsible party for the property requiring the parking spaces, the applicant or responsible party shall provide to the department a memorandum of lease that complies with the requirements of section 26-501 of this chapter.

(d) Different requirements for off-site parking facilities may be provided for within a special parking area in accordance with division 3 of this article.

(e) This section does not apply to bicycle spaces or loading facilities required by this article.

Sec. 26-498. Off-site parking.

~~— (a) Except as otherwise provided herein specifically including but not limited to land included within a PMA parking management district created under the provisions of section 26-51500 of this Code, no site plan or building permit shall be approved by the department unless at least 75 percent of the parking facilities required by this article are located on the site for which the permit is sought. Provided, however, that all or any portion of the parking facilities required by this article may be located off the site for which the permit is sought if those parking facilities are located no more than 250 feet measured from from a public entrance and that the property boundary of the site to the property boundary of the off-site parking facility unless the parking is in an urban area. If in an urban area, the parking facilities must not be located more than 800 feet from the property boundary of the site to the property boundary of the off-site parking facility. The 250 feet is or 800 feet, if in an urban area, must be on a clearly delineated pedestrian path or walkway.~~

~~— (b) No site plan or building permit shall be approved by the director for any~~

~~off-site parking facility intended to provide 25 percent or less of the parking requirements imposed by this article for that use, unless a principal public entrance for such parking facility is located 500 feet or less from a principal public entrance to the proposed or existing building; provided, however, that parking areas designated for employee parking only may be up to 500 feet from an employee entrance to the structure. All distances shall be measured along sidewalks and other passageways which are intended to be and remain open to the public at all times. In the event that more than one parking facility or building is to be constructed or provided under the requirements of this article, the director, based on recommendations from the traffic engineer, shall determine compliance with this section on the basis of the distance between a principal property boundary entrance of the structure containing the parking facility and a principal property boundary entrance of the nearest building to be served by such facility or facilities.~~

~~—(c)— Where off-site parking is proposed in excess of that otherwise permitted in this section, no permit shall become effective, and no use dependent upon such parking shall begin or continue, unless and until a variance has been granted under the provisions of division 65 of this article and until a memorandum of lease (or the complete lease agreement) in recordable form duly signed and acknowledged by the owner of the land to be used for parking shall have been furnished to the city, in form and substance approved by the city's legal department.~~

~~—(d)— The memorandum of lease (or complete lease agreement) shall provide that the leased property shall be used solely for parking purposes and shall insure the continued availability of the off-site parking facilities for the use they are intended to serve. The memorandum of lease (or complete lease agreement) must have an effective term of at least five years after the time of its recordation. In the event of the termination of the lease or if the leased property which is required to meet the minimum parking requirements ceases to be used for such purpose for whatever reason, immediate steps shall be taken by the holder of the certificate of occupancy to obtain substitute approved parking which will comply with the requirements of this article. If no such acceptable arrangements are made within 90 days, the director may revoke the certificate of occupancy for that use and that use shall cease immediately. Provided, however, that if a holder of a certificate of occupancy has provided for leased property to be used solely for parking purposes as herein provided, and that leased property becomes unavailable through no fault of the holder of the certificate of occupancy or is rendered unusable through no fault of the holder of the certificate of occupancy, that holder must make substitute approved parking arrangements which comply with the provisions of this article within 120 days. If such arrangements are not made within that time frame, the director may revoke the certificate of occupancy for that use and that use shall cease immediately.~~

Sec. 26-500499. Shared parking requirements.

~~(a) Two or more different use classifications within one or more tracts that are~~

not used for or restricted to single-family residential purposes may share parking spaces to reduce the overall parking space requirement as provided in this section. This section shall not be used to reduce the number of required bicycle spaces or loading berths.

(b) The following formula and table shall be used to determine the adjustment of the minimum number of parking spaces required by this article:

- (1) Determine the number of parking spaces required by ~~section 26-492 of this Code~~ this article for each use classification individually;
- (2) Multiply the number derived from item (1) of this subsection for each individual use classification by the corresponding percentage listed in the rows of the table found in this subsection for each time period found in the columns of the table;
- (3) Add the numbers derived from item (2) of this subsection for each time period found in the columns of the table. This is the column total for each column; and
- (4) Determine the largest column total. This is the shared parking space requirement.

| <u>Class</u> | <u>Type of Use</u> | <u>Typical Weekday</u> | | | | <u>Typical Weekend</u> | | | |
|--|--|------------------------|-------------------|-------------------|------------------------|------------------------|-------------------|-------------------|------------------------|
| | | <u>Midnight to 7AM</u> | <u>7AM to 5PM</u> | <u>5PM to 9PM</u> | <u>9PM to Midnight</u> | <u>Midnight to 7AM</u> | <u>7AM to 5PM</u> | <u>5PM to 9PM</u> | <u>9PM to Midnight</u> |
| <u>Class 1. Office</u> | <u>Office</u> | <u>5%</u> | <u>100%</u> | <u>30%</u> | <u>5%</u> | <u>0%</u> | <u>10%</u> | <u>0%</u> | <u>0%</u> |
| | <u>Financial facility</u> | <u>0%</u> | <u>100%</u> | <u>10%</u> | <u>0%</u> | <u>0%</u> | <u>25%</u> | <u>0%</u> | <u>0%</u> |
| <u>Class 2. Residential</u> | <u>Apartment</u> | <u>100%</u> | <u>25%</u> | <u>50%</u> | <u>95%</u> | <u>100%</u> | <u>65%</u> | <u>50%</u> | <u>85%</u> |
| | <u>Hotel or motel</u> | <u>100%</u> | <u>10%</u> | <u>50%</u> | <u>85%</u> | <u>100%</u> | <u>10%</u> | <u>50%</u> | <u>75%</u> |
| <u>Class 3. Health Care Facilities</u> | <u>Clinic (medical complex)</u> | <u>5%</u> | <u>100%</u> | <u>50%</u> | <u>5%</u> | <u>0%</u> | <u>10%</u> | <u>0%</u> | <u>0%</u> |
| | <u>Clinic (medical or dental)</u> | <u>0%</u> | <u>100%</u> | <u>25%</u> | <u>0%</u> | <u>0%</u> | <u>25%</u> | <u>0%</u> | <u>0%</u> |
| | <u>Veterinary clinic</u> | <u>0%</u> | <u>100%</u> | <u>5%</u> | <u>0%</u> | <u>0%</u> | <u>25%</u> | <u>0%</u> | <u>0%</u> |
| <u>Class 4. Industrial, Commercial Manufacturing</u> | <u>All</u> | <u>10%</u> | <u>100%</u> | <u>50%</u> | <u>10%</u> | <u>10%</u> | <u>25%</u> | <u>10%</u> | <u>0%</u> |
| <u>Class 5. Religious and Educational</u> | <u>Church</u> | <u>0%</u> | <u>5%</u> | <u>25%</u> | <u>0%</u> | <u>10%</u> | <u>100%</u> | <u>40%</u> | <u>0%</u> |
| | <u>Nursery/day care</u> | <u>0%</u> | <u>100%</u> | <u>5%</u> | <u>0%</u> | <u>0%</u> | <u>5%</u> | <u>0%</u> | <u>0%</u> |
| | <u>School</u> | <u>0%</u> | <u>100%</u> | <u>5%</u> | <u>0%</u> | <u>0%</u> | <u>10%</u> | <u>0%</u> | <u>0%</u> |
| | <u>Library</u> | <u>0%</u> | <u>100%</u> | <u>10%</u> | <u>0%</u> | <u>0%</u> | <u>25%</u> | <u>0%</u> | <u>0%</u> |
| | <u>Art gallery/ museum</u> | <u>0%</u> | <u>75%</u> | <u>50%</u> | <u>0%</u> | <u>0%</u> | <u>100%</u> | <u>60%</u> | <u>0%</u> |
| <u>Class 6. Recreation and Entertainment</u> | <u>Movie theater</u> | <u>0%</u> | <u>10%</u> | <u>50%</u> | <u>75%</u> | <u>0%</u> | <u>50%</u> | <u>80%</u> | <u>100%</u> |
| | <u>Bowling alley</u> | <u>0%</u> | <u>10%</u> | <u>50%</u> | <u>85%</u> | <u>0%</u> | <u>40%</u> | <u>75%</u> | <u>100%</u> |
| | <u>Theater, auditorium or arena</u> | <u>--</u> | <u>--</u> | <u>--</u> | <u>--</u> | <u>--</u> | <u>--</u> | <u>--</u> | <u>--</u> |
| | <u>Sports club or health spa</u> | <u>50%</u> | <u>25%</u> | <u>100%</u> | <u>10%</u> | <u>10%</u> | <u>50%</u> | <u>10%</u> | <u>5%</u> |
| <u>Class 7. Food and Beverage</u> | <u>Dessert shop</u> | <u>0%</u> | <u>25%</u> | <u>100%</u> | <u>75%</u> | <u>0%</u> | <u>25%</u> | <u>100%</u> | <u>85%</u> |
| | <u>Small restaurant</u> | <u>10%</u> | <u>50%</u> | <u>75%</u> | <u>40%</u> | <u>15%</u> | <u>75%</u> | <u>100%</u> | <u>50%</u> |
| | <u>Neighborhood restaurant</u> | <u>10%</u> | <u>50%</u> | <u>75%</u> | <u>40%</u> | <u>15%</u> | <u>75%</u> | <u>100%</u> | <u>50%</u> |
| | <u>Restaurant</u> | <u>10%</u> | <u>50%</u> | <u>75%</u> | <u>40%</u> | <u>15%</u> | <u>75%</u> | <u>100%</u> | <u>50%</u> |
| | <u>Tavern or pub</u> | <u>0%</u> | <u>0%</u> | <u>25%</u> | <u>75%</u> | <u>0%</u> | <u>10%</u> | <u>80%</u> | <u>100%</u> |
| | <u>Small bar</u> | <u>0%</u> | <u>0%</u> | <u>25%</u> | <u>75%</u> | <u>0%</u> | <u>10%</u> | <u>80%</u> | <u>100%</u> |
| | <u>Bar, club or lounge</u> | <u>0%</u> | <u>25%</u> | <u>75%</u> | <u>75%</u> | <u>0%</u> | <u>40%</u> | <u>80%</u> | <u>100%</u> |
| <u>Class 8. Retail Services</u> | <u>All (excluding shopping center)</u> | <u>5%</u> | <u>50%</u> | <u>75%</u> | <u>10%</u> | <u>5%</u> | <u>100%</u> | <u>75%</u> | <u>10%</u> |
| <u>Class 9. Automobiles</u> | <u>Auto parts and supply store</u> | <u>0%</u> | <u>50%</u> | <u>75%</u> | <u>0%</u> | <u>0%</u> | <u>100%</u> | <u>50%</u> | <u>0%</u> |
| <u>All others</u> | | <u>100%</u> | <u>100%</u> | <u>100%</u> | <u>100%</u> | <u>100%</u> | <u>100%</u> | <u>100%</u> | <u>100%</u> |

(c) A theater, auditorium, or arena use may share parking by submitting a parking study with a site plan that details the parking supply and demand of the intended use. The number of shared parking spaces shall be determined by the director after consideration of all relevant factors, including the factors of subsection (d) this section.

(d) Upon written request of the applicant supported by information adequate to make a determination, the director may approve an additional reduction of up to 10 percent of the required number of shared parking spaces after considering all relevant factors, including:

- (1) The unique parking characteristics of each use classification, including employee, customer, and patron parking demand, hours of operation, and projected convenience and frequency of use of the shared parking.
- (2) Whether the use of shared parking spaces will be injurious to public health, safety, and welfare including, but not limited to, whether the additional reduction of shared parking spaces will cause increased traffic congestion, potential harm to adjacent property owners, and spillover parking into surrounding residential neighborhoods; and
- (3) The recommendation of the director of the public works and engineering department.
- (e) All shared parking spaces must conform to the following criteria:
 - (1) A shared parking space shall not be reserved for or restricted to a specific use classification. A parking space reserved for a specific use classification shall not be considered a shared parking space;
 - (2) All shared and reserved parking spaces shall be identified on a site plan;
 - (3) Each shared parking space shall be clearly identified by signage on each tract and parking facility identifying the location and availability of the shared parking spaces for participating uses;
 - (4) Each shared parking space must be made available at all times for use by employees, customers, and patrons; and
 - (5) Shared parking spaces that are located on off-site parking facilities must comply with the provisions of section 26-499 of this Code for each individual use classification.
- (f) The director shall not approve a site plan that proposes to use shared parking spaces unless the applicant or responsible party submits a shared parking agreement to the department that takes the form of a memorandum of lease in accordance with section 26-501 of this Code or a reciprocal easement agreement in a form approved by the city attorney. The shared parking agreement shall comply with the requirements of a memorandum of lease contained in section 26-501 of this Code.
- (g) After the director approves a site plan that uses shared parking spaces, any change in the use classification or parking factor shall require the applicant or responsible party to submit a new site plan to the department for approval and a revised shared parking agreement if necessary. The building official shall not issue a building permit or certificate of occupancy without a site plan approved by the director for the revised shared parking agreement.

~~Sec. 26-499. Shared parking requirements.~~

~~(a) Notwithstanding any other parking requirements of this article, when any parcel of land is proposed to be used for two or more of the distinguishable purposes listed below (i.e. mixed use development), the adjustment of the minimum number of parking spaces required to serve the combination of all occupancies shall be determined in accordance with the following formula:~~

- ~~(1) Determine the minimum amount of parking required for each occupancy as though it were a separate use;~~
- ~~(2) Multiply each such amount by the corresponding percentage for each applicable time period showing in the following schedule:~~

~~PARKING CREDIT SCHEDULE~~

| | Weekdays | | | Weekends | |
|---|--------------------------------|-----------------------|---------------------------|-----------------------|---------------------------|
| | Nights- Midnight--6 a.m. | Day 9 a.m.--4 p.m. | Eve. 6 p.m.-- Midnight | Day 9 a.m.--4 p.m. | Eve. 6 p.m.-- Midnight |
| Uses | | | | | |
| Commercial/Retail | 5% | 50% | 90% | 100% | 70% |
| Hotel | 80% | 80% | 100% | 80% | 100% |
| Office/Industrial | 5% | 100% | 10% | 10% | 5% |
| Restaurant | 10% | 50% | 100% | 50% | 100% |
| Entertainment/ recreation- (theatres, bowling alleys) | 10% | 40% | 100% | 80% | 100% |
| All others | 100% | 100% | 100% | 100% | 100% |

~~(h) Operation of a use classification without an approved site plan required by this subsection is a violation of this article.~~

- ~~(3) Calculate the column total for each time period;~~
- ~~(4) The column total with the highest value is the parking space requirement.~~

~~(b) In determining whether to approve an adjustment for shared parking, the director shall consider all relevant factors, including:~~

- ~~(1) The characteristics of each use and the differences in projected peak parking demand, including days or hours of operation.~~

- ~~———— (2) ——— Potential reduction in vehicle movements afforded by multipurpose use of the parking facility by employees, customers or residents of the uses served.~~
- ~~———— (3) ——— Potential improvements in parking facility design, circulation and access afforded by a joint parking facility.~~
- ~~———— (4) ——— Whether space will be conveniently usable without causing unreasonable:~~
 - ~~———— a. ——— Hazard to pedestrians.~~
 - ~~———— b. ——— Hazard to vehicular traffic.~~
 - ~~———— c. ——— Traffic congestion.~~
 - ~~———— d. ——— Interference with safe and convenient access to other parking areas in the vicinity.~~
 - ~~———— e. ——— Detriment to any residential neighborhood.~~
- ~~———— (5) ——— The degree of certainty regarding the continued availability of the shared parking facilities for the uses they are intended to serve.~~
- ~~———— (6) ——— The report and recommendation of the director and the traffic engineer.~~
- ~~———— (c) ——— All requirements and conditions herein imposed upon the shared parking facility, including adequate assurance of the continued availability of the shared parking facilities for the uses they are intended to serve, shall be set out in either of the following ways:~~
 - ~~———— (1) ——— Memorandum of lease covering the shared parking facilities restricting the use of said shared parking area for parking purposes only; or~~
 - ~~———— (2) ——— A reciprocal easement agreement specifically setting forth the areas which will be used exclusively as parking areas.~~

~~Such written agreement shall be in a form and of a substance approved by the city attorney. The applicable instrument shall be delivered by the applicant, with the appropriate recording fees, to the director for recordation in the real property records of the county in which the property is located. This instrument shall serve as notice to all subsequent purchasers of the existence of a shared parking facility and all requirements associated therewith. If the memorandum of lease or reciprocal easement agreement is removed or superseded in any way by the parties or their successors or assigns, substitute off-street parking must be provided in conformance with the requirements of this article. If no alternate parking facilities are provided as required by this article within 90 days of notice~~

~~from the city that substitute parking is required, the city may revoke the certificate of occupancy for the applicable building or buildings for the use then existing.~~

~~— (d) — Public entrances to a mixed use development shall be no more than 500 feet from the closest entrance to the shared parking facility; provided, however, that parking areas designated for employee parking only may be up to 500 feet from an employee entrance to the structure.~~

~~— (e) — Parking spaces reserved or to be reserved on a twenty-four hour basis shall be designated on the applicant's site plan. These spaces shall not be included in the calculation of available spaces to meet the minimum parking space requirements of this article for a shared parking facility.~~

~~— (f) — A residential use shall not be eligible for a shared parking adjustment.~~

~~— (g) — If a shared parking facility is approved, the permittee shall provide signage providing information clearly indicating the availability of this facility for patrons of participating uses.~~

~~— (h) — After a shared parking facility has been approved, any subsequent change, addition or deletion in the original occupancies, or any significant change in intensity of use of such occupancies shall require site plan approval. No certificate of occupancy for the changed occupancies shall be issued without site plan approval for the revised shared parking facility.~~

Sec. 26-501. -Memorandum of lease.

~~— (a) — A memorandum of lease required by this article shall:~~

~~(1) Be in the form prescribed by the director upon approval by the city attorney or his or her designee, and shall not require that the amount of consideration paid or other financial information be reported to the department;~~

~~(2) Be filed with the department and maintained in the department's records.~~

~~(23) Be accompanied by the non-refundable fee set forth for this provision in the city fee —schedule;~~

~~(4) Be signed by all interested parties;~~

~~(254) Include the legal description of the leased tract;~~

~~Be accompanied by the non-refundable fee set forth for this provision in the city fee schedule;~~

~~(653) Provide that the leased leased tract will be used solely to satisfy the~~

parking requirements of this article for the term of the lease or agreement;
and

(476) HaveBe evidence of an effective lease or shared parking agreement with
an effective term of at least one year. and

7

(b) In the event that the ~~leased tract~~ leased tract becomes unavailable to the
use classification whether through termination of the lease, agreement, or other reason,
the applicant or responsible party must immediately notify the department and take
steps to obtain and submit for approval substitute parking arrangements that comply
with the requirements of this article. The director shall cause the certificate of
occupancy of an applicant or responsible party to be revoked after the expiration of the
grace period set forth below if the applicant or responsible party is not in compliance
with the requirements of this article due to the unavailability of the leased tract in
accordance with the following:

(1) If the applicant or responsible party has not made substitute arrangements
within a 90 day grace period after the date the leased tract became
unavailable, the director shall cause the certificate of occupancy to be
revoked for the use and that use shall cease immediately. Expiration of a
lease at the end of its term without substitute parking arrangements shall
not be considered as no fault of the applicant or responsible party.

(2) If an applicant or responsible party can demonstrate to the satisfaction of
the director that the leased tract became unavailable through no fault of
the applicant or responsible party, the grace period to submit substitute
arrangements and have them approved shall be 120 days from the date
the leased tract became unavailable. If no substitute arrangements are
approved within the grace period, the director shall cause the certificate of
occupancy to be revoked for the use and that use shall cease
immediately.

(3) The director shall grant an additional 120 day extension to the grace
period to an applicant or responsible party who can demonstrate the
following to the satisfaction of the director:

a. The applicant or responsible party has acted in good faith and made
reasonable efforts to obtain substitute parking;

b. The applicant or responsible party will have reasonable opportunity to
obtain substitute parking if an extension is granted; and

c. The granting of an extension will not be injurious to the public health,
safety, and welfare;

(4) The commission shall grant an additional 90 day extension to the grace period to an applicant who demonstrates to the satisfaction of the commission the criteria of item (3) of this subsection. An application to the commission for the additional 90 day extension mustshall-be-made:

a. Be filed with the department ~~before~~ the expiration of the grace period described by this section;

b. Be in the form prescribed by the director; and

c. ~~Be and~~ accompanied by the non-refundable fee set forth for this provision in the city fee schedule.;

(5) Operation of a use classification after the expiration of the grace period without providing for substitute parking arrangements approved by the director is a violation of this article.

(c) An applicant or responsible party must submit an annual certification to the department not more than one year from the date of the most recently approved site plan or memorandum of lease demonstrating the continued availability of the tract subject to the lease the leased tract. The annual certification that shall:

(1) Be in the form prescribed by the director;

(2) Be accompanied by the non-refundable fee set forth for this provision in the city fee schedule; and

(3) Include a current and valid memorandum of lease that complies with the standards of subsection (a) of this section showing that the tract subject to the lease leased tract is available for continued use as shown on the most recently approved site plan.

(d) If an applicant or responsible party fails to submit an annual certification to the department, the tract subject to the lease leased tract shall be considered to be unavailable for the parking purpose intended by the lease and the applicant or responsible party shall take the steps outlined in subsection (b) of this section required for compliance with this article.

Sec. 26-502. Annual certification of valet parking.

(a) An applicant or responsible party that is required by this article to submit an annual certification of valet parking shall submit an annual certification to the department that shall:

- (1) Be in the form prescribed by the director;
- (2) Be accompanied by the non-refundable fee set forth for this provision in the city fee schedule;
- (3) Include the following documentation:
 - a. Current proof of liability insurance for valet parking services for the use classification for which valet parking is provided; and
 - b. Proof of compliance with the valet parking requirements of this chapter, as applicable; and
 - c. A current contract for valet services for all hours of operation of the use classification for which valet services are provided, or payroll evidence of employees that provide valet parking services for all hours of operation of the use classification; and
- (4) Include other documentation demonstrating the continued operation and availability of the valet parking services for the use classification for which valet parking is provided.

(b) In the event that valet parking services cease to be available for all hours of operation of the use classification whether through termination of a contract for valet parking services or other reason, the applicant or responsible party must immediately notify the department and take steps to obtain and submit for approval substitute parking arrangements that comply with the requirements of this article. The director shall cause the certificate of occupancy of an applicant or responsible party to be revoked after the expiration of the grace period set forth below if the applicant or responsible party is not in compliance with the requirements of this article due to the unavailability of the valet parking services in accordance with the following:

- (1) If the applicant or responsible party has not made substitute arrangements within a 15 day grace period after the date the valet parking services ceased to operate, the director shall cause the certificate of occupancy to be revoked for the use and that use shall cease immediately.
- (2) The director shall grant an additional 15 day extension to the grace period to an applicant or responsible party who can demonstrate the following to the satisfaction of the director:
 - a. The applicant or responsible party has acted in good faith and made reasonable efforts to obtain substitute parking or valet parking services;
 - b. The applicant or responsible party will have reasonable opportunity

to obtain substitute parking or valet parking services if an extension is granted; and

c. The granting of an extension will not be injurious to the public health, safety, and welfare.

(c) If an applicant or responsible party fails to submit an annual certification to the department, the director shall cause the certificate of occupancy for the building or tract for which valet parking services are provided to be revoked.

Reserved Secs. 26-503 to 26-50914. Reserved

DIVISION 3.

SPECIAL PARKING AREAS

Sec. 26-510. Special parking areas.

The city council may designate special parking areas to accommodate parking needs in certain areas of the city. The department shall maintain a list of current special parking areas, maps and written descriptions of their boundaries, and their approved parking management plans on its website.

Sec. 26-511. Application requirements for designation of a special parking area.

An application for designation of a special parking area may be filed with the department by a management entity that represents the holders of legal interests within the proposed special parking area and has a demonstrated perpetual commitment to the proposed special parking area. The application shall be in the form prescribed by the director and shall include the following:

- (1) The non-refundable fee set forth for this provision in the city fee schedule;
- (2) A list of the names and addresses of owners of each tract within the proposed special parking area as shown on the current appraisal district records;
- (3) A list of the names and addresses of owners of each tract within 500 feet of the boundary of the proposed special parking area as shown on the most current appraisal district records;
- (4) One stamped envelope addressed to each property owner indicated on the lists provided in subsections (b) and (c) of this section;
- (5) A proposed parking management plan that describes the following:

- a. The current parking requirements for each building and tract as required by this article within the proposed special parking area as well as the anticipated parking requirements of proposed development and redevelopment within the special parking area;
- b. Existing parking restrictions such as hours of permitted parking and restrictions relating to use;
- c. Existing and proposed public and private parking facilities;
- d. Existing and proposed transit facilities or other alternative modes of transportation, including, but not limited to:
 - [1] Existing and proposed METRO rail stations and fixed-route bus stops;
 - [2] ~~b.~~ Existing and proposed bikeways, bicycle lanes, bicycle routes, shared-use paths, and pedestrian trails;
 - [3] Existing and proposed bicycle spaces and bicycle facilities;
 - [4] Existing and proposed taxi-cab stands;
 - [5] Existing and proposed services for shuttle, trolley, park and ride, jitney, and similar services; and
 - [6] A transit ridership summary that details the extent of usage of the existing transit facilities or modes, the number of vehicles that proposed transit facilities or modes will replace, and other information or evidence that current and future parking facilities will satisfy demand for parking within the boundaries of the proposed special parking area on a permanent basis;
- e. The approximate number of vehicular trips generated by the existing use classifications within the proposed special parking area and the average vehicle occupancy;
- f. An analysis of the parking supply and demand within the proposed special parking area, including peak demand hours;
- g. The approximate number of people employed within the proposed special parking area;
- h. The approximate number of people who reside within the proposed special parking area;

- _____ i. Proposed and existing mitigation measures designed to prevent spillover parking into adjacent properties and residential neighborhoods; and
 - _____ j. The proposed shared parking plan, alternative parking regulations, and substituted requirements for the number of parking spaces, bicycle spaces, or loading berths, parking ratios, as applicable, for the special parking area with a justification for each; and
- (6) A map illustrating the boundaries of the proposed special parking area and showing the boundaries of each individual property within the proposed special parking area.

Sec. 26-512. -Procedures for designation of a special parking area.

(a) The director shall review each application for completeness. Upon determining that an application is complete, the director shall forward the application to the director of the public works and engineering department for review. The director shall give notice of a public hearing before the commission to:

- (1) Each owner of property within the proposed special parking area and within 500 feet of the boundary of the proposed special parking area as shown on the most current appraisal district records;
- (2) Each neighborhood association with defined boundaries registered with the department in which any portion of the proposed special parking area is located;
- (3) Each district council member in whose district any portion of the proposed special parking area is located;
- (4) The chief of the city police department; and
- (5) The parking official of the city as defined in this chapter.

Notice shall be given by first class mail no later than 15 days before the date of the public hearing, except that notice may be given by electronic mail to the people and entities listed in items (2), (3), (4), and (5) of this subsection.

