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

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Laster

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 - MARCH 27, 2013 - 9:00 A. M.

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

HEARING - 9:00 A.M.

1. Pursuant to Section 370.002 of the Texas Local Government Code, City Council will conduct a public hearing regarding the Juvenile Curfew Ordinance (Ch. 28, Art. V, City of Houston Code of Ordinances) to determine whether the Juvenile Curfew Ordinance should be continued. The Local Government Code requires City Council to conduct public hearings every three years to review and take action to continue the Juvenile Curfew Ordinance. Copies of the Curfew Ordinance and data provided by the Houston Police Department are available for inspection in the Office of the City Secretary. To reserve time to appear and testify call the Office of the City Secretary (832) 393-1100 prior to the commencement of the public hearing. Alternatively, written comments may be submitted to the Office of the City Secretary.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 56

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of the following individuals to the BOARD OF DIRECTORS OF THE HOUSTON FIRST CORPORATION:

Class B term to expire December 31, 2015

Position Eleven - CECIL C. CONNER, JR.

Class A terms to expire December 31, 2014

Position Five - IRMA DIAZ-GONZALEZ

Position Ten - WINSLOW ALBERT JEFFRIES

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**:

Position One - MURDOCK SMITH, JR., reappointment, for a term to expire 3/1/2015

Position Two - **TRENT SLOVAK**, appointment, for a term to expire 3/1/2014

Position Three - F. WILLIAM (BILL) OTHON, reappointment, for a term to expire 3/1/2015

ACCEPT WORK - NUMBER 4

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$454,893.40 and acceptance of work on contract with R. J. CONSTRUCTION COMPANY, INC for Fuqua Lift Station Rehabilitation - 2.52% under the original contract amount - DISTRICT K - GREEN

PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 7

- GILBREATH COMMUNICATIONS, INC for Community/Disaster Preparedness Education/ Outreach Programs through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council - \$910,317.98 - Grant Funds
- 6. **VECTOR AEROSPACE HELICOPTER SERVICES, INC** for Pratt and Whitney PT6 Engine Component Overhaul/Exchange, Parts, and Repair Services for the Houston Police Department \$375,000.00 General and Grant Funds
- 7. AMEND MOTION #2007-0612, 06/20/07 previously amended by #2012-0419, 06/06/12, TO INCREASE spending authority from \$34,926,668.33 to \$48,897,335.53 for Chemical, Sodium Hypochlorite for Department of Public Works & Engineering, awarded to ALTIVIA CORPORATION

ORDINANCES - NUMBERS 8 through 56

- 8. ORDINANCE **AMENDING CHAPTERS 1 and 2 OF THE CITY OF HOUSTON FIRE CODE** and **CHAPTER 10 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, relating to Orders, Permits, and Abatements by Fire Department Officials; containing findings and other provision relating thereto; providing for savings; providing for severability
- 9. ORDINANCE **REPEALING SECTION 39-2 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, relating to disturbing or removing contents of garbage containers; containing other provisions relating to the foregoing subject; providing for severability
- 10. ORDINANCE AMENDING SECTIONS OF THE VOLUME OF THE CITY OF HOUSTON CONSTRUCTION CODE known as the CITY OF HOUSTON ELECTRICAL CODE pertaining to Building Standards; containing findings; providing an effective date; providing for severability

- 11. ORDINANCE approving and authorizing Memorandum of Understanding among the City of Houston, the **FEDERAL AVIATION ADMINISTRATION** and **UNITED AIRLINES, INC** regarding installation and evaluation of the Ground Based Augmentation System Technology at George Bush Intercontinental Airport/Houston **DISTRICT B DAVIS**
- a. ORDINANCE approving and authorizing Maintenance and Technical Support Agreement between the City of Houston and HONEYWELL INTERNATIONAL, INC for Ground Based Augmentation System Navigation Equipment at George Bush Intercontinental Airport/Houston; providing a maximum contract amount - \$398,269.00 - Enterprise Fund - <u>DISTRICT B - DAVIS</u>
- 12. ORDINANCE approving and authorizing agreement between the City of Houston and **HOUSTON SHIFA SERVICES FOUNDATION, INC** to provide a \$850,000.00 grant of Federal Community Development Block Grant Funds for costs associated with the acquisition and construction of a facility to be located near the intersection of Gessner and Westplace Drive, Houston, Texas, which will serve low- and moderate-income female and child victims of domestic violence and abuse **DISTRICT K GREEN**
- 13. ORDINANCE approving and authorizing, subject to passage of an ordinance authorizing the amendment of a Loan Agreement between the City and GULF COAST ARMS, LTD., a first amendment to Grant Agreement between the City of Houston and HOUSTON HEIGHTS TOWERS, INC which amends the grant's funding source by replacing \$5,534,859.00 of Federal "CDBG" Funds with \$5,534,859.00 of Federal "HOME" Funds and increases the number of affordable housing units -DISTRICT B DAVIS
- 14. ORDINANCE approving and authorizing, subject to passage of an ordinance authorizing the amendment of a Grant Agreement between the City and HOUSTON HEIGHTS TOWERS, INC, a first amendment to Loan Agreement between the City of Houston and GULF COAST ARMS, LTD. which amends the loan's funding source by replacing \$5,534,859.00 of Federal "HOME" Funds with \$5,534,859.00 of Federal "CDBG" Funds, increases the total loan amount by \$700,000.00 of Federal "CDBG" Funds and extends the term of the loan DISTRICT C COHEN
- 15. ORDINANCE appropriating \$300,000.00 out of Equipment Acquisition Consolidated Fund for purchase of Infrastructure Assets for Various Departments
- 16. ORDINANCE approving and authorizing submission of application for grant assistance to the **STATE OF TEXAS THROUGH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION** to fund the FY 2014 Paroled Offenders Initiative; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
- 17. ORDINANCE approving and authorizing submission of application for grant assistance to the **STATE OF TEXAS THROUGH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION** to fund the FY 2014 Fugitive Apprehension/Crime Reduction Program; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
- 18. ORDINANCE appropriating \$125,000.00 out of Police Consolidated Construction Fund approving and authorizing an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for an Initial Programming Study for the operation of a Joint Law Enforcement Processing Center

- 19. ORDINANCE amending Ordinance No. 2008-254 to increase the maximum contract amount; approving and authorizing first amendment to an agreement between the City and **LEADSONLINE, LLC** for On-Line Property Crimes Database Subscription Services for the Houston Police Department; providing a maximum contract amount \$293,524.00 General Fund
- 20. ORDINANCE approving and authorizing an agreement between the City and the **MUSEUM OF FINE ARTS HOUSTON** for the donation and acceptance of "Inner City, 1996" Artwork into the
 City Art Collection to be located in the Houston Public Library's Central Library **DISTRICT I-RODRIGUEZ**
- 21. ORDINANCE approving and authorizing second amendment to Lease Agreement between WAYSIDE BUSINESS CENTER, LTD., A Texas Limited Partnership, as Landlord, and the City of Houston, Texas, Tenant, for Leased Space at 4300 South Wayside, Suite 109, Houston, Harris County, Texas DISTRICT I RODRIGUEZ
- 22. ORDINANCE approving and authorizing an increase in grant funding from the **DEPARTMENT OF STATE HEALTH SERVICES ("DSHS")** for the Family Planning Services Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to accept the additional funds and expend the grant funds, and to apply for and accept all subsequent awards, if any, pertaining to the grant; approving and authorizing an amendment to DSHS Contract #2012-040673 between the City and the DSHS
- 23. ORDINANCE amending Ordinance No. 2011-877 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **NOVASYS TECHNOLOGIES, INC** for the Electronic Client-Level Integrated Prevention System for the Health & Human Services Department \$772,720.85 Grant Fund
- 24. ORDINANCE amending Ordinance No. 2008-674 ("The Original Ordinance") to increase the maximum contract amount for contract with **TITLE DATA**, **INC** for the continuation of a subscription agreement allowing access to and use of its title plant and image library for Harris County, Texas \$600,000.00 General Fund
- 25. ORDINANCE awarding contract to **FIRST STUDENT, INC** for School Buses Rental Services for the Parks & Recreation Department; providing a maximum contract 2 Years with three one-year options \$390,250.00 Park Special Revenue Fund
- 26. ORDINANCE awarding contract to **GBJ**, **INC dba AFC TRANSPORTATION** for Coaches, Mini Buses and Vans Rental Services for the Parks & Recreation Department; providing a maximum contract 2 Years with three one-year options \$346,575.00 Park Special Revenue Fund
- 27. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and AIR PRODUCTS AND CHEMICALS, INC (Approved by Ordinance No. 2007-730, as amended) for Operation and Maintenance of the Oxygen Plant at the 69th Street Wastewater Treatment Facility for the Public Works & Engineering Department DISTRICT H GONZALEZ
- 28. ORDINANCE awarding contract to **THE LETCO GROUP**, **LLC** for Wood and Yard Waste Removal Services for Solid Waste Management Department; providing maximum contract amount 3 Years with two one-year options \$3,635,813.71 General Fund
- 29. ORDINANCE issuing a permit to **HOUSTON REFINING LP** to operate, maintain, improve, repair and replace thirty-seven existing pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued **DISTRICT E MARTIN**

- 30. ORDINANCE appropriating \$293,250.00 out of Street & Traffic Control and Storm Drainage DDSRF as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **OTHON**, **INC** for Negotiated Work Orders for Design of new and rehabilitation of existing Pump Stations and Flood Warning Systems (Approved by Ordinance No. 2012-0173); providing funding for contingencies relating to construction of facilities financed by the Street & Traffic Control and Storm Drainage DDSRF
- 31. ORDINANCE appropriating \$204,197.00 out of Metro Projects Construction DDSRF and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PARSONS BRINCKERHOFF**, **INC** for Hollister Road Paving & Drainage: White Oak Bayou to West Gulf Bank; providing funding for contingencies relating to construction of facilities financed by the Metro Projects Construction DDSRF **DISTRICT A BROWN**
- 32. ORDINANCE appropriating \$1,688,368.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and LJA ENGINEERING, INC for Wastewater Force Main Renewal and Replacement: Green Crest, Main Street, Bretshire #2, Forest Shores, Woodland Ridge, Stroud, Chatwood, Macgregor Way #3 and Bayfield; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund DISTRICTS B DAVIS; D ADAMS; E MARTIN; F HOANG; J LASTER and K GREEN
- 33. ORDINANCE appropriating \$609,515.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and PARSONS WATER & INFRASTRUCTURE INC for Greenridge Wastewater Treatment Plant Improvements; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund <u>DISTRICT</u> K GREEN
- 34. ORDINANCE appropriating \$1,085,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HDR ENGINEERING**, **INC** for Sagemont 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**
- 35. ORDINANCE appropriating \$354,160.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to the Professional Engineering Services Contract between the City of Houston and **S&B INFRASTRUCTURE LTD.** for Unserved Areas of Golden Glade Estates Subdivision (Approved by Ordinance No. 2008-0320); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT D ADAMS**
- 36. ORDINANCE appropriating \$731,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AEI ENGINEERING, LLC** for Engineering Services Associated with New / Replacement of Water Wells; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS E MARTIN and K GREEN**

- 37. ORDINANCE appropriating \$10,189,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CSA CONSTRUCTION**, **INC** for FWSD No. 23 Wastewater Treatment Plant Improvements; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT B DAVIS**
- 38. ORDINANCE appropriating \$4,804,500.00 out of Water & Sewer System Consolidated Construction Fund and \$5,400,000.00 out of Water & Sewer Contributed Capitol Fund, awarding contract to **HUFF & MITCHELL, INC** for Sims Bayou Widening Wastewater Utility Relocations; setting a deadline for the bidder's execution of the contract and delivery of all bond, 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 Water & Sewer System Consolidated Construction Fund and Water & Sewer Contributed Capitol Fund **DISTRICT K GREEN**
- 39. ORDINANCE appropriating \$4,460,510.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB, LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bond, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4257-133)
- 40. ORDINANCE appropriating \$1,670,144.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to GRAVA, LLC for Fire Hydrant Replacement Project; setting a deadline for the bidder's execution of the contract and delivery of all bond, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
- 41. ORDINANCE No. 2013-0234, passed first reading March 20, 2013
 ORDINANCE granting to **FCC ENVIRONMENTAL**, **LLC**, **A Delaware Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**
- 42. ORDINANCE No. 2013-0235, passed first reading March 20, 2013
 ORDINANCE granting to **SPECIALIZED WASTE SYSTEMS, INC**, **A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**
- 43. ORDINANCE No. 2013-0236, passed first reading March 20, 2013
 ORDINANCE granting to **AAA FLEXIBLE PIPE CLEANING CO., INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**

- 44. ORDINANCE No. 2013-0237, passed first reading March 20, 2013
 ORDINANCE granting to **DESIGNING TECHNIQUES LLC dba DURAN'SYOURDUMPSTER.COM, A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**
- 45. ORDINANCE No. 2013-0238, passed first reading March 20, 2013
 ORDINANCE granting to **GREG MORALES dba HOUSTON HARRIS COUNTY SEPTIC TANK SERVICE, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**
- 46. ORDINANCE No. 2013-0239, passed first reading March 20, 2013
 ORDINANCE granting to **CLEAN SERVE INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**
- 47. ORDINANCE No. 2013-0240, passed first reading March 20, 2013
 ORDINANCE granting to **BERKELEY OUTSIDE SERVICES INC**, **A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**
- 48. ORDINANCE No. 2013-0241, passed first reading March 20, 2013
 ORDINANCE granting to **LATINOSI**, **LLC**, **A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **SECOND READING**
- 49. ORDINANCE No. 2013-0192, passed second reading March 20, 2013 ORDINANCE granting to CONROE CHEM CAN, INC dba TANKS A LOT, A Texas Corporation, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions THIRD AND FINAL READING
- 50. ORDINANCE No. 2013-0193, passed second reading March 20, 2013
 ORDINANCE granting to **BAYOU CITY ENVIRONMENTAL SERVICES, L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**
- 51. ORDINANCE No. 2013-0194, passed second reading March 20, 2013
 ORDINANCE granting to **SPRINT WASTE SERVICES, L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**

ORDINANCES - continued

- 52. ORDINANCE No. 2013-0195, passed second reading March 20, 2013
 ORDINANCE granting to **BAYOU CITY WASTE SYSTEMS, L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**
- 53. ORDINANCE No. 2013-0196, passed second reading March 20, 2013
 ORDINANCE granting to **PUBLIC SANITARY WORKS, INC, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**
- 54. ORDINANCE No. 2013-0197, passed second reading March 20, 2013
 ORDINANCE granting to **TEXAS OUTHOUSE**, **INC**, **A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**
- 55. ORDINANCE No. 2013-0198, passed second reading March 20, 2013
 ORDINANCE granting to V. F. WASTE SERVICES, INC dba V.F. TRASH SERVICE, A Texas
 Corporation, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions THIRD AND FINAL READING
- 56. ORDINANCE No. 2013-0199, passed second reading March 20, 2013
 ORDINANCE granting to **NATIONAL CONSTRUCTION RENTALS, INC, A California Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 57

MISCELLANEOUS

57. SET A PUBLIC HEARING DATE regarding the designation of a TAX ABATEMENT REINVESTMENT ZONE for CYRUS ONE, LLP (CYRUS ONE ZONE) - DISTRICT A - BROWN HEARING DATE - 9:00 A.M. - WEDNESDAY - APRIL 10, 2013

MATTERS HELD - NUMBERS 58 through 67

58. MOTION by Council Member Bradford/Seconded by Council Member Costello to adopt recommendation from Purchasing Agent to award to **NOVARTIS VACCINES AND DIAGNOSTICS** for Meningococcal Vaccine from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Health & Human Services Department - \$54,417.60 - Health Special Revenue Fund

TAGGED BY COUNCIL MEMBER BROWN

This was Item 7 on Agenda of March 20, 2013

59. MOTION by Council Member Bradford/Seconded by Council Member Costello to adopt recommendation from Purchasing Agent to **AMEND MOTION #2009-922**, **12/16/09**, **TO INCREASE** spending authority from \$6,000,000.00 to \$8,500,000.00 for Tech-Related Products/Services through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities from **GTSI CORP.** for Various Departments

TAGGED BY COUNCIL MEMBER BROWN

This was Item 12 on Agenda of March 20, 2013

60. RESOLUTION supporting and approving the proposed development for affordable rental housing of **Hurstbourne Crossing**, located at the intersection of Oates Road and Interstate Highway 10 in the City of Houston, Texas, and authorizing the allocation of 2013 Housing Tax Credits to such development - **DISTRICT I - RODRIGUEZ**

TAGGED BY COUNCIL MEMBERS RODRIGUEZ and BURKS

This was Item 19 on Agenda of March 20, 2013

61. RESOLUTION supporting and approving the proposed development for affordable rental housing of **Mainstreet Kingwood**, located at the intersection of Mills Branch Drive between Kingwood Drive and North Park Drive in the City of Houston, Texas, and authorizing the allocation of 2013 Housing Tax Credits to such development - **DISTRICT E - MARTIN**

TAGGED BY COUNCIL MEMBERS MARTIN and BURKS

This was Item 21 on Agenda of March 20, 2013

62. ORDINANCE adopting Drainage Impact Fees in accordance with Chapter 395 of the Texas Local Government Code; AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS and containing findings and other provisions relating to the foregoing subject; containing a savings clause; and providing for severability - FIRST READING

TAGGED BY COUNCIL MEMBER GREEN

This was Item 23 on Agenda of March 20, 2013

- 63. ORDINANCE approving and authorizing contract between the City and **THE GREATER HOUSTON PARTNERSHIP** for Professional Services to promote economic development; providing a maximum contract amount 1 Year with two one-year options \$1,128,375.00 General Fund **TAGGED BY COUNCIL MEMBER BURKS**This was Item 28 on Agenda of March 20, 2013
- 64. ORDINANCE amending Ordinance No. 2011-800, as amended, to increase the maximum contract amount to contract between the City of Houston and ALVAREZ & MARSAL BUSINESS CONSULTING, LLC for additional Consulting Services for Citywide Accounts Receivables and Collections Improvement for the Finance Department; approving a Change Order by the Finance Department to include additional consulting services to the scope of work \$392,000.00 Building Inspection Fund TAGGED BY COUNCIL MEMBERS COSTELLO and BROWN This was Item 34 on Agenda of March 20, 2013

MATTERS HELD - continued

- 65. ORDINANCE approving and authorizing agreement with MITHOFF LAW FIRM and COTCHETT, PITRE & MCCARTHY, LLP relating to the pursuit of damages associated with London Interbank Offered Rate Manipulation TAGGED BY COUNCIL MEMBER GREEN

 This was Item 37 on Agenda of March 20, 2013
- 66. ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299; providing for the issuance of the City of Houston, Texas, Combined Utility System First Lien Revenue Bonds, Series 2013A, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing a Co-Bond Counsel Agreement, authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency TAGGED BY COUNCIL MEMBER NORIEGA

 This was Item 40 on Agenda of March 20, 2013
- 67. ORDINANCE awarding contract to **DRC EMERGENCY SERVICES**, **LLC** for Base Camp Services (Post Disaster) for the City of Houston 5 Years **TAGGED BY COUNCIL MEMBER BURKS**<u>This was Item 76 on Agenda of March 20, 2013</u>

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Pennington 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 MARCH 26, 2013 - 2:00 PM

AGENDA

	AGENDA	
3MIN	3MIN	3MIN
	NON-AGENDA	
3MIN	3MIN	3MIN
MR. DOUG MOOREHEAD	0 – 8659 Shadymist Dr. – Richmond – VA – 23235 – 7	757-328-3309 – Earl Energy
MR. JESSE GREENE – 310 Falls on my house	6 Wentworth – 77004 – 713-240-0722 – Dead tree nee	ed to be cut before it
MS. JOSEPHINE PIERCE -	- 1438 W. Alabama St. – 77006 – 815-474-2085 – Wo	men and Children Safety
MR. CHAZ KLAES – 1715 Waste Department	Brun – 77019 – 713-805-0357 – Trash pick up – Direc	ctor Harry Hays to Solid
MR. /COACH R. J. BOBBY my born little girl from b	TAYLOR - 3107 Sumpter - 77026 - FA34511 – Behavirth	avior Coward Conspiracy
	PREVIOUS	
1MIN	1MIN	1MIN

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 - 8million - I own - C/Attorney V/Ryan bribery W/Adams - 38 million pay-off - cover-up

MOTION NO. 2013 0185

MOTION by Council Member Costello that the recommendation of the Chief of Police, to set hearing dates to consider whether to continue the Juvenile Curfew Ordinance (Sections 28-171 – 28-175, City of Houston Code of Ordinances), be adopted, and Public Hearings be set for 9:00 a.m., on Wednesday, March 27, 2013 and April 3, 2013, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Bradford and carried.

Mayor Parker, Council Members Brown, Davis, Cohen, Martin, Pennington, Rodriguez, Laster, Green, Costello, Burks, Bradford and Christie voting aye Nays none
Council Member Noriega absent

Council Member Adams absent on personal business

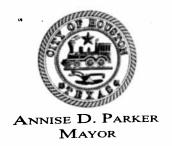
Council Members Hoang and Gonzalez absent on City business

PASSED AND ADOPTED this 20th day of March 2013.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is March 26, 2013.

City Secretary

SUBJECT: Public hearings regarding whether to continue the Juvenile Curfew (Sections 28-171 – 28-175, City Code of Ordinances)	Ordinance Page	
FROM: (Department or other point of origin): Houston Police Department Grigination D March 15, 20		nda Date: MAR 2 0 2013
DIRECTOR'S SIGNATURE: Charles A. McClelland, Jr., Chief of Police Council District All	ict affected:	-
For additional information contact: Date and iden	ntification of prior au ance No. 2010-286; A	
RECOMMENDATION: Conduct public hearings to determine whether to continuous to determine whether the determine wheth	nue the Juvenile Curfe	w Ordinance
Amount and Source of Funding: N/A		,
SPECIFIC EXPLANATION:		
State law requires cities that have adopted a juvenile curfew ordinance to determine whether to abolish, continue, or modify the curfew restrictions. current City of Houston Juvenile Curfew Ordinance in April 2010. Thus, the must be continued prior to April 21, 2013 or it will expire as a matter of law On March 20, 2013, a motion will be called by City Council to set the dates that the two public hearings will be held before the full City Council on March 20, 2013, a report on this issue was pressecurity Committee by the department's Juvenile Division. At that time, the full Council the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling of the Public Hearings and consideration of the order to a provide the scheduling the scheduling of the Public Hearings and consideration of the order to a provide the scheduling t	City Council last a City's current Juven w. s for the public hearing arch 27, 2013 and A cented to the Public Se Committee voted fa	ile Curfew Ordinance ile Curfew Ordinance ings. It is anticipated pril 3, 2013. Safety and Homeland evorably to forward to
Ordinance.		
	•	
REQUIRED AUTHORIZATION		ν.
	Other Authorization	:



OFFICE OF THE MAYOR CITY OF HOUSTON TEXAS

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 3-8-13

COUNCIL MEMBER: ____

March 8, 2013

The Honorable City Council City of Houston

Dear Council Members:

Pursuant to City of Houston, Texas, Section 4.02 of the Interlocal Agreement between the City and the Houston First Corporation and Ordinance No. 2012-1049, Article VI, I hereby appoint the following individuals, subject to Council confirmation, as the Board of Directors of the Houston First Corporation.

Class B term to expire December 31, 2015;

Cecil C. Conner, Jr., appointment to Position Eleven;

Class A terms to expire December 31, 2014;

Irma Diaz -Gonzalez, appointment to Position Five; and Winslow Albert Jeffries, appointment to Position Ten.

Résumés of the nominees are attached for your review.