(b) The commission shall hold at least one public hearing upon the designation of the area as a special parking area and on the management entity's proposed parking management plan. The director shall submit recommendations to the commission regarding the designation of the special parking area and the proposed parking management plan.

Sec. 26-513. Commission action on an application for designation of a special parking area.

(a) After the close of the public hearing and upon receipt of the director's recommendations pursuant to subsection (b) of section 26-512 of this Code, the commission shall consider the application and recommend the designation of the special parking area and the approval of the parking management plan if the commission finds that the application meets the following criteria:

- (1) The special parking area has a clearly defined boundary;
- (2) The management entity responsible for the special parking area has a demonstrated capacity to manage parking needs and parking facilities, including an understanding of the parking supply and demand within the proposed special parking area;
- (3) The proposed parking management plan will not result in significant parking deficiencies from reduced parking standards, incompatible or competing use classifications, or inadequate enforcement and regulation;
- (4) The proposed parking management plan will mitigate the impact of spillover parking onto adjacent properties and residential neighborhoods; and
- (5) The proposed parking management plan will provide reasonable and sufficient access to parking facilities within the special parking area.

(b) The commission may impose any conditions reasonably related to the designation of the special parking area that furthers the intent and purpose of this article.

(c) If the commission is unable to make the findings necessary for the designation of the special parking area and the approval of the parking management plan, the commission shall:

- (1) Defer the application to a later commission datemeeting; or
- (2) Deny the application.

(d) The director shall submit the affirmative recommendation of the commission to city council.

Sec. 26-514. City council action on designation of a special parking area.

The city council shall consider the recommendation of the commission and, consistent with the criteria of subsection (a) of section 26-513 of this Code, shall

approve or deny the proposed designation.

Sec. 26-515. EnlargementModification of a special parking area.

A management entity may request that additional tracts be added to or subtracteddeleted to-from a special parking area at any time by following the application requirements for the designation of a special parking area. The application for enlargingmodifying a special parking area shall be subject to the same procedures and criteria as the original application.

Sec. 26-516. -Duties and responsibilities.

(a) It shall be the responsibility of the management entity to implement the provisions of the parking management plan within the special parking area. The management entity shall submit a review of the parking management plan to the commission every two years after the designation of the special parking area. The review of the parking management plan must:

- (1) Be accompanied by the non-refundable fee set forth for this provision in the city fee schedule; and
- (2) Include documentation of any changed circumstances from the information provided to the commission in the application for designation of the special parking area or from the most recent review of the parking management plan.

(b) If the management entity fails to submit a review of the parking management plan within three years of the designation of the special parking area or the last review of the parking management plan, the provisions of the parking management plan shall not apply within the special parking area, and the building official shall issue a building permit or a certificate of occupancy for buildings or tracts that comply with the provisions of this article without reference to the parking management plan.

Sec. 26-517. Review of parking management plan.

(a) The commission shall hold a public hearing andon the review of the parking management plan submitted by the management entity pursuant to section 26-516 of this Code. After the close of the public hearing, the commission shall:

- (1) Take no action if the commission finds that no changes should be made to the parking management plan; or
- (2) Instruct the management entity to submit for commission review a revised parking management plan by following the application requirements offer commission review that includes any changes or updates to the

information required in subsection (e) of section 26-511 of this Code if the commission finds that evidence of changed circumstances within the special parking area may warrant a revision of the parking management plan.

(b) If the commission requires the management entity to submit a revised parking management plan pursuant to item (2) of subsection (a) of this section, the director shall give notice of a public hearing on the review of the revised parking management plan in accordance with the provisions of section 26-512 of this Code. The commission shall hold a public hearing and review the revised parking management plan submitted by the management entity pursuant to item (2) of subsection (a) of this section. After the close of the public hearing, the commission shall:

- (1) Take no action if the commission finds that no changes should be made to the parking management plan;
- (2) Recommend to city council that the revised parking management plan should be adopted to accommodate any changed circumstances outlined in the commission review of the revised parking management plan; or
- (3) Recommend to city council that the designation of the special parking area should be terminated.

(c) If the parking management plan is revised or the designation of the special parking area is terminated by city council as a result of the procedures outlined in this section, all use classifications that have been permitted on or before the date of council action shall be permitted to continue to exist except as otherwise provided in this article. All use classifications permitted after that date shall comply with the revised parking management plan or the parking requirements of this article.

Secs. 26-518 to 26-520. Reserved

Sec. 26-500. Parking management areas.

~~— (a) The city will permit the creation of parking management districts to accommodate parking needs within certain major activity centers within the city in which there is evidence that parking demand is or can be met on a permanent basis through means other than off-street parking as herein provided. Substituted parking ratios may be approved if the requirements of this section are met. Under no circumstances, however, shall substituted parking ratios exceed those ratios set out in section 26-492 of this Code.~~

~~— (b) Areas may be designated as parking management areas upon the written application of the holder(s) of legal interests within the proposed parking management area. That application shall include the following:~~

- ~~———— (1) — An application fee set by the director to cover administrative expenses of the city related to the creation of a parking management area;~~
- ~~———— (2) — An application form prescribed by the director including the names and addresses of holder(s) of legal interests in the proposed area;~~
- ~~———— (3) — A proposed parking management plan which outlines the following within the proposed area:~~
 - ~~———— a. — Existing land uses and any known proposed uses with the gross floor area or useable floor area and the floor area ratio for each such use;~~
 - ~~———— b. — Existing and proposed public and private parking facilities;~~
 - ~~———— c. — Existing and proposed transit facilities or other alternative mode(s) of transportation which will be implemented; the permanency of such transit facilities, or mode(s); the extent of the program and number of vehicles the transit facilities or mode(s) will replace; and other pertinent information or other evidence that current and future parking demand will be met within the boundaries of the proposed area on a permanent basis;~~
 - ~~———— d. — The approximate number of vehicular trips generated by the uses existing within the proposed area and the average vehicle occupancy;~~
 - ~~———— e. — Approximate number of people employed within the area and the peak demand hour for parking;~~
 - ~~———— f. — The approximate number of people who reside within the proposed area;~~
 - ~~———— g. — Assurances to the city that spillover parking in unrelated neighborhoods will not occur and a summary of the measures which will be taken to prevent spillover parking; and,~~
 - ~~———— h. — The proposed substituted parking ratios for the area and the bases for those ratios.~~
- ~~———— (4) — A survey illustrating the boundaries of the proposed area.~~
- ~~———— (c) — The commission shall hold at least one public hearing upon the designation of the area as a parking management area and on the contents of the applicant's proposed parking management plan. Within 45 days after the public hearing, the director shall submit his recommendations to the commission regarding the~~

~~designation of the area and the proposed substituted parking ratios, if desired, and imposing such additional conditions as are deemed necessary to protect the public health, safety or welfare of the adjacent area and to assure compliance with the objectives of this section.~~

~~———— (d) ——— Within 28 days after the staff report, the commission shall adopt a final report and recommendation to city council regarding the designation of the proposed area, setting out appropriate parking ratios, if desired, and imposing such additional conditions as are deemed necessary to protect the public health, safety or welfare of the adjacent area and to assure compliance with the objectives of this section. In addition, if the commission recommends that a parking management area should be created within the proposed area, the commission's final report to city council, at a minimum, must find that:~~

- ~~———— (1) ——— The area has at least two principal land uses;~~
- ~~———— (2) ——— The area has at least 3,500,000 square feet of existing gross floor area and an existing floor area ratio of at least 1.0;~~
- ~~———— (3) ——— The area is a compact, contiguous tract bounded primarily by major thoroughfares or other physical features within which tract all points are no more than 1,800 feet from an existing transit facility (as herein defined) which is adequate to serve all existing and proposed uses which are within 1,800 feet from the transit facility as certified by the metropolitan transit authority;~~
- ~~———— (4) ——— Parking deficiencies will not result from reduced parking standards, incompatible or competing parking uses or inadequate enforcement and regulation to control temporary changes or maintain exclusive use of the spaces for specified commercial development; and~~
- ~~———— (5) ——— If any private sector parking facilities are proposed to be utilized as a basis for substituted parking ratios within a proposed area, the owner or owners of those private sector parking facilities have agreed to the provisions of the city's consent to the creation of the area.~~

~~———— (e) ——— Upon its receipt of the commission's report, the city council may act to approve or disapprove the creation of the proposed parking management area by motion, resolution or ordinance.~~

~~———— (f) ——— The city council hereby finds and declares that the South Main/Texas Medical Center as herein defined meets the prerequisites set out in items (1) through (4) of subsection (d) of this section and hereby approves the creation of a parking management area comprised of this area without the necessity of complying with the procedures set out in subsections (a) through (e) of this section. Due to the unique nature of this area, city council designates the interim substituted parking ratio for this~~

~~area in the form of a minimum parking ratio of 1.2 spaces per 1,000 square feet of GFA. At no time shall the aggregate available parking within this area be less than this ratio. This ratio shall be applicable to this area for up to three years from the date of passage of this Ordinance No. 89-712. Within this three-year period, the director shall prepare a final parking management plan substantially containing the plan elements set out in item (3) of subsection (b) of this section. Upon at least 15 days' notice in a newspaper of general circulation, the commission shall hold a public hearing on this parking management plan. If the commission finds that this plan indicates that the substitute parking ratio established herein should be altered, the commission may recommend to the city council that this ratio be revised to reflect the result of the final plan. In no case, however, shall the revised parking ratios exceed those ratios specified in section 26-492 of this Code. Upon the recommendation of the commission, the city council may act to approve or disapprove the revision of this ratio. If no final plan is submitted as required herein, the interim parking ratio established herein shall continue in effect until such time as the final plan is complete and revised parking ratios are established.~~

~~—(g)— The city council hereby finds that the Uptown/Galleria as herein defined meets the prerequisites set out in items (1) through (5) of subsection (d) of this section and hereby approves the creation of a parking management area composed of this area without the necessity of complying with the procedures set out in subsections (a) through (e) of this section. The city council designates the interim parking ratios for this area as follows:~~

~~—(1)— *Offices*—2.75 spaces for every 1,000 square feet of usable floor area.~~

~~—(2)— *Shopping centers (all types)*—4.0 spaces for every 1,000 square feet of UFA.~~

~~—(3)— *Hotels*—1.0 parking spaces for each sleeping room up to 250 rooms plus 0.5 parking spaces for each sleeping room in excess of 250 rooms.~~

~~—(4)— *Other uses*—See ratios in section 26-492 of this Code.~~

~~The interim parking ratios shall be applicable to this area for a period of up to three years from the date of passage of this Ordinance No. 89-712. Within this three-year period, the director shall prepare a final parking management plan substantially containing the plan elements set out in item (3) of subsection (b) of this section. Upon at least 15 days' notice in a newspaper of general circulation, the commission shall hold a public hearing on this parking management plan. If the commission finds that this plan indicates that the substitute parking ratio established herein should be altered, the commission may recommend to city council that this ratio be revised to reflect the results of the final plan. In no case, however, shall the revised parking ratios exceed those ratios specified in this subsection. Upon the recommendation of the commission, the city council may act to approximate or disapprove the proposed revision of these ratios. If no final plan is submitted as required herein, the interim parking ratios established herein~~

~~shall continue in effect until such time as the final plan is complete and revised parking ratios are established.~~

~~(h) The city council hereby finds and declares that the Greenway Area as herein defined meets the prerequisites set out in items (1) through (5) of subsection (d) of this section and hereby approves the creation of a parking management area composed of this area without the necessity of complying with the procedures set out in subsections (a) through (e) of this section. The ratios applicable to this area shall be those contained in this article until such time as the director shall prepare a final parking management plan substantially containing the plan elements set out in item (3) of subsection (b) of this section. Upon at least 15 days' notice in a newspaper of general circulation, the commission shall hold a public hearing upon this parking management plan. If the commission finds that this plan indicates that the substitute parking ratios established in this article are not appropriate, the commission may recommend that these ratios be revised to reflect the results of the final plan. In no case, however, shall the revised parking ratios exceed those ratios specified in section 26-492 of this Code. Upon the recommendation of the commission, city council may act to approve or disapprove the proposed revision of these ratios.~~

~~(i) Review of parking management area designation:~~

~~(1) The designation of a parking management area created hereunder may be reviewed upon petition of:~~

~~a. 51 percent of the holders of legal interests within the area; or,~~

~~b. 51 percent of the owners of taxable real property within the area;
or,~~

~~c. The owners of taxable real property representing more than 51 percent of the appraised value within an area; or,~~

~~d. Upon motion by the city council or the commission.~~

~~(2) Within 60 days of such a petition or motion, the commission shall re-evaluate the area and, if warranted, may recommend that the city council:~~

~~a. Add or change the parking ratios for the area; or~~

~~b. Terminate the area designation.~~

~~(3) If the parking ratios are altered or designation of an area is terminated by city council as a result of this re-evaluation, all uses which have been permitted on or before that expiration date shall be permitted to continue to exist except as otherwise provided in this article. All uses permitted after that date shall comply with the revised parking ratios or parking~~

~~requirements of this article.~~

~~(j) An applicant may request that additional tracts be added to a parking management area at any time by following the requirements prescribed by the commission for the addition of land to an area.~~

~~Secs. 26-501--26-520. Reserved.~~

DIVISION 4.

REQUIREMENTS FOR LOADING FACILITIES~~LOADING FACILITIES REQUIREMENT~~

Sec. 26-521. In general.

No building permit or certificate of occupancy shall be issued for the construction or alteration of a building in the loading facilities category~~categories~~ listed in section 26-522 of this Code unless the building includes the construction of, or provides for, the ~~following number of required~~ loading berths required ~~berths~~ for that use as shown in section 26-~~502-522~~ of this Code.

1

Sec. 26-522. Requirements for certain ~~types of occupancies~~loading facilities categories.

The construction or alteration of ~~all buildings~~a building for any of the following ~~types of loading facilities categories~~ occupancies shall provide the number of on-site loading berths shown below for that ~~type of loading facilities category~~occupancy. The individual use classifications or classes of use classifications in the following chart shall correspond to the individual use classifications or classes of use classifications in section 26-492 of this Code:

| <u>Loading facilities category</u> | <u>Loading berth requirements</u> |
|--|---------------------------------------|
| <u>Category 1. Office:</u> | |
| <u>a. Up to 300,000 square feet of GFA</u> | <u>None</u> |
| <u>b. 300,000 up to 750,000 square feet of GFA</u> | <u>1.0</u> |
| <u>c. 750,000 up to and including 1,500,000 square feet of GFA</u> | <u>2.0</u> |
| <u>d. More than 1,500,000 square feet of GFA</u> | <u>3.0</u> |
| <u>Category 2. Apartment with more than 50 total dwelling units:</u> | |
| <u>a. Up to and including 30 dwelling units per acre</u> | <u>None</u> |
| <u>b. 30 up to and including 50 dwelling units per acre</u> | <u>1.0 (minimum size of 10'x40')</u> |
| <u>eb. More than 350 dwelling units per acre</u> | <u>12.0 (minimum size of 10'x40')</u> |
| <u>Category 3. Hotel or motel:</u> | |

| | |
|---|-------------|
| <u>a. Up to 100,000 square feet of GFA</u> | <u>None</u> |
| <u>b. 100,000 up to 200,000 square feet of GFA</u> | <u>1.0</u> |
| <u>c. 200,000 up to and including 300,000 square feet of GFA</u> | <u>2.0</u> |
| <u>d. More than 300,000 square feet of GFA</u> | <u>3.0</u> |
| <u>Category 4. Industrial and commercial manufacturing (includes all the use classifications of Class 4 of section 26-492):</u> | |
| <u>a. Up to 50,000 square feet of GFA</u> | <u>None</u> |
| <u>b. 50,000 up to 100,000 square feet of GFA</u> | <u>1.0</u> |
| <u>c. 100,000 up to and including 400,000 square feet of GFA</u> | <u>2.0</u> |
| <u>d. More than 400,000 square feet of GFA</u> | <u>3.0</u> |
| <u>Category 5. Food and Beverage (includes all of the use classifications of Class 7 of section 26-492):</u> | |
| <u>a. Up to 25,000 square feet of GFA</u> | <u>None</u> |
| <u>a. 25,000 square feet to 50,000 square feet of GFA</u> | <u>1.0</u> |
| <u>b. 25,000 up to and including 50,000 square feet of GFA</u> | <u>1.0</u> |
| <u>c. Each additional 50,000 square feet of GFA beyond 50,000 square feet of GFA</u> | <u>1.0</u> |
| <u>Category 6. Retail services (includes all of the use classifications of Class 8 of section 26-492):</u> | |
| <u>a. Up to 10,000 square feet of GFA</u> | <u>None</u> |
| <u>b. 10,000 up to and including 60,000 square feet of GFA</u> | <u>1.0</u> |
| <u>c. Each additional 60,000 square feet of GFA beyond 60,000 square feet of GFA</u> | <u>1.0</u> |

Sec. 26-523. Standards for loading berths ~~constructed at grade.~~

(a) Each loading berth ~~provided hereunder and shall have constructed at grade must be a~~ minimum dimensions of ~~ten~~ 10 feet wide and 55 feet long unless otherwise identified in this division.

(b) ~~Where a loading berth is to be constructed at grade and adjacent to a major thoroughfare or major collector street, the property owner shall provide an additional 40-foot maneuvering length on-site if one loading berth is required or, if more than one loading berth is required hereunder, one additional 40-foot maneuvering length on-site for each two loading berths. A tract that takes vehicular access from a major thoroughfare or collector street and that contains a loading berth must provide sufficient area for maneuverability on the tract for delivery vehicles, large trucks, and other vehicles to access or use the loading berth without blocking any portion of the public right-of-way, as determined by the sole professional judgment of the traffic engineer in his sole professional judgment.~~

(c) Loading berths shall not be located within a drive aisle or otherwise block access to parking spaces, bicycle spaces, or other loading berths. A loading berth shall not project into the public right-of-way or a private roadway as the term is defined in chapter 42 of this Code.

(b~~d~~) ~~Upon written request of the applicant supported by information adequate to make a determination, the director may reduce required stall-loading berth length dimensions and maneuvering length-area if the property ownerapplicant demonstrates that known delivery vehicles can park and maneuver within the proposed loading and maneuvering spaces areas and the proposed modification of the site plan complies with the requirements of subsections (b) and (c) of this section, so that no part of a vehicle using or maneuvering into the loading berth will project into a public right-of-way, access easement or private street or otherwise block a drive aisle or parking space.~~

~~Sec~~ss. 26-524--26-54059. Reserved.

~~DIVISION 54.~~

~~BUILDING PERMITS~~

~~Sec. 26-541. Review of building permit.~~

~~(a) The director shall review building permit applications for the construction or alteration of a building to determine if the proposed building or alteration of a building complies with the following:~~

~~(1) The building permit application identifies the proposed structure and its proposed use.~~

~~(2) The plans for the building or alteration provides at least the minimum number of parking and loading facilities required by divisions 2 and 3 of this article.~~

~~(3) When required by this article, the applicant has executed the appropriate documents for an off-site parking facility and presented to the director a certified copy of these documents as recorded in the real property records of the county in which the property is located.~~

~~(4) Whenever a building or structure includes a drive-in, or drive-through, or drop-off facility, the director has reviewed and approved the configuration of the parking lots and stallsfacilities. The traffic engineer shall also review the site plan and make recommendations to the director regarding these facilities.~~

~~(5) The director has approved the site plan where a development plat has been filed with the city or he has approved the building permit application for a site for which a subdivision plat has been filed.~~

~~(b) The director shall approve a building permit application which complies with the~~

~~provisions of this article and all other provisions of the ordinances of the City of Houston.~~

~~(bc) The director shall deny in writing all building permit applications that do not comply with the provisions of this article.~~

~~Sec. 26-542. Appeal of denial of building permits.~~

~~Appeals from the denial of a building permit for non-compliance with this article shall be reviewed in the same manner as subdivision plat variances are reviewed under section 42-81 the provisions of Division 6 of this Code article.~~

~~Secs. 26-543--26-560. Reserved.~~

DIVISION 655.

VARIANCES

Sec. 26-560. Appeal of denial.

A denial of a building permit, site plan, or a certificate of occupancy for non-compliance with the provisions of this article may be appealed by requesting a variance in accordance with the provisions of this division.

Sec. 26-561. Variance application procedure.

(a) An applicant ~~for a building permit~~ may make written application to the director department for a variance from the requirements of this article. ~~An~~ completed application for a variance shall include:

(1) A ~~C~~ompleted application form supplied by the city in the form prescribed by the director;

(2) Be accompanied by the non-refundable fee set forth for this provision in the city fee schedule; A non-refundable fee of \$942.00; and or the fee established by city council;

~~(3) A complete notice in the form set out in Appendix A to Ordinance No. 89-712 to be mailed to all property owners. prescribed by the director;~~

(3) A list identifying the property owners of each lot or tract within a 500-foot radius of the boundary of the property for which the variance is requested, as shown on the most current appraisal district records; and

(4) One stamped envelope addressed to each property owner indicated on the list provided in item (3) of this subsection.

(b) This The director shall review the applicationapplication package shall be reviewed by the department for completeness. If the director determines that an application is not complete, the application shall be returned to the applicant.

————(b)—— Within seven days of after the date the a completed application is accepted, the director shall forward a copy of the application to the director of the public works and engineering departmenttraffic engineer who shall file his report andmake a recommendations regarding the proposed variance with to the secretary of the commissiondirector. The city shall mail copies of the notices supplied by the applicant to adjacent property owners within a 500-foot radius of the site for which building permit is sought, within ten days of the date on which the variance will be considered by the commission. The city's failure to mail such notice or failure of the property owner(s) to receive such notice shall not invalidate or affect a variance acted upon by the commission.—

Sec. 26-562. Notification of application for a variance.

(a) The citydirector shall mail copies of the notices by first class mail -in the stamped envelopes supplied by the applicant in section 26-561(a)(4) of this Code not less than 10 days before the date on which the commission will first consider the variance to to the adjacent property- each property owner on the list supplied by the applicant in section 26-561(a)(3) of this Codeadjacent property owners within a 500-foot radius of the site for which building permit is sought, within ten days of the date on which the variance will be considered by the commission;. The city's failure to mail such notice or failure of the property owner(s) to receive such notice shall not invalidate or affect a variance acted upon by the commission.

(b) The director shall notify each neighborhood association registered with the department in whose area the property for which the requested variance is located by electronic mail or first class mail as soon as reasonably possible before the first meeting at which the commission will consider the application;

————(c3) The department shall give notice to each district council member in whose district the property for which the requested variance is located by electronic mail message ach district council member in whose district the variance is located as soon as reasonably possible before the first meeting at which the commission will consider the application; and-

(d) The applicant shall give notice by posting at least one sign on the property that isfor which the subject of the variance is sought not less than 10 days before the tenth day before the date of the meeting at which the commission will first consider the application. At least one sign shall face each major thoroughfare or collector street bordering the -tract for which the variance is sought. Each sign shall be a minimum of

four by eight feet in size and shall be posted no more than 15 feet from and facing the public right-of-way. Each sign shall face and be clearly legible from the public right-of-way. The lettering on the sign shall be legible from the public right of way. The applicant shall use reasonable efforts to maintain each required sign on the tract until the close of the meeting at which the commission acts on the application. The sign shall provide the following information:

- (1) The address of the property building or tract that is the subject of the for which the variance request is sought;
- (2) The date, time, and place of the meeting at which the commission will next consider the application for variance, updated to reflect any changes in the date, time, and place of the meeting, including if the applicant's variance request is deferred, continued, or otherwise postponed by the commission;
- (3) The proposed uses classification of the building or property tract listed in section 26-492 of this Code;
- (4) If the proposed use classifications of the property building are is a class 6 or class 7 use classification under section 26-492 of this Code, the sign shall indicate the subject tract may contain valet parking.
- (5) A telephone number of the applicant to call for additional information; and
- (6) A department telephone number of the department to call for additional information.
- (3) To each district council member in whose district the variance is located, by letter mailed first class mail, postage paid, or by electronic mail message, as soon as reasonably possible before the first meeting at which the commission will consider the application.
- (c) The applicant shall give notice by posting at least one sign on the property that is the subject of the variance before the tenth day before the date of the meeting at which the commission will first consider the application. At least one sign shall face each major thoroughfare or collector street bordering the site. Each sign shall be a minimum of four by eight feet in size and shall be posted no more than 15 feet from the public right of way. The lettering on the sign shall be legible from the public right of way. The applicant shall use reasonable efforts to maintain each required sign on the site until the close of the meeting at which the commission acts on the application. The sign shall provide the following information:
 - (1) The address of the property that is the subject of the variance request;
 - (2) The date, time, and place of the meeting at which the commission will next

~~consider the application, updated to reflect any changes in the date, time, and place of the meeting, including if the applicant's variance request is deferred, continued, or otherwise postponed by the commission;~~

~~(3) The proposed uses of the property listed in Section 26-492 of this Code;~~

~~(4) A telephone number of the applicant to call for additional information; and~~

~~(5) A department telephone number to call for additional information;~~

~~(c) A staff report regarding the variance request shall be provided to the~~

Sec. 26-~~562~~563. Standards and review of ~~for~~ variances.

(a) The commission is authorized to consider and grant a ~~variances~~ from the provisions of this article ~~by majority vote of those members present and voting, when if the commission determines that the first five of the the granting of a variance satisfies the following conditions~~criteria exist, and if applicable, the sixth condition, exists:

(1) (1) Either:

a. The imposition of the terms, rules, conditions, policies and standards of this article would create an undue hardship by depriving~~deprive~~ the ~~owner or~~ applicant of the ~~property of~~ reasonable use of the land; or

r building;

b. Strict application of the requirements of this article would make a project infeasible due to the existence of unusual physical characteristics that affect the property in question or would create an impractical development or one otherwise contrary to sound policy;

(2) That the circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant;;
~~and that in granting the variance the general purposes of this article are being observed and maintained;~~

- (3) The intent and general purposes of this article ~~is~~will be preserved;

(4) The number of proposed parking spaces provided will be sufficient to serve the use for which it is intended;

(5) The granting of ~~such a the~~ variance will not be injurious to the public health, safety or welfare; and

- (6) ~~For If the a development building that~~ is subject to the requirements of ~~aaArticle VII, of cCchapter 33, of this Code~~, the granting of the variance is necessary to accomplish the purposes of a certificate of appropriateness issued pursuant to ~~article-article VII, of chapter-chapter 33, of this Code~~.

(b) In addition, if ~~the-the building or tract for which the~~ variance is sought ~~proposes to provide parking spaces involves an on an~~ off-site parking facility, the commission ~~must-shall consider the following factors-determine that a proposed off-site parking facility will be located so that it will adequately serve the use for which it is intended. In making this determination, the following factors, among other things, shall be considered:~~

- (1) ~~The-The~~ locations of the proposed use building use classification and the proposed off-site parking facility~~and the proposed off-site parking facility;-~~
- (2) ~~EE~~Existing and potential parking demand ~~created by other occupancies in the vicinity-created by other use classifications in the vicinity;-~~
- (3) The characteristics of the use classificationoccupancy, including employee and, customer, and patron parking demand, hours of operation, and projected convenience and frequency of use of the off-site parking facility;-
- (4) Adequacy, convenience, and safety of pedestrian access between off-site parking facilities and the tract where the use classification is locatedoccupancy;-
- (5) Traffic patterns on adjacent streets, and proposed access to the off-site parking ; and-
- (6) The ~~report and~~ recommendation of ~~the-director and~~ the traffic engineer.

Sec. 26-564. Commission consideration and action.

The commission shall consider and act on an application for a variance pursuant to this division. Upon consideration of an application, the commission shall:

- (1) Grant the variance, with or without conditions, if the commission finds the application satisfies the criteria of section 26-563 of this Code;
- (2) Deny the variance request if the commission is unable to make the findings necessary for the approval of a variance pursuant to section 26-563 of this Code; or
- (3) Defer the variance to a later commission datemeeting.

Sec. 26-~~563~~565. Applicability of variance.

Any variance granted under the provisions of this ~~section~~division will apply only to the specific ~~property building or tract~~ and use classification upon which the commission was requested to grant ~~a the~~ variance ~~by the applicant~~ and shall not constitute a change of any part of this article ~~or any part hereof~~. All variances ~~as~~ granted shall be in ~~writing~~writing shall be signed by the secretary of the commission and maintained as a permanent record of the commission.

Secs. 26-~~564~~566--26-580. Reserved.

DIVISION 766.

CONSTRUCTION, ~~AND~~ MAINTENANCE, AND DESIGN

Sec. 26-581. Construction standards for parking and loading facilities.

All parking and loading facilities ~~to be constructed hereunder~~ shall be constructed in accordance with ~~applicable provisions of the Construction Building~~Construction Code, except as otherwise provided for in this article. In addition, ~~the following basic standards for paving and drainage shall be observe~~ parking and loading facilities shall be:

- (1) ~~Parking and loading facilities shall be s~~Surfaced and maintained with asphalt~~ie~~, concrete, or all-wather surfacing or other permanent hard surfacing material sufficient to prevent the accumulation of mud, dust or loose material. Materials may be pervious; ~~and~~.
- (2) ~~All parking and loading facilities shall be g~~Graded and provided with permanent storm drainage facilities that meet the construction specifications set by the city engineer. Surfacing, curbing and drainage improvements shall be sufficient to ~~preclude prevent~~ free flow of water onto adjacent properties ~~or~~, public streets or alleys and to provide adequate drainage.

Sec. 26-582. Safety Design and maintenance standards for parking and loading facilities.

(a) All parking and loading facilities ~~provided hereunder~~ shall ~~meet the following be safety designed standards~~to:

- (1) Include Ssafety barriers, protective bumpers or curbing, and directional markers ~~have been~~sufficient to provided ~~to assure~~ safety, efficient utilization, protection to landscaping and bicycle spaces, and to prevent encroachment onto adjoining public or private property~~;~~.

- (2) Ensure ~~M~~motorist visibility of pedestrians, bicyclists, and other vehicles ~~shall be assured~~ when entering individual parking spaces, ~~when~~ circulating within a parking facility, and ~~when~~ entering and exiting a parking or loading facility; ~~and~~;
- (3) Provide for ~~internal~~ circulation patterns ~~and~~, ~~and~~ the location and traffic direction of all ~~access drives~~ drive aisles, ~~shall be designed and maintained~~ in accordance with accepted principles of traffic engineering and traffic safety.

(b) All parking and loading facilities shall be maintained to assure desirability and usefulness of the facility. Such facilities shall be maintained free of refuse, debris or other accumulated matter and shall at all times be available for the off-street parking or loading use for which they are required or intended.

Sec. 26-583. Design standards for bicycle spaces and bicycle racks.

(a) A bicycle space required by this article shall:

- (1) Be located on the same tract as the building or tract they are it is being provided for, except when an application for an encroachment permit has been approved by the director of the public works and engineering department of the city or his or her designee to locate the bicycle spaces within the public right-of-way adjacent to the tract; and
- (2) Not obstruct access to parking spaces, other bicycle spaces, loading berths, or pedestrian walkways such as sidewalks and ramps; and

(b) Each bicycle space required by this article shall contain a bicycle rack that is:

- (1) Constructed of durable materials that can withstand permanent exposure to the elements and vandalism such as powdered-coated metal or stainless steel;
- (2) Designed to permit the locking of the bicycle frame by a standard size "U lock" containing locking points between one foot and three feet from the ground, provide a gap for pedal clearance, and allow for the locking of at least one wheel to the bicycle rack;
- (3) Designed to accommodate the typical range of bicycle sizes;
- (4) Securely anchored to the ground or building;

(5) Spaced with sufficient clearance from other bicycle racks to allow access to the bicycle spaces; and

(6) Properly maintained by the applicant or responsible party.

Sec. 26-584. Alternate design standards for parking facilities used for valet parking.

(a) For a freestanding class 7 use classification under section 26-492 of this Code, parking facilities intended to be used solely for valet parking purposes may be designed in a way that does not conform to the requirements of the Construction Code for the layout of parking spaces and drive aisles if a valet parking plan is submitted along with a site plan pursuant to section 26-473, which complies with the following standards:

(1) The valet parking plan is submitted with the written consent of the property owner of the tract for which valet parking is proposed;

(2) The layout and dimensions of the parking spaces and drive aisles provide for sufficient parking and maneuverability for a variety of passenger automobiles, motor vehicles, and light trucks;

(3) If the valet parking plan provides for an on-site drop-off for vehicles using the valet parking services, the drop-off shall comply with the site plan review requirements of subsection (d) of section 26-474 of this Code;

(4) The valet parking plan will mitigate the impact of spillover parking onto adjacent properties and residential neighborhoods; and

(5) If a valet parking plan includes parking spaces that are required by this article, valet parking services must be provided for those parking spaces during all operating hours of the use classification.

(b) The director shall review the valet parking plan along with the site plan and shall approve a valet parking plan that complies with the standards of subsection (a) of this section. No valet parking services may be provided pursuant to subsection (a) of this section unless the director approves the site plan along with the valet parking plan.

(c) An applicant or responsible party that provides valet parking services pursuant to a valet parking plan approved by the director shall submit an annual certification of valet parking in accordance with section 26-502 of this Code.

Sec. 26-585. Design standards for parking facilities for compact cars.

A maximum of 35 percent of the parking spaces required by this article may be

designed and reserved for small or compact cars in accordance with the dimensions specified in the Construction Code. No designated spaces for compact cars shall be permitted in any building or tract designed to be used for residential purposes or in parking facilities with less than 40 parking spaces. Compact parking spaces shall be identified by appropriate signage or markings within the compact parking space.

Sec. 26-586. Parking lifts.

(a) A parking lift shall not permitted within a parking facility except as follows:

(1) The parking lift is within the boundaries of a special parking area approved by city council pursuant to division 3 of this article, and the management entity has provided for the operation and maintenance of the parking lifts in the most recently approved parking management plan; or

(2) The parking lift is inside of a multi-story parking garage and the applicant or responsible party for the garage has provided for, in the sole professional judgment of the director:

a. The appropriate screening for any neighboring single-family residential use; and

b. The appropriate operation and maintenance of the parking lift.

(b) A parking lift that is permitted in accordance with subsection (a) of this section shall conform to the following standards:

(1) The parking lift shall not be permitted to be installed above or within a parking space, bicycle space, or loading berth required by this article; and

(2) The parking lift must be regularly maintained and operated by a trained operator when appropriate;

(3) The parking lift shall not be permitted to be installed in an area that obstructs access to a parking space, bicycle space or loading berth required by this article.

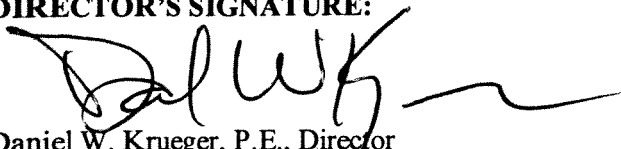
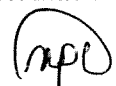
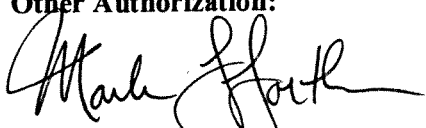
Sec. 26-587. Accessible parking.

Accessible parking spaces for vehicles operated by or for persons with disabilities shall be provided in accordance with state and federal standards. When only one parking space is required under this article, accessible parking requirements shall be in addition to the one parking space so required.

Sec. 26-588. Reconstruction after Casualty.

The building official shall issue a building permit that does not require the construction of a parking and loading facility required by this article if:

- (1) The building permit is for the reconstruction of a building damaged by fire or other casualty not intentionally caused by the owner of the building or the owner's agent and the estimated cost to rebuild is less than 75 percent of the estimated replacement cost of the entire building, not including the estimated replacement cost of the building foundation; and
- (2) The reconstruction would not result in an increase in the parking factor or a change in the use classification of the building or tract.

| | | | | | | | | | |
|---|-----------------------------|--|---------------------------------------|--|----------------|--|----------------|---------------------------|--------------------------|
| SUBJECT: Ordinance authorizing the abandonment and sale of a 10-foot-wide water line easement and a 10-foot-wide by 35-foot-wide water main (flushing valve) easement, located within the Enclave at Reflections Apartments Addition, Section One, out of the Joel Wheaton Survey, A-80. Parcels SY13-017A and SY13-017B | | Page <u>1</u> of <u>2</u> | Agenda Item # 14 | | | | | | |
| FROM (Department or other point of origin): Department of Public Works and Engineering | | Origination Date 2/14/13 | Agenda Date FEB 27 2013 | | | | | | |
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director | | Council District affected: G JP Key Map: 488Q | | | | | | | |
| For additional information contact: Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director-Real Estate | | Date and identification of prior authorizing Council Action: C.M. 2012-0770 (10/31/12) | | | | | | | |
| RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of a 10-foot-wide water line easement and a 10-foot-wide by 35-foot-wide water main (flushing valve) easement, located within the Enclave at Reflections Apartments Addition, Section One, out of the Joel Wheaton Survey, A-80. Parcels SY13-017A and SY13-017B | | | | | | | | | |
| Amount and Source of Funding: Not Applicable | | | | | | | | | |
| SPECIFIC EXPLANATION: By Motion 2012-0770, City Council authorized the abandonment and sale of a 10-foot-wide water line easement and a 10-foot-wide by 35-foot-wide water main (flushing valve) easement, located within the Enclave at Reflections Apartments Addition, Section One, out of the Joel Wheaton Survey, A-80. Thereafter, Alliance Enclave Reflections Limited Partnership, the original abutting owner, sold the abutting property to AHC Chalfonte, L.P., (AHC Chalfonte, LLC [Paul Forbes, Manager], General Partner). AHC Chalfonte, L.P., the property owner, plans to replat the subdivision and construct several multi-unit apartment buildings in the location of the subject easements. AHC Chalfonte, L.P. has completed the transaction requirements, has accepted the City's offer, and has rendered payment in full. <table border="0"> <tr> <td>Parcel SY13-017A 1,873-square-foot water line easement: Valued at \$4.375 per square foot</td> <td>\$8,194.00 (R)</td> </tr> <tr> <td>Parcel SY13-017B 350-square-foot water main easement: Valued at \$4.375 per square foot</td> <td>\$1,531.00 (R)</td> </tr> <tr> <td>TOTAL ABANDONMENTS</td> <td><u>\$9,725.00</u></td> </tr> </table> | | | | Parcel SY13-017A 1,873-square-foot water line easement: Valued at \$4.375 per square foot | \$8,194.00 (R) | Parcel SY13-017B 350-square-foot water main easement: Valued at \$4.375 per square foot | \$1,531.00 (R) | TOTAL ABANDONMENTS | <u>\$9,725.00</u> |
| Parcel SY13-017A 1,873-square-foot water line easement: Valued at \$4.375 per square foot | \$8,194.00 (R) | | | | | | | | |
| Parcel SY13-017B 350-square-foot water main easement: Valued at \$4.375 per square foot | \$1,531.00 (R) | | | | | | | | |
| TOTAL ABANDONMENTS | <u>\$9,725.00</u> | | | | | | | | |
| LTS No. 4736 | | CUIC #20TP032 | | | | | | | |
| REQUIRED AUTHORIZATION | | | | | | | | | |
| Finance Department: | Other Authorization: | Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division | | | | | | | |

Date:

Subject: Ordinance authorizing the abandonment and sale of a 10-foot-wide water line easement and a 10-foot-wide by 35-foot-wide water main (flushing valve) easement, located within the Enclave at Reflections Apartments Addition, Section One, out of the Joel Wheaton Survey, A-80. **Parcels SY13-017A and SY13-017B**

**Originator's
Initials**

**Page
2 of 2**

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of a 10-foot-wide water line easement and a 10-foot-wide by 35-foot-wide water main (flushing valve) easement, located within the Enclave at Reflections Apartments Addition, Section One, out of the Joel Wheaton Survey, A-80.

DWK:NPC:tp

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

REQUEST FOR COUNCIL ACTION**TO:** Mayor via City Secretary**RCA#****Subject:** Ordinance approving and authorizing a Group Vision Insurance Administration Agreement between the City of Houston and Block Vision, Inc., Administrator for National Guardian Life Insurance, to provide Vision Insurance Administrative Services

Category #

Page 1 of 2

Agenda Item
15**FROM :**

Human Resources Department

Origination Date

February 5, 2013

Agenda Date**FEB 27 2013****DIRECTOR'S SIGNATURE**
**Council District(s) affected:****ALL****For additional information contact:**

Gerri R. Walker

Phone:

832-393-6058

Date and Identification of prior authorizing**Council Action:** No Prior Council Action**RECOMMENDATION: (Summary)**

Approve and authorize an ordinance to award a contract to Block Vision, Inc., Administrator for National Guardian Life Insurance, to provide and administer vision benefits, claims processing, and other related administrative services for the Voluntary Group Vision Insurance Plan for City of Houston active employees, deferred retired employees, retirees and their dependents enrolled in the Cigna Medical Plans.

Amount of Funding:

Fully-funded by voluntary employee contributions

F & A Budget**SOURCE OF FUNDING:**☐ General Fund☐ Grant Fund☐ Enterprise Fund☒ Other (Specify) Fully-funded by voluntary employee contributions**SPECIFIC EXPLANATION:**

Human Resources recommends that Council approve a Group Vision Insurance Administration Agreement with Block Vision, Inc., Administrator for National Guardian Life Insurance. Block Vision Inc., administers the plan issued by National Guardian Life to provide vision benefits, claims processing, and other related administrative services for the Voluntary Group Vision Insurance Plan. This Plan will be available to all active employees, deferred retired employees, retirees and their eligible dependents enrolled in the Cigna medical plans. This Plan will be fully-funded through voluntary employee/retiree contributions. Block Vision, Inc. offered the best vision benefits at the most competitive and affordable prices. The new Group Vision Insurance Contract will begin May 1, 2013.

BACKGROUND

The City of Houston does not offer a comprehensive group vision insurance plan. The Cigna medical plans only provide an annual eye exam at no cost to the members, and up to a 20 percent discount on frames and lenses. Therefore, a free routine eye exam is limited to enrollees in the Cigna medical plans.

KEY FACTS

Vision care is a valuable benefit, and is important for the well-being and overall health of city employees. This is a stand-alone voluntary benefit for employees that is affordable and gives them access to full-service vision benefits. Employees will also experience substantial savings on frames, specialty lenses, and they will receive a contact lens allowance. As medical plans expenses are continuing to increase, early detection and treatment of eye disorders and systemic diseases, such as diabetes and hypertension (which are major cost drivers in the health plan), can protect your eyes against serious vision loss and prevent conditions that could potentially increase medical expenditures.

The comprehensive vision plan will replace the eye exam in the Cigna medical plans. The full-service vision plan provides eye exams, screenings, eyewear, scratch resistant, premium progressive, hi-index (super thin) lenses, and contact lenses to employees/eligible retirees. Removing eye exams from the Cigna medical plans will result in an annual savings of about \$1.5 million to the plan. The full-service vision insurance plan is fully-funded by voluntary employee/retiree contributions.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

| | | | |
|------------------------|---|--------------------------|-------------|
| Date: 2/4/13 | Ordinance approving and authorizing a Group Vision Insurance Administration Agreement between the City of Houston and Block Vision, Inc., Administrator for National Guardian Life Insurance, to provide Vision Insurance Administrative Services | Originator's Initials | Page 2 of 2 |
|------------------------|---|--------------------------|-------------|

THE PROCESS

October 2012, Human Resources released a Request for Proposal (RFP) for a Voluntary Group Vision Insurance Policy. Primary goals of the RFP were to:

- Secure a single vision contract funded through voluntary employee contributions for an optional Group Vision Insurance Plan for employees, certain retirees and their eligible dependents;
- Seek the best vision benefits, products, quality, timely and reliable services for the most competitive and affordable prices;
- Contract with a Group Vision Insurance Plan carrier to provide quality vision benefits, claims processing, and other related administrative services; and,
- Provide easy accessibility to a broad network

In November 2012, eight companies submitted proposals for 26 group vision insurance plans. Human Resources evaluated proposals and "Best and Final" offers from finalists. Block Vision's "Best and Final" proposal yielded lower rates, lower copays, higher dollar allowances, the frequency of services improved from every 24 months to every 12 months, and a 5-year rate guarantee.

Key Considerations

- Yielded the most competitive premium and rate guarantees against rate escalation during the contract
- \$150 allowance for frames
- \$150 allowances for contact lenses and fitting
- \$300 allowance for Lasik
- \$0 copays for eyeglass lens options (premium progressives, tints, scratch-resistant coating, high-index and photochromic)
- \$20 copay for an optometrist or ophthalmologist office visit
- Accessibility to network providers that include EyeMasters/Visionworks, Wal-Mart, Sam's Club, Texas State Optical (TSO), and more.
- Employees can potentially save hundreds of dollars on eyewear
- Additional services will include participant outreach and support with wellness initiatives, seminars for city employees, written and electronic communication materials
- Implemented MWDBE participation plan

MWDBE Participation for Block Vision, Inc., Administrator for National Guardian Life Insurance

Pursuant to Section 15, Article V of the City Code of Ordinances, Block Vision, Inc. will make Good Faith Efforts to award subcontracts or purchase agreements of at least 11% of the value of the administrative services fee to Foundation Strategies, Inc., a city certified M/WBE, to provide enrollment services and facilitate vision presentations.

PAY OR PLAY

Block Vision Inc. has agreed to comply with the Pay or Play program by offering employee health benefits to each covered employee, including covered subcontractors' employees, that meet or exceed the criteria indicated in the City's Pay or Play Program Certificate of Agreement.

RECOMMENDATIONS

The Human Resources Department requests Council to:

- Approve a 3-year contract, with two one-year renewal options, with Block Vision, Inc., Administrator for National Guardian Life Insurance, effective May 1, 2013, to provide vision benefits, claims processing, and other related administrative services for all active employees, and retirees covered under the Cigna medical plans, and eligible dependents.

SUBJECT: An Ordinance authorizing a first contract amendment between the City of Houston and Houston Volunteer Lawyers Program, Inc., providing \$175,000 in HOPWA funds for legal and supportive services for low-income persons living with HIV/AIDS.

Page
1 of 1

Agenda Item #
16

FROM:
Neal Rackleff, Director
Housing and Community Development Department

Origination Date
2/11/2013

Agenda Date
FEB 27 2013

DIRECTOR'S SIGNATURE:

Council District affected:

For additional information contact: Melody Barr
Phone: 713-868-8329

Date and identification of prior authorizing Council action: 2/29/2012; Ordinance No. 2012-0181

RECOMMENDATION: Approval of an Ordinance authorizing a first contract amendment between the City of Houston and Houston Volunteer Lawyers Program, Inc., providing \$175,000 in HOPWA funds for legal and supportive services for low-income persons living with HIV/AIDS.

Amount of Funding:

\$175,000.00

Finance Budget:

SOURCE OF FUNDING

☐ General Fund

☒ Grant Fund

☐ Enterprise Fund

Housing Opportunities for Persons With AIDS (HOPWA)

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) recommends approval of a first contract amendment between the City of Houston and Houston Volunteer Lawyers Program, Inc. (HVLP), providing HOPWA grant funds for legal and supportive services for persons living with HIV/AIDS and their families.

The City will grant Houston Volunteer Lawyers Program up to \$175,000 to provide comprehensive legal assistance to a minimum of 175 low-income persons living with HIV/AIDS. Furthermore, HVLP will conduct a minimum of 30 legal advice clinics at Houston-area AIDS service organizations and HOPWA-funded housing facilities. Legal and supportive services will include counseling and advice on a range of civil matters related to housing and health, including estate planning, family law, public benefits, disability, employment and discrimination. Clients requiring more extensive civil legal representation will be referred to a volunteer or staff attorney, who will assist the client in reaching a resolution to his or her issue. In 2011, volunteer lawyers donated over 22,000 hours of legal services (valued at \$4.4 million in legal services) for all of HVLP's programs. This amendment will provide funding for the following HOPWA activities during the 12-month period:

| Category | First Amendment | Percent |
|---------------------|---------------------|----------------|
| Administrative | \$9,230.00 | 5.27% |
| Supportive Services | \$165,770.00 | 94.73% |
| Total | \$175,000.00 | 100.00% |

HCDD conducted a Request for Proposals (RFP) for 2012 and 2013 HOPWA contracts. HVLP's HOPWA project was one of the 14 projects selected. The RFP was for program year 2012, with an additional one-year renewal option for program year 2013. This ordinance will grant the one-year renewal period. The amendment provides funding for a 12-month period from April 1, 2013 – March 31, 2014. HVLP has received HOPWA funding through the City of Houston for various contracts since 2008.

The Housing, Sustainable Growth & Development Committee reviewed this item on October 16, 2012.

NR:BB:MNB:AB

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

MT
16

SUBJECT: An Ordinance authorizing a first contract amendment between the City of Houston and A Caring Safe Place, Inc., providing \$389,940.00 in HOPWA funds for the operation of a community residence (with supportive services) for low-income and homeless persons living with HIV/AIDS.

Page
1 of 1

Agenda Item
17

FROM:
Neal Rackleff, Director
Housing and Community Development Department

Origination Date
2/18/2013

Agenda Date
FEB 27 2013

DIRECTOR'S SIGNATURE:

Council Districts affected:
District B

For additional information contact: Melody Barr
Phone: 713-868-8329

Date and identification of prior authorizing Council action: Ord. No. 2012-0335

RECOMMENDATION: Approval of an Ordinance authorizing a first contract amendment between the City of Houston and A Caring Safe Place, Inc., providing \$389,940.00 in HOPWA funds for the operation of a community residence (with supportive services) for low-income and homeless persons living with HIV/AIDS.

Amount of Funding:

\$389,940.00

Finance Budget:

SOURCE OF FUNDING

☐ General Fund

☒ Grant Fund

☐ Enterprise Fund

Housing Opportunities for Persons With AIDS (HOPWA)

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) recommends approval of a first contract amendment between the City of Houston and A Caring Safe Place, Inc., to finance the operation of a community residence for persons living with HIV/AIDS.

The City will grant A Caring Safe Place \$389,940 to provide transitional housing and supportive services to a minimum of 30 low-income and homeless persons living with HIV/AIDS, who also have a chemical and/or alcohol dependency. Supportive services include substance abuse and mental health counseling; case management; housing information and referral assistance; life skills training; job search assistance; and nutritional services. Operating costs include property management, utilities, property insurance and other related costs.

| Category | First Amendment | Percent |
|---------------------|---------------------|----------------|
| Administrative | \$27,295.00 | 7.00% |
| Supportive Services | \$230,920.00 | 59.22% |
| Operating Costs | \$131,725.00 | 33.78% |
| Total | \$389,940.00 | 100.00% |

HCDD conducted a Request for Proposals (RFP) for 2012 and 2013 HOPWA contracts. A Caring Safe Place's HOPWA project was one of the 14 projects selected. The RFP was for program year 2012, with an additional one-year renewal option for program year 2013. This ordinance will grant the one-year renewal period. The amendment provides funding for a 12-month period from April 1, 2013 – March 31, 2014. A Caring Safe Place has received HOPWA funding through the City for various contracts since 1999.

The Housing, Sustainable Growth and Development Committee reviewed this item on January 15, 2013.

NR:BB:MNB:AB

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

13-Caring/LYDIA HOPWA

SUBJECT: An Ordinance authorizing a first contract amendment between the City of Houston and A Caring Safe Place, Inc., providing \$179,460 in HOPWA funds for the operation of a SRO community residence (with supportive services) for low-income and homeless persons living with HIV/AIDS.

Page

1 of 1

Agenda Item

#

18

FROM:
Neal Rackleff, Director
Housing and Community Development Department

Origination Date

2/18/2013

Agenda Date

FEB 27 2013

DIRECTOR'S SIGNATURE:

Council Districts affected:

B & H

For additional information contact: Melody Barr
Phone: 713-868-8329

Date and identification of prior authorizing Council
action: Ord. No. 2012-0336

RECOMMENDATION: Approval of an Ordinance authorizing a first contract amendment between the City of Houston and A Caring Safe Place, Inc., providing \$179,460 in HOPWA funds for the operation of a SRO community residence (with supportive services) for low-income and homeless persons living with HIV/AIDS.

Amount of Funding:

\$179,460.00

Finance Budget:**SOURCE OF FUNDING**☐ General Fund☒ Grant Fund☐ Enterprise Fund**Housing Opportunities for Persons With AIDS (HOPWA)****SPECIFIC EXPLANATION:**

The Housing and Community Development Department (HCDD) recommends approval of a first contract amendment between the City of Houston and A Caring Safe Place, Inc., to finance the operation of a Single Room Occupancy (SRO) community residence for persons living with HIV/AIDS.

The City will grant A Caring Safe Place \$179,460 to provide permanent housing and supportive services to a minimum of 15 low-income and homeless persons living with HIV/AIDS, who also have a history of chemical and/or alcohol dependency. Supportive services include case management; substance abuse counseling; HIV support groups; job search assistance and training; and assistance in gaining access to local, state and federal government benefits and services. Residents at the facility have been stabilized prior to program entry. Stabilization requires that the client enters the project with at least thirty days sobriety from alcohol and/or drugs. Operating costs include property management, utilities, property insurance and other related costs.

| Category | First Amendment | Percent |
|---------------------|---------------------|----------------|
| Administrative | \$12,500.00 | 6.97% |
| Supportive Services | \$57,030.00 | 31.78% |
| Operating Costs | \$109,930.00 | 61.25% |
| Total | \$179,460.00 | 100.00% |

HCDD conducted a Request for Proposals (RFP) for 2012 and 2013 HOPWA contracts. A Caring Safe Place's HOPWA project was one of the 14 projects selected. The RFP was for program year 2012, with an additional one-year renewal option for program year 2013. This ordinance will grant the one-year renewal period. The amendment provides funding for a 12-month period from April 1, 2013 – March 31, 2014. A Caring Safe Place has received HOPWA funding through the City for various contracts since 1999.

The Housing, Sustainable Growth and Development Committee reviewed this item on January 15, 2013.