Sincerely, Mise D. Parles

Annise D. Parker

Mayor

AP:JC:jsk

Attachments

Ms. Dawn Ullrich, Executive Director, Houston First Corporation CC:

Mr. Richard J. Campo, Chair, Houston First Corporation





Office of the Mayor City of Houston Texas

MAR 27 2013

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY:

COUNCIL MEMBER: _____

March 6, 2013

The Honorable City Council Houston Texas

Dear Council Members:

Pursuant to City of Houston Code of Ordinances, Section 47-337, I am nominating the following individuals for appointment or reappointment to the Wastewater Capacity Reservation Review Board, subject to Council confirmation:

Murdock Smith, Jr., reappointment to Position One, for a term to expire March 1, 2015; Trent Slovak, appointment to Position Two, for a term to expire March 1, 2014; and F. William (Bill) Othon, reappointment to Position Three, for a term to expire March 1, 2015.

The résumés are attached for your review.

rise D. Parker

Sincerely,

Annise D. Parker

. Mayor

AP:JC:jsk

Attachments

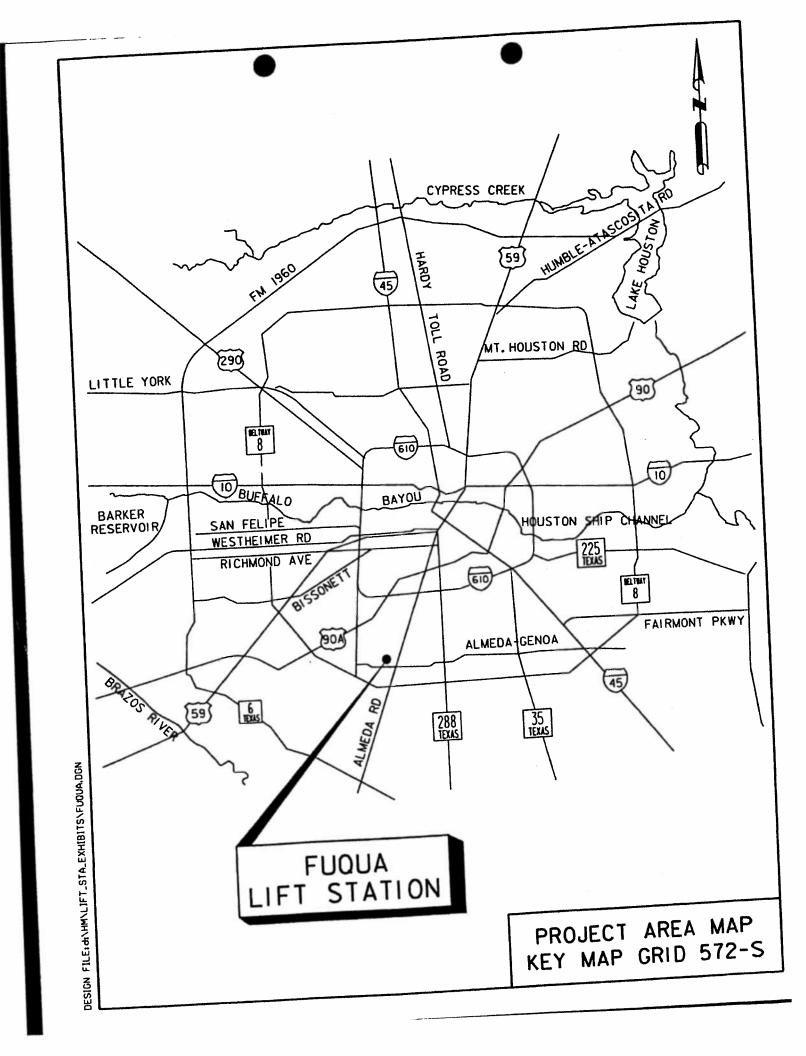
cc: Mr. Rudy Moreno, Deputy Assistant Director, HPC-PWE

CIL MARCHINE

REQUEST FOR COUNCIL ACTION TO: Mayor via City Secretary Agenda Item Page SUBJECT: Accept Work for Fuqua Lift Station Rehabilitation; WBS 1 of 1 No. R-000267-00E2-4. Agenda Date **Origination Date** FROM (Department or other point of origin): MAR 27 2013 Department of Public Works and Engineering Council District affected: DIRECTOR'S SIGNATURE: (D) Daniel W. Krueger, P.E., Director Date and identification of prior authorizing For additional information contact: Council action: dated: 09/21/2011 Ord. # 2011-0816 Daniel R. Menendez, P.E. Deputy Director Phone: (832) 395-2201 RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$454,893.40 or 2.52% 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 \$532,700.00 from Water and Sewer System Consolidated Construction Fund No. 8500. PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program to upgrade its wastewater facilities. **DESCRIPTION/SCOPE:** This project consisted of rehabilitation of the lift station including removal and replacement of electrical and instrumentation systems, pumps, discharge piping, valves, and ventilation to meet the current standards. Dannenbaum Engineering Corporation designed the project with 210 calendar days allowed for construction. The project was awarded to R. J. Construction Company, Inc. with an original Contract Amount of \$466,650.00. **LOCATION:** The project area is located at 4035 W. Fuqua. The project is located in Key Map Grid 572S. CONTRACT COMPLETION AND COST: The Contractor, R. J. Construction Company, Inc., has completed the work under the subject Contract. The project was completed with an additional 9 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities is \$454,893.40, a decrease of \$11,756.60 or 2.52% under the original Contract Amount. The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of an underrun in Extra Unit Price Items and Cash Allowance items, which were not necessary to complete the project. M/SBE PARTICIPATION: The Contract was not a goal-oriented per Art. V, Chapter 15. H:\E&C Construction\Facilities\Projects\R-000267-0090-4 Piping Rock Lift Station\RCA\RCA - Closeout.doc 20HA213 REQUIRED AUTHORIZATION Other Authorization: Other Authorization: Finance Department:

4

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



REQUEST FOR COUNCIL ACTION To: Mayor via City Secretary Agenda Item Page Category SUBJECT: Community/Disaster Preparedness Education/Outreach 1 of 1 **Programs** Agenda Date: **Origination Date:** Dennis J. Storemski FROM: MAR 27 2013 Mayor's Office of Public Safety & Homeland Security 3/19/13 **Council District affected:** All **DIRECTOR'S SIGNATURE:** Date and Identification of prior authorizing Jackie Miller For additional information contact: Council action: M's 11/2/07 7-1106, 2/17/09 9-0084, 832.393.0922 Phone: 3/31/10 10-0170, 11/3/10 10-0779, 1/25/12 12-0057 **RECOMMENDATION:** Approve and authorize the purchase of the next phase of Community/Disaster Preparedness education/outreach programs and companion collateral materials for the Houston region in the amount of \$910,317.98 from Gilbreath Communications, Inc. F & A Budget: \$910,317.98 **Amount of Funding:**

SPECIFIC EXPLANATION:

Background

As the core city within our urban area, the City of Houston serves in a lead role coordinating homeland security activities under the Department of Homeland Security's Urban Area Security Initiative (UASI) and Regional Catastrophic Planning Grant (RCPG). The Mayor's Office of Public Safety and Homeland Security received UASI and RCPG funding to expand and implement a comprehensive preparedness program throughout the multiple county Houston region. The goals of the project are in alignment with the Houston Urban Area's Regional Strategy, the Texas State Strategy, National Preparedness Guidelines (PPD-8) and the National Disaster Recovery Framework for community preparedness and participation.

Recommendation:

It is recommended that City Council authorize the purchase of the next phase of Community/Disaster Preparedness education/outreach programs and companion collateral materials in multiple languages to expand and implement the comprehensive preparedness programs within the region. This will include:

Development of Run Hide Fight Active Shooter training material and outreach

SOURCE OF FUNDING: Grant Funds: Fund 5030, State Administrative Agency, TXDPS (pass-through from DHS)

- IED/Suspicious Behavior Video (Make the Call) Duplication and Outreach materials
- Community Outreach Materials and Collateral
- Continue Development and Production of Middle School Ready Program and materials
- Ready Super Heroes Promotion, Management and materials for grades K-5

This work is being purchased through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council (HGAC) in the amount of \$910,317.98. Request authorization to issue a purchase

order to the HGAC vendor, Gilb	reath Communications, Inc.		
	DECLUDED ALITHODIZAT	ION	
4	REQUIRED AUTHORIZAT		
F & A Director: Min X Will	Other Authorization:	Other Authorization:	
F&A 011 A REV 12/94 7530-0100403-00			

14.				
REQUEST FOR COUN	CIL ACTION			·
TO: Mayor via City Secretary	···		RCA	# 9619
Subject: Sole Bid Received for Pratt and Whitney PT6 Engir	ne	Category #	Page 1 of 1	Agenda Item
Component Overhaul/Exchange, Parts, and Repair Service	s for the	4		
Houston Police Department				/
S21-S24423				φ
FROM (Department or other point of origin):	Origination 1		Agenda Date	
Calvin D. Wells				
City Purchasing Agent	March 1	4, 2013	MAR 2	7 2013
Administration & Regulatory Affairs Department		•	117/1/ 10	2010
DIRECTOR'S SIGNATURE,	Council Distr	rict(s) affected		
Main DWILLY	All			
For additional information contact:	Date and Idea	ntification of p	rior authorizir	19
Joseph A. Fenninger Phone: (713) 308-1708	Council Actio			*B
Desiree Heath // 7/4/17 Phone: (832) 393-8742				
RECOMMENDATION: (Summary)				
Approve an award to Vector Aerospace Helicopter Services	Inc. on its so	le bid in an	amount not to	n exceed
\$375,000.00 for Pratt and Whitney PT6 engine component of	verhaul/exch	ange parts	and renair se	envices for
the Houston Police Department.		ango, parto,	und ropair st	OI VICES IOI

Estimated Spending Authority: \$375,000.00

Finance Budget

\$125,000.00 - Fed/Local/State Pass Fund (5030)

\$125,000.00 - Federal Government (5000)

\$125,000,00 - General Fund (1000)

\$375,000.00 - Total

SPECIFIC EXPLANATION:

The Chief of the Houston Police Department and the City Purchasing Agent recommend that City Council approve an award to Vector Aerospace Helicopter Services, Inc. on its sole bid in an amount not to exceed \$375,000.00, for Pratt and Whitney PT6 engine component overhaul/exchange, parts, and repair services for the Houston Police Department. It is further requested that authorization be given to make purchases, as needed, for a 36-month period with two one-year options to extend. This award is for the overhaul/exchange of the PT6 turbine engines and turbine engine components such as fuel controls, fuel pumps, bleed valves, governors, power sections and the combining gearbox installed in the Police Department's Bell 412EP twin-engine helicopter as they come due for Federal Aviation Administration (FAA) mandated overhauls based on hours of operation. In addition, this award consists of a price list for new replacement parts which includes, but is not limited to: turbine blades, oil screen filters, gearshift idlers, and includes a labor component for work that cannot be performed by City personnel. This award also includes a \$90,770.00 labor component for repair services that cannot be performed by City maintenance personnel.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Two prospective bidders downloaded the solicitation document from SPD's e-bidding website, and one bid was received. Subsequent to receipt of the bid, prospective bidders were contacted to determine the reason for the limited response to the solicitation. One potential respondent advised that their online bid was submitted at the City's website but failed to route their originals to the City Secretary by the bid opening date.

Hire Houston First:

The proposed award requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston business and supports job creation. In this case, Vector Aerospace Helicopter Services, Inc. does not meet the requirements of Hire Houston First; no Hire Houston First firms were within three percent.

Buyer: Laura A. Guthrie

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

ESTIMATED SPENDING AUTHORITY

DEPARTMENT	FY2013	OUTYEARS	TOTAL
POLICE	\$125,000.00	\$250,000.00	\$375,000.00
			

	REQUIRED AUTHORIZA	ΓΙΟΝ	
Finance Department:	Other Authorization:	Other Authorization:	



Interoffice CITY OF HOUSTON RECEIVE Houston Police Department

NOV 062012

To:

Marsha Murray, Asst. Director

Mayor's Office of Business

Opportunity

From:

Frank Rodriguez - Division Manager

HPD Budget & Finance/Procurement

Date:

November 6, 2012

Subject: M/WBE 0% Goal Request

Items or Scope of Services of Bid:

Bell 412 Series Twin Engine Helicopter - Pratt & Whitney PT-6T-3DF Engine Overhaul Repairs and Accessories

The total dollar value is: \$375,000,00

I am requesting approval of a: 0 % goal.

Justification:

Bidders on the Bell 412 Series Twin Englne Helicopter Pratt & Whitney PT-6T-3DF Engine Overhaul Repairs and Accessories labor must be certified by the Federal Aviation Administration (FAA) and its repair facilities must be approved by an authorized maintenance center by this agency. It appears that there are no MWBEs that have received the certification therefore there is no potential for MWBE participation for the above solicitation.

Concur:

Frank Rodriguez, Division Manager

Houston Police Department

Approved:

Marsha Murray, Assistant Director

Mayor's Office of Business Opportunity

	REQUEST FOR COUN	ICIL ACTION			
TO: Mayor via City Secretary				RCA	4 9621
Subject: Amend Council Motion Hypochlorite for the Public Worl S12-S22472-A2			Category #	Page 1 of 2	Agenda Item
FROM (Department or other point	of origin):	Origination I	Date	Agenda Date	
Calvin D. Wells		14 1. 6	4 0040	MAK S	27 2013
City Purchasing Agent		March 0	4, 2013		
Administration & Regulatory Affa	airs Department	 	* · · · · · · · · · · · · · · · · · · ·	<u> </u>	
DIRECTOR'S SIGNATURE	eles	Council Distr	rict(s) affected		
For additional information contact:		Date and Ide	ntification of p	prior authorizi	ng
David Guernsey	Phone: (832) 395-3640	Council Actio			
Ray DuRousseau	Phone: (832) 393-8726	CM 07-0612		07, & 12-041 12	9, Dtd. 6-06-
RECOMMENDATION: (Summary)					
Amend Council Motion 2007-06- 2012-0419, passed June 6, 2012 for chemical, sodium hypochlorit	2, to increase the spending	authority from	\$34,926,66	ended by Cou 88.33 to \$48,8	ncil Motion 397,335.53
Spending Authority Increased By	y: \$13,970,667.20	<u> </u>		F & A Budget	į

SPECIFIC EXPLANATION:

\$13,970,667.20 - Water & Sewer System Operating Fund (8300)

The Director of the Public Works & Engineering Department and the City Purchasing Agent recommend that City Council amend Council Motion 2007-0612, passed June 20, 2007, to increase the spending authority for sodium hypochlorite awarded to ALTIVIA Corporation from \$34,926,668.33 to \$48,897,335.53. The current spending authority is insufficient for the remaining term, and an increase in spending authority in an amount not to exceed \$13,970,667.20 is required to meet the Department's ongoing daily operational needs until a new award can be presented to Council. Sodium hypochlorite is compulsory for the production of potable drinking water and treatment of wastewater, necessary to preserve and protect the public's health and safety. Market survey/Chlor-Alkali indices indicate the City of Houston's current contract price for this product is below the average market price.

This award began June 20, 2007 for a 36-month period with two option years to extend for a total 60-month term, in an amount not to exceed \$34,926,668.33 and was subsequently amended by CM 2012-0419 passed June 6, 2012, to extend the awarded term to June 26, 2015. Expenditures as of March 4, 2013 totaled \$29,479,309.99. All other terms and conditions shall remain as originally approved by City Council.

This award consisted of approximately 60,323,130 pounds of bulk sodium hypochlorite utilized on a daily basis by the Department's Wastewater Operations and Drinking Water Operations Branches to disinfect and treat raw wastewater and potable drinking water at City treatment plants and satellite facilities located citywide. Sodium Hypochlorite (aka bleach) is imperative to maintain compliance with the Environmental Protection Agency and the Texas Commission on Environmental Quality's mandates and standards regarding the application and discharge of water treatment chemicals vital to the public's health and safety.

M/WBE Subcontracting:

This contract was awarded with a 3% M/WBE participation goal and the contractor is currently achieving 1% participation due to the selected M/WBE subcontractor going out of business. The Office of Business Opportunity and the Department's Small Business Development and Contract Compliance Section have met with the contractor to select another certified M/WBE subcontractor and will continue to monitor and work with the contractor and new subcontractor to ensure maximum M/WBE participation.

	REQUIRED AUTHORIZA	ATION	M
F&A Director:	Other Authorization:	Other Authorization:	
V			

3/4/2013 Hypochlorite for the Public Works & Engineering Department Initials S12-S22472-A2 MK	Date:	Subject: Amend Council Motion 2007-0612 for Chemical, Sodium	Originator's	Page 2 of 2
	3/4/2013	Hypochlorite for the Public Works & Engineering Department	Initials	_
			MK	

<u>Hire Houston First</u>: ALTIVIA Corporation is a certified "Hire Houston First" vendor.

Buyer: Martin L. King

TO: Mayor via City Secretary	COUNCIL ACTION	•	RCÁ	# 9624
Subject: Ordinance amending Fire Code and Chapter Ordinances	10 of Code of	Category # 6	Page 1 of 1	Agenda
FROM (Department or other point of origin): Terry Garrison	Origination	Date	Agenda Date	
Fire Chief Fire	Februar	y 21, 2013	MAR 2	7 2013
DIRECTOR'S SIGNATURE	Council Dis	trict(s) affected		
For additional information contact: Beda Kent Phone: (832) 394-6: Phone:	Date and Id Council Act	entification of pion: ion: ember 14, 20		
Approve ordinance amending Fire Code and Chapter	10 of Code of Ord	inances		
No funding required			Finance Budg	et
Recent court decisions in Texas have emphasized the importance With no compromise of public safety, the proposed ordinance streunder the Fire Code, helping ensure that property owners have an	ngthens due process ra	abte in most adr	ninictrativa mua	
Recent court decisions in Texas have emphasized the importance With no compromise of public safety, the proposed ordinance streunder the Fire Code, helping ensure that property owners have an the administrative decision is made by an impartial hearing office. To achieve these goals, the Houston Fire Chief recommends City administrative process of Article IX of Chapter 10 of the Code of most appeals of orders issued under the Fire Code.	engthens due process recopportunity to be hear reconnected. Council approve an or Ordinances, authorizing tinue to be considered.	ghts in most adr d and to cross-ex dinance that will g an Article IX	ninistrative proc xamine witnessed incorporate the hearing officer to	ceedings and that o consider
SPECIFIC EXPLANATION: Recent court decisions in Texas have emphasized the importance With no compromise of public safety, the proposed ordinance streunder the Fire Code, helping ensure that property owners have an the administrative decision is made by an impartial hearing office. To achieve these goals, the Houston Fire Chief recommends City administrative process of Article IX of Chapter 10 of the Code of most appeals of orders issued under the Fire Code Proceedings related to permits issued under the Fire Code will come an employee of HFD. Proceedings related to interpretations of the of Appeals.	engthens due process recopportunity to be hear or council approve an or Ordinances, authorizing tinue to be considered a Fire Code will continuously to the continuously the continuously the code will code will continuously the code will code will continuously the code will cod	ghts in most adress dand to cross-ex- dinance that will g an Article IX is by a separate he ue to be consider.	ministrative proc xamine witnessed incorporate the hearing officer to earing officer, we red by the Fire (ceedings as and that co consider ho may be Code Board
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PROPOSED AMENDMENTS TO FIRE CODE

104.5 Notices and orders. The As may be required to enforce this code, the fire code official is authorized to issue and to serve such notices, or orders, and criminal citations, as well as administrative citations or summonses in the manner prescribed by Article XVIII of Chapter 10 of the City Code as are required to affect compliance with this code in accordance with Sections 109.1 and 109.2.

105.5 Revocation. A permit issued under the provisions of this code may be revoked as provided herein after a hearing conducted by the <u>Section 105</u> hearing official, if the <u>Section 105</u> hearing official finds from a preponderance of evidence adduced at such hearing that there has been a false statement or misrepresentation as to the material facts in the application or construction documents on which the permit or approval was based, or a violation of the terms and conditions as set forth in this code, including, but not limited to, any one of the following:

- 1. The permit is used for a location or establishment other than that for which it was issued.
- 2. The permit is used for a condition or activity other than that listed in the permit.
- 3. Conditions and limitations for the permit, as set forth in this code, have been violated.
- 4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
- 5. The permit is used by a different person or firm than the name for which it was issued.
- 6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
- 7. The permit was issued in error or in violation of an ordinance, regulation or this code.

105.5.1 Notice of hearing. Not later than 14 days prior to the date set for the revocation hearing by the <u>Section 105</u> hearing official, the permit holder shall be given a written notice by the fire code official which shall set forth:

- 1. The grounds upon which the fire code official will seek revocation of the permit;
- 2. That a hearing has been scheduled thereon before the <u>Section 105</u> hearing official and the time, date and place of the hearing; and
- 3. That the permit holder may appear, may be represented by counsel, may present evidence and may cross examine witnesses presented by the fire code official.

105.5.2 Hearing. A Except for hearings related to orders issued under Section 105.5.3, all hearings under this code—Section 105 shall be conducted by the fire chief or a representative, hereinafter called "Section 105 hearing official." The fire chief shall not designate any person to be a hearing official under this code who has taken any part in the investigation of the matter that is the subject of the hearing or any person who directly supervised the investigation. The In rendering a decision, the Section 105 hearing official shall consider only the evidence presented at the hearing in rendering a decision. The A decision of the Section 105 hearing official shall be set forth in writing, copies of which and shall be served upon each party in the same manner as the notice of a right to a hearing.

105.5.3 Emergencies. Where an emergency exists, the fire code official shall not be required to give a written notice or hearing prior to revoking the permit. Emergency revocation of permit. If the revocation of a permit issued under this code reasonably appears to be necessary to abate or ameliorate a serious and immediate fire hazard, the fire code official may revoke the permit without prior notice or hearing. In such circumstances, however, the fire code official must provide the permit holder with an opportunity for a post-revocation hearing in the manner prescribed by Division 8 of Article IX of Chapter 10 of the City Code.

SECTION 108 BOARD OF APPEALS

108.1 Board of appeals established. In order to hear and decide appeals of orders, from decisions or determinations made by of the fire code official relative to the application and interpretation of this code as to the suitability of alternate materials and types of construction, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the Mayor, subject to confirmation by the City Council. The fire code official shall be an ex officio member of said board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official. See Appendix A.

108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code. The fire code official shall take action in accordance with the decision of the board.

108.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to this code.

SECTION 109 VIOLATIONS

- **109.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.
- **109.2 Notice of violation.** When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation ("NOV") describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection. The NOV advises the recipient of the existence of a violation of this code but does not initiate a judicial or administrative proceeding. Service of an NOV is not required prior to service of a citation or summons or to other action to enforce this code.
 - 109.2.1 Service of NOV. A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either The fire code official may serve (by personal service; or by certified mail, return receipt requested) or by delivering the same to, and leaving it with, some person of responsibility upon the premises an NOV upon such person(s) as the fire code official believes should be notified of the violation. For unattended or abandoned locations, a copy of such notice of violation the NOV may shall be posted on the premises in a conspicuous place at or near the entrance to such premises, in which case a copy of the NOV and a copy of the notice of violation shall be mailed by certified mail, with return receipt requested or a certificate of mailing, to the owner of the property at the owner's last known address of the owner, occupant or both, according to the records of the appraisal district in which the property is located.
 - **109.2.2 Compliance with orders and notices.** A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or

other person responsible for the condition or violation to which the notice of violation pertains.