NR:BB:MNB:AB

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

M

18

| SUBJECT: Second Amendment to Lease Agreement with Fourth Ward Clinic dba Good Neighbor Healthcare Center (Tenant) at 190 Heights Boulevard for the Department of Health and Human Services | | Page 1 of 1 | Agenda Item 19 | | | | | | | | |
|--|-----------------------|---|-----------------------------------|------|-----------------|------------|-----------------------|------------|-----------------------|--------|-----------------------|
| FROM (Department or other point of origin): General Services Department | | Origination Date 2/21/13 | Agenda Date FEB 27 2013 | | | | | | | | |
| DIRECTOR'S SIGNATURE: Scott Minnix <i>2/20/13</i> <i>Scott Minnix</i> | | Council District affected: H | | | | | | | | | |
| For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023 | | Date and identification of prior authorizing Council action: Ordinance No. 2007-1171, October 24, 2007 Ordinance No. 2010-135, February 17, 2010 | | | | | | | | | |
| RECOMMENDATION: Approve and authorize Second Amendment to Lease Agreement between the City of Houston (Landlord) and Fourth Ward Clinic, dba Good Neighbor Healthcare Center, (Tenant), for the lease space at the West End Multi-Service Center located at 190 Heights Boulevard, for the Department of Health and Human Services. | | | | | | | | | | | |
| Amount and Source Of Funding: Revenue | | Finance Budget: | | | | | | | | | |
| <p>SPECIFIC EXPLANATION: The General Services Department recommends approval of a Second Amendment to Lease Agreement with Fourth Ward Clinic, dba Good Neighbor Healthcare Center (Tenant), a Texas nonprofit corporation, for 15,569 square feet of space in the West End Multi-Service Center located at 190 Heights Boulevard.</p> <p>Good Neighbor Healthcare Center (GNHC) has utilized this lease space since 2008 to provide primary health care services, ob/gyn care, dental and optometry services, and other health services to low-income persons. GNHC has been allowed to offset its full rent by the value of these health services, and has paid its pro rata share of the monthly operating expenses of \$13,155.80. Under the proposed Second Amendment, GNHC will only be allowed to offset a portion of its monthly rental amount of \$16,684.78 by the value of the health care services it provides and will be obligated to pay a net monthly rent as outlined below, and monthly operating expenses for the first year of \$13,155.80. Additionally, the proposed Second Amendment will exercise the renewal terms set out in the original lease, which provides for two consecutive five-year terms, commencing on April 1, 2013 and expiring on March 31, 2018; and grant GNHC the right to terminate the lease in the second year and thereafter by giving prior notice. The base lease term will expire on March 31, 2013.</p> <p>The monthly renewal rental rates are as follows:</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Monthly Payment</th> </tr> </thead> <tbody> <tr> <td>Year 1 - 2</td> <td>\$3,892.25 each month</td> </tr> <tr> <td>Year 3 - 4</td> <td>\$4,540.96 each month</td> </tr> <tr> <td>Year 5</td> <td>\$4,865.31 each month</td> </tr> </tbody> </table> <p>All other terms and conditions of the amended lease remain the same.</p> <p>SM:HB:JLN:RB:npb xc: Marta Crinejo, Jacquelyn L. Nisby, Anna Russell and Claudette Manning</p> | | | | Year | Monthly Payment | Year 1 - 2 | \$3,892.25 each month | Year 3 - 4 | \$4,540.96 each month | Year 5 | \$4,865.31 each month |
| Year | Monthly Payment | | | | | | | | | | |
| Year 1 - 2 | \$3,892.25 each month | | | | | | | | | | |
| Year 3 - 4 | \$4,540.96 each month | | | | | | | | | | |
| Year 5 | \$4,865.31 each month | | | | | | | | | | |
| REQUIRED AUTHORIZATION | | CUIC ID# 25 RB 147 | | | | | | | | | |
| General Services Department: <i>Humberto Bautista</i> Humberto Bautista, P.E. Assistant Director | | Department of Health and Human Services: Stephen L. Williams, M.Ed., M.P.A. Director | | | | | | | | | |

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9517

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Telecommunication Circuit Services for the Houston Public Library / S10-T24384

Category #
4

Page 1 of 2

Agenda Item

20

FROM (Department or other point of origin):

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

Origination Date

February 22, 2013

Agenda Date

FEB 27 2013

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Charles T. Thompson Phone: (832) 393-0082
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to AT&T Corp., for a total amount not to exceed \$869,467.00 for House Bill-2128-compliant telecommunication circuit services for the Houston Public Library.

Maximum Contract Amount: \$869,467.00

Finance Budget

\$869,467.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The Director of the Houston Public Library (HPL) and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract with two one-year options, to AT&T Corp., for a total amount not to exceed \$869,467.00 for House Bill (HB)-2128-compliant telecommunication circuit services for HPL. The City Purchasing Agent and/or the Director of HPL may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, materials, supervision, circuits, network monitoring and support, and performance reporting on circuit usage while offering HPL the HB-2128 special discounted telecommunication circuit services rates exclusive to HPL locations throughout the City. AT&T Corp. is a Local Exchange Carrier (LEC) participant to HB-2128, which requires AT&T Corp. to provide pre-determined reduced telecommunication rates to local public libraries. Additionally, the Contractor shall support existing and future high-bandwidth circuits that connect to the HPL enterprise network

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Forty-five prospective proposers downloaded the solicitation document from SPD's e-bidding website, and as a result, proposals were received from Phonoscope Lightwave, Inc., AT&T Corp., and Cogent Communications. The evaluation committee was comprised of evaluators from HITS. The proposals were evaluated based upon the following criteria:

- Price
- Network Operation Center Operations and Service Delivery
- Expertise, Experience and Qualifications
- Conformance to RFP/SOW Requirements

AT&T Corp. was deemed as the best respondent for telecommunication circuit services for HPL.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

| | | | |
|--------------------|---|--------------------------------|-------------|
| Date: 2/22/2013 | Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Telecommunication Circuit Services for the Houston Public Library / S10-T24384 | Originator's Initials GB | Page 2 of 2 |
|--------------------|---|--------------------------------|-------------|

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, AT&T Corp. will provide health benefits to eligible employees in compliance with City policy.

Hire Houston First:

The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses, while supporting job creation. In this case, AT&T Corp. does not meet the requirements of Hire Houston First.

Buyer: Greg Hubbard

Estimated Spending Authority:

| DEPARTMENT | FY13 | OUT YEARS | TOTAL |
|------------------------|-------------|--------------|--------------|
| Houston Public Library | \$57,103.20 | \$812,363.80 | \$869,467.00 |

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

Administration &
Regulatory Affairs

CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division

Correspondence

Interoffice

RECEIVED

To: Marsha Murray, Assistant Director
Office of Business Opportunity

OCT 02 2012

From: Greg Hubbard

OBO

Date: October 1, 2012

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes ☒ No ☐ Type of Solicitation: RFP Bid ☐ Proposal ☒I am requesting a MWBE goal below 11%Yes ☒ No ☐I am requesting a revision of the MWBE Goal: Yes ☐ No ☒ Original Goal: 0% New Goal: _____

If requesting a revision, how many solicitations were received: N/A

Solicitation Number(s): S10-T24384

Dollar Amount: 10,480,000.00

Anticipated Advertisement Date: 10/05/12

Solicitation Due Date: 11/02/12

Goal On Last Solicitation: 0%

Was Goal met: Yes ☒ No ☐

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

Name and Intent of this Solicitation:

High-Capacity Fiber Circuit Services for the City of Houston's Information Technology Department.

Rationale for requesting a Waiver or Revision:

It is recommended that the MWBE subcontracting goal be waived for the High-Capacity Fiber Circuits Services for the Information Technology Department. The services that will be provided in this RFP are not divisible, and are intangible access to high-speed circuits that the City utilizes to transfer voice and data packet from the City Departments to the City's core network nodes. The core networks are designed to address increasing bandwidth demands and transmission speeds at reduced costs through the effective use of Ethernet services and fiber optic technologies. This requirement excludes any opportunity to capture MWBE subcontracting dollars; therefore, a zero-percent (0%) MWBE goal is being sought.

Concurrence:

SPD Initiator

Division Manager/SPD

Marsha Murray, Assistant Director
*Office of Business Opportunity

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



REQUEST FOR COUNCIL ACTION

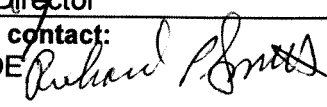
TO: Mayor via City Secretary

RCA #20RPS27

| | | | |
|--|-------------------|-----------------------|---------------------------|
| SUBJECT: Ordinance to issue a pipeline permit to Sekisui Specialty Chemicals America, 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# 21 |
|--|-------------------|-----------------------|---------------------------|

| | | |
|---|------------------------------------|-----------------------------------|
| FROM: (Department or other point of origin): Public Works and Engineering | Origination Date 2/21/13 | Agenda Date FEB 27 2013 |
|---|------------------------------------|-----------------------------------|

| | |
|---|--|
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E. Director | Council Districts affected: E  |
|---|--|

| | |
|---|---|
| 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 Sekisui Specialty Chemicals America, 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 Sekisui Specialty Chemicals America, 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 |
|---|---------------|-----------------------|
| 6" Vinyl Acetate Monomer (VAM) Pipeline | 6-inch | Vinyl Acetate Monomer |

Sekisui Specialty Chemicals America, LLC submitted the initial required application permit fee of \$2,064.60 plus \$1,032.30 per pipeline for a total of \$3,096.90. 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) 496Z

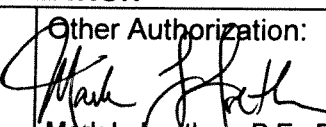
DWK:MLL:JTL:RPS:tss

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

LTS No. 4490

REQUIRED AUTHORIZATION

CUIC ID 20RPS27

| | |
|--------------------------|--|
| Finance Director: | Other Authorization:  Mark L. Loethen, P.E., PTOE, CFM Planning & Development Services |
|--------------------------|--|

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 0.5135 acre of land to Fort Bend County Municipal Utility District No. 185 (Key Map No. 484-U, V, Z)

Page
1 of 1

Agenda Item
#

22

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

2/21/13

FEB 27 2013

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 0.5135 acre of land to Fort Bend County Municipal Utility District No. 185 be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Fort Bend County Municipal Utility District No. 185 has petitioned the City of Houston for consent to add 0.5135 acre of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Gaston Road, Greenbusch Road, Westheimer Parkway and Cinco Ranch Boulevard. The district desires to add 0.5135 acre, thus yielding a total of 246.3835 acres. The district is served by the Fort Bend County Municipal Utility District No. 185 Wastewater Treatment Plant No. 1. The nearest major drainage facility for Fort Bend County Municipal Utility District No. 185 is Buffalo Bayou which flows into the Houston Ship Channel.

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

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

Attachments

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

REQUIRED AUTHORIZATION

20UPA210

Finance Department

Other Authorization:



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

Other Authorization:

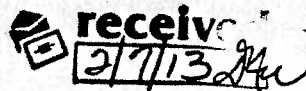
21



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 .5135 acres to Fort Bend County MUD 185 under the provisions of Chapter 49 Texas Water Code.

Mindy L. Koehne
Attorney for the District

Attorney: Mindy L. Koehne

Address: 3 East Greenway Plaza, Suite 2000

Zip: 77018

Phone: 713-653-5742

Engineer: Brown & Gay Engineers, Inc. Ricardo Rodriguez, PE

Address: 10777 Westheimer, Ste 400, Houston, TX

Zip: 77042

Phone: 281-558-8700

Owners: Pulte Group

Address: 16670 Park Row, Ste 100, Houston, TX

Zip: 77084

Phone: 281-749-8000

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

LOCATION

INSIDE CITY ☐

OUTSIDE CITY ☒

Survey Stephen Hobermaker

NAME OF COUNTY (S) Fort Bend County
Abstract 189

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

North of: Gaston Rd

East of: Greenbusch Rd

South of: Westheimer Pkwy

West of: Cinco Ranch Blvd

WATER DISTRICT DATA

Total Acreage of District: 245.87

Existing Plus Proposed Land 246.3835

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

Single Family Residential 100

Multi-Family Residential

Commercial

Industrial

Institutional

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

Sewage Treatment Plant Name: FBMUD No. 185 WWTP No. 1

NPDES/TPDES Permit No: WQ0014704001

TCEQ Permit No: CN603042896; RN104963210



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.175

Ultimate Capacity (MGD): 0.350

Size of treatment plant site: 11 acres square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.350 MGD.

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

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

Total permitted capacity: N/A

MGD of (Regional Plant).

Name of District: N/A

MGD Capacity Allocation N/A

or property owner(s)

Name of District: N/A

MGD Capacity Allocation N/A

Water Treatment Plant Name: FBMUD No. 185 Water Plant No. 1

Water Treatment Plant Address: 4040 1/2 Falcon Landing Blvd, Katy, Texas 77494

Well Permit No: 17009

Existing Capacity:

Well(s): 600 GPM

Booster Pump(s): 2800 GPM

Tank(s): 0.09 MG

Ultimate Capacity:

Well(s): 1000 GPM

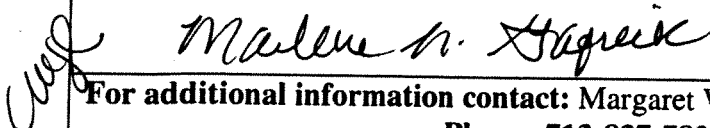
Booster Pump(s): 3650 GPM

Tank(s): 0.217 MG

Size of Treatment Plant Site: 2.275 Acres

square feet/acres.

Comments or Additional Information: _____


| | | | | |
|---|--|---|-----------------------------|---|
| SUBJECT: Ordinance calling Hearings for Proposed Strategic Partnership Agreements with certain utility districts in the Houston area | | Category # | Page 1 of 1 | Agenda Item # 23 |
| FROM (Department or other point of origin): Planning and Development | | Origination Date February 20, 2013 | | Agenda Date February 27, 2013 |
| DIRECTOR'S SIGNATURE:  | | Council District affected: | | |
| For additional information contact: Margaret Wallace Phone: 713-837-7826 | | Date and identification of prior authorizing Council action: | | |
| RECOMMENDATION: (Summary) It is recommended that City Council pass the Ordinance calling Hearings on proposed Strategic Partnership Agreements with certain utility districts in the Houston area. | | | | |
| Amount and Source of Funding: N/A | | | Finance Budget: | |
| SPECIFIC EXPLANATION: <p>In 1999, the State Legislature gave the City of Houston the right to enter into Strategic Partnership Agreements with utility districts. Such agreements allow the City to annex all or part of these districts for limited purposes. The City can then levy a sales tax and provide specified, limited services to the area. The City cannot levy a property tax in areas annexed for limited purposes.</p> <p>The hearings called by this ordinance are for agreements, or amendments to existing agreements, with the following Utility Districts:</p> <p>New Agreements: Cornerstones MUD Dowdell MUD Harris County MUD No. 345 Parkway Utility District</p> <p>Amendments to existing Agreements: Cinco MUD No. 12 (Amendment 2) Fort Bend County MUD No. 194 (Amendment 1) Harris County MUD No. 120 (Amendment 3) NW Harris County MUD No. 5 (Amendment 1) Harris County WCID No. 109 (Amendment 3) White Oak Bend MUD (Amendment 1)</p> <p>In each of these Districts the sales taxes collected in the areas will be divided evenly between the City and the District. The City is only annexing commercial property and undeveloped land. There is no population located in these territories proposed to be annexed for limited purposes.</p> <p>The hearings will be held on April 3, 2013 and April 10, 2013 in City Council chambers.</p> <p>cc: Marta Crinejo David Feldman</p> <p>Sameera Mahendru Kelly Dowe</p> | | | | |
| REQUIRED AUTHORIZATION | | | | |
| Finance Director: | | Other Authorization: | Other Authorization: | |

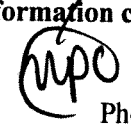
To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

| | | |
|--|-----------------------|--------------------------------|
| SUBJECT: Recommendation that an ordinance for the SEWER SERVICE TO UNSERVED AREAS PACKAGE 2 - HIDDEN ECHO SANITARY SEWER IMPROVEMENT AND PLANTATION HILLS INTERNAL SANITARY SEWER IMPROVEMENTS PROJECT (Plantation Hill Subdivision) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS R-000801-0014-2-01 | Page 1 of 1 | Agenda Item # 24 |
|--|-----------------------|--------------------------------|

| | | |
|---|------------------------------------|-----------------------------------|
| FROM: (Department or other point of origin): Department of Public Works and Engineering | Origination Date 2/21/13 | Agenda Date FEB 27 2013 |
|---|------------------------------------|-----------------------------------|

| | |
|---|---|
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director | Council District affected: E 454 |
|---|---|

| | |
|--|---|
| For additional information contact:  Nancy P. Collins Phone: (832) 395-3130 Senior Assistant Director – Real Estate Planning and Development Services Division | Key Map: 299W, 338C, 338D Date and identification of prior authorizing Council Action: Ordinance 2005-1102, passed September 21, 2005 |
|--|---|

RECOMMENDATION: (Summary)
An ordinance for the SEWER SERVICE TO UNSERVED AREAS PACKAGE 2 - HIDDEN ECHO SANITARY SEWER IMPROVEMENT AND PLANTATION HILLS INTERNAL SANITARY SEWER IMPROVEMENTS PROJECT (Plantation Hill Subdivision) 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 appropriated under Ordinance Number 2005-1102)

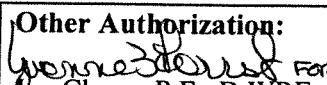
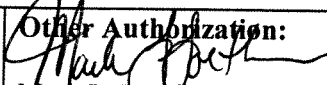
SPECIFIC EXPLANATION:
The Department of Public Works and Engineering is requesting that an ordinance for the SEWER SERVICE TO UNSERVED AREAS PACKAGE 2 - HIDDEN ECHO SANITARY SEWER IMPROVEMENT AND PLANTATION HILLS INTERNAL SANITARY SEWER IMPROVEMENTS PROJECT (Plantation Hill Subdivision) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project is a part of the City's ongoing program to upgrade existing lift station facilities and related sewer systems by rehabilitation, repair and/or consolidation and provides for the acquisition of six permanent sewerline easements and one lift station site.

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 for the Award of Special Commissioners and court costs associated with condemnation proceedings. Parcels with a consideration that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the SEWER SERVICE TO UNSERVED AREAS PACKAGE 2 - HIDDEN ECHO SANITARY SEWER IMPROVEMENT AND PLANTATION HILLS INTERNAL SANITARY SEWER IMPROVEMENTS PROJECT (Plantation Hill Subdivision).

DWK:NPC:wjp

cc: Marta Crinejo

LTS # 4612 REQUIRED AUTHORIZATION CUIC # 20WJP01

| | | |
|----------------------------|--|--|
| Finance Department: | Other Authorization:  Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division | Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division |
|----------------------------|--|--|

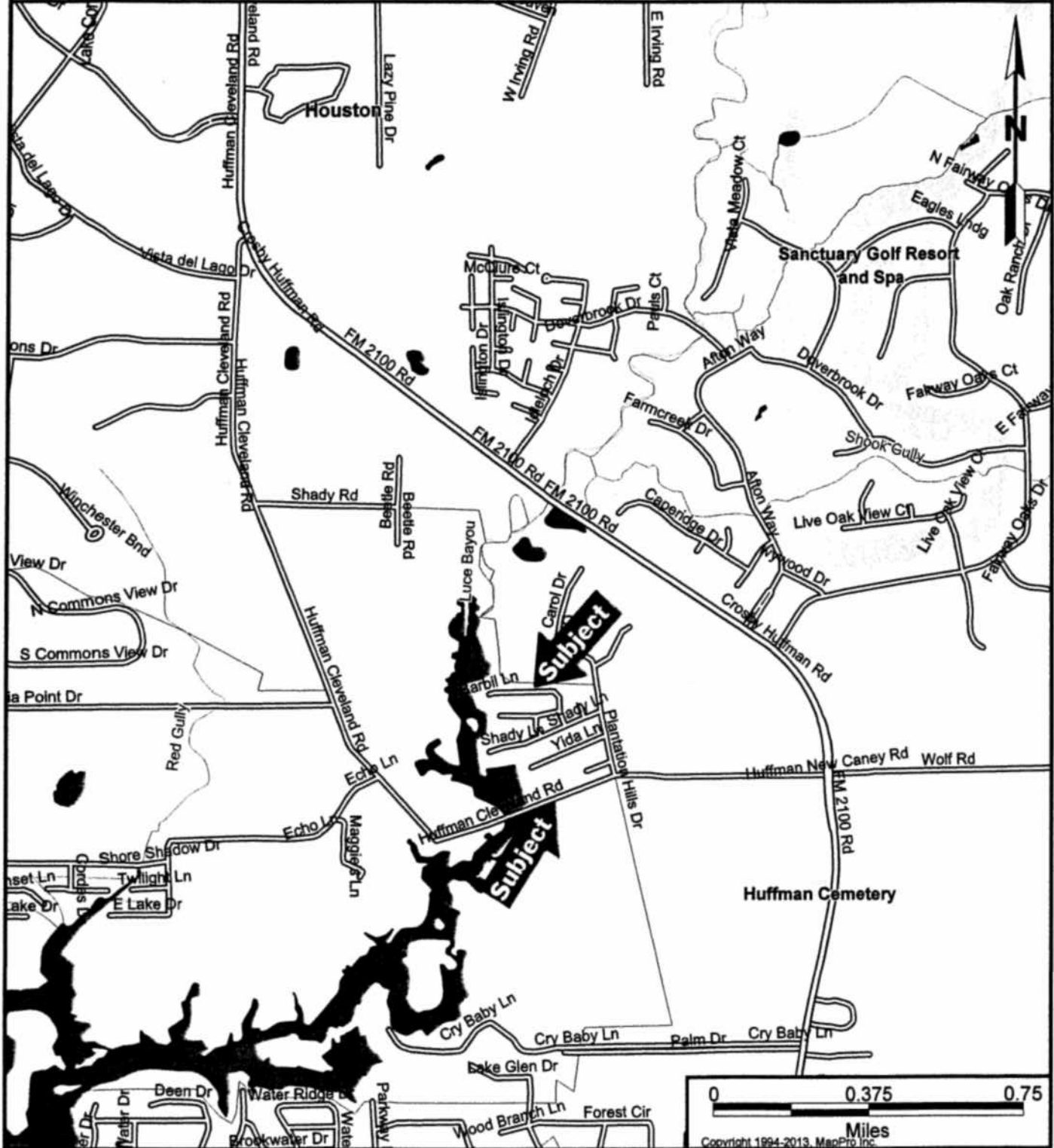
22

LOCATION MAP

Description: Plantation Hills Internal Sanitary Sewer Improvements (Plantation Hills Subdivision)

WBS: R-000801-0014-2-01, Council District: E, Key Map: 299W, 338C, 338D

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.

Prepared by City of Houston using MapPro Service. MapPro Inc., PO Box 37427, Houston, TX 77237 1-866-3MAPPRO.

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the WEST LITTLE YORK PAVING AND DRAINAGE PROJECT (from T.C. Jester to Alabonson/Deep Forest) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

WBS N-000687-0003-2-01

Page
1 of 1

Agenda Item #

25

FROM: (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

2/21/13

FEB 27 2013

DIRECTOR'S SIGNATURE:


Daniel W. Krueger, P.E., Director


Council District affected:

A, B

DC

Key Maps 411X, 411Y and 411Z, 412W and 412X

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 2012-0521 passed May 30, 2012

RECOMMENDATION: (Summary)

An ordinance for the WEST LITTLE YORK PAVING AND DRAINAGE PROJECT (from T.C. Jester to Alabonson/Deep Forest) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source

of Funding:

No additional funds required (Funds were appropriated under Ordinance Number 2012-0521).

U.P. 2/12/2013

SPECIFIC EXPLANATION:

The Department of Public Works and Engineering is requesting that an ordinance for the WEST LITTLE YORK PAVING AND DRAINAGE PROJECT (from T.C. Jester to Alabonson/Deep Forest) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project provides for the right-of-way acquisition, design and construction of approximately 7,400 linear feet of undivided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control, and necessary underground utilities to meet City of Houston standards and improve traffic circulation.

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 for 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 WEST LITTLE YORK PAVING AND DRAINAGE PROJECT (from T.C. Jester to Alabonson/Deep Forest).

DWK:NPC:dc

cc: Marta Crinejo

LTS No. 4360

CUIC #20DC13

REQUIRED AUTHORIZATION

Other Authorization:

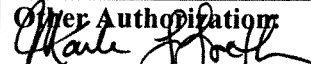
Other Authorization:


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

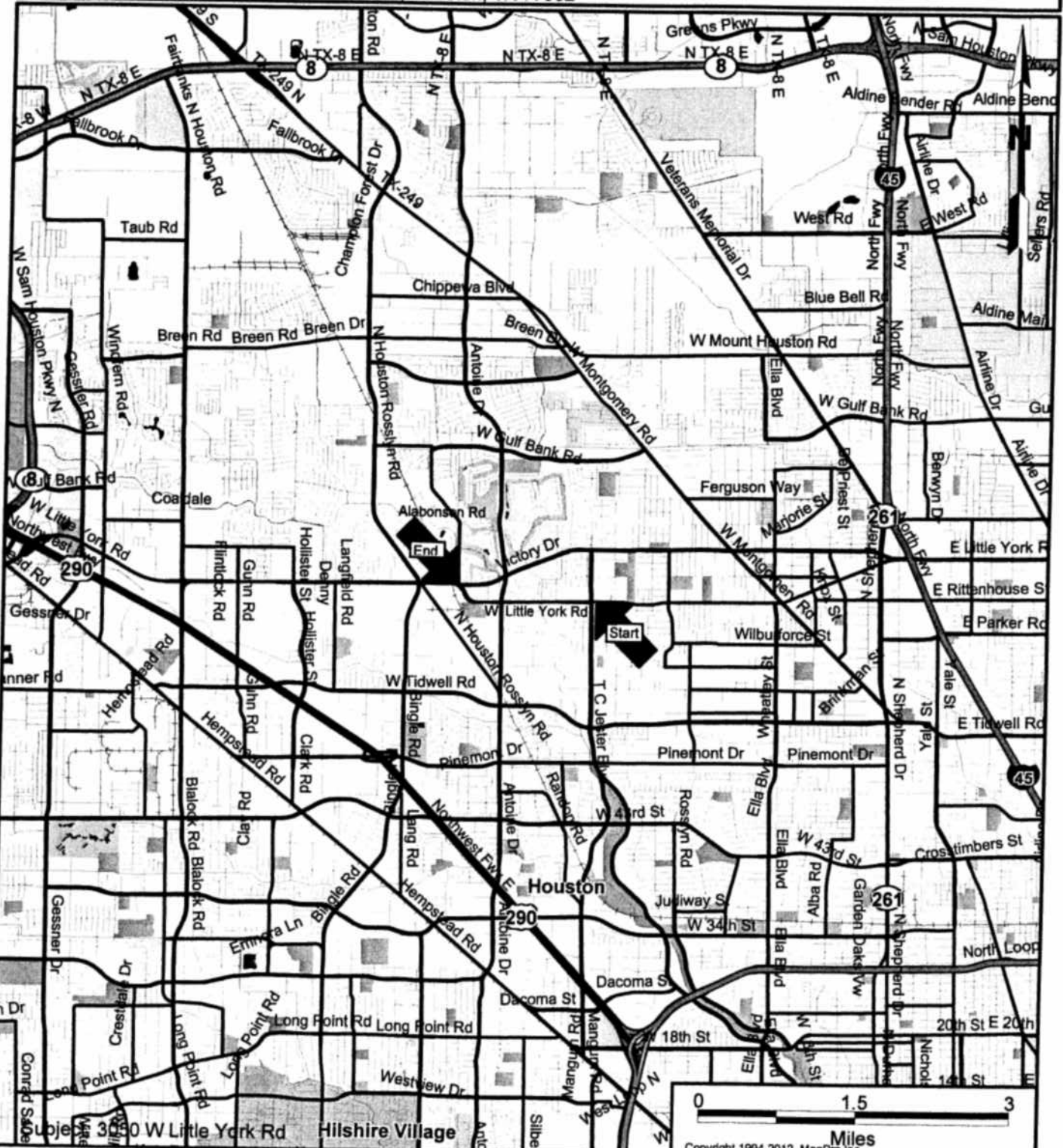
23

LOCATION MAP

Description: West Little York Paving and Drainage Project (from T.C. Jester to Alabonson/Deep Forest)

WBS N-000687-0003-2-01; Council Districts A and B; Key Maps 411X, 411Y, 411Z, 412W, and 412X

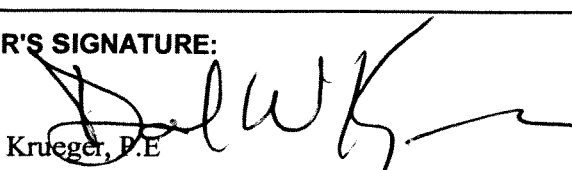
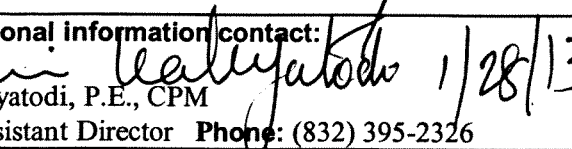

Prepared by: City of Houston, 611 Walker, Houston, TX 77002



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.