- 109.2.3 Prosecution of violations. If the notice of violation is not complied with promptly or if a persons owning, operating, or maintaining an occupancy, premises property, or vehicle subject to this code allows a hazard violation of this code to exist or fails to take immediate action to abate a hazard on the occupancy, premises, or vehicle violation when ordered to do so by the fire code official, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto take any action authorized by this code or other applicable law.
- **109.2.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without authorization from the fire code official.
- 109.3 General Penalty; continuing violations. When in this code an act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or wherever in this code the doing of any act is required or the failure to do any act is declared to be unlawful and no specific penalty is provided therefor, the violation of any such provision of code shall be punished by a fine of not less than \$500.00, nor more than \$2,000.00; provided, however, that no penalty shall be greater or lesser than the penalty provided for the same offense under the laws of the state. Each day any violation of this code shall continue shall constitute a separate offense. In prosecutions under this code, the various provisions hereof that are designated as exceptions shall not be treated as exceptions within the meaning of Section 2.02 of the Texas Penal Code, and instead, they shall constitute defenses to prosecution within the meaning of Section 2.03 of the Texas Penal Code.
 - **109.3.1 License suspension/revocation.** The suspension, revocation, cancellation or denial of any license, permit or certificate by the jurisdiction shall not prohibit the imposition of any civil or criminal penalty. The imposition of a civil or criminal penalty by the jurisdiction shall not prohibit the suspension, revocation, cancellation or denial of any license, permit or certificate.
 - **109.3.2 Enforced removal or abatement.** The application of the foregoing penalty shall not be held to prevent the enforced removal or abatement of any prohibited condition.
 - **109.3.3** Administrative adjudication of unlawful parking or stopping of vehicle. The provisions of Article IV of Chapter 16 of the *City Code* shall be applicable to the adjudication of any offense arising under this code that involves the parking or stopping of a vehicle. The fines for parking or stopping of a vehicle shall be as

otherwise provided in this section or other provisions of this code, as applicable, but the citation shall be issued and adjudicated in all respects as provided in Article IV of Chapter 16 of the *City Code*.

109.3.4 Abatement of violation Referral to city attorney. In addition to the imposition of the penalties herein described other remedies authorized by this code or other applicable law, the fire code official is authorized to institute may refer a violation to the city attorney for appropriate legal action to prevent unlawful construction or to restrain, correct or abate or restrain an activity, condition, or occupancy constituting or resulting from a violation of this code; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

SECTION 110 UNSAFE BUILDINGS

- 110.1 General authority. If during the inspection of all or part of a property premises, a building or structure or any building system, in whole or in part, violates this code and constitutes a clear an inimical threat to human life, safety or public health or safety, the fire code official shall issue such notices or orders to remove or remedy abate the conditions threat as shall be deemed necessary in accordance with this section are reasonable under the circumstances and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required in accordance with the Construction Code and the procedures set forth in Articles VIII and IX of Chapter 10 of the City Code and this section. Such notices may include one or more placards posted conspicuously at the property stating that the property is a threat to public health or safety, that the Fire Marshal may order an evacuation of the structure or take other action against the property, and that persons who continue to use the building do so at their own risk. The wording of the placard shall be factually accurate, but no particular wording is prescribed.
 - 110.1.1 Unsafe conditions. Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure which is not secured against unauthorized entry as required by Section 311 shall be deemed unsafe.
 - 110.1.2 Structural hazards. When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with Section 110.1. Administrative hearing under City Code. The fire

code official may schedule a public hearing before a hearing officer as provided by Division 2 of Article IX of Chapter 10 of the City Code and request any relief authorized by the said Article IX.

- 110.2 Evacuation. The fire code official or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the fire code official or the fire department official in charge of the incident.
- 110.3 Summary abatement. Where conditions exist that are deemed hazardous to life and property, the fire code official or fire department official in charge of the incident is authorized to abate summarily such hazardous conditions that are in violation of this code. If all or part of a property or structure constitutes a serious and immediate fire hazard, the fire code official or a fire department official in charge of an incident may abate or otherwise remedy the said hazard without prior notice or hearing. In such circumstance, however, the fire code official must provide each owner, lienholder, and mortgagee of the subject property with an opportunity for a post-abatement hearing in the manner prescribed by Division 8 of Article IX of Chapter 10 of the City Code.
- 110.4 Abatement. The owner, operator, or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

SECTION 111 STOP WORK ORDER

- **111.1 Order.** Whenever the fire code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the fire code official is authorized to issue a stop work order.
- **111.2** Issuance. A stop work order shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume.
 - 111.2.1 Hearing. Hearing shall be provided notice and conducted in accordance with Sections 105.5.1 and 105.5.2.

111.3 Emergencies. Where an emergency exists, the fire code official shall not be required to give a written notice prior to stopping the work.

111.4 Failure to comply. It shall be unlawful to fail to comply with any stop work order.

SECTION 202 GENERAL DEFINITIONS

SECTION 105 HEARING OFFICIAL. The person or persons designated in writing by the Mayor of the City of Houston to consider (a) applications by the fire code official to revoke permits issued under authority of Section 105 of this code; (b) appeals of denials of permits authorized by Section 105 of this code; and (c) appeals of orders issued under authority of Section 105 of this code, except that appeals of orders issued under authority of Section 105.5.3 shall be considered as provided elsewhere in the code. A Section 105 hearing official may be an employee of the Houston Fire Department, except that no person who has taken part, directly or indirectly, in any decision, order, or investigation related to the subject of the hearing shall serve as a Section 105 hearing official. A Section 105 hearing official shall act without bias for or against any hearing participant, including the Houston Fire Department.

SERIOUS AND IMMEDIATE FIRE HAZARD. A condition that violates this code and that in the absence of immediate action by the fire code official or a fire department official in charge of an incident presents a reasonable likelihood of causing serious bodily injury to a human being.

PROPOSED AMENDMENTS CODE OF ORDINANCES

Sec. 10-317. Definitions.

When used in this article, the following words and phrases have the meaning stated, unless the context of their usage clearly indicates another meaning:

Building standards official means the neighborhood protection official or the building official <u>or the fire code official (as defined in the Fire Code)</u>, according their respective enforcement responsibilities as provided in this article <u>or in the Fire Code</u>.

Hearing officer means the individual, whether one or more, designated by the mayor to conduct administrative hearings as provided by this article; to consider evidence of violations of this article and of certain provisions of the Fire Code, as provided therein or in by this article, Code; and to enter orders as are supported by the evidence.

Serious and immediate hazard means a condition that violates this article and that in the absence of immediate corrective action by the city presents a reasonable likelihood of causing serious bodily injury to a human being. For purposes of illustration only, examples of serious and immediate hazards include (a) a condition presenting a reasonable likelihood of electrocution or asphyxiation; (b) a structure reasonably likely to collapse; and (c) a vacant structure in which there is a reasonable likelihood that an individual with no right of entry may commit a violent criminal act while shielded from public view. The existence of a serious and immediate hazard may be determined from the personal observation of any person or from circumstantial evidence.

Sec. 10-331. Authority of the hearing officer.

For the enforcement of this article the <u>The</u> hearing officer is authorized to conduct public administrative <u>proceedings</u> hearings and to enter orders to the extent and in the manner <u>provided</u> by this article and to the extent authorized by Subchapter A of Chapter 214, Texas Local Government Code, and by this article, or by the <u>Fire Code</u>.

DIVISION 8. SPECIAL HEARINGS UNDER THE FIRE CODE

Sec. 10-411. Appeals of certain orders of the fire code official.

- (a) An order of the fire code official (as defined in the Fire Code) outside the scope of Section 105 and Sections 108.1 through 108.3 of the Fire Code shall be appealed by filing a written request for an administrative hearing, which request must be received by the city secretary within thirty days after the day on which the person filing the request was served with the order. Notwithstanding the previous sentence, an order issued under Section 105.5.3 of the Fire Code shall be appealed in the manner provided by this division. All such requests received by the city secretary shall be forwarded promptly to the fire code official. In the absence of such a request for hearing, the order of the fire code official is final, and no further appeal shall be allowed.
- (b) No later than thirty days after the city secretary's receipt of a request to which subsection (a) of this section refers, the fire code official shall give a written notice of hearing to each owner, lienholder, and mortgagee of the subject property in the manner described in Section 214.0011(c), Texas Local Government Code. The notice of hearing shall include the following information:
 - That a hearing will be held on a stated date and at a stated time and place, which date shall be as soon as practicable but in any case no later than ninety days after the day on which the city secretary receives a request to which subsection (a) of this section refers;
 - (2) That the hearing will be held before a hearing official to consider whether the order was duly authorized by the Fire Code;
 - That any person having a legal interest in the property (as evidenced by the real property records of the county in which the property is located) may appear in person, may be represented by an attorney, may present testimony and other evidence, and may cross-examine all witnesses; and

- Redline for Ordinance to Amend Fire Code and COH Code Chapter 10 Based on Draft 2.5 of Proposed Ordinance (March 4, 2013)
- That the hearing will be conducted "in accordance with division 8 of article IX of Chapter 10 of the Code of Ordinances, Houston, Texas, which Code is available for public review at www.houstontx.gov/codes."
- (c) The hearing officer shall conduct the hearing to which subsection (b) of this section refers.
 - (1) If the hearing is a record proceeding, the hearing shall be recorded by a court reporter certified by the Texas Court Reporters Certification Board.
 - (2) The hearing may be postponed once for good cause shown; the existence of "good cause" shall be determined by the hearing officer in the exercise of his sole but reasonable discretion.
 - (3) If no person having a legal interest in the property appears before the hearing officer on the date and at the time for which notice was given, the hearing officer shall dismiss the appeal.
 - (4) After consideration of the evidence presented at the hearing, the hearing officer shall issue a written order, the substance of which order shall be limited to the following:
 - <u>a.</u> A statement of the date, time, and place of the hearing and of the authority pursuant to which the hearing was conducted;
 - <u>A list of all persons who attended all or part of the hearing, to the extent known by the hearing officer;</u>
 - <u>A general description of the evidence considered by the hearing officer; and</u>
 - <u>d.</u> A declaration that the order was or was not duly authorized by the Fire Code.
 - (5) In the event that the hearing official declares that the order was not duly authorized by the Fire Code, the fire code official shall withdraw the order.

Sec. 10-412. Hearings after permit revocation or summary abatement.

(a) Before the fifteenth day after the day on which the fire code official either (1) revokes a permit pursuant to Section 105.5.3 of the Fire Code or (2) summarily abates a serious and immediate fire hazard pursuant to Section 110.3 of the Fire Code, the fire code

official shall give written notice in the manner described in Section 214.0011(c), Texas Local Government Code, to each owner, lienholder, and mortgagee of the subject property, which notice shall (1) notify the said person(s) of the right to request an administrative hearing to determine whether the permit revocation or summary abatement was duly authorized by law and (2) state an address to which such a request shall be delivered or mailed.

- (b) A request responsive to the notice described in subsection (a) of this section must be received by the fire code official within thirty days after the day on which the person submitting the request was served with the notice. In the absence of such a request for hearing, the permit revocation or summary abatement shall be deemed to have been authorized by law.
- (c) No later than thirty days after the fire code official's receipt of a request to which subsection (b) of this section refers, the fire code official shall give a written notice of hearing to each owner, lienholder, and mortgagee of the subject property in the manner described in Section 214.0011(c), Texas Local Government Code. The notice of hearing shall include the following information:
 - That a hearing will be held on a stated date and at a stated time and place, which date shall be as soon as practicable but in any case no later than ninety days after the day on which the fire code official receives a request to which subsection (b) of this section refers;
 - (2) That the hearing will be held before a hearing official to consider whether the permit revocation or summary abatement was authorized by law;
 - That any person having a legal interest in the property (as evidenced by the real property records of the county in which the property is located) may appear in person, may be represented by an attorney, may present testimony and other evidence, and may cross-examine all witnesses; and
 - (4) That the hearing will be conducted "in accordance with Division 8 of Article IX of Chapter 10 of the Code of Ordinances, Houston, Texas, which Code is available for public review at www.houstontx.gov/codes."
- (d) The hearing officer shall conduct the hearing to which subsection (c) of this section refers.
 - (1) If the hearing is a record proceeding, the hearing shall be recorded by a court reporter certified by the Texas Court Reporters Certification Board.

- Redline for Ordinance to Amend Fire Code and COH Code Chapter 10
 Based on Draft 2.5 of Proposed Ordinance (March 4, 2013)
- (2) The hearing may be postponed once for good cause shown; the existence of "good cause" shall be determined by the hearing officer in the exercise of his sole but reasonable discretion.
- (3) After consideration of the evidence presented at the hearing, the hearing officer shall issue a written order, the substance of which order shall be limited to the following:
 - <u>A statement of the date, time, and place of the hearing and of the authority pursuant to which the hearing was conducted;</u>
 - <u>A list of all persons who attended all or part of the hearing, to the extent known by the hearing officer;</u>
 - <u>A general description of the evidence considered by the hearing officer; and</u>
 - d. A declaration that the permit revocation or summary abatement was or was not authorized by law.
- (4) In the event that the hearing official declares that the revocation of a permit was not authorized by law, the fire code official shall reissue the permit.
- (5) If no person having a legal or equitable interest in the property appears before the hearing officer on the date and at the time for which notice was given, the hearing officer shall issue a written order, the substance of which order shall be limited to the following:
 - a. A statement of the date, time, and place of the hearing and of the authority pursuant to which the hearing was conducted;
 - b. A list of all persons who attended all or part of the hearing, to the extent known by the hearing officer;
 - <u>A</u> statement that no person having a legal or equitable interest in the property appeared before the hearing officer on the date and at the time for which notice was given; and
 - d. A declaration that the permit revocation or summary abatement is presumed to have been authorized by law.

[END]

PROPOSED AMENDMENTS TO FIRE CODE

104.5 Notices and orders. The As may be required to enforce this code, the fire code official is authorized to issue and to serve such notices or orders, and criminal citations, as well as administrative citations or summonses in the manner prescribed by Article XVIII of Chapter 10 of the City Code as are required to affect compliance with this code in accordance with Sections 109.1 and 109.2.

105.5 Revocation. A permit issued under the provisions of this code may be revoked as provided herein after a hearing conducted by the <u>Section 105</u> hearing official, if the <u>Section 105</u> hearing official finds from a preponderance of evidence adduced at such hearing that there has been a false statement or misrepresentation as to the material facts in the application or construction documents on which the permit or approval was based, or a violation of the terms and conditions as set forth in this code, including, but not limited to, any one of the following:

- 1. The permit is used for a location or establishment other than that for which it was issued.
- 2. The permit is used for a condition or activity other than that listed in the permit.
- 3. Conditions and limitations for the permit, as set forth in this code, have been violated.
- 4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
- 5. The permit is used by a different person or firm than the name for which it was issued.
- 6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
- 7. The permit was issued in error or in violation of an ordinance, regulation or this code.
- **105.5.1 Notice of hearing.** Not later than 14 days prior to the date set for the revocation hearing by the <u>Section 105</u> hearing official, the permit holder shall be given a written notice by the fire code official which shall set forth:

- 1. The grounds upon which the fire code official will seek revocation of the permit;
- 2. That a hearing has been scheduled thereon before the <u>Section 105</u> hearing official and the time, date and place of the hearing; and
- 3. That the permit holder may appear, may be represented by counsel, may present evidence and may cross examine witnesses presented by the fire code official.

105.5.2 Hearing. A Except for hearings related to orders issued under Section 105.5.3, all hearings under this code—Section 105 shall be conducted by the fire chief or a representative, hereinafter called "Section 105 hearing official." The fire chief shall not designate any person to be a hearing official under this code who has taken any part in the investigation of the matter that is the subject of the hearing or any person who directly supervised the investigation. The In rendering a decision, the Section 105 hearing official shall consider only the evidence presented at the hearing in rendering a decision. The A decision of the Section 105 hearing official shall be set forth in writing, copies of which and shall be served upon each party in the same manner as the notice of a right to a hearing.

105.5.3 Emergencies. Where an emergency exists, the fire code official shall not be required to give a written notice or hearing prior to revoking the permit. Emergency revocation of permit. If the revocation of a permit issued under this code reasonably appears to be necessary to abate or ameliorate a serious and immediate fire hazard, the fire code official may revoke the permit without prior notice or hearing. In such circumstances, however, the fire code official must provide the permit holder with an opportunity for a post-revocation hearing in the manner prescribed by Division 8 of Article IX of Chapter 10 of the City Code.

SECTION 108 BOARD OF APPEALS

108.1 Board of appeals established. In order to hear and decide appeals of orders, from decisions or determinations made by of the fire code official relative to the application and interpretation of this code as to the suitability of alternate materials and types of construction, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the Mayor, subject to confirmation by the City Council. The fire code official shall be an ex officio member of said board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official. See Appendix A.

108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code. The fire code official shall take action in accordance with the decision of the board.

108.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to this code.

SECTION 109 VIOLATIONS

- **109.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.
- **109.2 Notice of violation.** When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation ("NOV") describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection. The NOV advises the recipient of the existence of a violation of this code but does not initiate a judicial or administrative proceeding. Service of an NOV is not required prior to service of a citation or summons or to other action to enforce this code.
 - 109.2.1 Service of NOV. A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either The fire code official may serve (by personal service; or by certified mail, return receipt requested) or by delivering the same to, and leaving it with, some person of responsibility upon the premises an NOV upon such person(s) as the fire code official believes should be notified of the violation. For unattended or abandoned locations, a copy of such notice of violation the NOV may shall be posted on the premises in a conspicuous place at or near the entrance to such premises, in which case a copy of the NOV and a copy of the notice of violation shall be mailed by certified mail, with return receipt requested or a certificate of mailing, to the owner of the property at the owner's last known address—of the owner, occupant or both, according to the records of the appraisal district in which the property is located.
 - 109.2.2 Compliance with orders and notices. A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or

other person responsible for the condition or violation to which the notice of violation pertains.

- 109.2.3 Prosecution of violations. If the notice of violation is not complied with promptly or if a persons owning, operating, or maintaining an occupancy, premises property, or vehicle subject to this code allows a hazard violation of this code to exist or fails to take immediate action to abate a hazard on the occupancy, premises, or vehicle violation when ordered to do so by the fire code official, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto take any action authorized by this code or other applicable law.
- **109.2.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without authorization from the fire code official.
- 109.3 General Penalty; continuing violations. When in this code an act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or wherever in this code the doing of any act is required or the failure to do any act is declared to be unlawful and no specific penalty is provided therefor, the violation of any such provision of code shall be punished by a fine of not less than \$500.00, nor more than \$2,000.00; provided, however, that no penalty shall be greater or lesser than the penalty provided for the same offense under the laws of the state. Each day any violation of this code shall continue shall constitute a separate offense. In prosecutions under this code, the various provisions hereof that are designated as exceptions shall not be treated as exceptions within the meaning of Section 2.02 of the Texas Penal Code, and instead, they shall constitute defenses to prosecution within the meaning of Section 2.03 of the Texas Penal Code.
 - 109.3.1 License suspension/revocation. The suspension, revocation, cancellation or denial of any license, permit or certificate by the jurisdiction shall not prohibit the imposition of any civil or criminal penalty. The imposition of a civil or criminal penalty by the jurisdiction shall not prohibit the suspension, revocation, cancellation or denial of any license, permit or certificate.
 - **109.3.2 Enforced removal or abatement.** The application of the foregoing penalty shall not be held to prevent the enforced removal or abatement of any prohibited condition.
 - 109.3.3 Administrative adjudication of unlawful parking or stopping of vehicle. The provisions of Article IV of Chapter 16 of the City Code shall be applicable to the adjudication of any offense arising under this code that involves the parking or stopping of a vehicle. The fines for parking or stopping of a vehicle shall be as

otherwise provided in this section or other provisions of this code, as applicable, but the citation shall be issued and adjudicated in all respects as provided in Article IV of Chapter 16 of the *City Code*.

109.3.4 Abatement of violation Referral to city attorney. In addition to the imposition of the penalties herein described other remedies authorized by this code or other applicable law, the fire code official is authorized to institute may refer a violation to the city attorney for appropriate legal action to prevent unlawful construction or to restrain, correct or abate or restrain an activity, condition, or occupancy constituting or resulting from a violation of this code; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

SECTION 110 UNSAFE BUILDINGS

- 110.1 General authority. If during the inspection of all or part of a property premises, a building or structure or any building system, in whole or in part, violates this code and constitutes a clear an inimical threat to human life, safety or public health or safety, the fire code official shall issue such notices or orders to remove or remedy abate the conditions threat as shall be deemed necessary in accordance with this section are reasonable under the circumstances and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required in accordance with the Construction Code and the procedures set forth in Articles VIII and IX of Chapter 10 of the City Code and this section. Such notices may include one or more placards posted conspicuously at the property stating that the property is a threat to public health or safety, that the Fire Marshal may order an evacuation of the structure or take other action against the property, and that persons who continue to use the building do so at their own risk. The wording of the placard shall be factually accurate, but no particular wording is prescribed.
 - 110.1.1 Unsafe conditions. Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure which is not secured against unauthorized entry as required by Section 311 shall be deemed unsafe.
 - 110.1.2 Structural hazards. When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with Section 110.1. Administrative hearing under City Code. The fire

code official may schedule a public hearing before a hearing officer as provided by Division 2 of Article IX of Chapter 10 of the City Code and request any relief authorized by the said Article IX.

- 110.2 Evacuation. The fire code official or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the fire code official or the fire department official in charge of the incident.
- 110.3 Summary abatement. Where conditions exist that are deemed hazardous to life and property, the fire code official or fire department official in charge of the incident is authorized to abate summarily such hazardous conditions that are in violation of this code. If all or part of a property or structure constitutes a serious and immediate fire hazard, the fire code official or a fire department official in charge of an incident may abate or otherwise remedy the said hazard without prior notice or hearing. In such circumstance, however, the fire code official must provide each owner, lienholder, and mortgagee of the subject property with an opportunity for a post-abatement hearing in the manner prescribed by Division 8 of Article IX of Chapter 10 of the City Code.
- 110.4 Abatement. The owner, operator, or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

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- **111.2** Issuance. A stop work order shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume.
 - 111.2.1 Hearing. Hearing shall be provided notice and conducted in accordance with Sections 105.5.1 and 105.5.2.

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111.4 Failure to comply. It shall be unlawful to fail to comply with any stop work order.

SECTION 202 GENERAL DEFINITIONS

SECTION 105 HEARING OFFICIAL. The person or persons designated in writing by the Mayor of the City of Houston to consider (a) applications by the fire code official to revoke permits issued under authority of Section 105 of this code; (b) appeals of denials of permits authorized by Section 105 of this code; and (c) appeals of orders issued under authority of Section 105 of this code, except that appeals of orders issued under authority of Section 105.5.3 shall be considered as provided elsewhere in the code. A Section 105 hearing official may be an employee of the Houston Fire Department, except that no person who has taken part, directly or indirectly, in any decision, order, or investigation related to the subject of the hearing shall serve as a Section 105 hearing official. A Section 105 hearing official shall act without bias for or against any hearing participant, including the Houston Fire Department.

SERIOUS AND IMMEDIATE FIRE HAZARD. A condition that violates this code and that in the absence of immediate action by the fire code official or a fire department official in charge of an incident presents a reasonable likelihood of causing serious bodily injury to a human being.

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Hearing officer means the individual, whether one or more, designated by the mayor to conduct administrative hearings as provided by this article; to consider evidence of violations of this article and of certain provisions of the Fire Code, as provided therein or in by this article; Code; and to enter orders as are supported by the evidence.

Serious and immediate hazard means a condition that violates this article and that in the absence of immediate corrective action by the city presents a reasonable likelihood of causing serious bodily injury to a human being. For purposes of illustration only, examples of serious and immediate hazards include (a) a condition presenting a reasonable likelihood of electrocution or asphyxiation; (b) a structure reasonably likely to collapse; and (c) a vacant structure in which there is a reasonable likelihood that an individual with no right of entry may commit a violent criminal act while shielded from public view. The existence of a serious and immediate hazard may be determined from the personal observation of any person or from circumstantial evidence.

Sec. 10-331. Authority of the hearing officer.

For the enforcement of this article the <u>The</u> hearing officer is authorized to conduct public administrative <u>proceedings</u> hearings and to enter orders to the extent and in the manner <u>provided</u> by this article and to the extent authorized by Subchapter A of Chapter 214, Texas Local Government Code, and by this article, or by the Fire Code.

DIVISION 8. SPECIAL HEARINGS UNDER THE FIRE CODE

Sec. 10-411. Appeals of certain orders of the fire code official.

- (a) An order of the fire code official (as defined in the Fire Code) outside the scope of Section 105 and Sections 108.1 through 108.3 of the Fire Code shall be appealed by filing a written request for an administrative hearing, which request must be received by the city secretary within thirty days after the day on which the person filing the request was served with the order. Notwithstanding the previous sentence, an order issued under Section 105.5.3 of the Fire Code shall be appealed in the manner provided by this division. All such requests received by the city secretary shall be forwarded promptly to the fire code official. In the absence of such a request for hearing, the order of the fire code official is final, and no further appeal shall be allowed.
- (b) No later than thirty days after the city secretary's receipt of a request to which subsection (a) of this section refers, the fire code official shall give a written notice of hearing to each owner, lienholder, and mortgagee of the subject property in the manner described in Section 214.0011(c), Texas Local Government Code. The notice of hearing shall include the following information:
 - That a hearing will be held on a stated date and at a stated time and place, which date shall be as soon as practicable but in any case no later than ninety days after the day on which the city secretary receives a request to which subsection (a) of this section refers;
 - (2) That the hearing will be held before a hearing official to consider whether the order was duly authorized by the Fire Code;
 - (3) That any person having a legal interest in the property (as evidenced by the real property records of the county in which the property is located) may appear in person, may be represented by an attorney, may present testimony and other evidence, and may cross-examine all witnesses; and

- That the hearing will be conducted "in accordance with division 8 of article IX of Chapter 10 of the Code of Ordinances, Houston, Texas, which Code is available for public review at www.houstontx.gov/codes."
- (c) The hearing officer shall conduct the hearing to which subsection (b) of this section refers.
 - (1) If the hearing is a record proceeding, the hearing shall be recorded by a court reporter certified by the Texas Court Reporters Certification Board.
 - (2) The hearing may be postponed once for good cause shown; the existence of "good cause" shall be determined by the hearing officer in the exercise of his sole but reasonable discretion.
 - (3) If no person having a legal interest in the property appears before the hearing officer on the date and at the time for which notice was given, the hearing officer shall dismiss the appeal.
 - After consideration of the evidence presented at the hearing, the hearing officer shall issue a written order, the substance of which order shall be limited to the following:
 - <u>a.</u> A statement of the date, time, and place of the hearing and of the authority pursuant to which the hearing was conducted;
 - b. A list of all persons who attended all or part of the hearing, to the extent known by the hearing officer;
 - <u>c.</u> A general description of the evidence considered by the hearing officer; and
 - <u>A declaration that the order was or was not duly authorized by the Fire Code.</u>
 - (5) In the event that the hearing official declares that the order was not duly authorized by the Fire Code, the fire code official shall withdraw the order.

Sec. 10-412. Hearings after permit revocation or summary abatement.

(a) Before the fifteenth day after the day on which the fire code official either (1) revokes a permit pursuant to Section 105.5.3 of the Fire Code or (2) summarily abates a serious and immediate fire hazard pursuant to Section 110.3 of the Fire Code, the fire code

official shall give written notice in the manner described in Section 214.0011(c), Texas Local Government Code, to each owner, lienholder, and mortgagee of the subject property, which notice shall (1) notify the said person(s) of the right to request an administrative hearing to determine whether the permit revocation or summary abatement was duly authorized by law and (2) state an address to which such a request shall be delivered or mailed.

- (b) A request responsive to the notice described in subsection (a) of this section must be received by the fire code official within thirty days after the day on which the person submitting the request was served with the notice. In the absence of such a request for hearing, the permit revocation or summary abatement shall be deemed to have been authorized by law.
- (c) No later than thirty days after the fire code official's receipt of a request to which subsection (b) of this section refers, the fire code official shall give a written notice of hearing to each owner, lienholder, and mortgagee of the subject property in the manner described in Section 214.0011(c), Texas Local Government Code. The notice of hearing shall include the following information:
 - That a hearing will be held on a stated date and at a stated time and place, which date shall be as soon as practicable but in any case no later than ninety days after the day on which the fire code official receives a request to which subsection (b) of this section refers;
 - (2) That the hearing will be held before a hearing official to consider whether the permit revocation or summary abatement was authorized by law;
 - That any person having a legal interest in the property (as evidenced by the real property records of the county in which the property is located) may appear in person, may be represented by an attorney, may present testimony and other evidence, and may cross-examine all witnesses; and
 - (4) That the hearing will be conducted "in accordance with Division 8 of Article IX of Chapter 10 of the Code of Ordinances, Houston, Texas, which Code is available for public review at www.houstontx.gov/codes."
- (d) The hearing officer shall conduct the hearing to which subsection (c) of this section refers.
 - (1) If the hearing is a record proceeding, the hearing shall be recorded by a court reporter certified by the Texas Court Reporters Certification Board.

- (2) The hearing may be postponed once for good cause shown; the existence of "good cause" shall be determined by the hearing officer in the exercise of his sole but reasonable discretion.
- (3) After consideration of the evidence presented at the hearing, the hearing officer shall issue a written order, the substance of which order shall be limited to the following:
 - <u>a.</u> A statement of the date, time, and place of the hearing and of the authority pursuant to which the hearing was conducted;
 - <u>b.</u> A list of all persons who attended all or part of the hearing, to the extent known by the hearing officer;
 - <u>c.</u> A general description of the evidence considered by the hearing officer; and
 - d. A declaration that the permit revocation or summary abatement was or was not authorized by law.
- (4) In the event that the hearing official declares that the revocation of a permit was not authorized by law, the fire code official shall reissue the permit.
- (5) If no person having a legal or equitable interest in the property appears before the hearing officer on the date and at the time for which notice was given, the hearing officer shall issue a written order, the substance of which order shall be limited to the following:
 - <u>A statement of the date, time, and place of the hearing and of the authority pursuant to which the hearing was conducted;</u>
 - b. A list of all persons who attended all or part of the hearing, to the extent known by the hearing officer;
 - <u>A statement that no person having a legal or equitable interest in the property appeared before the hearing officer on the date and at the time for which notice was given; and</u>
 - <u>A declaration that the permit revocation or summary abatement is presumed to have been authorized by law.</u>

[END]

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending prohibits removing the contents of placed for collection.	ng Chapter 39 to repeal sec f trash and recycling receptacle		Page Agenda Item 1 of 1 #
FROM (Department or other point of Legal Department	f origin):	Origination Date March 20, 2013	Agenda Date 7 ZUIS
DIRECTOR'S SIGNATURE:		Council District at	
Atmenter-			All
David M. Feldman, City Attorney			
For additional information contact:		Date and identific	ation of prior
David M. Feldman Phone:832.3	993.6412	authorizing Counc	cil action: N/A
RECOMMENDATION: (Summary)			
That Council adopt the proposed o prohibits removing the contents of t		-	9
Amount and Source of Funding: N/A			
SPECIFIC EXPLANATION:			
Chapter 39 of the Code of Ordinance and also currently prohibits removin ordinance, section 39-2, may be cit	g the contents of a trash or recyc		
Because Section 39-2 adversely in otherwise be spent preventing mo section 39-2. Section 39-3, which perfect of trash. In addition, Article V several city departments.	re significant criminal activity, trohibits littering generally, will re	he administration i main intact, ensurir	recommends repeal of ng that our city remains
			200
	REQUIRED AUTHORIZATION	٧ ,	
Other Authorization:			

The Ordinance will **remove** the following Section from the City Code:

Sec. 39-2. Disturbing or removing contents of containers.

- (a) It is unlawful for any person to intentionally, knowingly or recklessly handle, scavenge from, disturb, or remove any contents of any bin, bag, or other container that has been placed for collection of garbage, trash or recyclable materials at the designated location for pickup by the department, or for pickup by any other public or private collection service.
- (b) It is a defense to prosecution under this section that the accused is the person who placed or caused the bin, bag or container to be placed for collection or that the accused is an agent or employee of the city.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance Amending Sections of The Volume of The City Of Houston Construction Code, Known as the City Of Houston Electrical Code, #			Agenda Item #		
Pertaining to Building Standards; Containing Findings; Providing For Severability; and Declaring an Emergency			10		
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date ろ スレー13	Agenda I MAR	Date 7 2013		
Daniel W. Krueger, P.E., Director	Council District affected:				
For additional information contact: Thomas Hosey, CBO, CASp Phone: (832) 394-9088 Council action: Building Official Date and identification of prior authorizing Council action: 2011-673, August 10, 2011			ing		
RECOMMENDATION: (Summary) Approve an ordinance to modify the City of Houston National Electrical Code to					

SPECIFIC EXPLANATION:

On August 10, 2011, City Council passed Ordinance 2011-673 which adopted the Houston Electrical Code. The 2011 National Electrical Code with local amendments forms the Houston Electrical Code and conforms with Texas Department of Licensing and Regulation rules designating the 2011 version as the electrical code in this state. The code applies to new electrical installations as well as repairs, alterations and demolitions for electrical work on existing structures. The proposed amendments are intended to coordinate with CenterPoint Energy safety and service rules, and to remove a local prohibition on a wiring method that is allowed by the national code. Specifically, the amendments include:

coordinate with the local utility provider rules, and remove unnecessary restrictions.

- 1. The electrical utility provides two available fault currents the available and the maximum. The new maximum fault labeling requirement could mandate use of equipment multiple times larger than would be necessary for the available fault current at a particular location. It is not reasonable to require an owner to build a larger service to meet the maximum fault current when they can meet the available fault current.
- 2. A general rule in the electrical code related to commercial electrical services clarifies the conditions for buildings that have more than one electrical service.
- 3. A local amendment that prohibited commercial installation of nonmetallic sheathed cable, also known as NMC or Romex cable, is removed along with an exception for live/work businesses that was created as an exception to the prohibition.

The proposed electrical code amendments were reviewed by stakeholders representing the Construction Industry Council (CIC), an organization of industry groups and trade associations. CIC membership comprises over 30 groups such as the Association of Building Contractors, Associated General Contractors, American Institute of Architects, Building Owners and Managers Association, Greater Houston Builders Association, Greater Houston Restaurant Association, Houston Apartment Association, Houston Gulf Coast Building & Construction Trades Association, Houston Real Estate Council, Independent Electrical Contractors, Institute of Real Estate Management, Mechanical Contractors Association, Society of Fire Protection Engineers, and the United States Green Building Council. Each provides delegates and alternates who are eligible to participate in meetings and code reviews. Code review subcommittee meetings are open to all interested parties.

		r _{sa}
	REQUIRED AUTHORIZATION CUIC	# 20SWB10
Finance Department:	Other Authorization:	Other Authorization:
1		

4 011.A REV. 3/94 0-0100403-

I:\WPDATA\ECREDIR\LOGS\RCA.FRM

2011 NEC Houston Amendments – Proposed Amendments November 9, 2012 (Results of the Electrical CIC Subcommittee on November 8, 2012)

Section 103

SERVICE CABLE TAP BOX is an enclosure designed with busbars for the purpose of terminating service conductors from the electric utility point of supply and terminating service conductors to individual tenant services.

504.1.1 Available Fault Current Labeling. In lieu of the maximum available fault current marking as required by 110.24, a permanently affixed label shall be applied with the available fault current at the time of installation and calculation. The label shall be 2" x 3" in size and shall be blue lettering on a contrasting background. This label shall also include the date of the calculation.

504.4 Metal wireways. Other than in single family residences, all metal wireways with parallel conductors shall have insulated step bus conductors. Multi-tenant services. In structures designed for multiple tenants, where additional services are likely, a buss conductor service cable tap box shall be required. The service cable tap box shall be weatherproof and comply with the following:

- 1. The service cable tap box shall be lockable with provisions to accept the Untility locks.
- 2. Covers shall be fastened with machine screws or bolts. Hinged covers shall not be permitted.
- 3. Covers shall have two handles for cover removal.
- 4. Busbars shall be protected from physical damage and held firmly in place.
- 5. <u>Busbars shall be sized to physically accommodate the maximum number of tenant services</u> anticipated and predrilled.
- 6. Busbars shall be stepped.
- 7. The phase arrangement on 3-phase horizontal common power and vertical buses shall be A, B, C from front to back, top to bottom, or left to right, as viewed from the front of the service cable tap box. The B phase shall be that phase having the higher voltage to ground on 3-phase, 4-wire, delta-connected systems. The phases shall be permanently marked.
- 8. The bottom of the service cable tap box shall be a minimum of 6 inches above finished grade.
- 9. The service cable tap box shall be in compliance with Utility Service Standards.

Exception: Residential Occupancies

505.1 Change of Occupancy. Where a portion of an existing R 3 (residence) constructed prior to 9/1/08 has a change of occupancy to a B (office) or M (retail) the use of existing copper nonmetallic sheathed cable with equipment grounding conductor shall be permitted when all of the following conditions are met:

- 1. The resident who occupies the R-3 dwelling operates the business.
- 2. The office or retail use is limited to 40 percent of the building.
- 3. Limited to wood construction.
- 4. Both the R-3 and the business are on the same meter.
- 5. It will not cause an unsafe condition.
- **505.2 Temporary installations.** Nonmetallic sheathed cable shall be permitted for temporary installations in addition to those allowed by Article 334.

SECTION 512 - ARTICLES NOT ADOPTED

512.1 The following provisions of the National Electrical Code, 2011 Edition are not adopted.

- 1. Sections 210.12 (A) Exceptions 1 and 2 and Section 210.12 (B) regarding AFCI protection;
- 2. Section 240.91 (B), regarding protection of conductors;
- 3. Section 312.5 (c), regarding where cables are secured (exceptions to 312.5 are to remain)
- 4. Section 334.10 (3), regarding nonmetallic sheathed cable;
- 5. Section 406.4 (D) (4) regarding receptacle replacement; and
- 6. Section 645.25 regarding engineering supervision.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Memo	ted Airlines and thus the training the training of the Grou	rstanding between the Fed he Houston Airport System and Based Augmentation S ort/Houston.	eral Aviation	Category #	Page 1 of 2	Agen	nda Item #
FROM (Departmen	•	of origin):	Origination I		Agend	a Date	0010
Houston Airport Sys			February 18,	2013	MAH	₹ 27	2013
DIRECTOR'S SIGN	Dli		Council Dist				
Lance Lyttle Samar Mukhopadhy	Phone: 2	281-233-1889 281-233-1840	Council action		rior autno	orizing	
AMOUNT & SOURCE			Prior approp				
N/	A		N/				
Based Augmentation	System technolog	he Houston Airport Syster gy at George Bush Interco ental Airport/Houston (IA	ontinental Airport/H	ouston.		·	·
Federal Aviation Ad Ground Based Augm component of the FA Positioning System (aircraft. Currently, or of two commercial ai	ministration (FAA) nentation System AA's NextGen air GPS) satellites to ally selected Unite rports with a wor e obligations, role	2010, Houston Airport SA) and Continental Airlin (GBAS) at George Bush renavigation transformation provide greater accurated Airlines aircraft are equivalently and responsibilities of earlines and responsibilities of earlines.	nes, now United Ai Intercontinental Ai on. The GBAS, may be for landing appropriate once GBA ental United States	rlines (UAL), t irport/Houston (odel SLS-4000, roaches at IAH S is fully opera	o the instantial (IAH). The second of the se	allation he GB k with ially ec H will	of the AS is a Global quipped be one
Term:	period of five (: MOU at any time	be effective once is has be to be the state of the state	e date. Each Party date without incu	may terminate	its particity or obl	ipation igation	in this to the
Roles and Responsibilities:	The FAA will p	provide overall integration	and management,	and ensure that	all FAA	infrasti	ructure
	Traffic Control	including, but not limited Tower, Flight Procedures gy to operate at IAH in ac	s and Flight Standa	ards are updated			
	HAS will, subject associated with	ct to approval of a contract the installation, security	t(s) by the City Cor and operation of	uncil, pay for the SLS-4000 a	e design a at IAH, a	nd civi nd a tu	l work urnkey
		REQUIRED AUTHO	ORIZATION			······································	
Finance Department:		Other Authorization:	[6	Other Authoriza	ation:		

Date February 18, 2013	SUBJECT: Memorandum of Understanding between the Federal Aviation Administration, United Airlines and the Houston Airport System regarding installation and evaluation of the Ground Based Augmentation System technology at George Bush Intercontinental Airport/Houston.	Originator's Initials WZ	Page 2 of 2	
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maintenance plan for the SLS-4000 beyond the initial one-year maintenance provided in the installation contract.

United Airlines will install GLS equipment and software on new Boeing 737NG and 787 aircraft to enable United Airlines to fly FAA approved CAT I GLS standard instrument approach procedures, and any other FAA-approved procedures as developed by United Airlines or the FAA. United Airlines will maintain certification and operational approval to conduct CAT I GLS standard instrument procedures approach, as well as provide sufficient number of trained pilots to fly such CAT I standard instrument approach procedures at IAH.

The FAA (subject to availability of funds), United Airlines, and HAS (subject to City Council approval) will contribute personnel and financial resources to ensure successful execution of the tasks and responsibilities specified in the MOU.



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Finance Department:	Other Authorization:	0	ther Authoriz	ation:	
	REQUIRED AUTHORIZ		Service agent		
	•	-			
The term of the agreement is six (6) year	rs, which includes a one-year	warranty at no co	ost.		
 Spares management 					
 Documentation of system perfor 	mance in maintenance logs				
 Loading of software 					
Modification of hardware					
Return-to-service tasks					
Corrective maintenance					
Services to be provided by HoneywellPeriodic maintenance	International, Inc. under this a	greement include	e:		
with this system. Once GBAS is fully continental United States. As the devel Center regulations, has provided specifically will also maintain the GBAS to FAA states.	operational, IAH will be one of oper of the GBAS, Honeywell cations for site location, install.	f two commercial International, Ir	al airports with ac., in coording	a workin ition with	g system in the the FAA Tech
landing approaches at IAH for speciall	y equipped aircraft. Currently,	only selected U	nited Airlines	aircraft ar	e equipped
Based Augmentation System (GBAS) a transformation. The GBAS will work with the control of the co					
Federal Aviation Administration (FAA					
SPECIFIC EXPLANATION: In June of					
LOCATION: George Bush Intercontin	ental Airport/Houston (IAH)				
•					
Honeywell International, Inc. relating George Bush Intercontinental Airport		on System (GBA)	S) navigation (equipmen	t installed at
RECOMMENDATION: (Summary) El					
	AS Revenue Fund (8001)		and the second s		
Out Years\$323,269.00	11101				
FY2013 75,000.00	Mal	NA			
AMOUNT & SOURCE OF FUNDING:		Prior appropri	ations:		
1	81-233-1840	NA NA	•		
For additional information contact: Lance Lyttle Phone: 2	> !81-233-1889	Date and identification		rior autho	orizing
6 Mario bis			·	***************************************	
DIRECTOR'S SIGNATURE:		Council Distric	ct affected:		
Houston Airport System		March 12, 201		TIA	A LUIU
FROM (Department or other point of	of origin):	Origination Da		Agend	a Date 7 2013
nu . garier e quipment mounte ut con	. 60 20 00 00 00 00 00 00 00 00 00 00 00 00				1111
Honeywell International, Inc. relating navigation equipment installed at Geo			#	1 of 1	# ^
	ce and Technical Support Agr		Category	Page	Agenda Item
O. Mayor via City Secretary	REQUEST FOR COUN	OIL ACTION			

TO: Mayor via City Secretary	REQUEST FOR COUNCIL	ACTION	ł	HCU	13-18
SUBJECT: An Ordinance authorizing a of Houston and the Houston Shifa \$850,000 in CDBG funds for acquisition center for female and child victims of located near the intersection of Gessne 77071.	Services Foundation, Inc., proper and construction of a family of domestic violence and abuse,	oviding support to be		Page 1 of 1	Agenda Item #
FROM:		Originatio	n Date	Agenda D	ate
Neal Rackleff, Director Housing and Community Development		03/11	1/13	MAR	27 2013
DIRECTOR'S SIGNATURE:		Council D	istrict affe	-	
O/PU				istrict K	
For additional information contact: M Phone: 7	arc Eichenbaum 13-865-4557	Date and Council a		on of prio	r authorizing
RECOMMENDATION: Approval of an C Houston Shifa Services Foundation, Inc support center for female and child victi Westplace Drive, Houston, Texas.	c., providing \$850,000 in CDBG	funds for a	cquisition a	nd constru	uction of a family of Gessner and
Amount of Funding:	\$850,000.00			Finance	Budget:
SOURCE OF FUNDING: [] Ger	eral Fund [X] Grant Fu	nd [] Enterp	rise Fund	
Cor	nmunity Development Block G	rant (CDBG	3)		
SPECIFIC EXPLANATION:				<u> </u>	
The Houston Shifa Services Foundation serve female and child victims of domes the health, emotional needs and well be home-like setting. This facility will be vit services to abused women and children.	tic violence and abuse. The Fou ing of these victims, by providin	indation's page integrated	rimary focu I social ser	s and miss vices in a	sion is to ensure safe and secure
The Houston Shifa Services Foundatio children) at any given time. The immedia projected to annually serve 70 individuals	ate goal is to provide stability and	d security to	the family	unit at ris	
The Houston Shifa Services Foundation Inc. is requesting \$850,000 in CDBG funds. The proposed project will consist of acquiring 1.78 acres of raw land and constructing a new facility to be located near the intersection of Gessner and Westplace Drive, Houston, Texas 77071. To assist families adjusting to their new lives in a safe environment, residents will receive medical and legal services, and participate in vocational and educational programs.					
The proposed project will be a joint collaboration between the City of Houston and the Houston Shifa Services Foundation Inc. The Foundation will fund the facility's estimated \$80,000 operating expenses, and provide an estimated \$30,000 to \$50,000 for furniture, fixtures and equipment.					
NR:GA					
cc: City Attorney Mayor's Office City Secretary Finance Department					
	REQUIRED AUTHORIZAT	ION			NOT
Finance Director:	Other Authorization:		Other A	uthorizat	