Prepared by City of Houston using MapPro Service. MapPro Inc., PO Box 37427, Houston, TX 77237 1-866-3MAPPRO.

| | | | |
|--|--|---|-----------------------------------|
| SUBJECT: Appropriation to the Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Reconstruction of South Shaver Road from Interstate Highway 45 to State Highway 3. WBS No. N-000582-0001-4. | | Page 1 of 2 | Agenda Item # 26 |
| FROM (Department or other point of origin): Department of Public Works and Engineering | Origination Date 2/21/13 | Agenda Date FEB 27 2013 | |
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E. | Council District affected: E 3w | | |
| For additional information contact:  Ravi Kaleyatodi, P.E., CPM Senior Assistant Director Phone: (832) 395-2326 | Date and identification of prior authorizing Council action: Ordinance 2000-0308, April 19, 2000 | | |
| RECOMMENDATION: (Summary) Adopt an Ordinance approving and authorizing an Appropriation to the Advance Funding Agreement between the City of Houston and Texas Department of Transportation. | | | |
| Amount and Source of Funding: \$2,141,386.46 from Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF. <i>M.P. 2/4/2013</i> Previous (original) funding of \$70,000.00 from the Street and Bridge Consolidated Construction Fund No. 437. | | | |
| PROJECT NOTICE/JUSTIFICATION: This project had been approved by the Federal Highway Administration and the Texas Transportation Commission under the 2000-2002 Transportation Improvement Program, Surface Transportation Program – Metropolitan Mobility Rehabilitation. This project will improve drainage, traffic flow/circulation, reduce congestion and improve mobility on a major thoroughfare. | | | |
| DESCRIPTION/SCOPE: This project consists of the reconstruction and widening of a boulevard roadway with six-12 foot wide concrete roadways with medians, curbs, sidewalks, street lighting, storm sewers, detention pond, channel improvements over Berry Bayou, and necessary underground utilities. | | | |
| LOCATION: This project is located on South Shaver Road and is generally bound by Edgebrook on the North, Fuqua on the South, IH 45 on the West and State Highway 3 on the East. This project is located in Key Map Grids 576 K, L and P. | | | |
| PREVIOUS HISTORY AND SCOPE: Under the 2000-2002 Transportation Improvement Program, this project was eligible for joint funding from the Federal Highway Administration. The program was under the jurisdiction and administration of TxDOT and the funding will generally consist of Federal participation (80%) and City participation (20%) of the roadway construction costs until the federal funding reaches the maximum obligated amount which was \$4,960,000.00. The City will be responsible 100% for any non-federal participation costs associated with the project including the utility relocation costs. | | | |
| On April 19, 2000, the City entered into an Advance Funding Agreement with TxDOT under Ordinance 2000-0308. Under the terms of the Agreement, the City shall be responsible for the design of the project. TxDOT will be responsible for the plan review, securing the Federal funding, advertising bids and managing the construction of the project. The City will be responsible | | | |
| LTS No. 4663 | | CUIC ID # 20TAA104 | |
| Finance Department: | Other Authorization: | Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division | |

| | | | |
|-------------|---|--|------------------------|
| Date | SUBJECT: Appropriation to the Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Reconstruction of South Shaver Road from Interstate Highway 45 to State Highway 3. WBS No. N-000582-0001-4. | Originator's Initials TAA | Page 2 of 2 |
|-------------|---|--|------------------------|

for maintenance after the project completion. The total estimated construction costs were \$6,200,000.00 including construction engineering and testing services. The City Council appropriated \$70,000.00 for the estimated engineering review services performed by TxDOT. Sixty (60) days prior to the construction of the project, TxDOT will notify the City for the funding participation for the project. The City will make incremental payments for City's participation to TxDOT.

As of this date, the total estimated construction cost for the project is \$13,990,166.83. The total Federal funding available for this project changes to \$5,914,621.00. The City's participation increased to \$8,075,545.83 due to the excess of Federal participation. TxDOT is currently requesting the City to make the first of the four (4) incremental payments. The incremental payments would each be \$2,001,386.46. Therefore, it is necessary to appropriate funds in the amount of \$2,141,386.46 for the City's first payment which includes \$140,000.00 for CIP cost recovery.

ACTION RECOMMENDED: It is recommended that the City Council adopt an ordinance approving and authorizing an appropriation to Advance Funding Agreement between the City of Houston and TxDOT and appropriate \$2,141,386.46 for the first payment of the City's participation.

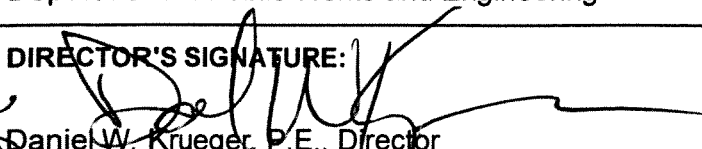
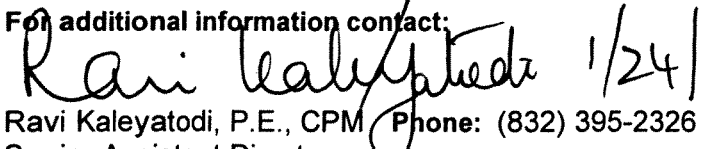
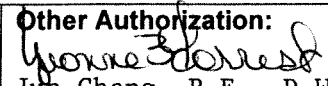
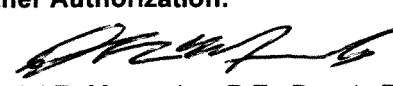
DWK:DRM:RK:TAA:PKC:kdt

H:\constr\A-SB-DIV\Interagency\TxDOT Projects\0912-71-688 S Shaver - IH 45 to SH 3\Agreement-RCA\working file\RCA-20TAA104.doc

c: File – TxDOT – South Shaver Road from IH45 to SH3.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

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| SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and Halff Associates, Inc. for Pleasantville and Glendale Area Drainage and Paving (Sub-Project I) WBS Nos. M-000286-0001-3 and R-000500-0130-3 | | Page 1 of 2 | Agenda Item # 27 |
| FROM (Department or other point of origin): Department of Public Works and Engineering | Origination Date 2/21/13 | Agenda Date FEB 27 2013 | |
| DIRECTOR'S SIGNATURE:  Daniel W. Krueger, P.E., Director | Council District affected: B KR D | | |
| For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director | Date and identification of prior authorizing Council action: Ordinance No. 2011-0596; July 06, 2011 | | |
| RECOMMENDATION: (Summary) Approve an Ordinance appropriating additional funds for Professional Engineering Services Contract with Halff Associates, Inc. Amount and Source of Funding: \$220,000.00 \$202,500.00 from Fund 4042 - Street & Traffic Control and Storm Drainage DDSRF \$ 17,500.00 from Fund 8500 - Water and Sewer System Consolidated Construction <i>M.P. 2/4/2013</i> Original (previous) funding of \$858,400.00 from Drainage Improvements Commercial Paper Series F Fund No. 4030. | | | |
| PROJECT NOTICE/JUSTIFICATION: This project is part of the Storm Drainage Capital Improvement Plan (CIP) and is required to address and reduce the risk of structural flooding. Improvements include modification of street conveyance and sheet flow. DESCRIPTION/SCOPE: This project provides for the design and construction of storm drainage improvements, necessary concrete paving, curbs, sidewalks, driveways and underground utilities. Project will serve the Pleasantville and Glendale areas; Comprehensive Drainage Plan Outfall H0072 and adjacent drainage areas. LOCATION: Project area is generally bound by Market Street to the north, Northton Street to the south, IH 610 (East) to the east, and Demaree Lane to the west. The project is located in Key Map Grids 495 F, K, L and P. PREVIOUS HISTORY AND SCOPE: City Council approved the original contract on July 6, 2011, Ordinance No. 2011-0596 with Halff Associates, Inc. Under this contract, to date, the consultant has completed the Preliminary Engineering and has begun work on the Final Design. Additional funds for engineering are required to deliver the identified capital improvements in the project area. | | | |
| LTS No. 4242 Finance Department | | CUIC ID# 20KRD05 Other Authorization:  Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division | |
| | | Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division | |

25

| | | | |
|-------------|--|---|-----------------------|
| Date | SUBJECT Additional Appropriation to Professional Engineering Services Contract between the City and Halff Associates, Inc. for Pleasantville and Glendale Area Drainage and Paving (Sub-Project I) WBS Nos. M-000286-0001-3 and R-000500-0130-3 | Originator's Initials KRD | Page 2 of 2 |
|-------------|--|---|-----------------------|

SCOPE OF THIS SUPPLEMENT AND FEE: The requested additional appropriation will accomplish the following tasks: Phase II Basic and Additional Services to design additional wastewater improvements, and Construction Phase Basic Services as defined in the contract.

The total cost of this additional appropriation is \$220,000.00 to be appropriated as follows: \$191,068.00 for contract services and \$28,932.00 for Capital Improvement Plan cost recovery.

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.

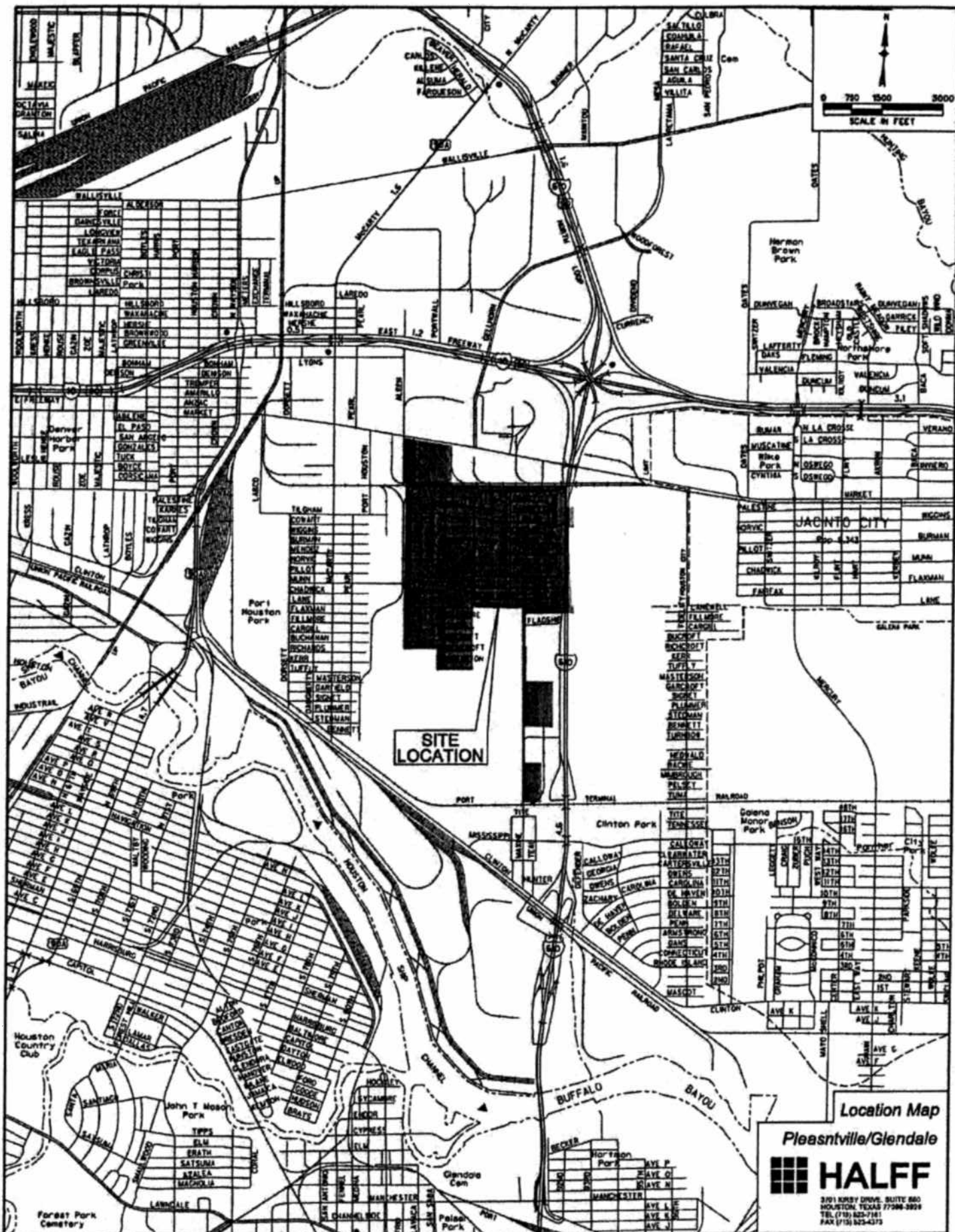
M/WBE PARTICIPATION: The M/WBE goal for this project is set at 24%. The original contract amount totals \$746,388.00. The consultant has been paid \$246,268.18 (32.99%) to date. Of this amount, \$54,100.00 (21.97%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$937,456.00, and the contractor proposes the following plan to meet the M/WBE goal:

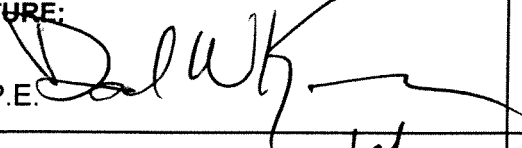

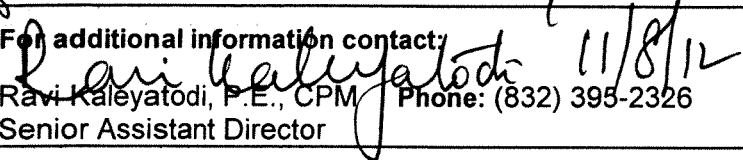

| | <u>Name of Firms</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Contract</u> |
|--------------|---------------------------|--------------------------|----------------------|----------------------|
| 1. | Prior M/WBE Work | --- | \$ 54,100.00 | 5.77% |
| 2. | Amani Engineering, Inc. | Land Surveying Services | \$ 45,594.00 | 4.86% |
| 3. | Geotest Engineering, Inc. | Geotechnical Engineering | \$ 73,682.00 | 7.86% |
| 4. | Knudson, LP | Urban Forestry | \$ 7,800.00 | 0.83% |
| 5. | Bradlink, LLC | Inspection Services | \$ 1,350.00 | 0.14% |
| 6. | KIT Professionals, Inc. | Engineering Services | \$ 63,500.00 | 6.77% |
| 7. | B & E Reprographics, Inc. | Reprographic Services | \$ 13,000.00 | 1.39% |
| TOTAL | | | \$ 259,026.00 | 27.62% |

DWK:DRM:RK:DPS:RAA:KRD:klw

H:\design\A-sw-div\WPDATA\00 - STM ENGR PROJECTS\Pleasantville Sub_Project 1 (M-0286-1) SWMP-D11_C14\1.0 DESIGN CONTRACT\1.2 RCA\Supplement RCA\RCA Supp 01.14.13.docx

c: File: WBS M-000286-0001-3



| | | | |
|--|-----------------------------|--|-----------------------------------|
| SUBJECT: Professional Engineering Services Contract between the City of Houston and Pierce, Goodwin, Alexander & Linville, Inc. dba PGAL for Westpark Drive Paving & Drainage from Wilcrest to Dairy Ashford WBS No. N-000815-0001-3 | | Page 1 of 2 | Agenda Item # 28 |
| FROM (Department or other point of origin): Department of Public Works and Engineering | | Origination Date 2/21/13 | Agenda Date FEB 27 2013 |
| DIRECTOR'S SIGNATURE: Daniel W. Krueger, P.E.  | | Council District affected: F JK  | |
| For additional information contact: Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director  11/8/12 | | Date and identification of prior authorizing Council action: | |
| RECOMMENDATION: (Summary) An ordinance approving a Professional Engineering Services Contract with Pierce, Goodwin, Alexander & Linville, Inc. dba PGAL and appropriate funds. | | | |
| Amount and Source of Funding: \$243,480.00 from Fund 4040 - METRO Projects Construction DDSRF M.P. 11/28/12 | | | |
| PROJECT NOTICE/JUSTIFICATION: This project is part of the Street and Traffic Capital Improvement Plan (CIP) and is necessary to meet City of Houston standards and improve traffic and drainage in the service area. | | | |
| DESCRIPTION/SCOPE: This project consists of the design of approximately 11,100 linear feet of roadway reconstruction and widening to major thoroughfare standards. The proposed project improvements include a four-lane divided concrete roadway with curbs, storm sewer system, sidewalks, driveways, street lighting, traffic control and necessary underground utilities. | | | |
| LOCATION: The project is generally bounded by Richmond Avenue on the north, Alief Clodine on the south, Dairy Ashford on the west and Wilcrest on the east. The project is located in Key Map Grids 488Z, 489W, 489X, 529B and C. | | | |
| SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services fees for Phase I is based on cost of time and materials with a not-to-exceed agreed upon amount. The Basic services fee for Phase II and Phase III will be negotiated and appropriated on a lump sum amount or reimbursable basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$154,322.00. The Contract also includes certain Additional Services to be paid either as a lump sum or reimbursable basis. These Additional Services include Limited Topographic Survey and Phase I Environmental Site Assessment. The negotiated maximum for Phase I Additional Services \$57,399.00. | | | |
| LTS No. 4112 | | REQUIRED AUTHORIZATION | CUIC ID #20SAB46 NOT |
| Finance Department: | Other Authorization: | Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division | |

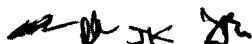
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|-------------|--|--|------------------------------|
| Date | SUBJECT: Professional Engineering Services Contract between the City of Houston and Pierce, Goodwin, Alexander & Linville, Inc. dba PGAL for Westpark Drive Paving & Drainage from Wilcrest to Dairy Ashford WBS No. N-000815-0001-3 | Originator's Initials SAB | Page 2 of 2 |
|-------------|--|--|------------------------------|

The total requested appropriation is \$243,480.00 to be appropriated as follows: \$211,721.00 for Contract services and \$31,759.00 for CIP Cost Recovery.

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

M/WBE INFORMATION: The M/WBE goal established for the overall project is set at 24%. The consultant has proposed the following firms to achieve this goal:

| <u>Name of Firms</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Total Contract</u> |
|--|-------------------------|--------------------|----------------------------|
| 1. Landtech, Inc. | Topographic Survey | \$6,970.00 | 3.29% |
| 2. Associated Testing Laboratories, Inc. | Environmental Serv. | \$4,499.00 | 2.12% |
| 3. ISANI Consultants, LLP. | Drainage / H & H Report | <u>\$72,818.00</u> | <u>34.40%</u> |
| | TOTAL | \$84,287.00 | 39.81% |



DWK:DRM:RK:JHK:SAB

H:\constr\A-SB-DIV\KS\Engineers\Sam\RCA\Westpark Drive_ Professional Services Contract_PGAL_RCA_N-000815-0001-3.doc

cc: WBS No. N-000815-0001-3 (1.2_DSGN_RCA_CONTRACT)

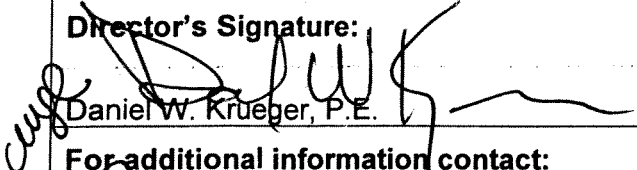

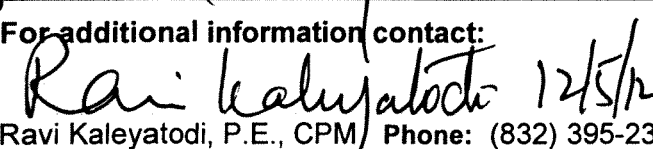
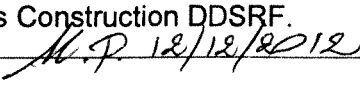
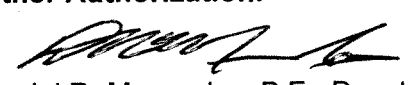
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|--|---|--|---|
| SUBJECT: Professional Engineering Services Contract between the City of Houston and Nedu Engineering Services, Inc. for Safe Sidewalk Program. WBS No. N-00610A-0125-3 | | Page 1 of 2 | Agenda Item # 29 |
| From: (Department or other point of origin): Department of Public Works and Engineering | Origination Date 2/21/13 | Agenda Date FEB 27 2013 | |
| Director's Signature: <div style="display: flex; align-items: center;"> <div style="margin-right: 20px;"> Daniel W. Krueger, P.E. </div> <div> Council District affected: All </div> </div> | Date and identification of prior authorizing Council action: | | |
| For additional information contact: <div style="display: flex; align-items: center;"> <div style="margin-right: 20px;"> Ravi Kaleyatodi, P.E., CPM Senior Assistant Director </div> <div> Phone: (832) 395-2326 11/5/12 </div> </div> | | Date and identification of prior authorizing Council action: | |
| Recommendation: (Summary) An ordinance approving a Professional Engineering Services Contract with Nedu Engineering Services, Inc. and appropriate funds. | | | |
| Amount and Source of Funding: \$500,000.00 from Fund 4040-Metro Projects Construction DDSRF. <div style="text-align: right; margin-top: 10px;"> M.P. 11/28/2012 </div> | | | |
| PROJECT NOTICE/JUSTIFICATION: This project is part of the Safe Sidewalk Program. This program is part of a continuing effort by the City to construct sidewalks throughout the City of Houston. | | | |
| DESCRIPTION/SCOPE: The project consists of the design of approximately 54,000 linear feet of sidewalks for people with disabilities, in neighborhoods adjacent to schools, and along major thoroughfares. | | | |
| LOCATION: This project is located throughout the City and is located in various Key Map Grids. | | | |
| SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services, and Additional Services. The consultant will prepare layouts and drawings, conduct feasibility analysis, develop detailed cost estimates for construction, and prepare final plans and specifications for construction. The Basic Services Fee for this project is computed on a lump sum amount per foot of sidewalk designed. Negotiations with the Consultant have resulted in an estimated total Basic Design Fee of \$82,875.00 for Phase I; \$200,813.00 for Phase II - Final Design and \$35,062.00 for Phase III - Construction Phase Services. The total Additional Services Fee is \$116,250.00. The Additional Services include surveying, tree protection, Texas Department of Licensing and Regulation Services, Quality Control Analysis, Reproduction Services and Engineering Design Support. | | | |
| The total cost of the project is \$500,000.00 to be appropriated as follows: \$435,000.00 for Contract services and \$65,000.00 for CIP Cost Recovery. | | | |
| PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Consultant provides health benefits to eligible employees in compliance with City policy. | | | |
| LTS No. 3897 | | REQUIRED AUTHORIZATION | |
| Finance Department: | | Other Authorization: | |
| | | Other Authorization: <div style="text-align: center; margin-top: 20px;"> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division </div> | |

M/WBE INFORMATION: The M/WBE goal established for this project is 24%. The Consultant proposes the following plan to meet the M/WBE goal:

| <u>Name of Firms</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Total Contract</u> |
|--|---|---------------------|----------------------------|
| Rahaman and Associates, Inc., DBA Western Group Consultants | Topographic Survey | \$37,800.00 | 8.69% |
| Amani Engineering, Inc. | Topographic Survey | \$30,000.00 | 6.90% |
| B & E Reprographics, Inc. | Reproduction Services | \$ 5,000.00 | 1.15% |
| FCM Engineers, P.C. | Civil Engineering Services and Inspections | \$22,000.00 | 5.06% |
| Accessible Design Solutions | Accessibility Plan Review | \$ 3,500.00 | 0.80% |
| GC Engineering, Inc. | Engineering Design Support | \$28,000.00 | 6.44% |
| TOTAL | | \$126,300.00 | 29.04% |


 DWK:DRM:RK:MS:SK:as/ddh
H:\design\VA-NIP-DIV\Sidewalks\N-00610A-0125-3\1.0 Design Contract\1.2 RCA\Design RCA for N-0610A-0125 -3.doc

c: File No. N-00610A-0125-3 (1.2 RCA)

| | | | |
|---|--|--|--------------------------------|
| SUBJECT: Professional Engineering Services Contract between the City of Houston and Edminster, Hinshaw, Russ and Associates, Inc. d/b/a EHRA for Safe Sidewalk Program. WBS No. N-00610A-0126-3 | | Page 1 of 2 | Agenda Item # 30 |
| From: (Department or other point of origin): Department of Public Works and Engineering | Origination Date 2/21/13 | Agenda Date FEB 27 2013 | |
| Director's Signature:  Daniel W. Krueger, P.E. | Council District affected: ALL  | | |
| For additional information contact:  Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director | Date and identification of prior authorizing Council action: | | |
| Recommendation: (Summary) An ordinance approving a Professional Engineering Services Contract with Edminster, Hinshaw, Russ and Associates, Inc. d/b/a EHRA and appropriate funds. | | | |
| Amount and Source of Funding: \$500,000.00 from Fund 4040-METRO Projects Construction DDSRF.  | | | |
| PROJECT NOTICE/JUSTIFICATION: This project is part of the Safe Sidewalk Program. It provides for the design of sidewalks leading up to schools and along major thoroughfares. | | | |
| DESCRIPTION/SCOPE: The project consists of the design of approximately 53,000 linear feet of sidewalks for people with disabilities, in neighborhoods adjacent to schools, and along major thoroughfares. | | | |
| LOCATION: This project is located throughout the City and is located in various Key Map Grids. | | | |
| SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services, and Additional Services. The consultant will prepare layouts and drawings, conduct feasibility analysis, develop detailed cost estimates for construction, and prepare final plans and specifications for construction. The Basic Services Fee for this project is computed on a lump sum amount per foot of sidewalk designed. Negotiations with the Consultant have resulted in an estimated total Basic Design Fee of \$311,817.00. The total Additional Services appropriation is \$123,183.00 which includes surveying, tree protection, Texas Department of Licensing and Regulation Services, Quality Control Analysis, Reproduction Services and Engineering Design Support. | | | |
| The total cost of the project is \$500,000.00 to be appropriated as follows: \$435,000.00 for Contract services and \$65,000.00 for CIP Cost Recovery. | | | |
| PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Consultant provides health benefits to eligible employees in compliance with City policy. | | | |
| LTS No. 4177 | | REQUIRED AUTHORIZATION | |
| Finance Department: | | Other Authorization: | |
| | |  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division | |

NOT

28

M/WBE INFORMATION: The M/WBE goal established for this project is 24%. The Consultant proposes the following plan to meet the M/WBE goal:

| <u>Name of Firms</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Total Contract</u> |
|-------------------------|---|---------------|----------------------------|
| Amani Engineering, Inc. | Surveying | \$ 79,500.00 | 18.28% |
| ISANI Consultants, LLP | Construction Management and Engineering Services | \$ 28,300.00 | 6.51% |
| Accessible Compliance | Plan Review and Site Inspection ADA Compliance | \$ 1,065.00 | 0.24% |
| | TOTAL | \$108,865.00 | 25.03% |


DWK:DRM:RK:MS:SK:as

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ec: File No. N-00610A-0126-3 (1.2 RCA)

SUBJECT: Professional Engineering Services Contract between the City and Hazen and Sawyer, P.C. for Lift Station Renewal and Replacement – Willie, Dockal, Tidwell Road No.1, Iroquois West, Canino Road and John Alber Road. WBS No. R-000267-0116-3.

Page
1 of 2

Agenda Item #

31

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

Director's Signature:

Daniel W. Krueger, P.E., Director

Council District affected:

B, H RCM

For additional information contact:

Ravi Kaleyatodi, P.E., CPM

Phone: (832) 395-2326

Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

An ordinance approving a Professional Engineering Services Contract with Hazen and Sawyer, P.C. and appropriate funds.

Amount and Source of Funding:

\$1,454,208.00 Water and Sewer System Consolidated Construction Fund No. 8500. *W.P. 2/6/2013*

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's ongoing program to upgrade its wastewater lift station facilities.

DESCRIPTION/SCOPE: This project consists of the evaluation and design services to rehabilitate, repair, replace, and/or consolidate various lift stations and related sewer systems.

LOCATION:

| <u>Lift Station</u> | <u>Address</u> | <u>Key Map Grid</u> | <u>Council District</u> |
|------------------------------------|----------------------|---------------------|-------------------------|
| 1. Dockal Lift Station | 8300 Dockal | 455K | B |
| 2. Tidwell Road No. 1 Lift Station | 7406 Tidwell Road | 455A | B |
| 3. Canino Road Lift Station | 101 West Canino Road | 413S | H |
| 4. Iroquois West Lift Station | 12903 Iroquois | 413Q | H |
| 5. John Alber Road Lift Station | 621 John Alber Road | 413U | H |
| 6. Willie Lift Station | 10440 Willie | 414X | H |

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$181,177.00. The total Basic Services appropriation is \$991,372.00.

LTS No. 4512

CUIC ID# 20RCM22

MO

Finance Department:

Other Authorization:

Jun Chang For

Jun 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

| | | | |
|-------------|---|--|------------------------------|
| Date | SUBJECT: Professional Engineering Services Contract between the City and Hazen and Sawyer, P.C. for Lift Station Renewal and Replacement – Willie, Dockal, Tidwell Road No. 1, Iroquois West, Canino Road and John Alber Road. WBS No. R-000267-0116-3. | Originator's Initials <i>RCM</i> | Page 2 of 2 |
|-------------|---|--|------------------------------|

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying services, geotechnical investigations, subsurface investigations, environmental site assessments, tree protection plans, storm water pollution protection plans, traffic control plans, technical review committee presentation, and engineering support services. The total Additional Services appropriation is \$273,157.00.

The total cost of this project is \$1,454,208.00 to be appropriated as follows: \$1,264,529.00 for Contract services and \$189,679.00 for CIP Cost Recovery.

PAY OR PLAY PROGRAM:

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

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

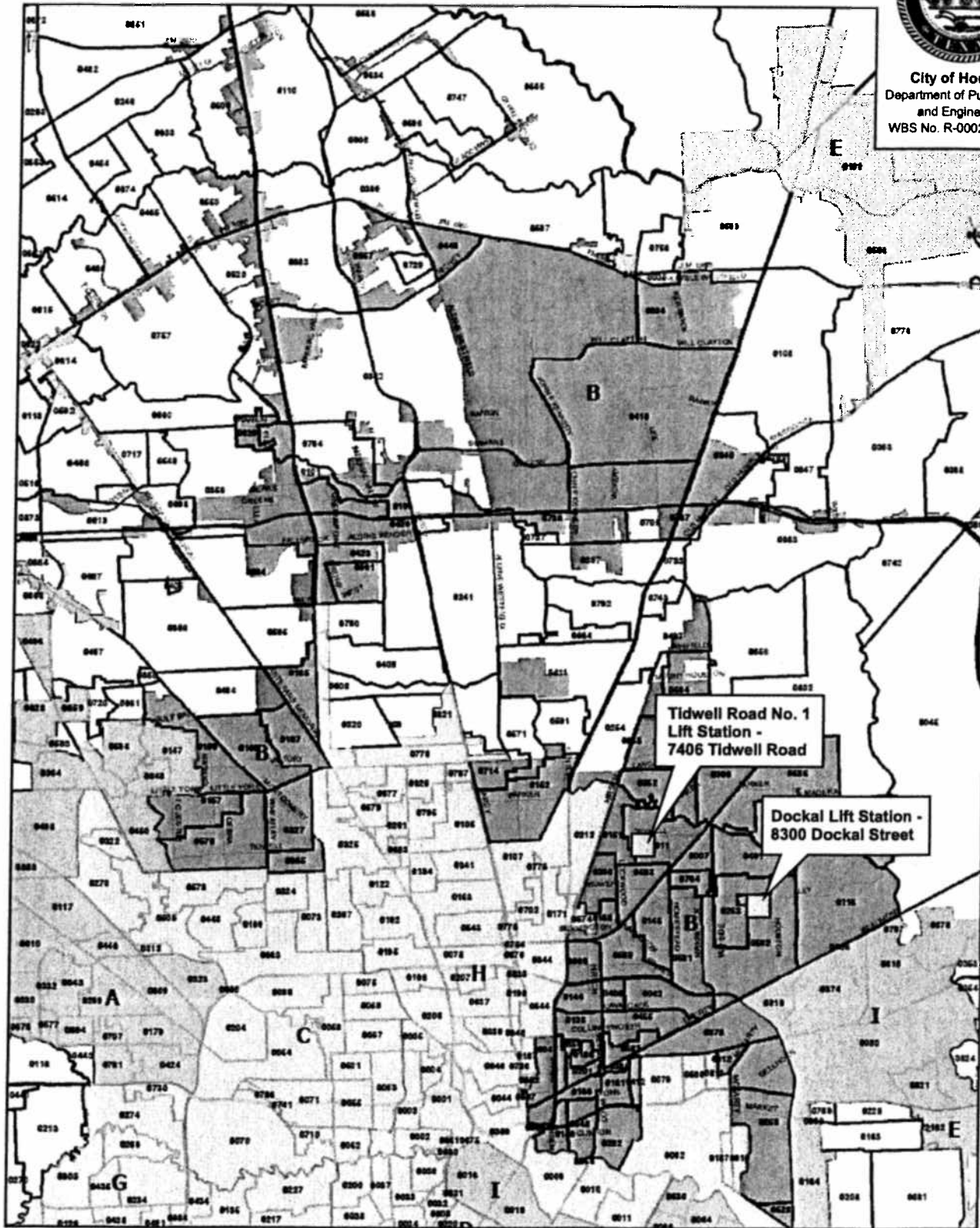
| <u>Name of Firms</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Total Contract</u> |
|---|---|---------------------|----------------------------|
| 1. Gupta & Associates, Inc. | Engineering Services | \$144,284.00 | 11.41% |
| 2. KIT Professionals, Inc. DBA KIT Professionals, Inc. | Engineering Services | \$156,010.00 | 12.34% |
| 3. Martinez, Guy & Maybik, Inc. | Engineering Services | \$129,605.00 | 10.25% |
| 4. Quadrant Consultants Inc. | Engineering Services | \$ 24,300.00 | 1.92% |
| 5. HVJ Associates, Inc. | Geotechnical and Environmental Site Assessment Services | <u>\$ 45,588.00</u> | <u>3.60%</u> |
| TOTAL | | \$499,787.00 | 39.52% |

RCM
DWK:DRM:RK:EN:IMR:RCM:pa

c: File No. R-000267-0116-3



City of Houston
Department of Public Works
and Engineering
WBS No. R-000267-01163



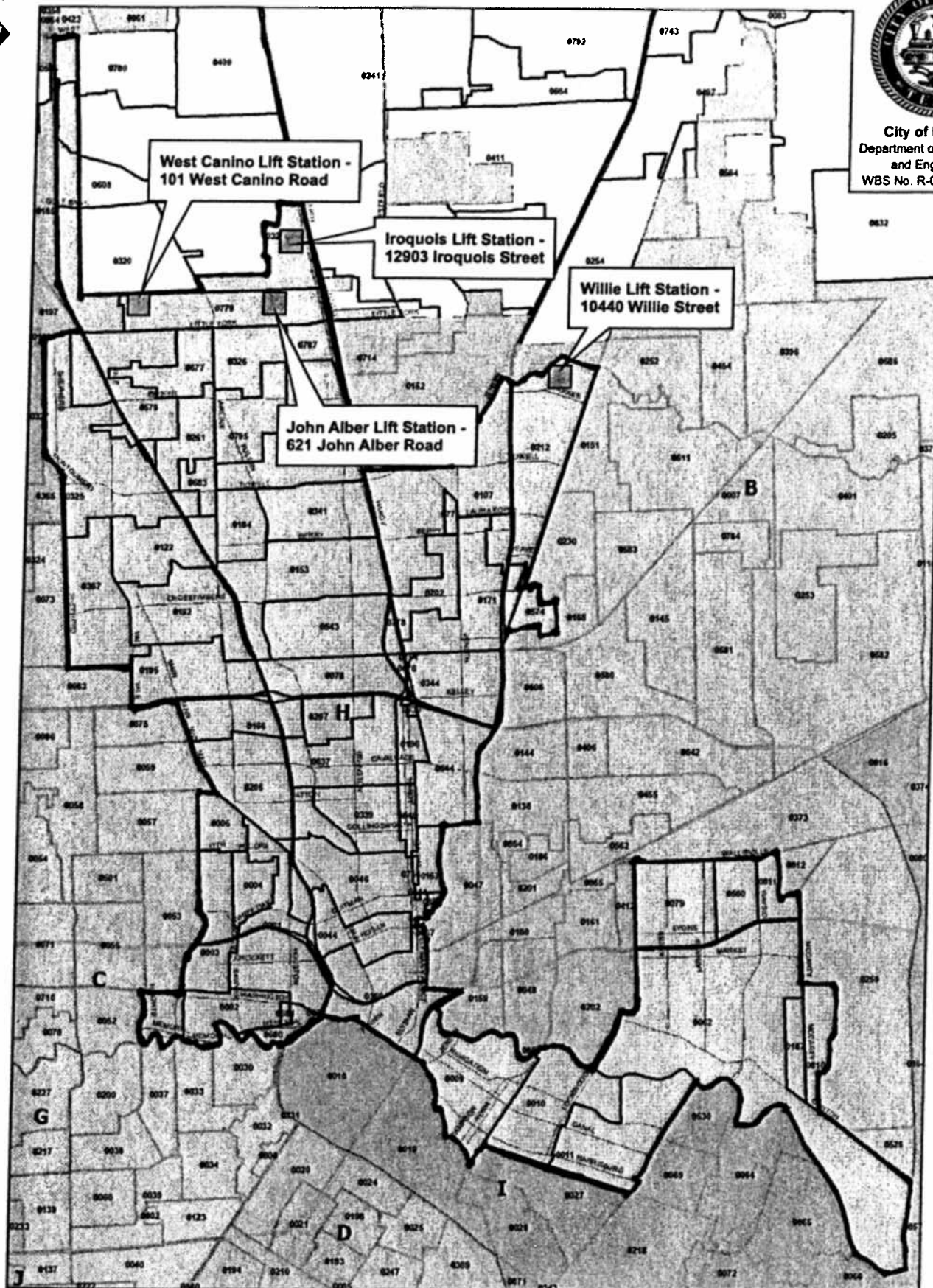
Not to Scale

City of Houston – Lift Station Renewal and Replacement
Council District Map - B
Council Member: Jerry Davis

HAZEN AND SAWYER
Environmental Engineers & Scientists



City of Houston
Department of Public Works
and Engineering
WBS No. R-000267-01163



Not to Scale

City of Houston – Lift Station Renewal and Replacement
Council District Map - H
Council Member: Ed Gonzalez

HAZEN AND SAWYER
Environmental Engineers & Scientists

SUBJECT: Professional Engineering Services Contract between the City and HR Green, Inc., for Lift Station Renewal and Replacement - Findlay, Garden Villas, Goodyear and Reveille Lift Station.
WBS No. R-000267-0120-3.

Page
1 of 2

Agenda Item #

32

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

Director's Signature:

Daniel W. Krueger, P.E., Director

Council District affected:

E, 1 TH

For additional information contact:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director

Phone: (832) 395-2326

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

An ordinance approving a Professional Engineering Services Contract with HR Green, Inc., and appropriate funds.

Amount and Source of Funding: \$991,100.00 Water and Sewer System Consolidated Construction Fund No. 8500.

W.P. 2/4/2013

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's ongoing program to upgrade its wastewater lift station facilities.

DESCRIPTION/SCOPE: This project consists of the overall condition assessment/evaluation of the five lift stations listed below to provide recommended alternatives for improvement, and prepare the complete design package for each lift station.

LOCATION: The project areas are located as follows:

| <u>Lift Station</u> | <u>Location/Address</u> | <u>Key Map Grid</u> | <u>Council District</u> |
|---------------------|-------------------------|---------------------|-------------------------|
| 1. Goodyear | 9850½ Goodyear | 535H | E |
| 2. Reveille | 4901 Reveille | 535S | I |
| 3. Findlay | 8542 Findlay | 535Q | I |
| 4. Garden Villas | 7375 Sims | 534Z | I |

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$112,002.00. The total Basic Services appropriation is \$747,795.00.

LTS No. 4479

CUIC ID #20TH08

NOT

Finance Department:

Other Authorization:

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

Other Authorization:

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

| | | | |
|-------------|--|------------------------------------|-----------------------|
| Date | SUBJECT: Professional Engineering Services Contract between the City and HR Green, Inc., for Lift Station Renewal and Replacement - Findlay, Garden Villas, Goodyear and Reveille Lift Station. WBS No. R-000267-0120-3. | Originator's Initials TH | Page 2 of 2 |
|-------------|--|------------------------------------|-----------------------|

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Route and Site Topographical Survey, Geotechnical Investigations, Environmental Site Assessment, Subsurface Investigations, Tree Protection Plans, Storm Water Pollution Prevention Plans, Traffic Control Plans, Reproduction Services, Technical Review Committee Presentation and Recommendations, Existing Conditions Survey, and Independent Construction Cost Estimate. The total Additional Services appropriation is \$114,029.00.

The total cost of this project is \$991,100.00 to be appropriated as follows: \$861,824.00 for Contract services and \$129,276.00 for CIP Cost Recovery.

PAY OR PLAY PROGRAM:

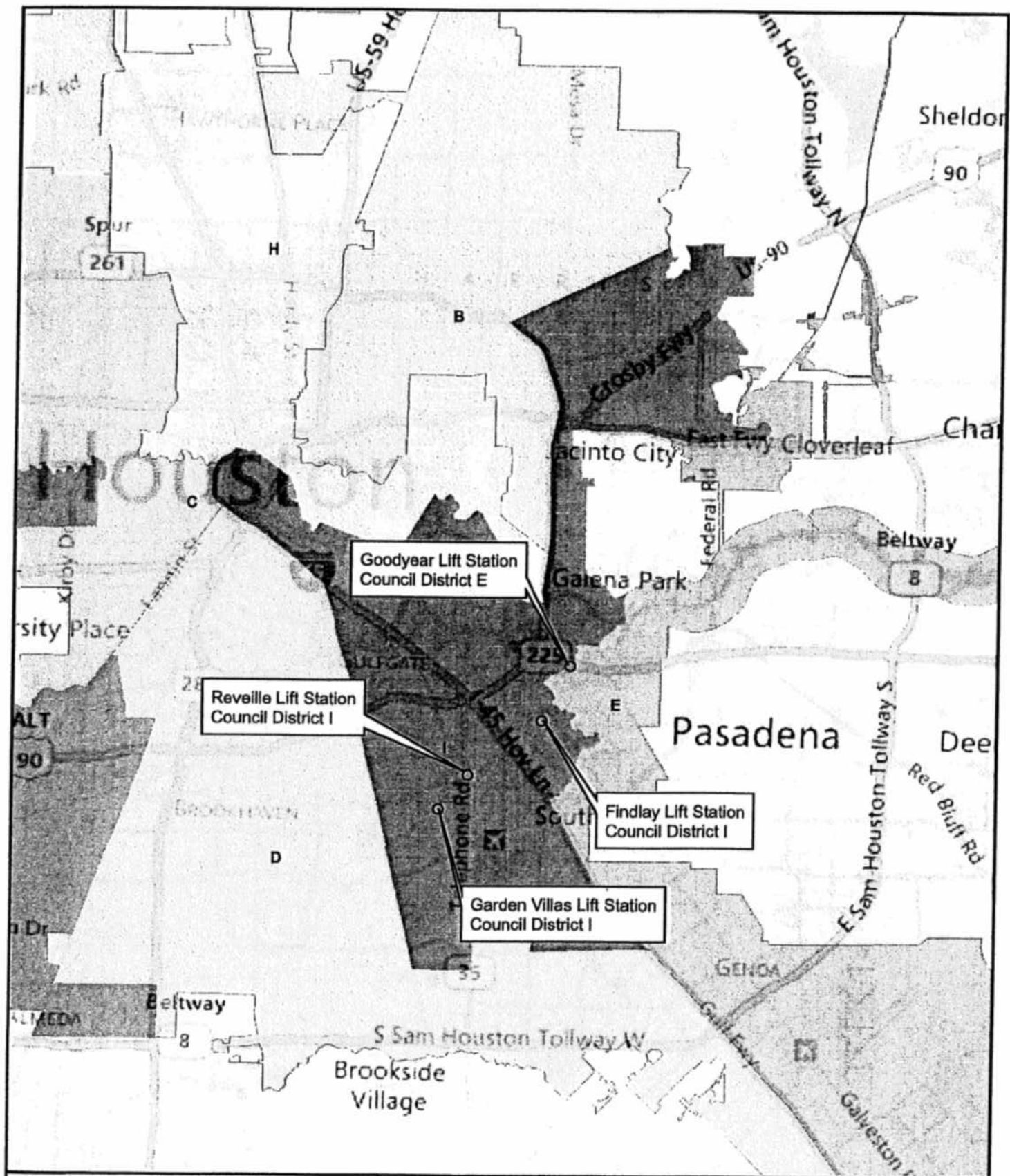
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Consultant provides health benefits to eligible employees in compliance with City policy.

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

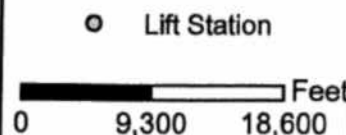
| <u>Name of Firms</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Total Contract</u> |
|------------------------------|----------------------------|---------------------|----------------------------|
| 1. B & E Reprographics, Inc. | Reprographics Services | \$ 4,071.00 | 0.5% |
| 2. Gupta & Associates, Inc. | Electrical Instrumentation | \$ 51,682.50 | 6.0% |
| 3. HVJ Associates, Inc. | Geotechnical Services | \$ 22,395.75 | 2.6% |
| 4. ISANI Consultants, LLP | Engineering Services | \$ 43,068.75 | 5.0% |
| 5. KIT Professionals, Inc. | | | |
| DBA KIT Professionals, Inc. | Engineering Services | \$ 68,393.18 | 7.9% |
| 6. United Engineers, Inc. | Surveying Services | \$ 17,227.50 | 2.0% |
| TOTAL | | \$206,838.68 | 24.0% |


DWK:DRM:RK:EN:TH:pa

c: File No. R-000267-0120-3 (1.2)



Findlay/Garden Villas/Goodyear/Reville
Lift Stations Project Vicinity Map
Exhibit A
WBS No. R-000267-0120-3



Date Source: Houston GIS Data
Projected Coordinate System: NAD_1983_StatePlane_Texas
South_Central_FIPS_4204_Feet
Projection: Lambert Conformal Conic
Map Published: 12/04/12
Author: JVK
Address: 11011 Richmond Ave., Suite 375
Houston, TX 77042



SUBJECT: Professional Engineering Services Contract between the City and Black & Veatch Corporation for Negotiated Work Order Engineering Services associated with the Alameda Sims Wastewater Treatment Plant Improvements. WBS No. R-000298-0009-3.

Page
1 of 2

Agenda Item #

33

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

Director's Signature:

Daniel W. Krueger, P.E., Director

Council District affected:

D 1MR

For additional information/contact:Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director

Phone: (832) 395-2326

Date and identification of prior authorizing Council action:**RECOMMENDATION: (Summary)**

An ordinance approving a Professional Engineering Services Contract with Black & Veatch Corporation and appropriate funds.

Amount and Source of Funding: \$575,000.00 Water and Sewer System Consolidated Construction Fund No. 8500.

H.P. 11/13/2012

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's ongoing program to provide professional engineering services for the improvement of the existing wastewater utility facilities at the Alameda Sims Wastewater Treatment Plant.

DESCRIPTION/SCOPE: This project consist of preparation of the complete design bid packages for the Alameda Sims Wastewater Treatment Plant based on the individual "Work Order" issued by the Department of Public Works and Engineering.

LOCATION: The project area is located at 12319½ Alameda Road, Key Map Grids 572L and 572M.

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the consultant will perform work on any unit in operation at the Alameda Sims Wastewater Treatment Plant that requires an accelerated response in preparation of plans, specifications, and bid documents. This project will be generally small in nature, usually dealing with only one specific problem or unit operation, and will be initiated through a work order process that will include the specific and well-defined scope of work.

The total cost of this project is \$575,000.00 to be appropriated as follows: \$500,000.00 for Contract services and \$75,000.00 for CIP Cost Recovery.

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

LTS No. 4045

CUIC ID #20IMR80


Finance Department:**Other Authorization:**Jun Chang, P.E., D.WRE, Deputy Director
Public Utilities Division**Other Authorization:**Daniel R. Menendez, P.E., Deputy Director
Engineering and Construction Division

| | | | |
|-------------|---|---|-----------------------|
| Date, . . . | SUBJECT: Professional Engineering Services Contract between the City and Black & Veatch Corporation for Negotiated Work Order Engineering Services associated with the Alameda Sims Wastewater Treatment Plant Improvements. WBS No. R-000298-0009-3. | Originator's Initials IMR | Page 2 of 2 |
|-------------|---|---|-----------------------|

M/WBE INFORMATION: Black & Veatch Corporation is committed to achieving the 24% M/WBE overall goal set for this contract. The following M/WBE firms will provide services for this project. Due to the work order nature of this project, specific distribution between MWBE firms will be dependent upon the scope of work for the tasks issued by the City.

The Consultant has proposed the following firms to achieve this goal.

| <u>Name of Firms</u> | <u>Work Description</u> |
|-----------------------------------|---------------------------------|
| 1. KIT Professionals, Inc. | Engineering Services |
| 2. Gupta & Associates, Inc. | Electrical Engineering Services |
| 3. Amani Engineering, Inc. | Land Surveying Services |
| 4. Aviles Engineering Corporation | Geotechnical Services |


DWK:DRM:RK:EN:IMR:fs:pa
c: File No. R-000298-0009-3



COUNCIL DISTRICT D


COUNCIL DISTRICT K

ALMEDA SIMS WWTP
12319 1/2 ALMEDA ROAD (FM 521)
HOUSTON, TX 77045
HARRIS COUNTY KEY MAP# 572


PROJECT LOCATION MAP
ALMEDA SIMS WWTP

NEGOTIATED WORK ORDER
ENGINEERING CONTRACT FOR ALMEDA
SIMS WWTP IMPROVEMENTS
WBS NO: R-000298-0009-3

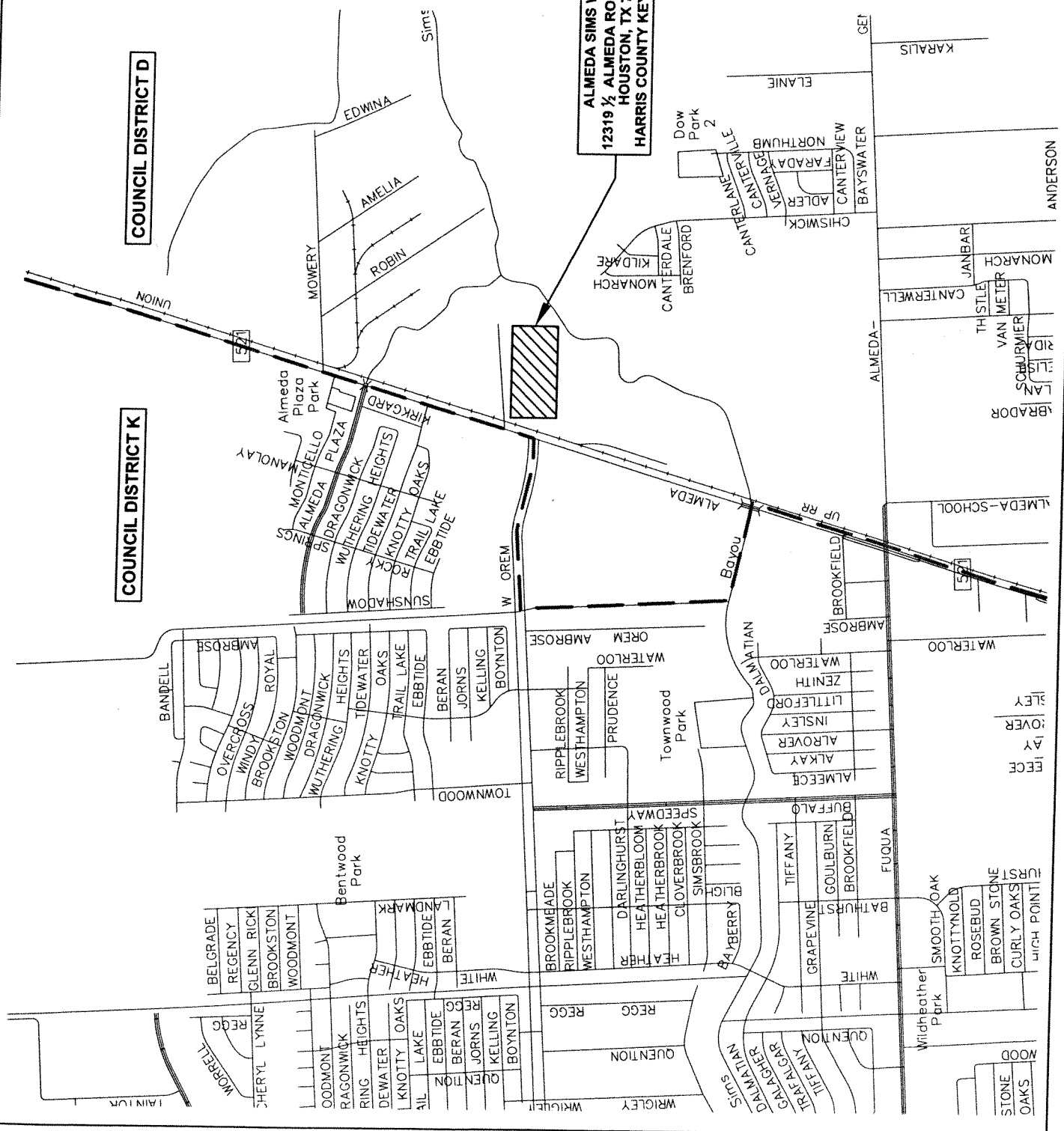
SCALE: NTS
DATE: NOVEMBER, 2012



CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION



BLACK & VEATCH
5151 San Felipe, Suite 2015
Houston, Texas 77056
Phone: (713) 961-1100
TBP/E Firm
Registration No. F-258



SUBJECT: Professional Engineering Services Contract between the City and United Engineers, Inc. for Neighborhood Sewer System Improvements – Basins AS074 and SB142, Fuqua Lift Station/Force Main Discharge Line. WBS No. R-002011-0087-3.