TO: Mayor via City Sec		JEST FOR COUNCI		- Gulf Coast Arms
SUBJECT: An Ordinance a	uthorizing an am	endment to revise the	funding Category	Page Agenda
source and increase the loan			n a loan #	1of 1 Item /
agreement between the City o	r Houston and Gur	r Coast Arms, Ltd.	Origination Date	Agenda Date
Neal Rackleff, Director			1	MAR 27 2013
Housing and Community Deve	lopment /		3/19/13	PIAN & 1 2010
DIRECTOR'S SIGNATURE:		1//2/	Council District aff	
<u> </u>	2 sal/fella	150		istrict B
For additional information co		•		tion of prior authorizing
	Phone: 713-868-		Council action: Ord	
RECOMMENDATION: Approved the leap amount by \$700,000	val of an Ordinanc	e authorizing an amen	dment to revise the fun	iding source and increa
the loan amount by \$700,000 Ltd.	in CDBG lunds in	a loan agreement bet	ween the City of Housi	ton and Guil Coast An
Amount of Funding:				Finance Budget:
	\$700,00	0.00		
SOURCE OF FUNDING	[] General	Fund [X]G	rant Fund [] Enterprise Fund
C	Community Devel	opment Block Grant f	unds (Fund 5000)	
SPECIFIC EXPLANATION:				
On January 22, 2013, City Cou				
Gulf Coast Arms, Ltd., for the	acquisition, demo	olition and reconstruction	on of Gulf Coast Arms	- a 160-unit, Section
multifamily community located and \$440,131 in CDBG funds.	at 6603 Hirsch Ri	oad. The authorized f	unding consisted of \$5	,534,869 in HOME fui
Instead of a combination of fe				
(HCDD) recommends funding interest rate of 0.75% (payable				
HCDD to pursue its objectives.	monuny) over a 4	o-year term. The ream	ocation of funds will pro	ovide greater nexibility
, , , , , , , , , , , , , , , , , , , ,				
Additionally, HCDD requests are	oproval to increase	the funding amount b	y \$700,000. Due to the	e on-going strengthen
of the Houston economy, and t	he scarcity of new	multi-family projects,	rents for properties to v	which HCDD will reloc
the property's existing tenants I the last year, at least in part du				
\$700,000 increase in funding	will provide adequ	uate funds for relocati	on and to provide an	appropriate continger
reserve, which has been require	ed by the equity inv	estor. The entire loan	amount will be repayat	ole.
The amended funding of Gulf Co	oast Arms will be a	as follows:		
_				
Sources of Funds:	Original:	Revised:		
HOME Funds	5,534,869	0		
CDBG Funds	440,131	6,675,000		
Tax credit equity	\$17,772,534	\$17,772,534		
Permanent Loan	4,275,000	4,275,000		
Deferred Developer Fee	47,735	47,735		
	\$28,070,269	\$28,770,269		
This item was presented to the !	louging Custsiant	olo Crowth and David	omant Committee	nhmuon/40, 0040
This item was presented to the I	rousing, Sustainat	DIE Growth and Develo	prinerit Committee on Fe	ebruary 19, 2013.
NR:EP:SS				
on. Other Consultation				
cc: City Secretary Controller's Office				
Finance Department				
Legal Department				
Mayor's Office				
		UDED ALITUODES - TO	~	
Finance Department:	 	IIRED AUTHORIZATION Authorization:		ıthorization:
wopurmions	Other A	THE TERMINE	Other At	iti iUI IZatiUII.

between the City of Houston ar	ending the funding :	ST FOR COUNCIL source to a grant agr			Page	Tower Agenda	tem
	nd Houston Heights	Towers, Inc.		#	<u>1</u> of1	#	<u></u>
FROM:			Origina	ation Date	Agenda	Date	10
Neal Rackleff, Director Housing and Community Deve	lonment	01	3.	/20/13	MA	R 27 20	13
DIRECTOR'S SIGNATURE:	S / //		Counc	I District af	ected:		
	POMPA (max	WD			District C		
For additional information co				nd identifica			ing
	hone: 713-865-45			il action: C			
RECOMMENDATION: Approved Houston and Houston Heights	val of an Ordinance	amending the funding	source t	to a grant ag	reement be	etween the	City
Amount of Funding:	TOWCIO, IIIO.				Finance	Budget:	
	No Additional I	Funding					
SOURCE OF FUNDING	[] General F	und [X]Grar	nt Fund	[]	Enterprise	e Fund	
1	HOME and Commu	nity Development B	lock Gra	nt (CDBG)			
SPECIFIC EXPLANATION:							
On January 22, 2013, City Co	uncil approved an C	Ordinance authorizing	an \$8,50	0,000 grant	of Commu	inity Develo	pmer
Block Grant (CDBG) funds to located at 330 W. 19 th Street, in	Houston Heights	Towers, Inc. to reha	bilitate a	seniors/disa	abled multi	family com	munit
The Housing and Community federal CDBG funds alone, to a	Development Depa combination of fede	rtment (HCDD) reque eral HOME and CDBG	ests appr 3 funds, a	oval to char s follows:	nge the fur	nding source	e froi
Sources of Funds:	Original:	Revised:					
HOME	0	\$5,534,869					
CDBG	\$8,500,00 <u>0</u>	\$2,965,131					
CDBG	\$8,500,000	\$8,500,000					
		• • • • • • • • • • • • • • • • • • • •	(i	4 Abo	+ b 6 · · ·	da) The n	mhc
		v Council Will not cha	ande uus	t the source	s of the fur	ius). The n	unne
of restricted, affordable units w	ill increase from 11	4 units to 146 units.	The real	ocation of fi	unds will pr	rovide HCD	D wit
of restricted, affordable units w greater flexibility to pursue its af	ill increase from 114 fordable housing an	4 units to 146 units. d community develop	The real	ocation of fo ectives.	unds will pr		D witi
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
The total amount of funding, proof restricted, affordable units with greater flexibility to pursue its affordable to the little total term was presented to the little total term was presented to the little total term.	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th This item was presented to the	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th This item was presented to the	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th This item was presented to the	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th This item was presented to the	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units we greater flexibility to pursue its at a finished project is consistent with the street that	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its af This project is consistent with th This item was presented to the NR:EP:JN:SS cc: City Secretary Controller's Office Finance Department	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units we greater flexibility to pursue its at a finished project is consistent with the street that	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its af This project is consistent with th This item was presented to the NR:EP:JN:SS cc: City Secretary Controller's Office Finance Department	ill increase from 114 ffordable housing an se City's Consolidate	4 units to 146 units. d community develop d Plan to create affor	The real	ocation of for ectives. using units for	unds will pr or the elder	ly and disab	D wit
of restricted, affordable units w greater flexibility to pursue its at This project is consistent with th This item was presented to the NR:EP:JN:SS cc: City Secretary Controller's Office Finance Department Legal Department	ill increase from 114 ffordable housing an ile City's Consolidate Housing, Sustainabl REQU	4 units to 146 units. d community develop d Plan to create affor	The real	location of frectives. Susing units for the committee on	unds will pr or the elder	ly and disab	D wit

4	REQUEST FOR COUN	ACII ACTION	.1		
TO: Mayor via City Secretary	· ·			RCA# 9642	
Subject: Approve an Ordinance t			Category	Page 1 of 1	Agenda Iter
Equipment Acquisition Consolidat	,	.he	1 8 4	4	
Purchase of Infrastructure Assets	for Various Departments		100-4		15
FROM (Department or other point of	of origin):	Origination		Agenda Dat	.e
Charles T. Thompson		March 5, 20	113	MAR 2	7 2013
Chief Information Officer	Oi (LUTO)			1101/ ~	1 2010
Houston Information Technology	Services (HITS)	Council Dist	-int/e) affect	<u> </u>	
W/ //	_	All	.Fict(5) anecc	.eu	
Challe I Strong	3-7-2013				
For additional information				of prior author	izing
contact:		Council Acti			
Wayne Grant	Phone: 832-393-0049	Ordinances:	2009-0625	: 06/30/09	
RECOMMENDATION: (Summary Approve an ordinance authorizing Consolidated Fund (Fund 1800) for departments.	the appropriation of \$300,				
AMOUNT AND SOURCE OF FUN \$300,000.00 - FY13 Equipment A			00)	Finance Bu	dget
	.cquisition Consolidated Fu	ma (runa 100	10)		
SPECIFIC EXPLANATION:					
The Chief Information Officer of appropriation of \$300,000.00 for procurements related to expanding procured through the City's Master	rom the Equipment Acc og the network infrastructur	quisition Cor re for various	nsolidated departmen	Fund (Fund its. All purch	1800) for ases will be
By ordinance 2009-0625, City C equipment to enhance various IT to maximize productivity, minimiz necessary updates and upgrades appropriation amount of \$300,00 expanding the infrastructure that so	assets and systems on a ze downtime (caused by that directly impact daily sy 00.00 will be utilized to p	scheduled ar equipment f ystems reliab procure build	nnual basis. failure) and illity, perform lout equipr	This initiate I to proactive nance, and se ment/services	ed the ability ely manage ecurity. The
Enterprise Wireless LAN ed	• •				
 Enterprise Infrastructure to 			lude Wi-Fi		
 Enterprise IT Security (Layer 	ered Security Model Comp	onents)			
		~			
WBS: X-096899					
	REQUIRED AUTHOR	17 A TION			
Finance Department:	Other Authorization:	ZATION	Other Author	rization:	
		1	1		

TO: Mayor via City Secretary	REQUEST FOR COUNCIL AC	TION		
SUBJECT:		Category	Page	Agenda Item
Approval of an ordinance allowing			1 of 1	# ./
to apply for and accept Criminal Jul 2014 Paroled Offenders Initiative	stice Division funding for the FY	#	1011	" 10
FROM: (Department or other point	of origin):	Origination	1	Agenda Date
Houston Police Department		3/2	1/13 M	1AR 27 2013
DIRECTOR'S SIGNATURE		Council Di	stricts affected:	
Charles A. McClelland, Jr., Chief	of Police		All	
For additional information contact:				rior authorizing
Joseph A. Fenninger,	8-1770 2/28/17	Council Ac	tion:	
	8-1770 2/ 201.			
RECOMMENDATION: (Summary) The Houston Police Department re	commends City Council approve	an ordinand	ce authorizing ar	onlication for and
acceptance of grant funds through	the Office of the Governor's Cri	minal Justic	ce Division to fu	nd the FY 2014
Paroled Offenders Initiative.				
Amount of Funding: Grant Revenu	e		Finance Bud	dget:
FY 2014 Paroled Offenders Initiative for	rom the Criminal Justice Division: \$	56.392.96		
SOURCE OF FUNDING: [] General			d []Other (Sp	ecify)
		•		, , , , , , , , , , , , , , , , , , ,
Criminal Justice Division/Amount F	Requested: \$56,392.96			
SPECIFIC EXPLANATION:				
The Office of the Governor's Cri	iminal Justice Division provides	s state and	l federal funds	to entities for
implementing crime victim assistan	ce programs and initiatives. The	Houston P	olice Departme	nt has made an
application with the Criminal Justice	Division seeking to obtain grant	funding for	the FY 2014 Pai	roled Offenders
Initiative. City Council approval of the require a City cash or in-kind match		ent to recei	ive funding. The	grant does not
require a City cash of in-kind match				
Parole Violation Warrant Initiative				
The Houston Police Department P	aroled Offenders Unit investiga	tes all viole	nt offense repo	orts with known
suspects in the city of Houston. T	his grant will allow the Unit to in	ncrease the	overall felony p	parole violation
warrants on violent parolees by app warrant. The grant funds will be us	roximately 20% and also to arres ed for overtime for one sergeant	tne parolee and four of	es on the telony	parole violation
The grant tands will be us	od for overtime for one sergeam	and loar or	nocrs.	
		*2		
		1.	15 35	
				es.)
		i sa fi		<u>*</u>
			4	& ·
	REQUIRED AUTHORIZATIO	N		
Finance Budget:	Other Authorization:	Othe	r Authorizatior	n:
	(M. 2/28/12	,		

F&A 011.A Rev.12/95 7530-0100403-00

16

TO: Mayor via City Secretary	REQUEST FOR COUNCIL AC	TION		
SUBJECT:		Category	Page	Agenda Item
Approval of an ordinance allowing	the Houston Police Department			
to apply for and accept Criminal Ju 2014 Fugitive Apprehension/Crim	ustice Division funding for the FY e Reduction Program	#	1 of 1	# 17
FROM: (Department or other point	of origin):	Origination D	ate	Agenda Date
Houston Police Department		3 21	13	MAR 27 20
DIRECTOR'S SIGNATURE	/	Council Distr	icts affected:	
Maliffeld	5.7.11			
Charles A. McClelland, Jr., Chief			All	
For additional information contact: Joseph A. Fenninger, CFO and Deputy Director 713-30	8-1770	Date and ider Council Actio	ntification of p n:	rior authorizing
RECOMMENDATION: (Summary)				
The Houston Police Department re	ecommends City Council approve	e an ordinance	authorizing a	application for
and acceptance of the grant funds FY 2014 Fugitive Apprehension/C	through the Office of the Govern	nor's Criminal	Justice Division	on to fund the
Amount of Funding: Grant Revenu			Finance Bud	laet:
EV 2014 Eugitivo Approbancian/Orima	Daductica Danasa fa III O			
FY 2014 Fugitive Apprehension/Crime Division: \$64,572	Reduction Program from the Crimi	nai Justice		
SOURCE OF FUNDING: [] General	al Fund [X] Grant Fund [] Ent	erprise Fund	[] Other (Spe	ecify)
Criminal Justice Division/Amount F	Requested: \$64.572			
SPECIFIC EXPLANATION:				
The Office of the Governor's Cr implementing crime victim assistant has made an application with the Apprehension/Crime Reduction Preceive funding. The grant does not receive Apprehension/Crime ReThe North Division of the Houston Preserved.	ce programs and initiatives. The Criminal Justice Division, seekir ogram. City Council approval of ot require City matching funds. duction Program	Houston Policing to obtain grith the grant sub	e Department rant funding f omission is a	t North Division for the Fugitive requirement to
one sergeant.				
This grant will allow the North Division third and sixth districts by increasing wanted for parole violation warrants the crimes committed by these individuals.	ng the number of felony arrest for , probation violation warrants, and	or offenders a d active felonv	nd violent rep	peat offenders seeks to deter
	REQUIRED AUTHORIZATIO	N		
Finance Budget:	Other Authorization:	Other A	uthorization	:
	1 Shall			

F&A 011.A Rev.12/95 7530-0100403-00

1

TO: Mayor via City Secret		R COUNCIL ACTION				
and Harris County and appropria Fund (Fund 4504 - WBS G-0000						
FROM: (Department or other Houston Police Department	FROM: (Department or other point of origin): Houston Police Department Origination Date: March 20, 2013 Agenda Date: MARCH 27 2013					
Charles A. McClelland, L., Chief of Police Charles A. McClelland, L., Chief of Police						
For additional information controls Joseph A. Fenninger, CFO & Dep		Date and identification of Action:	prior auth	orizing Council		
RECOMMENDATION: (Summ Fund (Fund 4504 - WBS G-00003 the purpose of acquiring a consulta processing center.	7) and approving the Interlocal A	greement between the City of	Houston ar	nd Harris County for		
Amount and Source of Funding	:					
\$125,000 Police Consolidated	Construction Fund (Fund 4	504 – WBS G-000037)				
SPECIFIC EXPLANATION:						
It is recommended that City Counce Fund (Fund 4504 - WBS G-000037) the development of a proposed join Initial Programming Study is limite the cost to conduct the study. It is fit Houston and Harris County which	7) for the purpose of contracting value of the processing center to be utilized to \$250,000, with Harris Count out the recommended that City Court of the process of the pr	with a consultant to prepare an by the City of Houston and Ha y and the City of Houston each buncil approve the Interlocal A	Initial Prog rris County paying half Agreement	gramming Study for the fup to \$125,000) of between the City of		
The City of Houston and Harris County each operate and maintain a law enforcement booking center for processing individuals arrested for suspicion of criminal conduct. The City of Houston and Harris County believe it would be beneficial to combine their processing centers into one location to create a joint processing center that would save money and provide better support and services. This Initial Programming Study will be limited to determining the general size, shape and projected costs of the proposed oint processing center. The City of Houston and Harris County will receive, and will have equal ownership of, the documents, drawings, and files resulting from the Initial Programming Study regardless of whether the parties move forward on the joint processing center. Furthermore, the City's approval to appropriate 50% of the cost for the Initial Programming Study does not commit the City to any additional funding, nor is it an indication of further participation percentages with respect to development and operation of the joint processing center.						
Harris County will procure all professional services for the Initial Programming Study for the design of the proposed law inforcement joint processing center. On March 13, 2013, Harris County's Public Infrastructure Department solicited a request for qualifications (RFQ) for an architect or architectural firm to prepare an Initial Programming Study, with all proposals to be received by 3:00 pm, April 1, 2013.						
	REQUIRED AUTHO	RIZATION				
Finance Budget:	Other Authorization.	Other Author	ization:			
	J/ (2 3/20)	1/3				
	1-7			J (

SUBJECT: Ordinance Increasing the Maximum Contract Amount with LeadsOnline, LLC for On-line Database Subscription Services for the Houston Police Department				Page 1 of 1	Agenda Item #
FROM: (Department or other Houston Police Department)		Origination March 19, 2		Agenda MA	Date: 2 7 2013
DIRECTOR'S SIGNATURE Charles A. McClelland, Jr.,	untellalar	Council Dis	trict affected:	4	•
For additional information of Joseph A. Fenninger CFO and Deputy Director	ontact: 3/20/17 Phone: 713-308-1708	Action: Ordi	entification of p nance #2007-295, October 24, 2007;	March 21,	orizing Council 2007; Ordinance #2008-0254
RECOMMENDATION: (Sur	mmary) Approve an ordinan	ce increasing the ma	ximum contract	amount	
Amount and Source of Fundi	ing: \$293,524.00 – Gener	ral Fund			
City Council approved Ordin of which revised the regulat businesses are now required metal theft investigations systhave been reported stolen from March 26, 2008, HPD reconstructions.	nance 2007-295 on March 2 ions pertaining to scrap me to report daily transactions tem allows HPD to track item construction sites, public	21, 2007 and Ordin netal businesses op s to HPD using an ems sold to scrap m ic utilities, churche	erating with the electronic on-letal businesses as, businesses a	e City of ine systen and comp	'Houston. These n. LeadsOnline's pare it to items that
Additional spending authority contract amount to \$587,044. HPD further recommends that terms. In consideration for recommends that terms than monthly invoice subscription fee will be for \$50. This recommendation is pursational specific and the subscription fee.	20. The contract will expire y will allow the contract to the City Council approve the enewing the contract at the to the City of Houston for 58,708 to make up for a pro-	e on April 11, 2013 o be extended thro First Amendment t e same price level, r the annual subscievious shortfall of	, but allows for ough April 9, 2 o the contract v LeadsOnline I ription fee of \$. \$4.00.	one 5-yea 018, raisi which mod LLC will: 58,704.	with LeadsOnline option to renew. In option to renew. In the maximum diffies the payment submit an annual of the initial annual
Additional spending authorit	20. The contract will expire y will allow the contract to the City Council approve the enewing the contract at the to the City of Houston for 58,708 to make up for a pro-	e on April 11, 2013 o be extended thro First Amendment t e same price level, r the annual subscievious shortfall of	, but allows for ough April 9, 2 o the contract v LeadsOnline I ription fee of \$. \$4.00.	one 5-yea 018, raisi which mod LLC will: 58,704.	with LeadsOnline or option to renew. In the maximum diffies the payment submit an annual of the initial annual.
Additional spending authority contract amount to \$587,044. HPD further recommends that terms. In consideration for recommends that terms than monthly invoice subscription fee will be for \$50. This recommendation is pursational specific and the subscription fee.	20. The contract will expire y will allow the contract to the City Council approve the enewing the contract at the to the City of Houston for 58,708 to make up for a propulation to Chapter 252, Section 1975.	e on April 11, 2013 o be extended thro First Amendment t e same price level, r the annual subscievious shortfall of	, but allows for ough April 9, 2 o the contract v LeadsOnline I ription fee of \$. \$4.00.	one 5-yea 018, raisi which mod LLC will: 58,704.	with LeadsOnline or option to renew. In the maximum diffies the payment submit an annual of the initial annual.

TO: Mayor via City See	cretary REQUE	ST FOR COU	NCIL ACTION			
SUBJECT: Ordinance accepting Espada into the City Art Collection.	g painting "Inner City, 1996" I on	painting "Inner City, 1996" by artist Ibsen			Agenda Item	
FROM (Department or other po	oint of origin):	Origination D	ate	Agenda I	Date	
Library Department		December 17	, 2012	MAR 27 2013		
DIRECTOR'S SIGNATURE: Rhea Brown Lawson, Ph.D.	ia & Lgwson	Council District affected:				
For additional information contact: Greg Simpson, 832-393-1333 Minnette Boesel, 832-393-1097 Date and identification of prior authorizing council action:					ng council	
RECOMMENDATION: Adopt an and acrylic artwork painted on rice	ordinance approving the acce e paper mounted onto canva	ceptance of "Inness.	er City, 1996", a fo	our-paneled	I tempura	
Amount and Source of Funding	j :			FIN Budg	et:	
	NO FUNDING REQUIRED					
SPECIFIC EXPLANATION: The Houston Public Library recommends that City Council accept into the City Art Collection the artwork titled "Inner City, 1996", a four-paneled artwork painted by noted Houston artist Ibsen Espada. Two of the panels are 96" x 40". The two other panels are 96" x 39 15/16". The artwork was originally commissioned by the Museum of Fine Arts Houston for the Flores Neighborhood Library in 1996. The paintings were removed during the 2004-2005 renovation and is planned to be installed on the third floor of the Houston Public Library's Central Library. The Houston Arts Alliance's Civic Art Committee unanimously recommended that the paintings be formally accessioned into the City of Houston's Art Collection at their April 26, 2012 committee meeting. Ibsen Espada is an internationally acclaimed artist and native Texan with deep roots in the Houston arts community. His work has been exhibited in numerous galleries across the country, and the addition of "Inner City, 1996" is seen as a valuable addition to the City's collection.					Two of the distinct Library in floor of the eccessioned	
		s " Nos				
		And the second				
	REQUIRED AUTHO	ORIZATION	С	UIC ID#		
Andy Icken				s.	·	

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION SUBJECT: Second Amendment to Lease Agreement between Wayside Page Agenda Item Business Center, Ltd. (Landlord) and the City of Houston (Tenant) at 4300 South 1 of 1 Wayside, Suite 109 for the Engineering and Construction Division of the Public Works and Engineering Department FROM (Department or other point of origin): **Origination Date** Agenda Date General Services Department MAR 27 2013 3/21/ 13 **DIRECTOR'S SIGNATURE: Council District affected:** 1 Scott Minnix 2/14/13 For additional information contact: Date and identification of prior authorizing Council Jacquelyn L. Nisby **///Phone:** 832-393-8023 action:

RECOMMENDATION: Approve and authorize Second Amendment to Lease Agreement between Wayside Business Center, Ltd. (Landlord) and the City of Houston (Tenant) for the lease space at 4300 South Wayside, Suite 109 for the

Ordinance No. 2006-1264; December 20, 2006

Engineering and Construction Division of the Public Works and Engineering Department.

Amount and Source Of Funding:

Finance Budget:

CIP Salary Recovery (1001): \$173,918.76 Initial Base Term

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends approval of a Second Amendment to the Lease Agreement with Wayside Business Center, Ltd. (Landlord), for approximately 3,960 square feet of space at 4300 South Wayside, Suite 109, for the Southeast Quadrant Office Construction Branch of the Public Works and Engineering Department. The construction inspectors have utilized this facility for general office space since July 1, 1999. The current amended lease base term commenced on April 16, 2009 and will expire on April 15, 2013 at the current monthly rental of \$3,524.40.

The proposed Second Amendment will extend the amended lease base term for an additional sixty months commencing April 16, 2013 and expiring April 15, 2018, with two five-year options to renew at the then current market rate. GSD successfully renegotiated lower rental rates based on the current market value. The new monthly base rental rates are as follows:

Year	Monthly Payments
1-2	\$2,805.00
3	\$2,889.15
4	\$2,961.38
5	\$3,032.70

The landlord will provide improvements and repairs to the leased premises, maintenance, utilities and janitorial services. The City may terminate the lease without cause at any time after April 15, 2015, by providing 90 days prior written notice to the landlord.

All other terms and conditions of the original lease remain the same.