Page
1 of 2

Agenda Item #

34

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

Director's Signature:

Daniel W. Krueger, P.E., Director

Council District affected:

C, D, I & K RCM

For additional information contact:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director

Phone: (832) 395-2326

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

An ordinance approving a Professional Engineering Services Contract with United Engineers, Inc. and appropriate funds.

Amount and Source of Funding: \$975,693.00 Water and Sewer System Consolidated Construction Fund No. 8500.

U.P. 2/5/2013

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's ongoing program for Neighborhood Sewer System Improvements.

DESCRIPTION/SCOPE: This project consists of the design of approximately 13,800 linear feet of sanitary sewer lines ranging from 8-inch to 10-inch diameter within the public right-of-way for abandonment of existing back lot sewers in Basins AS074 and SB142 in Sims Bayou Wastewater Treatment Plant Service Area. Additionally, the project consists of the evaluation and recommendation of the required improvements to increase the capacity of the sewer line receiving the discharge from the Fuqua Lift Station.

LOCATION: The project area is generally bounded by Barkdull Street on the north, Sunset Boulevard and Main Street on the south, Institute Lane on the east and Main Street on the west; Leeland Street on the north, Harby Street on the South, Sidney Street on the west and Ernestine Street on the east; and Dalmation Drive on the north, Fuqua Street on the south, Campbell Hill Drive on the west and White Heather Drive on the east. The project is located in Key Map Grids 493W, 494S, W & X, 533A, 571R & V, 572N & S.

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is \$148,395.00. The total Basic Services appropriation is \$545,370.00.

LTS No. 4465

CUIC ID #20RCM23

Finance Department:

Other Authorization:

Jun Chang for

Jun 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

| | | | |
|-------------|---|---|------------------------------|
| Date | SUBJECT: Professional Engineering Services Contract between the City and United Engineers, Inc. for Neighborhood Sewer System Improvements – Basins AS074 and SB142, Fuqua Lift Station/Force Main Discharge Line. WBS No. R-002011-0087-3. | Originator's Initials RCM | Page 2 of 2 |
|-------------|---|---|------------------------------|

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Route Topographic Survey, Geotechnical Investigations, Environmental Site Assessment, Tree Protection Plans, Traffic Control Plans, Storm Water Pollution Prevention Plans, Reproduction Services, and Technical Review Committee Presentation and Recommendations. The total Additional Services appropriation is \$303,059.00.

The total cost of this project is \$975,693.00 to be appropriated as follows: \$848,429.00 for Contract services and \$127,264.00 for CIP Cost Recovery.

PAY OR PLAY PROGRAM:

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

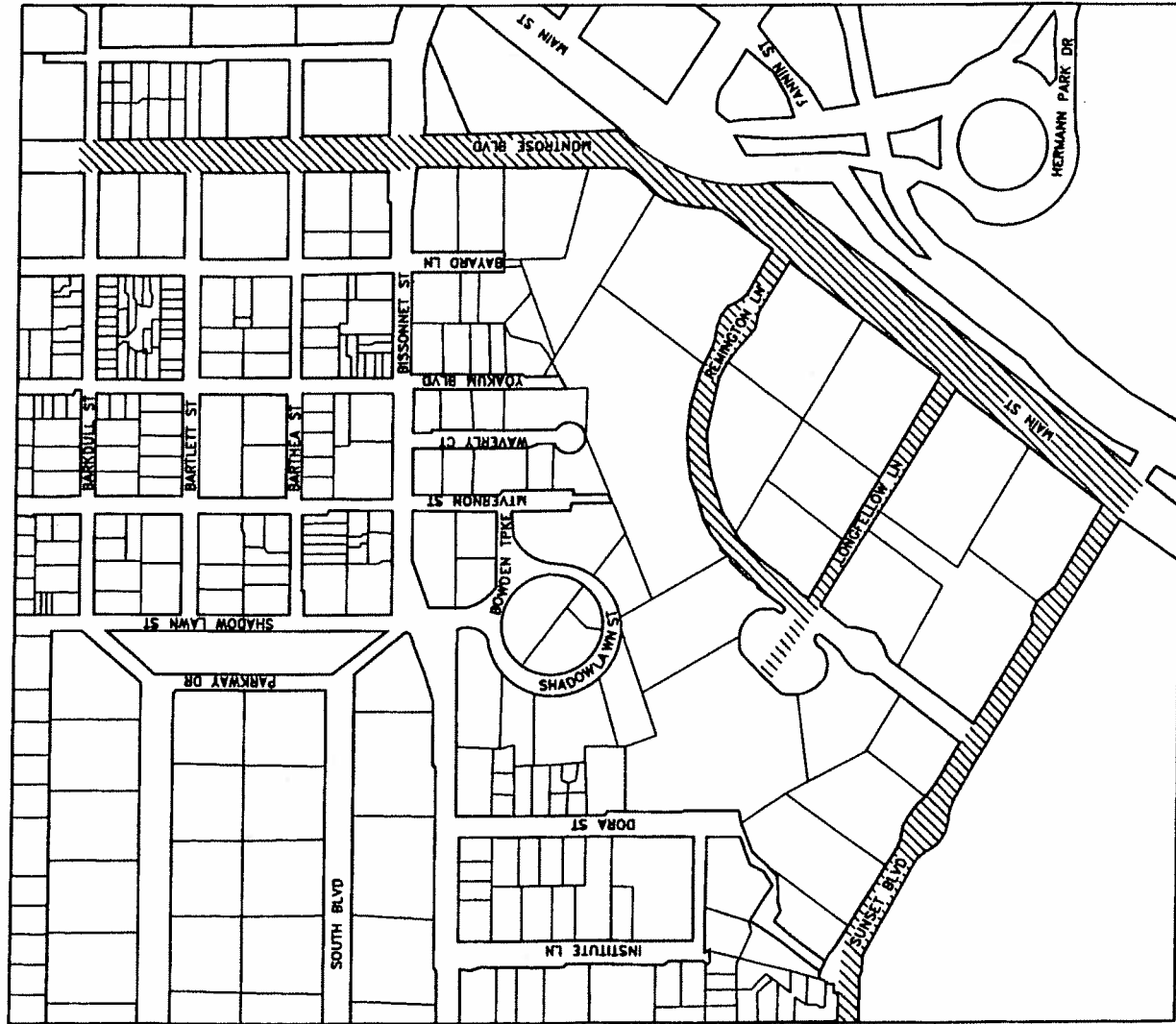
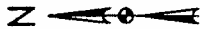
M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

| <u>Name of Firms</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Total Contract</u> |
|--|---|---------------------|----------------------------|
| 1. Associated Testing Laboratories, Inc. | Environmental Site Assessment and Geotechnical Services | \$ 76,505.00 | 9.02% |
| 2. Rahaman and Associates, Inc., DBA Western Group Consultants | Surveying Services | \$ 85,503.00 | 10.08% |
| 3. ISANI Consultants, LLP | Engineering Services | \$ 50,514.00 | 5.95% |
| 4. Construction and Management Professionals, LLC, DBA PKV Engineering | Engineering Services | \$ 9,300.00 | 1.10% |
| 5. B & E Reprographics, Inc. | Reproduction Services | \$ 8,000.00 | 0.94% |
| TOTAL | | \$229,822.00 | 27.09% |


DWK:DRM:RK:EN:IMR:RCM:pa

c: File No. R-002011-0087-3 (1.2)

WBS NO. R-002011-0087-3



| BASIN AS074 | | | | SIZE (INCH) | LENGTH (FEET) |
|----------------|----------------|----------------------------------|--|-------------|---------------|
| STREET NAME | FROM | TO | | | |
| SUNSET BLVD. | MAIN ST. | 670 LF NORTHWEST OF REMINGTON LN | | 8 | 1205 |
| MON GFFLOW LN. | REMINGTON LN. | MAIN ST. | | 8 | 928 |
| REMINGTON LN. | MON GFFLOW LN. | MAIN ST. | | 8 | 1160 |
| MAIN ST. | SUNSET BLVD. | MONTROSE BLVD. | | 10 | 1774 |
| MONTROSE BLVD. | MAIN ST. | BARBOULL ST. | | 10 | 1610 |
| | | | | TOTAL | 7,053 |

PROJECT AREA MAP

EXHIBIT-A



United Engineers, Inc.
CIVIL ENGINEERING • LAND DEVELOPMENT
CONSTRUCTION MANAGEMENT • SURVEYING

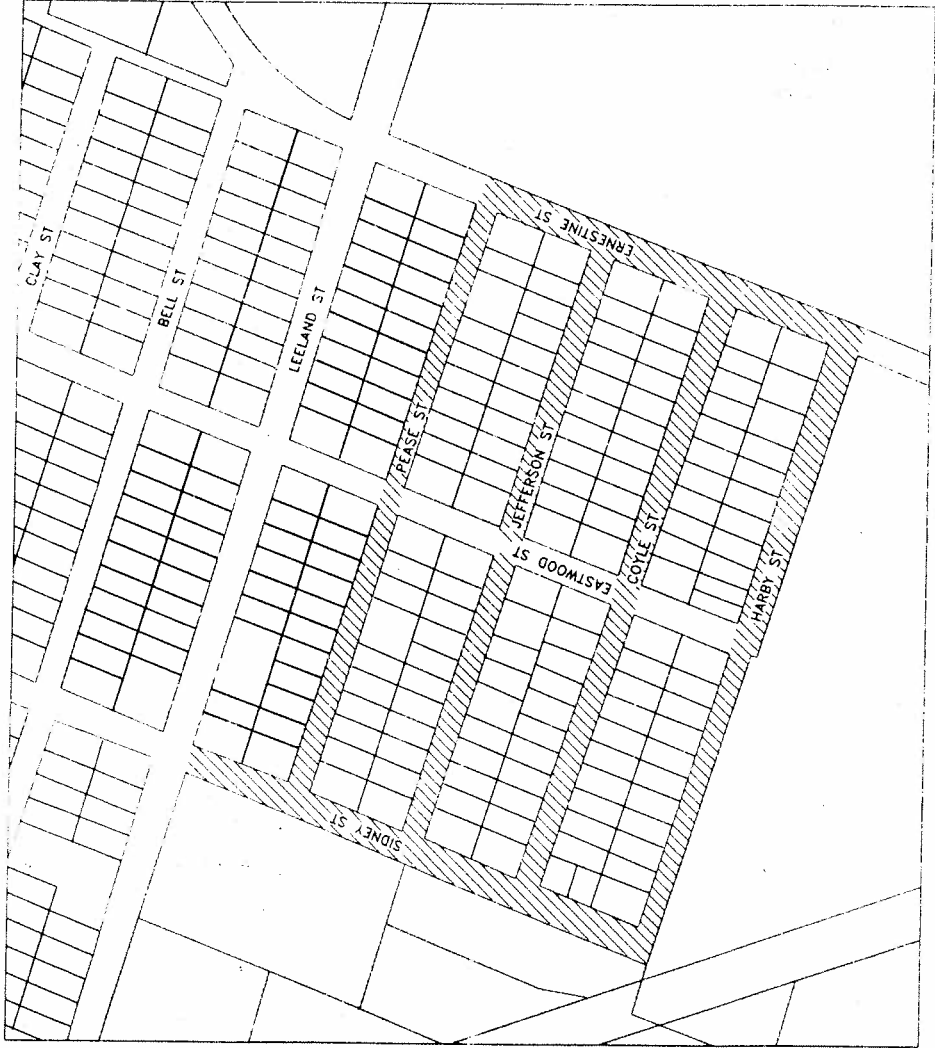
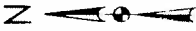
GIM MAP NO. 5355A & 5356C

GIM MAP NO. 5355A & 5356C

COGS SUBSIDIZED RAILWAY, STATE AND

TEL (713) 271-2100

DEPARTMENT OF PUBLIC WORKS & ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION
NEIGHBORHOOD SEWER SYSTEM IMPROVEMENT PROGRAM
WBS NO. R-002011-0087-3



KEY MAP NO. 494S, 494W, & 494X
GIM MAP NO. 5456B & 5456D

| BASIN SB142 | | | | |
|---------------|------------|---------------|-------------|---------------|
| STREET NAME | FROM | TO | SIZE (INCH) | LENGTH (FEET) |
| PEASE ST. | SIDNEY ST. | ERNESTINE ST. | 8 | 1400 |
| JEFFERSON ST. | SIDNEY ST. | ERNESTINE ST. | 8 | 1400 |
| COYLE ST. | SIDNEY ST. | ERNESTINE ST. | 8 | 1400 |
| HARBY ST. | SIDNEY ST. | ERNESTINE ST. | 8 | 1400 |
| SIDNEY ST. | HARBY ST. | LEELAND ST. | T.B.D | 1230 |
| | | TOTAL | | 6,830 |

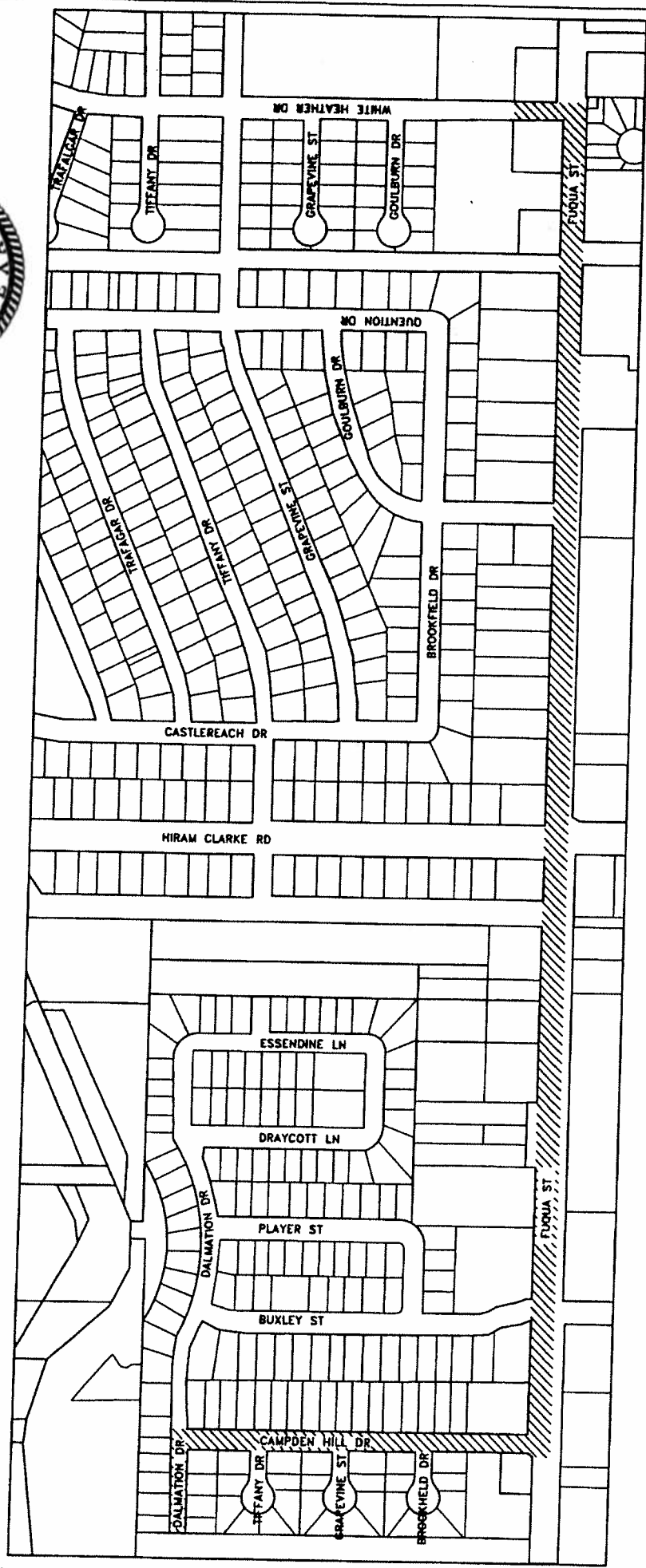
PROJECT AREA MAP
EXHIBIT-B



United Engineers, Inc.
CIVIL ENGINEERING • LAND DEVELOPMENT
CONSTRUCTION MANAGEMENT • SURVEYING

8303 SOUTHWEST FREEWAY, SUITE 900
HOUSTON, TEXAS 77074
TEL (713) 271-2900
FAX (713) 271-2999

DEPARTMENT OF PUBLIC WORKS & ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION
NEIGHBORHOOD SEWER SYSTEM IMPROVEMENT PROGRAM
WBS NO. R-002011-0087-3



KEY MAP NO. 572N, 571R, 572S & 571V
GIM MAP NO. 5251C

| FUQUA LIFT STATION | | | | |
|--------------------|------------------|-------------------|-------------|---------------|
| STREET NAME | FROM | TO | SIZE (INCH) | LENGTH (FEET) |
| FUQUA ST. | CAMPDEN HILL RD. | WHITE HEATHER DR. | T.B.D. | 4250 |
| CAMPDEN HILL RD. | DALMATIN DR. | FUQUA ST. | T.B.D. | 1360 |
| DALMATIN DR. | CAMPDEN HILL RD. | TO END | T.B.D. | 335 |
| TOTAL | | | | 5,925 |

PROJECT AREA MAP

EXHIBIT-C



United Engineers, Inc.
CIVIL ENGINEERING • LAND DEVELOPMENT
CONSTRUCTION MANAGEMENT • SURVEYING

2003 SOUTHVIEW FREEDOM, SUITE 600
HOUSTON, TEXAS 77074
TEL (713) 271-2900
FAX (713) 271-2999

SUBJECT: Professional Engineering Services Contract between the City and CivilTech Engineering, Inc. for Negotiated Work Order Engineering Contract for Sewer Collection System Improvements. WBS No. R-002011-0088-3.

Page
1 of 2

Agenda Item #

35

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

Director's Signature:

Daniel W. Krueger, P.E., Director

Council District affected:

All RCM

For additional information contact:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director

Phone: (832) 395-2326

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

An ordinance approving a Professional Engineering Services Contract with CivilTech Engineering, Inc. and appropriate funds.

Amount and Source of Funding:

\$1,495,000.00 Water and Sewer System Consolidated Construction Fund No. 8500.

U.P. 11/14/2012

PROJECT NOTICE/JUSTIFICATION: This project is part of the program to provide professional engineering services to improve sanitary sewer collection systems.

DESCRIPTION/SCOPE: This project consists of the preparation of complete design packages to improve sanitary sewer collection systems, based on individual work orders issued by the Department of Public Works and Engineering.

LOCATION: The Contract will encompass locations throughout the City.

SCOPE OF CONTRACT AND FEE: Under the scope of the Contract, the Consultant will provide professional engineering services for any existing sewer collection system that requires an accelerated response in preparation of plans, specifications and bid documents. The project will be initiated through a work order process that will include specific and well-defined scopes of work.

The total cost of this project is \$1,495,000.00 to be appropriated as follows: \$1,300,000.00 for Contract services and \$195,000.00 for CIP Cost Recovery.

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

LTS No. 3993

CUIC ID # 20RCM21

Finance Department:

Other Authorization:

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

Other Authorization:

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

Date

SUBJECT: Professional Engineering Services Contract between the City and CivilTech Engineering, Inc. for Negotiated Work Order Engineering Contract for Sewer Collection System Improvements. WBS No. R-002011-0088-3.

**Originator's
Initials**

RCM

**Page
2 of 2**

M/WBE INFORMATION: Civil Tech Engineering, Inc. is committed to achieving the 24% M/WBE overall goal set for this contract. The following M/WBE firms will provide services for this project. Due to the work order nature of this project, specific distribution between MWBE firms will be dependent upon the scope of work for the tasks issued by the City.

Name of Firms

Work Description

- | | |
|---|--|
| 1. Midtown Engineers, LLC | Traffic Control Plans, Storm Water Pollution Prevention Plans, Subsurface Investigations, Independent Construction Cost Estimates Services |
| 2. Geotest Engineering, Inc. | Geotechnical Related Services |
| 3. Berg-Oliver Associates, Inc. | Environmental Related Services |
| 4. Chief Solutions, Inc. | Closed-circuit Television Inspection, Smoke and Dye Testing Services |
| 5. Rahaman and Associates, Inc., DBA Western Group Consultants | Survey Services |
| 6. B & E Reprographics, Inc. | Reproduction Services |


DWK:DRM:RK:EN:IMR:RCM:pa

c: File No. R-002011-0088-3

SUBJECT: Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for Services Associated with the Surface Water Transmission Program. WBS No. S-000900-0121-3

Page
1 of 3

Agenda Item #

36

From: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

Director's Signature:

Daniel W. Krueger, P.E., Director

Council District affected:

All

ACU

For additional information contact:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director

Date and identification of prior authorizing Council action:

Recommendation: (Summary)

Approve Professional Engineering Services Contract with Lockwood, Andrews & Newnam, Inc., and appropriate funds.

Amount and Source of Funding:

\$14,453,200.00 - Water and Sewer System Consolidated Construction Fund No. 8500

M.P. 12/4/2012

PROJECT NOTICE/JUSTIFICATION: This contract supports the execution of the Surface Water Transmission Infrastructure Capital Improvement Program. The Surface Water Transmission Program provides professional engineering services to assist the City in meeting the current and future system demands and technical support to City staff on various elements of the transmission system.

DESCRIPTION/SCOPE: This appropriation will fund a number of specific tasks to maximize the City's use of available surface water. These tasks include various engineering services for the construction of new infrastructure and rehabilitation of existing infrastructure. New infrastructure support includes feasibility and routing studies, and design for water transmission lines and appurtenances necessary to meet regulatory requirements. Rehabilitation support includes evaluating the condition and designing solutions to assist the City in extending the useful life of critical transmission lines. The net result of these efforts will be improved water system reliability and operational efficiencies stemming from the consolidation of groundwater pump station facilities.

LOCATION: Various locations citywide.

SCOPE OF CONTRACT AND FEE: The requested appropriation will accomplish the following tasks: Program Management (supporting the City's management of the proposed design efforts), Engineering Project Design Services consisting of Basic Services (Phase I - Preliminary Design, Phase II - Final Design and Additional Services. Additional Services tasks include surveying, geotechnical investigations, Phases I and II environmental services, traffic control, surge analysis, real estate assistance and condition assessment effort. Technical Support encompasses specialized engineering services required for developing technical criteria for the program, water system modeling and City planning support efforts.

LTS No. 4027

CUIC ID # 20ACM81

MS

Finance Department:

Other Authorization:

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

Other Authorization:

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

34

SUBJECT: Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for Services Associated with the Surface Water Transmission Program. WBS No. S-000900-0121-3

Originator's Initials

kan

**Page
2 of 3**

This contract will provide project engineering efforts for the following projects:

| | WBS No. | Projects | Engineer of Record | District | Key Map |
|-----|---------------|--|---------------------------------------|----------|-----------|
| 1. | S-000700-0067 | 12-inch Water Line along IH-10 and IH-610 (Ph II) | Texas American Engineering, LLC | I & E | 495 & 496 |
| 2. | S-000701-0012 | Pressure Reducing Valve Station Improvements– Package 6 (Ph I & II) | Lockwood, Andrews & Newnam, Inc. | All | Various |
| 3. | S-000701-0014 | Work Order Rehab to Large Diameter Water Lines – Package 11 | Lockwood, Andrews & Newnam, Inc. | All | Various |
| 4. | S-000701-0015 | Corrosion Protection Work Order – Package 1 | Texas American Engineering, LLC | All | Various |
| 5. | S-000900-0112 | 36-inch Water Line from W. Bellfort to Bissonnet (Ph II) | Dannenbaum Engineering Corp. | J & K | 530 & 570 |
| 6. | S-000900-0125 | 16-inch Water Line from Buffalo Speedway to Stella Link (Ph I & II) | Kuo & Associates, Inc. | K | 532 |
| 7. | S-000900-0126 | 96-inch Water Line from Smith to Lee Road (Ph II) | Lockwood, Andrews & Newnam, Inc. | B | 374 & 375 |
| 8. | S-000900-0127 | 42-inch Water Line from Aldine Bender to Shirley Lane (Ph II) | Kellogg Brown & Root Services, Inc. | B | 374 |
| 9. | S-000900-0128 | 42-inch Water Line flow control valve(s) at Hirsch Road (Ph II) | Lockwood, Andrews & Newnam, Inc. | B | 414 |
| 10. | S-000900-0129 | 60-inch Water Line from Airport to Glen Valley (Ph I & II) | Kuo & Associates, Inc. | I | 535 & 575 |
| 11. | S-000900-0130 | 60-inch Water Line from Rockhill to Dixie (Ph I & II) | Nathelyne A. Kennedy & Associates, LP | I | 535 |
| 12. | S-000900-0131 | 72-inch Water Line from Dowling to San Jacinto (Ph I & II) | Brown & Gay Engineers, Inc. | D & I | 493 |
| 13. | S-000900-0132 | 84-inch Raw Water Line at East Water Purification Plant | Lockwood, Andrews & Newnam, Inc. | E | 496 |
| 14. | S-000900-0133 | Low Lift Pump Station at East Water Purification Plant | Lockwood, Andrews & Newnam, Inc. | E | 496 |
| 15. | S-000900-0137 | 24-inch Water Line from Monroe to Mykawa (Ph I & II) | Kuo & Associates, Inc. | D | 574 & 575 |
| 16. | S-000901-0008 | 96-inch Water Line Condition Assessment along Clinton | Lockwood, Andrews & Newnam, Inc. | B, H & I | 495 |
| 17. | S-000901-0012 | 60-inch Raw Water Line Condition Assessment at East Water Purification Plant (Ph II) | Lockwood, Andrews & Newnam, Inc. | E | 496 & 536 |

The proposed budgeted funding allocation for the aforementioned support services is outlined below:

| | | | |
|-------|-------------------------------------|----|---------------|
| • | Program Management | \$ | 1,119,000.00 |
| • | Engineering Project Design Services | \$ | 10,316,000.00 |
| • | Technical Support | \$ | 633,000.00 |
| • | Contingency | \$ | 500,000.00 |
| Total | | \$ | 12,568,000.00 |

The total requested appropriation is \$14,453,200.00 to be appropriated as follows: \$12,568,000.00 for contract services and \$1,885,200.00 for CIP cost recovery.

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.

SUBJECT: Professional Engineering Services Contract between the City and Lockwood, Andrews & Newnam, Inc., for Services Associated with the Surface Water Transmission Program. WBS No. S-000900-0121-3

Originator's Initials
AZM

Page
3 of 3

M/WBE INFORMATION: The M/WBE goal established for this project is 24%. This goal will be met or exceeded as noted below. The engineer proposes the following plan to meet the M/WBE goal participation:

| <u>Name of M/WBE Firms</u> | <u>Work Description</u> | | <u>Amount</u> | <u>% of Total Contract</u> |
|---|---|-----------|---------------------|----------------------------|
| 1. Amani Engineering, Inc. | Engineering Support | \$ | 38,000.00 | 0.30% |
| 2. Associated Testing Laboratories, Inc. | Geotechnical Investigations | \$ | 35,400.00 | 0.28% |
| 3. Aviles Engineering Corporation | Geotechnical Investigations | \$ | 60,000.00 | 0.48% |
| 4. B&E Reprographics, Inc. | Reproduction Services | \$ | 18,000.00 | 0.14% |
| 5. Chief Solutions, Inc. | TV Inspection | \$ | 5,000.00 | 0.04% |
| 6. Entech Civil Engineers, Inc. | Traffic Control Services | \$ | 115,000.00 | 0.91% |
| 7. Geotest Engineering, Inc. | Geotechnical Investigations | \$ | 53,000.00 | 0.42% |
| 8. Grounds Anderson, LLC | Engineering Support | \$ | 100,000.00 | 0.80% |
| 9. Gurrola Reprographics, Inc. | Reproduction Services | \$ | 3,000.00 | 0.02% |
| 10. H&H Engineering Services, Inc. | Engineering Support | \$ | 22,600.00 | 0.18% |
| 11. HVJ Associates, Inc. | Geotechnical Investigations & Environmental Assessments | \$ | 266,700.00 | 2.12% |
| 12. ISANI Consultants, LLP | Storm Water Pollution Prevention Plan | \$ | 30,000.00 | 0.24% |
| 13. KIT Professionals, Inc. | Engineering Support | \$ | 151,600.00 | 1.21% |
| 14. Kuo & Associates, Inc. | Design Consultant, Engineering Support & Surveying | \$ | 1,785,000.00 | 14.20% |
| 15. Landtech, Inc. | Surveying | \$ | 53,700.00 | 0.43% |
| 16. Middleton Brown, LLC | Geotechnical Investigations | \$ | 40,000.00 | 0.32% |
| 17. Midtown Engineers, LLC | Engineering Support | \$ | 10,000.00 | 0.08% |
| 18. Nathelyne A. Kennedy & Associates, LP | Design Consultant | \$ | 600,000.00 | 4.77% |
| 19. RODS Subsurface Utility Engineering, Inc. | Subsurface Utility Investigations | \$ | 86,000.00 | 0.68% |
| 20. Texas American Engineering, LLC | Engineering Support | \$ | 803,000.00 | 6.39% |
| 21. Watearth, Inc. | Engineering Support | \$ | 11,000.00 | 0.09% |
| 22. Rahaman and Associates, Inc., DBA Western Group Consultants | Surveying | \$ | 104,000.00 | 0.83% |
| 23. Zarinkel Engineering Services, Inc. | Engineering Support | \$ | 50,000.00 | 0.40% |
| 24. Other MWBE Firms | Various Services | \$ | 100,000.00 | 0.80% |
| TOTAL M/WBE | | \$ | 4,541,000.00 | 36.13% |

Non-MWBE firms to be used for the Surface Water Transmission Program:

| <u>Name of Firms</u> | <u>Work Description</u> | | <u>Amount</u> | <u>% of Total Contract</u> |
|--|-------------------------|-----------|---------------------|----------------------------|
| 1. Automation Nation, Inc. | SCADA | \$ | 199,000.00 | 1.58% |
| 2. Brown & Gay Engineers, Inc. | Design Consultant | \$ | 640,000.00 | 5.09% |
| 3. Burditt Consultants, LLC | Tree Protection | \$ | 11,000.00 | 0.09% |
| 4. C.N. Koehl Urban Forestry, Inc. | Tree Protection | \$ | 54,000.00 | 0.43% |
| 5. Dannenbaum Engineering Corporation | Design Consultant | \$ | 455,000.00 | 3.62% |
| 6. HDR, Inc. | Corrosion Engineering | \$ | 40,000.00 | 0.32% |
| 7. HR Green, Inc. | Engineering Support | \$ | 30,000.00 | 0.24% |
| 8. Kellogg Brown & Root Services, Inc. | Design Consultant | \$ | 240,000.00 | 1.91% |
| 9. Pure Technologies, Ltd. | Electromagnetic Testing | \$ | 40,000.00 | 0.32% |
| TOTAL | | \$ | 1,709,000.00 | 13.60% |

[Handwritten signatures]
DWK:DRM:RK:HH:ACM:JP

H:\design\A-WS-DIV\PROJECTS\SWTP\S-000900-0121-3\Contract\Original Contract\RCA\RCA.docx

File No.: S-000900-0121-3 (1.2)

SUBJECT: Professional Engineering Services Contract between the City and Carollo Engineers, Inc. for Engineering Services associated with the Clearwell Condition Assessment and Replacement of Selected Valves and Actuators at the East Water Purification Plant.
WBS No. S-000056-0070-3

Page
1 of 2

Agenda
Item #

37

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

2/21/13

Agenda Date

FEB 27 2013

DIRECTOR'S SIGNATURE

Daniel W. Krueger, P.E., Director

Council District affected:

E

JM

For additional information contact:

Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director

Phone: (832) 395-2326

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

An ordinance approving a Professional Engineering Services Contract with Carollo Engineers, Inc. and appropriate funds.

Amount and Source of Funding:

\$1,917,000.00 from the Water and Sewer System Consolidated Construction Fund No. 8500.

N.P. 2/12/2013

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Capital Improvement Program to improve operability, maintainability and reliability for the East Water Purification Plant to comply with the Texas Commission on Environmental Quality and Surface Water Treatment Rule mandated by the United States Environmental Protection Agency and to meet existing and future water demand requirements.

DESCRIPTION/SCOPE: This project consists of providing professional engineering and related services associated with the design improvements to the clearwell, filter effluent plume, filter gallery and filter troughs at the East Water Purification Plant. The scope includes clearwell and filter underwater inspections and improvements, structural assessment, clearwell hydraulics evaluation, filter gallery drainage improvements and filter trough evaluation and improvements.

LOCATION: This project is located on 12555 Clinton Drive and 2300 Federal Road. The project is located in Key Map grids 496 U and Y.

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the consultant, Carollo Engineers, Inc., will perform Phase I - Preliminary Design, Phase II - Final Design and Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. The maximum negotiated amount for Phase I Basic Services is \$405,983.00. The total Basic Services appropriation is \$1,493,232.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying of key elevations, clearwell and filter cleaning and clearwell structural inspections. The total Additional Services appropriation is \$173,702.00

LTS No. 4664

CUIC ID # 20JWM72


Finance Department:

Other Authorization:

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

Other Authorization:

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

| | | | |
|-------------|---|---|-------------------------------------|
| Date | SUBJECT: Professional Engineering Services Contract between the City and Carollo Engineers, Inc. for Engineering Services associated with the Clearwell Condition Assessment and Replacement of Selected Valves and Actuators at the East Water Purification Plant. WBS No. S-000056-0070-3 | Originator's Initials  | Page <u>2</u> of <u>2</u> |
|-------------|---|---|-------------------------------------|

The total cost of this project is \$1,917,000.00 to be appropriated as follows: \$1,666,934.00 for contract services and \$250,066.00 for CIP Cost Recovery.

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

M/WBE INFORMATION: The M/WBE goal for the project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

| <u>Name of Firms</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Total Contract</u> |
|--|-------------------------|---------------------|----------------------------|
| 1. KIT Professionals, Inc., DBA KIT Professionals, Inc. | Engineering Services | \$576,000.00 | 34.55% |
| 2. Kalluri Group, Inc. | Engineering Services | \$118,000.00 | 7.08% |
| 3. Kuo & Associates, Inc. | Land Surveying Services | \$20,700.00 | 1.24% |
| TOTAL | | \$714,700.00 | 42.87% |


DWK:DRM:RK:HH:SD:JM:kb

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c: File S-000056-0070-3

TO: Mayor via City Secretary**REQUEST FOR COUNCIL ACTION****SUBJECT:** Contract Award for Create Smart Arterial Corridors.
WBS No. N-000650-0039-4.**Page**
1 of 3**Agenda Item #**

38

FROM: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date:

2/21/13

Agenda Date:

FEB 27 2013

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E., Director

Council District affected:

A, B, C, H, I, J

JK

KH

For additional information contact:Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director

Phone: (832) 395-2326

Date and identification of prior authorizing Council action:**RECOMMENDATION: (Summary)**

Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding:

\$856,328.00

Fund 4040 METRO Projects Construction DDSF

\$742,500.00

Fund 5030 Federal State Local – Pass Through

\$1,837,901.00

Fund 5030 Federal State Local – Pass Through

\$3,436,729.00

Total Cost

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Traffic Capital Improvement Project (CIP) and is required to meet City of Houston standards and improve traffic. This project was approved by the Texas Transportation Commission in the 2010-2013 Congestion Mitigation and Air Quality Improvement (CMAQ) Program. Under this program, construction funding included both Federal and City participation. The State shall refund the City 100% of the construction cost for the amount of \$742,500.00 and 80% of the construction cost up to \$1,837,901.00 which will be reimbursed through monthly billings as cost incurs for the project.

DESCRIPTION/SCOPE: This project consists of Rebuild Eleven (11) Traffic Signals and traffic signal cabinet and controller replacement for 30 intersections. The Contract duration for this project is 730 calendar days. This project was designed by Jacobs Engineering Group, Inc.

LOCATION: The project area is in 11 locations for traffic signal rebuild and 30 locations for cabinet and controller replacement.

Traffic Signal Rebuild Locations

| | Locations | Key Map | Council Districts | | Locations | Key Map | Council Districts |
|---|------------------------------|---------|-------------------|----|----------------------------------|---------|-------------------|
| 1 | Bingle Rd. @ Hammerly Blvd. | 450R | A | 7 | Collingsworth St. @ Lockwood Dr. | 454Y | B |
| 2 | Bingle Rd. @ Kempwood Dr. | 450R | A | 8 | Lockwood Dr. @ Navigation Blvd. | 494P | H |
| 3 | Bingle Rd. @ Little York Rd. | 411T | A | 9 | Beechnut St. @ Rice Ave. | 531Q | C |
| 4 | Tidwell Rd. @ Antoine Dr. | 451C | C | 10 | W. 18th St. @ Mangum Rd. | 451V | A |
| 5 | Tidwell Rd. @ Jensen Dr. | 454A | H | 11 | W. 18th St. @ Ella Blvd. | 452T | C |
| 6 | Crane St. @ Lockwood Dr. | 454Y | B | | | | |

LTS No. 4553**REQUIRED AUTHORIZATION****CUIC ID #20KBH09****Finance Department****Other Authorization:****Other Authorization:**Daniel R. Menendez, P.E., Deputy Director
Engineering and Construction Division

35

| | | | |
|-------------|---|----------------------------------|------------------------|
| Date | Subject: Contract Award for Create Smart Arterial Corridors. WBS No. N-000650-0039-4. | Originator's Initials | Page 2 of 3 |
|-------------|---|----------------------------------|------------------------|

Traffic Signal Cabinet & Controller Replacement

| | Locations | Key Map | Council Districts |
|----|---------------------------------|------------|----------------------|
| 1 | Beechnut St. @ New Castle St. | 531R | C |
| 2 | Beechnut St. @ Meyerland Plaza | 531Q | C |
| 3 | Beechnut St. @ Endicott Ln. | 531Q | C |
| 4 | Beechnut St. @ Chimney Rock Rd. | 531P | C |
| 5 | Beechnut St. @ Renwick Dr. | 531N | C |
| 6 | Beechnut St. @ Hillcroft Ave. | 531N | C |
| 7 | Beechnut St. @ Bissonnet St. | 530R | J |
| 8 | Beechnut St. @ Fondren Rd. | 530L | J |
| 9 | Beechnut St. @ Brae Acres Rd. | 530K | J |
| 10 | Beechnut St. @ Mary Bates Blvd. | 530K | J |
| 11 | Beechnut St. @ Gessner Rd. | 530J | J |
| 12 | Beechnut St. @ Jorine Dr. | 530J | J |
| 13 | Beechnut St. @ Corporate Dr. | 529M | J |
| 14 | Beechnut St. @ Club Creek Dr. | 529R | J |
| 15 | 43rd St. @ Bingle Rd. | 451E | A |

| | Locations | Key Map | Council Districts |
|----|---|------------|----------------------|
| 16 | Crosstimbers St. @ Hirsch Rd. | 454K | B |
| 17 | Crosstimbers St. @ Irvington Blvd. | 453M | H |
| 18 | Crosstimbers St. @ Helmers Rd. | 453L | H |
| 19 | Crosstimbers St. @ Airline Dr. | 453K | H |
| 20 | Crosstimbers St. @ Shepherd Dr. | 452M | H |
| 21 | Crosstimbers St./43rd @ Ella Blvd. | 452K | C |
| 22 | Crosstimbers St./43rd @ Oak Forest Dr. | 452K | C |
| 23 | Crosstimbers St./43rd @ TC Jester Blvd. | 451M | C |
| 24 | Lockwood Dr. @ Shreveport Blvd. | 454Q | B |
| 25 | Lockwood Dr. @ Rand St. | 454U | B |
| 26 | Lockwood Dr. @ Telephone Rd. | 494T | I |
| 27 | Tidwell Rd. @ Nordling Rd. | 453A | H |
| 28 | Tidwell Rd. @ Airline Dr. | 453B | H |
| 29 | Tidwell Rd. @ Irvington Blvd. | 453C | H |
| 30 | Tidwell Rd. @ Hirsch Rd. | 454C | B |

BIDS: Bids were received on October 18, 2012. The Five (5) bids are as follows:

| <u>Bidder</u> | <u>Bid Amount</u> |
|---|-------------------|
| 1. Statewide Traffic Signal Company | \$2,895,119.86 |
| 2. Traffic Systems Construction, Inc. | \$2,895,133.95 |
| 3. Siemens Industry, Inc. | \$2,988,913.60 |
| 4. Traf-Tex, Inc. | \$3,454,308.60 |
| 5. Traffic Control Devices, Inc. DBA Florida Traffic Control Devices Inc. | \$3,602,188.02 |

AWARD: It is recommended that this construction Contract be awarded to Statewide Traffic Signal Company with a low bid of \$2,895,119.86 and that Addenda Numbers 1 and 2 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$3,436,729.00 to be appropriated as follows:

| | | |
|---|----------------------------------|----------------|
| • | Bid Amount | \$2,895,119.86 |
| • | Contingencies | \$144,756.00 |
| • | Engineering and Testing Services | \$50,000.00 |
| • | CIP Cost Recovery | \$86,853.14 |
| • | Construction Management | \$260,000.00 |

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

Construction Management Services will be provided by Sowell's Construction Management & Inspection under a previously approved contract.

| | | | |
|-------------|--|----------------------------------|------------------------|
| Date | Subject: Contract Award for Create Smart Arterial Corridors. WBS. No. N-000650-0039-4. | Originator's Initials | Page 3 of 3 |
|-------------|--|----------------------------------|------------------------|

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. However, Statewide Traffic Signal Company is registered under Hire Houston First as a Houston/Local firm.

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.

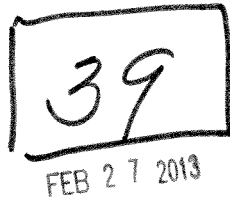
M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 12 % DBE goal for this project.

| | <u>Name of Firm</u> | <u>Work Description</u> | <u>Amount</u> | <u>% of Contract</u> |
|---|--|--------------------------------------|----------------------|-----------------------------|
| 1 | Reliable Signal & Lighting Solutions, LLC | Construction Services & Equipment | \$347,414.38 | 12% |

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

RK JK KH
DRM:RK:JHK:KBH

cc: File No. N-000650-0039-4 (3.7 Construction Award RCA)



MOTION NO. 2013

MOTION by Council Member Gonzalez that the recommendation of the Purchasing Agent, for purchase of OnBase Software and Software Hosting through the Texas Department of Information Resources Agreement (DIR) for the Housing and Community Development Department, be adopted, and authority is hereby given to issue purchase orders, as needed, to DIR's Go Direct Vendor, DataBank IMX, LLC (DataBank) in the total amount of \$397,739.73.

Seconded by Council Member Pennington

Council Members Burks and Noriega absent

On 2/20/13 the above motion was tagged by Council Member Brown.

cr

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 9590

Subject: Approve the Purchase of OnBase Software and Software Hosting through the Texas Department of Information Resources Agreement for the Housing and Community Development Department/S17-H24526

Category #
4

Page 1 of 2

Agenda Item

398

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

Origination Date
February 12, 2013

Agenda Date
FEB 27 2013
~~FEB 20 2013~~

DIRECTOR'S SIGNATURE

Calvin D. Wells
For additional information contact:
Stephen Tinnermon Phone: (713) 868-8448
Douglas Moore Phone: (832) 393-8724

Council District(s) affected
All

Date and Identification of prior authorizing Council Action:
1/30/2013 2013-0079

RECOMMENDATION: (Summary)

Approve the purchase of OnBase software and software hosting in the total amount of \$397,739.73 through the Texas Department of Information Resources Agreement for the Housing and Community Development Department.

Award Amount: \$397,739.73

Finance Budget

\$397,739.73 - TIRZ Affordable Housing Fund (2409)

SPECIFIC EXPLANATION:

The Director of the Housing and Community Development Department and the City Purchasing Agent recommend that City Council approve the purchase of OnBase software and software hosting in the total amount of \$397,739.73 through the Texas Department of Information Resources Agreement (DIR) for the Housing and Community Development Department (HCDD), and that authorization be given to issue purchase orders, as needed, to DIR's Go Direct Vendor, DataBank IMX, LLC (DataBank).

This purchase consists of software licenses, setup, hosting and annual maintenance. The software will run on servers, desktop and laptop computers, which are located throughout HCDD.

The OnBase software is an enterprise content management software that combines integrated document management, business process management and records management in a single application. As a hosted solution, the OnBase software will allow HCDD to automate its business processes, reduce the time and cost of performing important business functions, improve organizational efficiency, and address the need for governance, risk and compliance through the management and control of content from virtually any source. Moreover, the OnBase software will facilitate the sharing of digital content with City employees and other pertinent audiences. Additionally, the OnBase software will improve segregation, auditing and disclosure of HCDD information assets. Finally, HCDD will be able to create a secure framework for protecting the accountability of documents, processes, and human interactions from granular departmental activities to an enterprise-wide view of policies, controls, and testing.

HCDD recommended approval of an appropriation of \$6,000,000 of Tax Increment Reinvestment Zone Affordable Housing Funds to leverage and support federal and state grants including a \$152 million Disaster Recovery (DR) Grant and \$500,000 for a Client/Case Management System. A portion of the DR Grant will be reimbursed by the General Land Office. Appropriation for this item was presented to the Housing, Sustainable Growth and Development Committee on December 5, 2012 and approved by City Council on January 30, 2013 by Ordinance 2013-0079.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date:
2/12/2013

Subject: Approve the Purchase of OnBase Software and Software
Hosting through the Texas Department of Information Resources
Agreement for the Housing and Community Development
Department/S17-H24526

Originator's
Initials
MS

Page 2 of 2

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 Agreement for this purchase.

Buyer: Murdock Smith III

Attachment: M/WBE Zero Percentage Goal Document approved by the Office of Business Opportunity.



Interoffice

Correspondence

JAN 16 2013



OBU

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

From: Derrick McClendon, Sr. Procurement Specialist
HCDD Procurement Services

Date: January 15, 2013

Subject: M/WBE 0% Goal Request for ECM Solution, On-Base Software and Hosting provided by Data Bank LLC.

Scope of Services of Proposal:

Housing and Community Development Department (HCDD) anticipates selecting one (1) firm, based upon their qualifications, knowledge and innovation. The firm must provide EDM Solutions that include On-Base Software and Hosting that will achieve the following:

- I. Improve segregation, auditing and disclosure of HCDD information assets. Allow HCDD to create a secure framework for protecting accountability of documents, processes, and human interactions from granular departmental activities to an enterprise-wide view of policies, controls, and testing.
- II. OnBase will deliver the tactical functionality to meet immediate day-to-day business needs as well as the strategic vision for building holistic business solutions that can be readily adapted to changing requirements.

The estimated dollar value is \$397,739.73

I am requesting approval of a: 0% goal.

Justification:

HCDD is being required to use the OnBase Software by the Texas General Land Office (GLO) as a stipulation for the City receiving the Hurricane Ike Round Two Disaster Recovery Grant funds (DR-2 Grant) in excess of \$152,000,000.00. OnBase is one of the Disaster Recovery industry standard software packages.

Third, Horne is a GLO recognized and GLO selected Technical Assistance provider to Houston for our DR-2 Grant Implementation Program. In the interest of time to perform expeditiously on the DR-2 Grant, Horne will actually configure and implement our OnBase system which will help us roll out the software in a fraction of the time it would normally take. This approach will result in a substantial amount of savings for the City.

The SMWDBE Directory does not include any MWBE firms that meet the standards outlined above; therefore a zero percent MWBE goal is being requested.

Concur:

Stephen Tinnermon, Deputy Director
Housing and Community Development Department

Approved:

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance Authorizing Professional Service Agreements with Bode Technology Group, Inc. and Sorenson Forensics, LLC for DNA analysis.

Page
1 of 2


Agenda Item #

40 27

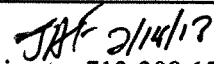
FROM: (Department or other point of origin):
Houston Police Department

Origination Date:
February 14, 2013

Agenda Date:
~~FEB 20 2013~~

DIRECTOR'S SIGNATURE: 
Charles A. McClelland, Jr., Chief of Police

Council District affected: All FEB 27 2013

For additional information contact: 
Joseph A. Fenninger, CFO & Deputy Director 713-308-1708

Date and identification of prior authorizing Council Action:

RECOMMENDATION: Approve an Ordinance authorizing professional service agreements with Bode Technology Group, Inc. and Sorenson Forensics, LLC for DNA analysis of Sexual Assault Kits (SAKs) and other forensic evidence.

Amount and Source of Funding: \$2,200,000 – Grant Funds (already awarded FY11 & FY12 DOJ/NIJ Grants)
\$2,200,000 – General Fund – Fund 1000 (currently budgeted)

Total funding: \$4,400,000

SPECIFIC EXPLANATION:

The Chief of Police of the Houston Police Department (HPD) recommends that City Council award contracts of \$2,200,000 to Bode Technology Group, Inc. and \$2,200,000 to Sorenson Forensics, LLC for a total amount of \$4,400,000. Each contractor will be required to complete DNA testing on a minimum of 5,000 cases, which includes sexual assault kits (SAKs) and other forensic evidence cases. The goal of this project is to process all cases with untested forensic evidence and it is expected that all testing will be completed within approximately twelve to fourteen months from start date.

The unit cost per tested case will be approximately 1/3rd the current market rates paid for equivalent DNA testing services. Also, by splitting the workload it will allow testing of the cases to be completed in substantially less time than single contractor completion – and it provides the City with a backup contractor in the event workloads must be reallocated.

HPD will submit DNA cases to the contractors for forensic testing with specific monthly production goals. These goals may only be modified upon written approval from HPD. All testing will be conducted using protocols recognized by the American Society of Crime Lab Directors/Laboratory Accreditation Board – International or Legacy accreditation and/or other Texas Department of Public Safety (DPS) approved DNA testing accreditation. The contractors will also provide written certification of current and continuing compliance with the Federal Bureau of Investigation's (FBI) Quality Assurance Audit for Forensic DNA and Convicted Offender DNA Data-basing Laboratories.

The contractors are required to provide the following services under this agreement:


- Screen and analyze the full spectrum of forensic samples, including, but not limited to: blood, saliva, semen, hair, bone, teeth, and tissue
- Screen all SAKs and evidentiary items for the presence of blood and/or other bodily fluids
- Provide DNA analysts for courtroom testimony and court ready written reports
- Provide monthly progress reports for all forensic testing that includes: number of untested cases, cases in progress with expected delivery dates and the number of completed cases
- Provide batched data files grouped as: (1) negative, (2) DNA with CODIS-eligible data, and (3) DNA with CODIS-eligible data with the corresponding HPD case numbers

REQUIRED AUTHORIZATION

Finance Budget:

Other Authorization:

Other Authorization:

 2/14/13

| | | | |
|-------------|---|------------------------------|------------------------|
| Date | Ordinance Authorizing Professional Service Agreements with Bode Technology Group, Inc. and Sorenson Forensics, LLC for DNA analysis of forensic evidence. | Originator's Initials | Page 2 of 2 |
|-------------|---|------------------------------|------------------------|

Vendor Selection

On November 27, 2012, HPD issued a Request for Qualifications (RFQ) document to professional services firms with the skills and expertise capable of processing DNA cases. Four firms responded to the RFQ. The responses were reviewed by the evaluation committee and two vendors were invited to make oral presentations to demonstrate their qualifications and negotiate best and final pricing.

Based on the results, the committee determined that the two vendors selected for oral presentations should each be awarded a contract as: (1) they met the qualifications required; (2) had similar capacity; (3) their respective prices proved to be very competitive and; (4) two contractors could complete the project in half the time of a single contractor. Two vendors under contract also provide redundant processing capability.

Pay or Play Program:

The proposed contracts require compliance with the City's Pay or Play program (POP) pursuant to City of Houston ordinance 2007-534 and Executive Order 1-7 (Revised). These contractors provide health benefits to eligible employees in compliance with POP.

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

Estimated Spending Authority

| | FY13 | FY14 | Total Amount |
|----------------------|------------------|--------------------|---------------------|
| Grant Funds | \$984,000 | \$1,216,000 | \$2,200,000 |
| <u>General Funds</u> | <u>\$100,000</u> | <u>\$2,100,000</u> | <u>\$2,200,000</u> |
| Total Funding | \$1,084,000 | \$3,316,000 | \$4,400,000 |