SM:HB:JLN:RB:NPB

xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby and Tim Lincoln

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 146

Public Works and Engineering Department:

Department:

Daniel W. Krueger, P.E. Assistant Director

F&A 011.A Rev. 3/940

TO: Mayor via City Secretary	REQUEST FOR COL	JNCIL ACTIO	N		
SUBJECT: An ordinance autho award from the Texas Department family planning services.			Category# 9	Page 1 of 1	Agenda Item #
FROM (Department or other Department of Health and Human Se	r point of origin): Origination Date 02/26/2013 Agenda Date MAR 2 7 2013			Date 2 7 2013	
DIRECTION'S SIGNATURE:	Council District affected:				
For additional information contact Kathy Barton Telephone: 83: Cell: 71:	•	Council action	entification of pon: 09/06/2006 007-0932 10/0 012-0293	; 2006-0925	5
RECOMMENDATION: An ordina of State Health Services (DSHS) for	ance authorizing accept family planning services.	ance of an incr	ease in award f	rom the Tex	as Department
Original Am	nt: \$408,800.00 ount: \$370,000.00 ncrease: \$38,800.00 d: 1000		F	inance Dep	partment:
SOURCE OF FUNDING: [X] Gener	al Fund [] Grant Fund	[] Enterpr	ise Fund []	Other (Sp	ecify):
The Houston Department of Health at authorizing acceptance of an increase family planning services. The total pre 2013. The effective period of performance original contract (2012-040673-00)	e in award from the Texa oject period of the origina ance for the additional fu	s Department of the contract is from Jai	of State Health om January 15 nuary 29, 2013	Services (D , 2012 throu through Ma	SHS) for gh March 31, rch 31, 2013.
increasing the contract amount to \$40 eligible clients. The target population sterilization surgery or other condition increase in funds will allow an increase of men (all ages) to be served will rem	18,800.00. This contract is females of childbearing in resulting in sterilization in the number of women	provides for fa g age and male and who are	mily planning s es of reproduct seeking family	ervices for for ive age who planning s	ee-for-service have not had ervices. The
All individuals considered for fee-for-s assessment of eligibility method appropoverty level will not be charged. Serv	oved by DSHS. Clients w	ith family incon	nes at or below	100% of the	
cc: Finance Department Legal Department Agenda Director					
	REQUIRED AUTHO	RIZATION			
Finance Department	Other Authorization:		Other Auth	orization:	

Interoffice

Correspondence

To:

Marta Crinejo Agenda Director

ephen L. Williams, M.Ed., M.P.A. Director, HDHHS

Date:

March 22, 2013

Subject: No Tag Memo - Family Planning Contract

Amendment

This correspondence is to advise you about an item on next week's City Council agenda that cannot be tagged due to the March 31, 2013 expiration date of the current contract for family planning services. A delay in the approval of this item will result in the expiration of the original contract which cannot be amended once expired. It will also result in the loss of additional funding.

The original family planning contract from the Department of State Health Services (DSHS) was executed into in February 2012 and is a one year contract in the amount of \$370,000. HDHHS received notice of additional funding in the amount of \$38,000 from DSHS in February 2013 as a result of the realignment of funds by DSHS. The additional funding will further address local family planning needs.

Late notification from the state resulted in the need for a short turnaround. Therefore, we respectfully request that this contract amendment is not tagged. We are available to answer any questions regarding this matter.

Thank you for your consideration.

4	REQUEST FOR COUN	CIL ACTION			
TO: Mayor via City Secretary				RCA	A# 9598
		Category #	Page 1 of 2	Agenda Item	
FROM (Department or other	point of origin):	Origination Date			·
Calvin D. Wells					
City Purchasing Agent		February	04, 2013	MAR 27 201 3	
Administration & Regulato	ory Affairs Department			, , ,	
DIRECTOR'S SIGNATURE		Council District(s) affected			
Mun XV	Ville	All			
For additional information co	ontact:	Date and Ide	ntification of p	rior authorizi	ng
Kathy Barton	Phone: (832) 393-5045	Council Actio	n:		· ·
Douglas Moore	Phone: (832) 393-8724	Ord. No. 2011-0877, Passed 10/12/11			
RECOMMENDATION: (Sun					
Approve an amending ord	linance 1) to increase the maximur	n sole source	e contract an	nount from \$2	263,030.00
to \$1,035,750.85; and 2) a	authorize a first amendment to the	contract betw	veen the City	of Houston	and
Novasys Technologies, In	c., to extend the contract term from	n October 31.	, 2013 to Oct	tober 30, 201	8; and

Maximum Contract Amount Increased by: \$772,720.85

Finance Budget

\$772,720.85 - Federal Government Grant Fund (5000)

SPECIFIC EXPLANATION:

The Director of the City of Houston Department of Health and Human Services and the City Purchasing Agent recommend that City Council approve an amending ordinance 1) to increase the maximum sole source contract amount from \$263,030.00 to \$1,035,750.85; and 2) authorize a first amendment to the contract between the City of Houston and Novasys Technologies, Inc., to extend the contract term from October 31, 2013 to October 30, 2018; and modify the scope of work and payment fee schedule for the Electronic Client-Level Integrated Prevention System (ECLIPS) for the City of Houston Department of Health and Human Services (HDHHS). The City Purchasing Agent/Director may terminate this contract at any time upon 30-days written notice.

modify the scope of work and payment fee schedule for the Electronic Client-Level Integrated Prevention

System (ECLIPS) for the City of Houston Department of Health and Human Services.

This sole source contract was awarded on October 12, 2011 by Ordinance No. 2011-0877 for a two-year term, with two one-year options, in the original amount of \$263,030.00. Expenditures as of February 1, 2013 totaled \$33,522.50. The initial ECLIPS contract scope of work was reviewed and requires updating to reflect the current needs of HDHHS. The modified contract scope of work will include a Phase II component of ECLIPS, which consists of system development expansion, upgraded functionalities and routine scheduled maintenance. Moreover, the contractor will be required to provide all labor, materials, equipment and supervision necessary to ensure the overall expanded success for the ECLIPS. Additionally, the contractor will be required to work with Houston Information Technology Services (HITS) and HDHHS IT Division to expand the use of ECLIPS; ensure functionality and integration between all data systems that interface with ECLIPS; ensure the integration and data sharing between ECLIPS and the Centralized Patient Care Data Management System (CPCDMS); and develop and expand HIV prevention report capabilities. Moreover, the contractor will be required to update and modify ECLIPS and ensure that testing information can be shared between HDHHS Bureau of Laboratory Services, Bureau of Epidemiology and HIV/STD Surveillance, and STD Prevention Program. Furthermore, the contractor will be required to provide continued developments, maintenance and support of ECLIPS, Testing4Tickets, STD Clinical, and PENSHouston system; and develop and maintain multiple integrations that bridge ECLIPS and the CPCDMS referral process. Additionally, the contractor will be required to work with HDHHS to maintain and troubleshoot ECLIPS Web-based servers;

REQUIRED AUTHORIZATION					
/Finance Department:	Other Authorization:	Other Authorization:			
	1	l .			

Date: 4 2/4/2013	Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount and Authorize a First Amendment to Contract No. 4600011214 for the ECLIPS System for the City of Houston Department of Health and Human Services/S23-E24014-A1	Originator's Initials RB	Page 2 of 2
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and will provide 24 hours-a-day, 7-days-a-week, 365-days-per-year response to HDHHS requests for maintenance and support. The contractor's response time will be within two hours of the request if a Webbase server fails. Finally, during testing and implementation of ECLIPS, the contractor will be required to provide documentation and training, address issues in support of data collection, data reporting, data sharing, end-user concerns, and security.

This contract extension is necessary to allow for continued expansion, development and implementations to the ECLIPS; and to allow adequate time for HDHHS to capitalize on its overall return on investment by maximizing on ECLIPS overall effectiveness and efficiencies. The increase in additional funds shall sustain HDHHS and allow for continued expansion of ECLIPS for the duration of the contract term.

The ECLIPS will improve contract management for HIV prevention services; enhance counseling, testing and referral services, public health surveillance and follow-up; and related lab and linked referral activities. Furthermore, HDHHS Health Centers (Clinics) will be able to collect registration and risk assessment information and provide a disposition for clinical services based off the risk assessment; the Bureau of HIV/STD and Viral Hepatitis Prevention will be able to electronically collect partner information from newly diagnosed HIV and/or syphilis patients; and linkages between ECLIPS and other HDHHS data-systems will ensure that newly diagnosed HIV clients are linked to primary care services. Finally, the expansion and use of ECLIPS, ECLIPS modules, and linked HDHHS data systems will contribute to the local coordinated system of HIV/AIDS prevention and care, and improve the overall quality of life for those infected and affected in the Houston Metropolitan area.

Novasys Technologies, Inc. is the sole authorized application developer of the CPCDMS utilized by Harris County Department of Public Health and Environmental services. Additionally, there are no other application developers who are authorized to integrate directly to the CPCDMS.

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

Attachment: M/WBE Zero Percentage Goal Document approved by Office of Business Opportunity.

Buyer: Roy Breaux

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amend Ordinance 20 the unexpired contract with Title Data allowing access to and useof its Title	Page Agenda Item 1 of 1 #				
FROM (Department or other point of	of origin):	Origination Date	Agenda Date		
City Attorney's Office		3/21/13	MAK 27 2013		
DIRECTOR'S SIGNATURE:		Council District at	fected:		
I Dunk Willa		All Distric	ets		
♥or additional information contact: Donna Edmundson Phon	ne: 832-393-6268	Date and identification authorizing Counce 20			
RECOMMENDATION: (Summary)					
Amend Ordinance 2008—674 to increwith Title Data, Inc. for continued acc					
Amount and Source of Funding: N/. General Fund (1000)	A				
SPECIFIC EXPLANATION:		***************************************			
The City Attorney recommends increasing the maximum contract amount in order to allocate additional monies to continue the City's contract with Title Data, Inc. which will allow the City continued access and use of Title Data's Tile Plant and Image Library for Harris County, Texas. The City uses this title information to aid the Department of Neighborhoods in enforcing the City's ordinances pertaining to substandard or dangerous buildings; to pursue deed restriction violations; to acquire title instruments for eminent domain and right-of-way acquisitions and for other special projects throughout the City. The City's Legal Department requires continued access to Title Data's Title Plant and Image Library for Harris County, Texas. The City's contract with Title Data providing access to such services has not expired but the funding originally allocated will be depleted soon. The City wants to continue its contract with Title Data, Inc. because of the proprietary computerized database available from the firm.					
REQUIRED AUTHORIZATION					
Other Authorization:	Other Authorization:	Other Author	ization:		

LGL rcaform.wcm 04/2008

IL ACTION			
		RCA	# 9507
3chool	Category #	Page 1 of 2	Agenda Item
Buses, Coaches, Mini Buses and Vans Rental Services for the Parks &			
			,
		_25	476
Origination D	1-4-	27	
Origination D	ate	Agenda Date	
Fahruari 44, 0040		MADO	77 0010
February 11, 2013		MAR Z	1 ZUIS
Council Distri	ct(s) affected		
All			
Date and Iden	tification of p	rior authorizin	g
Council Action	n:		J
. Inc. for a to	tal amount r	not to exceed	
g a contract	to GBJ Inc	dha AFC Tra	nsportation
ni huses and	vans rental	services for	the Parks 8
	Origination D February Council Distri All Date and Iden Council Action	Category # 4 Origination Date February 11, 2013 Council District(s) affected All Date and Identification of p Council Action: Inc. for a total amount region a contract to GBJ, Inc.	Council District(s) affected All Category # Page 1 of 2 Page 1 of 2 Agenda Date Agenda Date Agenda Date Agenda Date Agenda Date Agenda Date Agenda Date

Maximum Contracts Amount: \$736,825.00

Finance Budget

\$736,825.00 - Park Special Revenue Fund (2100)

SPECIFIC EXPLANATION:

Recreation Department.

The Director of the Parks & Recreation Department and the City Purchasing Agent recommend that City Council approve ordinances awarding two two-year contracts, with three one-year options, to First Student, Inc. in a total amount not to exceed \$390,250.00 for school buses rental services; and to GBJ, Inc. dba AFC Transportation in a total amount not to exceed \$346,575.00 for coaches, mini buses and vans rental services for the Parks & Recreation Department (PRD). The City Purchasing Agent may terminate this contract at any time upon 30-days written notice.

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

First Student, Inc.: Award on its low bid for rental services of school buses (Bid Item Nos. 1-8 and 33 and 35) in a total amount not to exceed \$390,250.00.

Company

Total Amount

1. First Student, Inc.

\$390,250.00

2. GBJ, Inc. dba AFC Transportation

\$438,725.00

3. BH Goodman Bus Service, Inc. dba Goodman Bus Service

\$496,793.75

GBJ Inc. dba AFC Transportation: Award on its low bid for rental services of coach buses, mini-buses and vans (Bid Item Nos. 9-32 and 34) in an amount not to exceed \$346,575.00.

Company

Total Amount

1. GBJ, Inc. dba AFC Transportation

\$346,575.00

2. BH Goodman Bus Service, Inc. dba Goodman Bus Service

\$271,780.00 (Partial Bid)

The scope of work requires the contractor to provide all labor, supervision, equipment, insurance, licenses, vehicles and transportation services for the PRD. The contracts will be used by PRD to provide transportation for youth and senior citizens who will participate in sponsored field trips and to sporting tournaments/events

	REQUIRED AUTHORIZA		NDT
Finance Department:	Other Authorization:	Other Authorization:	

Date:	Subject: Approve an Ordinance Awarding Two Contracts for School	Originator's	Page 2 of 2
2/11/2013	Buses, Coaches, Mini Buses and Vans Rental Services for the Parks	Initials	_
	& Recreation Department/S37-L24391	JH	

throughout the Houston metropolitan area. PRD community center utilizes these services to sponsor the following programs: Afterschool and Summer Enrichment Program, youth baseball and softball, youth basketball, junior golf, soccer, and flag football. Additionally, PRD will use these services to transport citizens to various events and venues such as the Miller Outdoor Theatre, Houston metropolitan sport tournaments and special events, Street Olympics, the Senior Health Fitness Event, Houston Zoological Gardens, Museum of Fine Arts, Museum of Natural Science, and the Houston Arboretum and Nature Center. The vans, minibuses and school buses will be used to transport youth to community center-sponsored events and sporting events. The motor coaches will be primarily used to transport senior citizens and tournament participants. There is no other commercial transportation available for these types of activities, which is inclusive of Metro. The utilization of school buses will be used for all other sponsored activities.

M/WBE Subcontracting:

This invitation to bid was issued as a goal-oriented contract with an 11% M/WBE participation level. First Student, Inc. has designated the following company as its certified M/WBE subcontractor:

NameType of WorkPercentageAmountAlamo Bus Service, Inc.Bus Service11%\$42,975.50

GBJ, Inc. dba AFC Transportation has designated the following company as its certified M/WBE subcontractor:

NameType of WorkPercentageAmountAtlantic Petroleum &Fuel & warehousing11%\$38,123.25

Mineral Resources, Inc.

The Office of Business Opportunity will monitor these contracts.

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 contractors 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 and supports job creation. In this case, the proposed contractors do not meet the requirements of Hire Houston First; no Hire Houston First firms were within three percent.

Buyer: Joyce Hays

Estimated Spending Authority

DEPARTMENT	FY 13	OUT YEARS	TOTAL
Parks and Recreation	\$31,825.00	\$705,000.00	\$736,825.00

,					
REQU	EST FOR COUN	CIL ACTION			
TO: Mayor via City Secretary				RCA	# 9617
Subject: Approve an Ordinance Authorizing a Contract No. 4600007645 for Operation and Oxygen Plant at the 69th Street Wastewater Public Works & Engineering Department/T20	Maintenance of Treatment Fac	f the	Category #	Page 1 of 1	Agenda Item
FROM (Department or other point of origin): Calvin D. Wells	•	Origination I	ate	Agenda Date	
City Purchasing Agent Administration & Regulatory Affairs Department	ent	February	18, 2013	MAR 27	20 13
DIRECTOR'S SIGNATURE		Council Distr H	ict(s) affected		
For additional information contact: David Guernsey Phone: (832)	2) 205 2040	Date and Iden	tification of p	prior authorizin	ıg
Douglas Moore Phone: (832	2) 395-3640 2) 393-8724	Council Actio Ord.Nos		; 2010-598; 2	012-357
RECOMMENDATION: (Summary) Approve an amending ordinance authorizing a second amendment to the contract between the City of Houston and Air Products and Chemicals, Inc., to extend the contract term from April 1, 2013 to June 30, 2013 for operation and maintenance of the oxygen plant at the 69th Street wastewater treatment facility for the Public Works and Engineering Department.					
No Additional Funding Required				Finance Budge	et
SPECIFIC EXPLANATION: The Director of the Public Works and Engineering	ng Department a	and the City B	urshooin - A		-14 10

Council approve an amending ordinance authorizing a second amendment to the contract between the City of Houston and Air Products and Chemicals, Inc. to extend the contract term from April 1, 2013 to June 30, 2013 for operation and maintenance of the oxygen plant at the 69th Street wastewater treatment facility for the Public Works and Engineering Department (PWE).

This contract was awarded on June 20, 2007 by Ordinance No. 2007-730 for a three-year term, with two one-year options in the amount of \$8,492,400.00. On July 28, 2010, by Ordinance No. 2010-598, the maximum contract amount was increased from \$8,492,400.00 to \$10,615,500.00. On April 25, 2012, Ordinance No. 2012-357 extended the contract term from July 1, 2012 to December 31, 2012. On November 30, 2012, PWE elected to exercise the "Time Extensions" provision within the contract; therefore the contract was extended an additional 90 days or through March 31, 2013. Expenditures as of February 13, 2013 totaled \$10,082,612.00. The second amendment is necessary due to PWE needing additional time to finalize negotiations to ensure that the new contract terms, conditions and specifications will meet the overall objective of the City. Moreover, the contract extension shall allow services to continue until a new contract is awarded. It is anticipated that the new contract shall be in place prior to July 1, 2013. Finally, the contractor has agreed to honor the original contract pricing and all other terms and conditions as originally approved by City Council.

The scope of work requires the contractor to provide all labor, materials, equipment, tools, supervision, training, and transportation necessary to operate the oxygen plants, as well as perform preventive and remedial maintenance services at the 69th Street wastewater treatment facility.

This contract was awarded with a 3% M/WBE participation goal. Air Products and Chemicals, Inc. is currently achieving 2.72% of the required goal. The Office of Business Opportunity will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Richard Morris

\vdash					
L		REQUIRED AUTHORIZATION		Ah	_
-	Finance Department:	Other Authorization:	Other Authorization:		•
				ı	,

REQUEST FOR COUN TO: Mayor via City Secretary	CIL ACTION		RCA	# 9591
Subject: Approve an Ordinance Awarding a Contract to the E Respondent for Wood and Yard Waste Removal Services for Waste Management Department S30-L24414	Best Value or Solid	Category #	Page 1 of 2	Agenda Item
FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	Origination I	Date 31, 2013	Agenda Date	7 2013
DIRECTOR'S SIGNATURE WILL	All	rict(s) affected		
Vic Ayres Douglas Moore Phone: (713) 837-9131 Phone: (832) 393-8724	Date and Ide Council Acti		prior authorizi	ng
RECOMMENDATION: (Summary) Approve an ordinance awarding a contract to The Letco Gronot to exceed \$3,635,813.71 for wood and yard waste remodepartment.	oup, LLC on i	ts sole best v for the Solid	value bid in a Waste Mana	n amount gement
Maximum Contract Amount: \$3,635,813.71	ν .		Finance Budg	get
\$3,635,813.71 - General Fund (1000)				

SPECIFIC EXPLANATION:

The Director of the Solid Waste Management Department and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options, to The Letco Group, LLC on its sole best value bid (BVB) in an amount not to exceed \$3,635,813.71 for wood and yard waste removal services for the Solid Waste Management Department (SWM). The City Purchasing Agent may terminate this contract at any time upon 30days written notice to the contractor.

The scope of work requires the contractor to provide all supervision, labor, materials, equipment and transportation necessary to provide wood and yard waste removal services. The contractor is responsible for the processing of the "clean wood and yard waste" and proper distribution of the materials by ensuring that no "clean wood waste" will be disposed of in landfills. Additionally, the contractor is required to receive, and grind the wood waste materials into compostable materials. Furthermore, the contractor ensures that the wood chips are marketed and distributed accordingly. The City will receive funds for the yard waste materials delivered to the contractor's locations.

This BVB was advertised in accordance with the requirements of the State of Texas bid laws. Eight prospective bidders downloaded the solicitation document from SPD's e-bidding website and as a result, a sole BVB was received from The Letco Group, LLC, who is the incumbent contractor currently providing wood and yard waste removal services for SWM. Prior to issuing the BVB, the Strategic Purchasing Division (SPD) conducted a thorough search for prospective contractors who could possibly perform the required services. As a result, twenty contractors were identified and notified about the BVB. Subsequent to receipt of the BVB, several contractors were contacted to determine the reason for the limited response to the BVB; based upon SPD's findings, potential respondents advised that the required services were not in their core business plans; or they did not have the necessary resources to meet the requirements specified in the BVB; or they were not interested in submitting a bid. The evaluation committee was comprised of 4 evaluators from SWM. The BVB was evaluated based upon the following criteria:

- 1. **Hauling Distance**
- Experience 2.
- 3. Financial Stability
- **MWBE Participation** 4.
- Level of Commitment 5.
- Sampactable Bage

6. Revenues for Compos	stable bags		
	REQUIRED AUTHORIZA	TION	NDT
Finance Department:	Other Authorization:	Other Authorization:	
	1		^

Date:	Subject: Approve an Ordinance Awarding a Contract to the Best	Originator's	Page 2 of 2
1/31/2013	Value Respondent for Wood and Yard Waste Removal Services for	Initials	
	Solid Waste Management Department	RM	
	S30-L24414		

SWM is confident that The Letco Group, LLC can fulfill the City's needs as specified in the BVB.

M/WBE Subcontractor:

This BVB was issued as a goal-oriented contract with an 11% goal for M/WBE participation level. The Letco Group, LLC has designated the below-named company as its certified M/WBE subcontractor:

Name
Oil Products Distribution, Ltd.

Type of Work
Gasoline Supplier

Dollar Amount \$399,939.51

Percent 11%

The Office of Business Opportunity will monitor this award.

Pay or Play Program:

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

Hire Houston First:

The proposed contractor 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.

Estimated Spending Authority						
Department FY 2013 Out Years Total						
Solid Waste Management	\$303,000.00	\$3,332,813.71	\$3,635,813.71			

Buyer: Richard Morris

REQUEST FOR COUNCIL ACTION

. Mayor via City Secretary

RCA #20RPS28

O: Mayor via City Secretary	0-4	Dogo	Agenda Item# •
SUBJECT:	Category #	Page	VAcura Ironia
Ordinance to issue a pipeline permit to Houston		1 of 2	
Refining LP, for thirty-seven existing pipeline(s) for the		1012	100
underground transportation of materials within portions			7
of certain City street rights of way.	0-1-1	Dete	Agenda Date
FROM: (Department or other point of origin):	Origination	Date	
			MAR 2 7 2013
Public Works and Engineering		4-: A ee-	atad:
DIRECTOR'S SIGNATURE:	Council Dis	Tricts affe	ictea.
Del Who	EY	, , , , , , , , , , , , , , , , , , ,	
paniel W. Krueger, P.E. Director	Date and id	entificatio	on of prior authorizing
For additional information contact:	Council Act		or brief annie
Richard Smith, P.E., PTOE GP Phone: (832) 394-9137	Council Act	iiii.	
Phone: (832) 394-9137			

RECOMMENDATION: (Summary)

Approve an ordinance granting a permit to Houston Refining LP, a Limited Partnership; to operate, maintain, improve, repair and replace thirty-seven existing pipeline(s) 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 Houston Refining LP, a Limited Partnership; to operate, maintain, improve, repair thirty-seven existing pipeline(s) 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	<u>Diameter Size</u>	<u>Materials</u>
	6-inch	Refined Products
BT Raffinatel PL-3094	12-inch	Crude Petroleum
Crude Oil System PLI6-0083	8-inch	Refined Products
Refonnate PL35-I4I2	8-inch	Refined Products
Loop 12 PL22-1332	6-inch	Refined Products
Kerosene Rundown PL17-1208	6-inch	Refined Products
Export Loop 8 PL13-1302	16-inch	Refined Products
Kerosene Dock Line PL12-1211		Refined Products
USM Dock Line PL10-1326	16-inch	Refined Products
Magnaformate PL09-0335	8-inch	Refined Products
Heating Oil Delivery PL08B-0078	12-inch	
Crude Oil System PL16-0132	18-inch	Crude Petroleum
Utility PL06B-0115	10-inch	Refined Products
Gathering Line PL07-1108	10-inch	Refined Products
USM Blender Loop 12 PL05-1319	8-inch	Refined Products

LTS No. 4783	REQUIRED A	UTHORIZATION	CUIC ID 20RPS28
	Other Authorization:	Mark L. Loethen, P.I Planning & Develop	E., PTOE, CFM

Date	Subject: Ordinance to issue a pipeline permit to Houston Refining LP, for thirty-seven existing pipeline(s) for the underground transportation of materials within portions of	Originator's Initials	Page 2 of 2
	certain City street rights of way		

Pipeline Name	<u>Diameter Size</u>	<u>Materials</u>
Export Distillate System PL11-1325	16-inch	Refined Products
Condensate Dock Line PL15-1116	20-inch	Refined Products
Crude Oil System PL16-0132A	18-inch	Crude Petroleum
Patch Up Line PL04B-0076	8-inch	Refined Products
Alkylate Pipeline PL27-2176	6-inch	Refined Products
C7 Gas Products PL03-Q233	6-inch	Refined Products
Gasoline to Shops PL02-Q394	4-inch	Refined Products
OP Transfer Line PL01 B-0075	12-inch	Refined Products
Pentane Loop 10 PL34-1313	12-inch	Refined Products
HCF Bottoms to STF PL29-1320	8-inch	Refined Products
C-5 Raffinate, STF to WTF PL26-1409	6-inch	Refined Products
Loop 12 NC-4 to Blender PL21-1336	6-inch	Refined Products
LT Fluid PL18-1402	8-inch	Refined Products
Delivery to Colonial PL51-3699	12-inch	Refined Products
Aviation PL49-1390	16-inch	Refined Products
B-T Raffinate PL47-1359	6-inch	Refined Products
Unit Delivery PL03-11 04	8-inch	Refined Products
16" PX PL40-1337	6-inch	Refined Products
No.4 Header PL41-1338	16-inch	Refined Products
No.1 Allendale PL42-1340	12-inch	Refined Products
No.2 Allendale PL43-1339	12-inch	Refined Products
P5B Discharge Blend Header PL44-11 06	12-inch	Refined Products
12 Raffinate PL45-1346	16-inch	Refined Products

Houston Refining LP submitted the initial required application permit fee of \$2,064.60 plus \$1,032.30 per pipeline for a total of \$40,259.70. A fee of \$1,032.30 plus CPI increase 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) 535H, 536EF

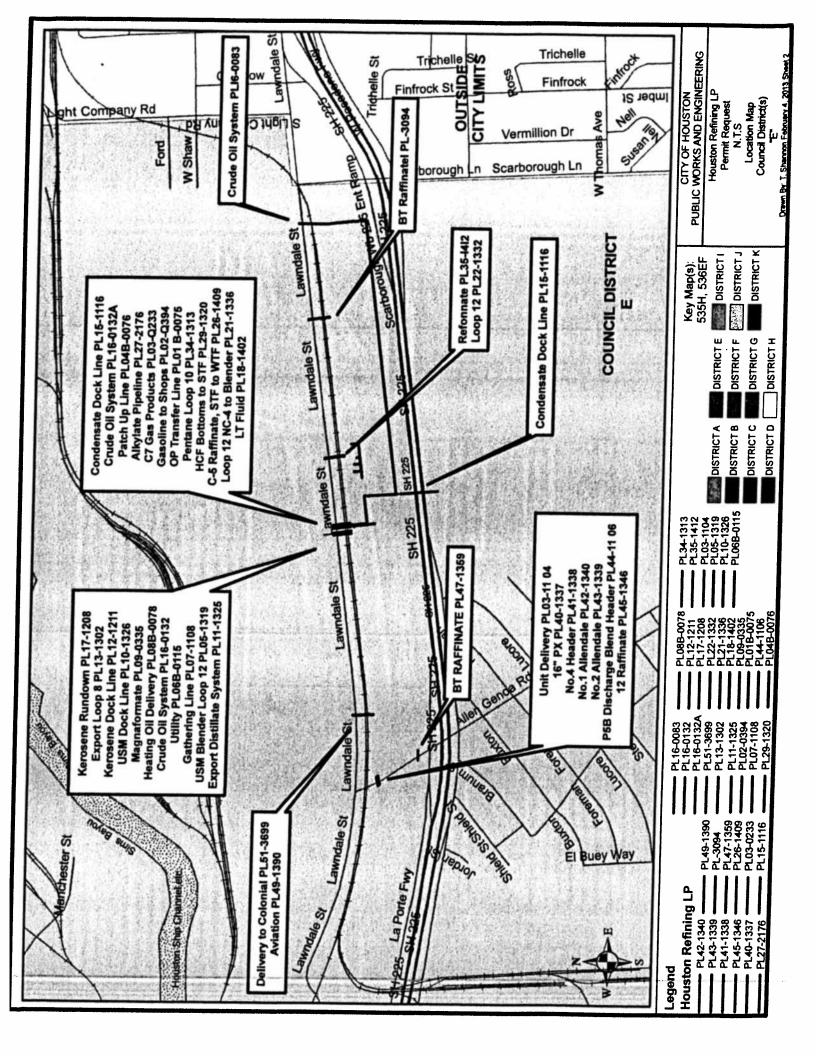
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Marta Crinejo

DWK:MLL:JTL:RPS:tss

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

Deborah McAbee Mary F. Buzak



;	ry REQUEST FO	R COUNCIL /	ACTION	T	
): Mayor via City Secreta	- Carienal Engine	ering Services	3	Page	Agenda Item #
Orders for Design C	ation to Professional Engine ne City and Othon, Inc. for N of New and Rehabilitation of Warning Systems.	legotiated Wo Existing Pum	р	1 of <u>2</u>	30
WBS No. M-00024	1-0006-3	Origination D	ate:	Agenda	Date:
OM: (Department or other point	nt of origin):	3/21	13	MA	R 2 7 2013
partment of Public Works and	d Engineering	Council Dist	rict affected:		
RECTOR'S SIGNATURE: aniel W. Krueger, P.E., Direct) (ALL			
or/additional information contact;					
avi Kaleyatodi, P.E., CPM enior Assistant Director	Phone: (832) 395-2326	Ordinance N	o. 2012-0173;	Februar	y 29, 2012
	ry)			dana (Contract with Othon,
<u>ECOMMENDATION:</u> (Summar opprove an Ordinance approp	riating additional funds for l	Professional E	Engineering Se	rvices	Jona act with
oc.		0110	Traffic Control	and St	orm Drainage
nc. Amount and Source of Funding	g: \$293,250.00 from Fund 4	042 - Street 8	M.P.	12/	112/8012
DDSRF.				ntrol an	d Storm Drainage
Original (previous) appropriation					
DDSN :		eccary for sa	ety enhancem	ents, ir	nproved functionality,
PROJECT NOTICE/JUSTIFICA and advanced warning system					
<u>DESCRIPTION/SCOPE</u> : This project is part of the Storm Drainage Capital Improvement Plan (CIP) and is required to provide professional engineering services to perform engineering design, construction of new and rehabilitation of existing City storm water facilities, including storm water pump stations, and flood warning systems at various locations citywide.					
LOCATION: The project loca	ation and limits will be estab	lished by the	work order.	Fol	2012 under
PREVIOUS HISTORY AND S	SCOPE: The original contractions of the contraction	Jnder the ter	ms of the Cont ations. Additior	on Fei tract, that al func	ne Consultant provided ling is now required for
PREVIOUS HISTORY AND SCOPE: The original contract that the terms of the Contract, the Consultant providing of the Contract, the Consultant providing of the Contract, the Consultant providing the Contract the Contr					
Continuation of day					CUIC ID# 20RRA13
LTS No. 3835			4. 41 1-41-	n:	
Finance Department	Other Authorization:	Oth	er Authorizatio	11.	
Finance Department			Man	1	
		l n.	niel R. Menend gineering and	lez P.E	E., Deputy Director
		 -	.9		

DAIG	Subject:	Additional Appropriation to Professional Engineering Services Contract between the City and Othon, Inc. for Negotiated Work Orders for Design of New and Rehabilitation of Existing Pump Stations, and Flood Warning Systems. WBS No. M-000241-0006-3	Originator's Initials PPA	Page 2 of <u>2</u>
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SCOPE OF THIS SUPPLEMENT AND FEE: The requested additional appropriation will accomplish the following tasks: Final Design and Construction Phase Basic Services as defined in each Work Order. The Basic Services and Additional Services fee for each Work Order will be defined depending on the extent of services required for each Work Order. Additional Services include, but are not limited to, site assessment, surveying, geotechnical and environmental services.

The total cost of this supplement is \$293,250.00 to be appropriated as follows: \$255,000.00 for contract services and \$38,250.00 for Capital Improvement Plan cost recovery.

<u>PAY OR PLAY PROGRAM:</u> 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.

<u>M/WBE INFORMATION:</u> The M/WBE goal established for this project is 24%. The original Contract amount totals \$ 600,000.00. The Consultant has been paid \$93,369.45 (15.56%) to date. Of this amount, \$19,335.00 (20.71%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation, the contract amount will increase to \$855,000,00. The Consultant proposes the following plan to meet the M/WBE goal:

	Name of Firms	Work Description	Subconsultant Amount	% of Total Contract
1. 2.	Paid Prior Commitment Associated Testing Laboratories, Inc.	Environmental Site Assessments	\$ 19,335.00 \$ 8,550.00	2.26% 1.00%
3. 4. 5.	Geotest Engineering, Inc. JAG Engineering, Inc. Shrader Engineering Inc.	Geotechnical Investigation Surveying Services Electrical/Instrumentation Engineering	\$ 8,550.00 \$ 59,620.00 \$117,695.00	1.00% 6.97% <u>13.77%</u>
		TOTAL	\$ 213,750.00	25.00%

DWK:DRM:RK:DPS:RRA:klw

H:\design\A-sw-div\WPDATA\00 - STM ENGR PROJECTS\Storm Water Pump Station (M-0241-6) - D12_C12\Supplement 1\M-000241-0006-3 RCA (Revised 11-29-2012).docx

C: File No. M-000241-0006-3 (1.2 RCA)

REQUEST FOR COUNCIL ACTION

1	TO: Mayor via City Secretary	REQUEST FOR	COUNCIL ACTION		
F	SUBJECT: Professional Engineering Parsons Brinckerhoff, Inc. for Holliste Gulf Bank	g Services Contract betweer Road Paving & Draina	reen the City of Houston and ge: White Oak Bayou to Wes	Page it 1 of <u>2</u>	Agenda Item #
	WBS No. N-000704-0001-3 FROM (Department or other point o Department of Public Works and En	f origin): gineering	Origination Date 3 21 13	Agenda M A F	a Date 2 7 2013
	DIRECTOR'S SIGNATURE:	UK	Council District affected:	,c	
4	Daniel W. Krueger, P.E.	()	2K		
	For additional information contact: Ravi Kaleyatodi, P.E., CPM Senior Assistant Director	dī)/7/13 Phone: (832) 395-2326	Date and identification of Council action:	prior auth	orizing
	RECOMMENDATION: (Summary) Approve an Ordinance appropriating Brinckerhoff, Inc.	g funds for Professional	Engineering Services Contr	act with Pa	irsons
	Amount and Source of Funding: \$204,197.00 from Fund 4040 – METF	RO Projects Construction	DDSRF. M.D. 1/14/	1 2013	
	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 as well as improve traffic circulation, mobility and drainage in the service area. DESCRIPTION/SCOPE: This project consists of the design of approximately 2,000 linear feet of existing undivided two lane roadway to a four lane divided roadway per Major Thoroughfare Freeway Plan (MTFP) standards. The proposed lane roadway to a four-lane divided concrete roadway with curbs, an efficient and cost effective project improvements includes a four-lane divided concrete roadway with curbs, an efficient and cost effective underground drainage system to mitigate street flooding, new inlets, sidewalks, streetlights, signals and necessary underground utilities. LOCATION: The project area is generally bounded by White Oak Bayou on the south, West Gulf Bank on the north, North Houston Rosslyn on the east and Fairbanks North Houston on the west. The project is located in Key Map Grids				
	SCOPE OF THIS 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. Preliminary Engineering will focus on the development of existing and proposed right of way mapping, drainage and Preliminary Engineering will focus on the development of existing and proposed right of way mapping, drainage and Preliminary Engineering will focus on the development of existing and proposed right of way mapping, drainage and Preliminary Engineering will focus on the development of existing and proposed right of way mapping, drainage and Preliminary Engineering will present findings and recommendations. Basic Services fee 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 on a lump sum amount or reimbursable basis after the completion of Phase I. Phase II and Phase III will be negotiated on a lump sum amount or reimbursable basis after the completion of Phase I. Phase II and Phase III will be negotiated on a lump sum amount or reimbursable basis after the completion of Phase I. Phase II and Phase III will be negotiated on a lump sum amount or reimbursable basis after the completion of Phase I. Phase II and Phase III will be negotiated on a lump sum amount or reimbursable basis after the completion of Phase I. Phase II and Phase III and Ph				
	LTS #4407	REQUIRED A	UTHORIZATION		
		er Authorization:	Other Author	zation:	
			All:	mf	lo-
			Daniel R. Mer	nendez, P.	E., Deputy Director uction Division
_ /	/		Ligitiecing		

SUBJECT: Professional Engineering Services Contract between the City of Houston and Parsons Brinckerhoff, Inc. for Hollister Road Paving & Drainage: White Oak Bayou to West Gulf Bank	Originator's Initials	Page 2 of 2
WBS No. N-000704-0001-3	an on for contrac	t services and

The total requested appropriation is \$204,197.00 to be appropriated as follows: \$177,562.00 for contract services and \$26,635.00 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 for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

<u>M/WBE INFORMATION</u>: The M/WBE goal established for the project is 24%. There will be limited subconsultant participation opportunities in Phase I – Preliminary Engineering. However the consultant proposes to meet the overall M/WBE goal for this project in Phase II – Final Design and Phase III – Construction Phase Services.

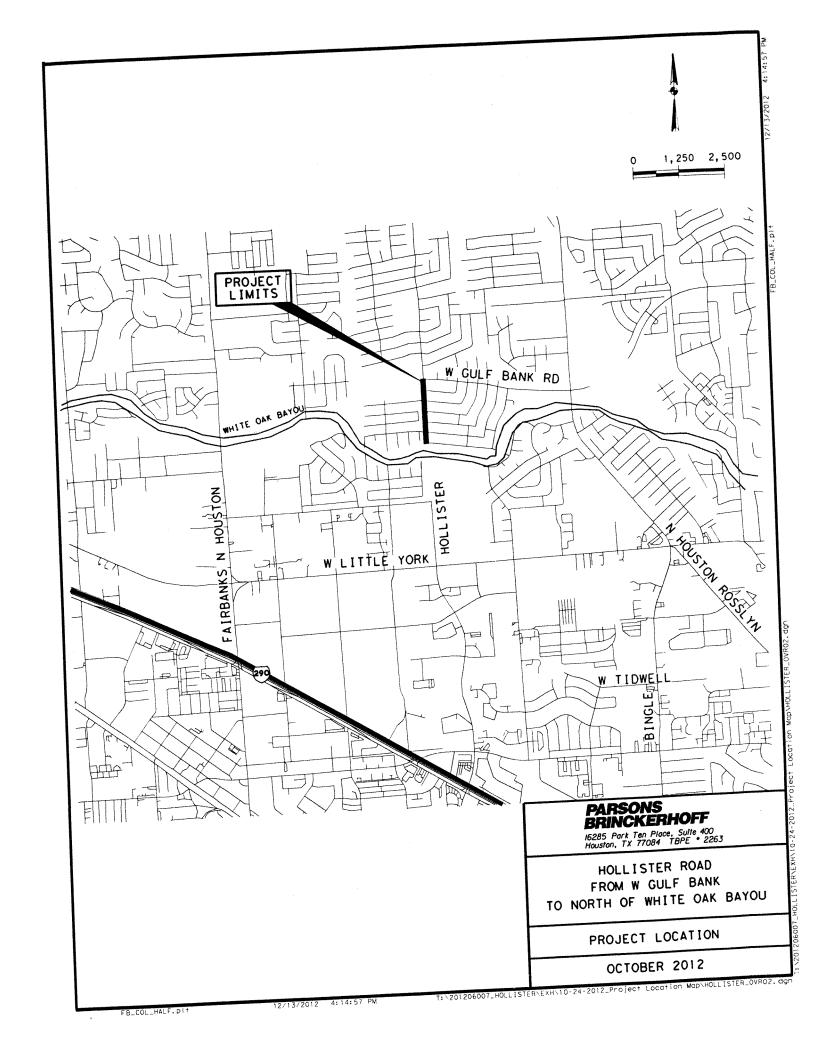
MMBE goal for this project in this are		Am <u>ount</u>	% of Total Contract
Name of Firms	Work Description		
DAE & Associates LTD.,DBA Geotech Engineering and Testing	Geotechnical Engineering	<u>\$35,516.40</u>	<u>20.00</u> %
•	TOTAL:	\$35,516.40	20.00%

DWK:DRM:RK:JHK:SMC

H:\design\A-sw-div\A-SB-DIV\WPDATA\campagna\WBS704 PH1\20SMC50.doc

ec: WBS No. N-000704-0001-3 (1.2 DSGN RCA)





O: Mayor via City Secretary	KEGNEST LOW COOMOIT WOLLD		
	Services Contract between the City and LJA	Page 1 of 2	Agenda Item #
Engineering, Inc. for Wastewater Force Ma Street, Bretshire #2, Forest Shores, Woodla and Bayfield.	ain Renewal and Replacement: Green Crest, Main and Ridge, Stroud, Chatwood, MacGregor Way #3	10. 2	32
WBS No. R-000035-0006-3	Origination Date	Agenda	Date
FROM (Department or other point of origin	" 3/21/13	MAR	2 7 2013
Department of Public Works and Enginee	Council District affected:		
Director s Signature: Daniel W. Krueger, P.E., Director	B, D, E, F, J, K	k	
Paniel W. Krueger, P.E., Director For additional information contact:	Date and identification of prior Council action:	r authori:	zing

RECOMMENDATION: (Summary)

Ravi Kaleyatodi, P.E., Senior Assistant Director

An ordinance approving a Professional Engineering Services Contract with LJA Engineering, Inc. and appropriate

Amount and Source of Funding: \$1,688,368.00 Water and Sewer System Consolidated Construction, Fund No. 8500.

<u>DESCRIPTION/SCOPE</u>: This project is part of the City's Sewer Force Main Renewal and Replace program and consists of preliminary design assessment and preparation of complete design bid packages for the selected sanitary sewer force mains.

LOCATION: The project area is located at the following Key Map Grids:

Location 1. Bretshire Lift Station #2 2. Chatwood Lift Station 3. MacGregor Way Lift Station #3 4. Bayfield Lift Station 5. Woodland Ridge Lift Station 6. Forest Shores Lift Station 7. Green Crest Lift Station 8. Stroud Lift Station 9. Main Street Lift Station	Address 7550 Bretshire Dr. 9345 Chatwood Dr. 4370 N. MacGregor Way 495 El Toro Lane 2603 Woodland Ridge Dr. 2714 Royal Circle Dr. 3180 Old Addicks-Howell Rd. 9900 Stroud Dr. 9000½ Main St. S.	Key Map Grid 455A, B 455H, G 434E, J 618N, J & 617M, H 337A, B, E, F & 532Q, L, K 336C, D 487Z, 527D, H 529H 532Q, L, K	uncil District B B D E E F J K
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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 \$159,756.00. The total Basic Services appropriation is \$746,790.00.

CUIC ID #20AKH36						
Finance Department	Other Authorization.	Other Authorization: Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division				

Date	SUBJECT: Professional Engineering Services Contract between the City and LJA Engineering, Inc. for Wastewater Force Main Renewal and Replacement: Green Crest, Main Street, Bretshire #2, Forest Shores, Woodland Ridge, Stroud, Chatwood, MacGregor Way #3 and Bayfield. WBS No. R-000035-0006-3		Page 2 of <u>2</u>
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The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Route Topographical Survey, Right of Way/Easement/Parcel Acquisition Survey/Title Search, Geotechnical Investigations, Environmental Site Assessment Phases I and II, subsurface Investigations, Tree Protection Plans, Traffic Control Plans, Storm Water Pollution Prevention Plans, Special Permits, Reproduction Services, Drug Testing and compliance, Technical Review Committee services, Existing Conditions Survey and Others. The total Additional Services appropriation is \$721,356.00.

The total cost of this project is \$1,688,368.00 to be appropriated as follows: \$1,468,146.00 for Contract services and \$220,222.00 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.

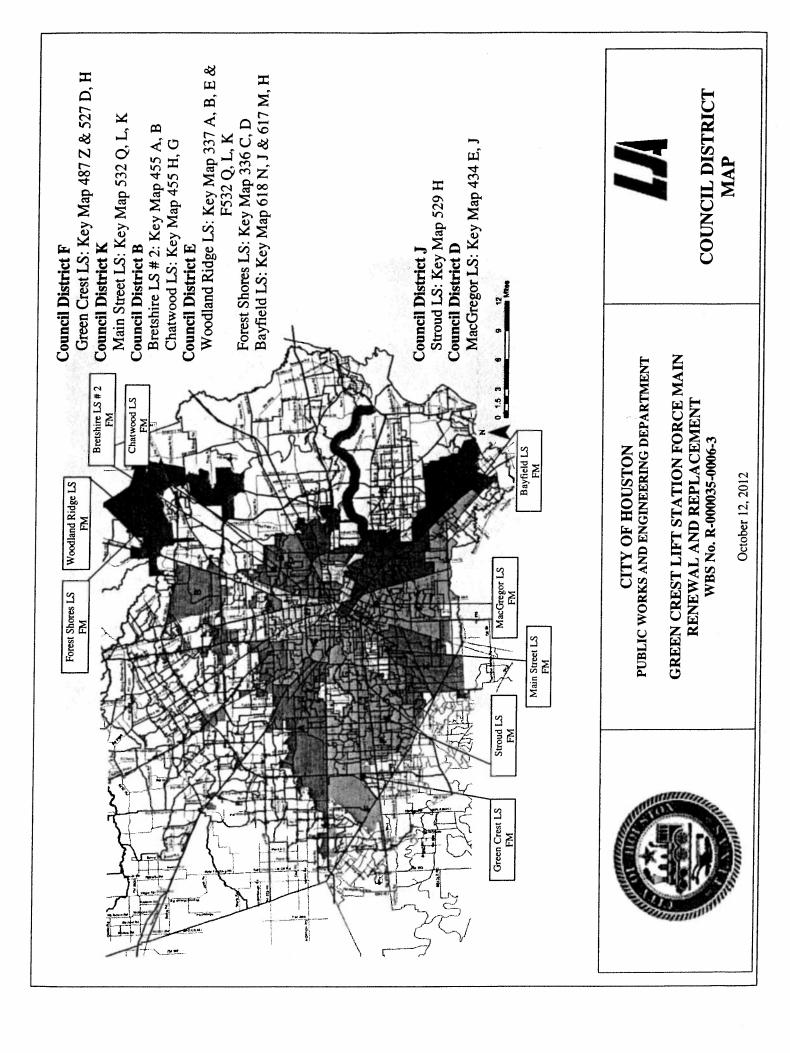
<u>M/WBE INFORMATION</u>: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

Name of Firms	Work Description	<u>Amount</u>	% of Total Contract
Amani Engineering, Inc. ISANI Consultants, LLP Geotech Engineering	Land Surveying Services Engineering Services	\$178,000.00 \$ 49,000.00	12.12% 3.34%
and Testing	Geotechnical Engineering	\$127,000.00	8.65%
	TOTAL	\$354,000.00	24.11%

DWK:DRM:RK:EN:BZ:AKH:pa

File No. R-000035-0006-3

C:



TO: Mayor via City Secretary	REQUEST FOR COUNCIL ACTION				
SUBJECT: Professional Engineering Ser Water & Infrastructure, Inc. for Greenridge WBS No. R-000265-0105-3.	vices Contract between the City and Parsons Wastewater Treatment Plant Improvements.	Page 1 of <u>2</u>	Agenda Item #		
FROM (Department or other point of origin): Department of Public Works and Engineeri	1 312113	Agenda MAR	Date 2 7 2013		
Director's Signature: Daniel W. Krueger, P.E., Director	Council District affected:				
For additional information contact:	Date and identification of prior Council action:	r authori	zing		
RECOMMENDATION: (Summary) An ordinance approving a Professional Engineering Services Contract with Parsons Water & Infrastructure Inc. and					
appropriate funds. Amount and Source of Funding: \$609,515.00 Water and Sewer System Consolidated Construction Fund No. 8500. ### April 13 13 13 13 13 13 13 13					

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's ongoing program to renew/ replace inefficient components of the existing wastewater treatment plant (WWTP) facilities.

DESCRIPTION/SCOPE: This project consists of design of various components of the subject WWTP facilities.

LOCATION: Greenridge WWTP is located at 6301 West Fuqua in Key Map Grid 571X.

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 \$102,553.00. The total Basic Services appropriation is \$389,900.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Surveying and Geotechnical Investigation. The total Additional Services appropriation is \$140,000.00.

LTS No. 4289		CUIC ID# 20GK69
Finance Department:	Jun Chang	Other Authorization: Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

REV. 11/06

	SUBJECT: Professional Engineering Services Contract between the City and Parsons Water & Infrastructure, Inc. for Greenridge		Page 2 of <u>2</u>
	Wastewater Treatment Plant Improvements. WBS No. R-000265-0105-3.	GK	

The total cost of this project is \$609,515.00.00 to be appropriated as follows: \$529,900.00 for Contract services and \$79,615.00 for CIP Cost Recovery.

PAY OR PLAY PROGRAM:

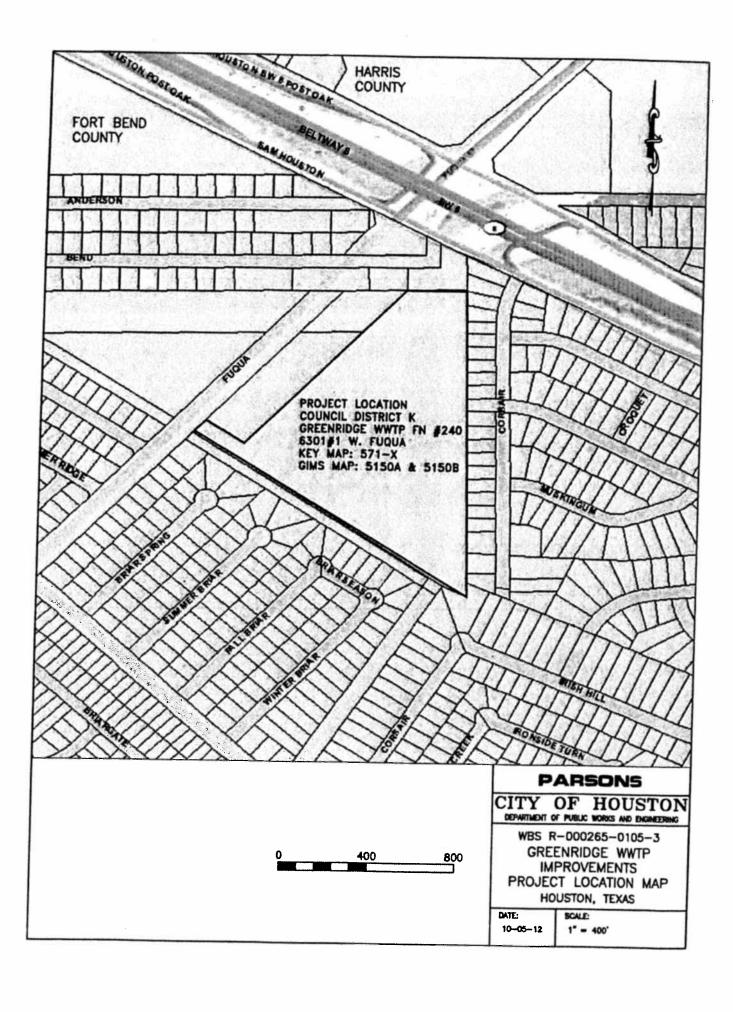
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Consultant provides health benefits to eligible employees in compliance with City policy.

<u>M/WBE INFORMATION</u>: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

	Name of Firms	Work Description	<u>Amount</u>	% of Total Contract
E	 KIT Professionals, Inc. Gupta & Associates, Inc. Amani Engineering, Inc. 	Engineering Services Electrical Engineering Services Surveying Services	\$ 70,455.00 \$ 44,840.00 \$ 15,000.00	13.30% 8.46% <u>2.83%</u>
		TOTAL	\$130,295.00	24.59%

DWK:DRM:RK:EN:BZ:GK:MS:pa

c: File No. R-000265-0105-3



TO. Mayor via City Secretary REQUEST FOR COUNCIL ACTION					
SUBJECT: Professional Engineering Services Contract between the City and HDR Engineering, Inc. for Sagemont Wastewater Treatment Plant Improvements. WBS No. R-000265-0106-3. Page 1 of 2					
point of origin):	Originatio	on Date	Agenda	Date /	
s and Engineering	- 1	ı	MAR	27 2013	
Director's Signature Council District affected: Daniel W. Krueger, P.E., Director					
For additional information contact: Ravi Kaleyatodi, P.E., CPM Phone: (832) 395-2326 Senior Assistant Director					
nary)					
rofessional Engineering Services	Contract v	with HDR Engine	ering, Inc. a	nd appropriate	
ng: \$1,085,800.00 Water and Sev	ver System	Consolidated C	onstruction P . $2/4/8$	Fund No. 8500.	
vastewater treatment plant (WW ⁻	ΓP) facilitie:	S.			
			,		
in, Phase III - Construction Phase f time and materials with not-to-exe negotiated on a lump sum am Services is \$247,924.00. The total ertain Additional Services to be pasturveying, Geotechnical Investiga	Services a ceed agree ount after t Il Basic Ser	and Additional Se ed upon amount. the completion c rvices appropriat	ervices. Basic The Basic Se of Phase I. T ion is \$826,4	c Services Fee ervices fees for the negotiated 414.00.	
7,800.00.		•	•		
Other Authorizetics		*****		MC	
Other Authorization:		Other Authorizat	ion:		
gronne Dones For	2	Ama	If the	-	
Jun Chang P.F. D.WRF Deput	Director	Daniel R. Mener	407 DE D	i	
	ngineering Services Contract to the nort Wastewater Treatment Plants. point of origin): s and Engineering ector phone: (832) 395-2326 nary) rofessional Engineering Services ng: \$1,085,800.00 Water and Sev ECATION: This project is part of the vastewater treatment plant (WWT) s project consists of design of va TP is located at 11700 Sagearbo DFEE: Under the scope of the Count, Phase III - Construction Phase engotiated on a lump sum amore of the engotiated on a lump sum amore enegotiated on a lump	ngineering Services Contract between the nort Wastewater Treatment Plant Improvems. point of origin): s and Engineering Council D pector Ontact: Phone: (832) 395-2326 Date and Council at Coun	point of origin): s and Engineering Council District affected: Date and identification of point action: Phone: (832) 395-2326 Date and identification of point action: Date and identification of	point of origin): s and Engineering Council District affected: Date and Identification of prior authorization: Date and Identification of prior authorization: CATION: This project is part of the City's ongoing program to renew/ repvastewater treatment plant (WWTP) facilities. S project consists of design of various components of the subject WWTf. TP is located at 11700 Sagearbor in Key Map Grid 576Z. DEEE: Under the scope of the Contract, the Consultant will perform Phase in Phase III - Construction Phase Services and Additional Services. Basis it me and materials with not-to-exceed agreed upon amount. The Basic Services is \$247,924.00. The total Basic Services appropriation is \$826, arraying. Geotechnical Investigation, and Reproduction Services. The total Basic Services appropriation is \$826, arraying. Geotechnical Investigation, and Reproduction Services. The total CUIC ID# 20GK70 Other Authorization: CUIC ID# 20GK70	

Date SUBJECT: Professional Engineering Services Contract between the City and HDR Engineering, Inc. for Sagemont Wastewater Treatment Plant Improvements. WBS No. R-000265-0106-3	Originator's Initials	Page 2 of <u>2</u>
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The total cost of this project is \$1,085,800.00 to be appropriated as follows: \$944,214.00 for Contract services and \$141,586.00 for CIP Cost Recovery.

PAY OR PLAY PROGRAM:

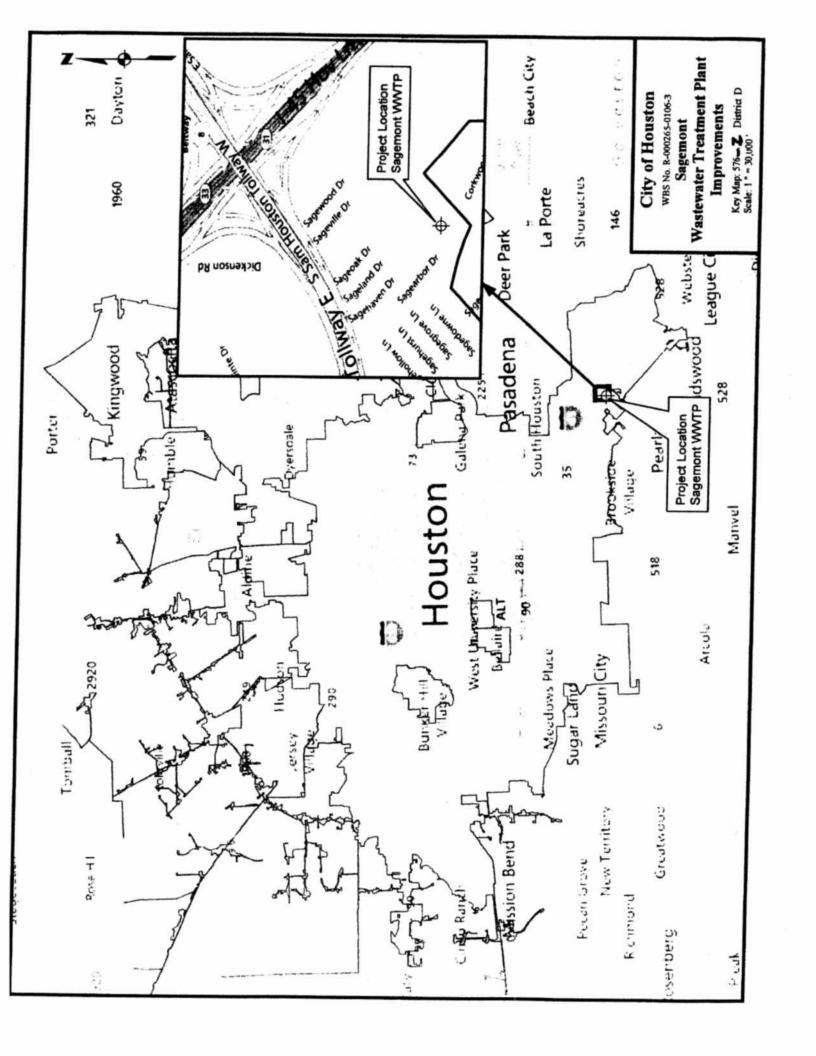
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the Consultant provides health benefits to eligible employees in compliance with City policy.

<u>M/WBE INFORMATION</u>: The M/WBE goal for the project is set at 24%. The Consultant has proposed the following firms to achieve this goal.

Name of Firms	Work Description	<u>Amount</u>	% of Total Contract
Kalluri Group, Inc. KIT Professionals, Inc. TLC Engineering, Inc.	Electrical Engineering Civil Engineering Structural Engineering	\$122,747.82 \$ 94,421.40 \$ 37,768.56	13.00% 10.00% <u>4.00%</u>
	TOTAL	\$254,937.78	27.00%

DWK:DRM:RK:EN:BZ:GK:MS:pa

c: File No. R-000265-0106-3



TO: Mayor via City Secretary

/ 11/06

REQUEST FOR COUNCIL ACTION

SUBJECT: Additional Contract between the of Golden Glade Esta WBS No. R-000801-0		Ingineering Service for Unserved Area	es Page as 1 of 2	Agenda Item #	
From: (Department	or other point of origin):	Origination Date	3	Agenda Date	
Department of Public Engineering	Works and	3/21/13	S	MAR 2 7 2013	
Director's Signature Daniel W. Krueger, P.	I Wha	Council District	affected:		
For additional inform	Matoda 227/13	action:	ication of prio	r authorizing Council	
Ravi Kaleyatodi, P.E., Senior Assistant Direct		Ordinance #: Dated:		2008-0320 04/16/08	
Recommendation: (SEngineering Services	Summary) Approve an ordinance Contract with S&B Infrastructure	e appropriating add Ltd.	ditional funds to	the Professional	
Amount and Source (\$354,160.00 from the Original (previous) app No. 8500.	of Funding: Water and Sewer System Conso propriations of \$873,900.00 from	lidated Construction Water and Sewer	on Fund No. 85 System Consc	00. M.P. 3/6/2013 olidated Construction Fund	
PROJECT NOTICE/Junserved areas within	USTIFICATION: This project is the city limits.	part of the City's	s program to p	provide sanitary sewer to	
DESCRIPTION/SCOP to the Golden Glades E	E: This project consists of evaluestates Subdivision.	ation and design s	ervices to prov	ide sanitary sewer service	
LOCATION: This pro Salinsky Ditch on the w	iect is generally bounded by So rest and Mykawa Road on the ea	arlet Drive on the ast. The project is	north, South / located in Key	Acres Drive on the south, Map Grid 574G.	
PREVIOUS HISTORY AND SCOPE: The original contract for the project was approved by the City Council on April 16, 2008 under ordinance 2008-0320. The scope of services under the Original Contract consisted of the evaluation and recommendations for providing sanitary sewer service, including service lines, to the Minnetex Place and Golden Glades Estates Subdivision. At completion of Preliminary Engineering Report, the design consultant recommended design and construction of sanitary sewer service mains and a new lift station to the Golden Glade Estates Subdivision. Design and construction of sanitary sewer service in the Minnetex Place Subdivision were not recommended because of the high cost per connection. Under initial funds in this Contract, the Consultant was authorized to complete design of sanitary sewers west of Salinsky Ditch and within the Golden Glade Estates Subdivision. The Consultant has expended \$689,081.44 from the appropriated funds to date, and the project is on schedule to advertise and bid. Because initial funding for this Contract was established before the					
.TS No. 4754			CU	IC ID #20RCM24 NOT	
inance Department:	Other Authorization:	Oti	her Authorizat	ion:	
	Jun Chang Jun Chang, P.E., DWRE, Depu	uty Director 🃌 Dai	niel R. Menend	lyatod 3/1/13 ez, P.E., Deputy Director	
/ 11/06	Fubile Offittles DIVISION	HA KING	gineering and C	Construction Division	

SUBJECT: Additional Appropriation to Professional Engineering Services Contract between the City and S&B Infrastructure Ltd. for Unserved Areas of Golden Glade Estates Subdivision. WBS No. R-000801-0016-3.

Originator's Initials

Page 2 of 2

complete scope of work was determined, funds for design of sanitary sewer east of Salinsky Ditch were not budgeted.

Additional funds are needed to complete the additional proposed services which were not budgeted.

SCOPE OF THIS SUPPLEMENT AND FEE: The requested additional appropriation will accomplish the following tasks: Phase II and III design for sewer service to Golden Glade Estates Subdivision east of Salinsky Ditch. The amount of \$185,534.00 is budgeted as Basic Services Fee. Certain other Additional Services are also proposed to be paid as lump sum or on a reimbursable basis. The Additional Services are currently anticipated to include surveying, geotechnical investigations, and tree protection services, which comprise the bulk of the funds. The total Additional Services Fee under the additional appropriation is \$122,431.00.

The requested appropriation is \$354,160.00 to be appropriated as follows: \$307,965.00 for contract services and \$46,195.00 for CIP Cost Recovery.

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 established for this project is 24%. The original Contract amount totals \$794,440.00. The consultant has been paid \$689,081.44 (86.7%) to date. Of this amount \$203,278.08 (29.5%) has been paid to M/WBE sub-consultants to date. Assuming approval of the requested additional appropriation the contract amount will increase to \$1,102,405.00. The Consultant proposes the following plan to meet the M/WBE goal:

Name of Firms	Work Description	<u>Amount</u>	% of Total Contract
1. Prior M/WBE Commitment 2. United Engineers, Inc. 3. Aviles Engineering Corporation 4. Knudson, LP	Surveying Services Geotechnical Services Tree Protection Services TOTAL	\$203,278.08 \$ 58,050.00 \$ 39,037.50 \$ 3,800.00 \$304,165.58	18.44% 5.27% 3.54% <u>0.34%</u> 27.59%

DWK:DRM:RK:EN:IMR:RCM:pa

c: File No. R-000801-0016-3

REV 11/06

TO:	Mayor via City Secretary REQUEST FOR	COUNCIL ACTION	Page	
SUB	JECT: Professional Engineering Services Contractineering, LLC for Engineering Services associated ws. WBS No. S-000100-0016-3	between the City and AEI between the City and	Page 1 of 2 Agenda Item #	
l	OM (Department or other point of origin):	Origination Date	Agenda Date MAR 2 7 2013	
DIR	artment of Public Works and Engineering ESTOR'S SIGNATURE: iel W. Krueger, P.E.	Council District affected: K & E		
For	Kaleyatodi, P.E., CPM Phone: (832) 395-2326	Date and identification of prio Council action:	r authorizing	
REG	COMMENDATION: (Summary) prove Professional Engineering Services Contract with A			
A m Fur	o unt and Source of Funding: \$731,000.00 from the W		,	
DD	PROJECT NOTICE/JUSTIFICATION: This project is part of the City's program to upgrade and rehabilitate			

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's program to upgrade and rehabilitate ground water production facilities. It will meet the area's water demand and ensure compliance with the Texas Commission on Environmental Quality regulations.

DESCRIPTION/SCOPE: This project consists of replacing water wells.

LOCATION: This project is located as follows:

	ADDRESS	KEY MAP GRID	<u>DISTRICT</u>
FACILITY Sims Bayou Area Forest Cove Area	13840 Croquet	571P	K
	1625 Laurel Springs Lane	336E	E

SCOPE OF CONTRACT AND FEE: Under the scope of the contract, the engineer will perform phase I preliminary design, phase II - final design and phase III - construction phase services and some additional services. The 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 fee for phase II and phase III will be negotiated on a lump sum basis after the completion of phase I. The negotiated fee for phase I basic services is \$55,646.00. The total basic services appropriation is \$422,646.00.

LTS NO. 4340		CUIC ID # 20RS119
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 AEI Engineering, LLC for Engineering Services associated with		Page
-		New/Replacement of Water Wells. WBS No. S-000100-0016-3	Originator's Initials	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 well site study, hydrogeological study, hydrostatic testing of well collection line, well collection line televising and cleaning, well collection line pigging, surveying, geotechnical investigations, storm water pollution prevention plan and wetland delineation survey. The total additional services appropriation is \$213,000.00.

The total cost of this project is \$731,000.00 to be appropriated as follows: \$635,646.00 for contract services and \$95,354.00 for CIP Cost Recovery.

<u>PAY OR PLAY PROGRAM:</u> 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.

<u>M/WBE INFORMATION</u>: The M/WBE goal established for this project is 24%. The engineer has proposed the following firms to achieve this goal.

	Name of Firms	Work Description	<u>Amount</u>	% of Total Contract
1. 2. 3. 4. 5.	GeoSolutions, LLC HVJ Associates, Inc. Kalluri Group, Inc. B & E Reprographics, Inc. Cova, dba Central Delivery Systems	Surveying Geotechnical Investigation Engineering Consulting Reproduction Services Courier Service	\$22,083.84 \$48,993.12 \$72,736.00 \$10,900.00 \$ 1,200.00	3.47% 7.71% 11.44% 1.71% <u>0.19%</u>
		TOTAL	\$155,912.96	24.52%

DWK:DRM:RK:HH:SD:RS:jJ
H:Vdesign/A-WS-DIV/WPDATA/RS/S-000100-0016-3/vca.docx

File No. S-000100-0016-3

TO: Mayor via City	Secretary REQUEST FO	R COUNCI	L ACTION	*	*\
SUBJECT: Contract Av Improvements. WBS I	ward for FWSD No. 23 Wastewater No. R-000265-0067-4.	Treatment l	Plant	Page 1 of <u>2</u>	Agenda Item #
FROM: (Department or	other point of origin):	Origination	1	Agenda	
Department of Public Works and Engineering			MA	R 2 7 2013	
Director's Signature: Daniel W. Krueger, P.E	Director	Council E	District affected:		
For additional informati Ravi Kaleyatodi, P.E., O Senior Assistant Direct	on contact: 2 2 3 3 3 3 5 2 3 2 3 3 5 3 3 5 3 3 5 3 3	Date and Council a	identification of pr ction:	ior autho	rizing
RECOMMENDATION: (S Accept low bid, award of	Summary) construction Contract and appropriat	e funds.			ø
Amount and Source of I \$10,189,100.00 From the	Funding: he Water and Sewer System Consol	lidated Cor	struction Fund No	. 8500. M.P. •	e/13/2013
	CIFICATION: This project is a part of the wastewater treatment plants.	ne City's ong	going program to re	enew and	replace inefficient
Treatment Plant as follo of a new electrical build	This project consists of development ows: Construction of a new influent suling and motor control center (MCC) electrical actuators storm water gate e.	bmersible li). Demolitio	ft station with six (6 n of existing two L) new pun ₋ift Statio	nps. Construction ns. Removal and
The Contract duration fo	or this project is 750 calendar days.	This projec	t was designed by	CDM Sn	nith, Inc.
LOCATION: The project	t area is located at 8219 Kellett, Key	Map No. 4	55G.		
LTS No. 4641			CUIC	ID #20AK	H37 <u>N</u>
Finance Department:	Other Authorization:		Other Authorization	on:	
	Jun Chang, P.E., D.WRE, Deput Public Utilities Division	y Director	Daniel R. Menend Engineering and		• •

Date	SUBJECT: Contract Award for FWSD No. 23 Wastewater Treatment Plant Improvements. WBS No. R-000265-0067-4.	Originator's Initials	Page 2 of <u>2</u>
1			

BIDS: Bids were received on December 13, 2012. The four (4) bids are as follows:

<u>Bidde</u>	<u>.</u>	Bid Amount
 CSA Construction Industrial TX SER Construction Peltier Broth 		\$ 8,999,200.00 \$ 9,651,625.00 \$10,160,750.00 \$13,102,750.00

AWARD: It is recommended that this construction contract be awarded to CSA Construction, Inc. with a low bid of \$8,999,200.00 and Addenda Numbers 1 and 2 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$10,189,100.00 to be appropriated as follows:

•	Bid Amount	\$8	3,999,200.00
•	Contingencies	\$	449,960.00
-	Engineering and Testing Services	\$	110,000.00
•	CIP Cost Recovery	\$	629,940.00

Engineering and Testing Services will be provided by JRB Engineering, LLC, under a previously approved contract.

HIRE HOUSTON FIRST:

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

PAY OR PLAY PROGRAM:

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

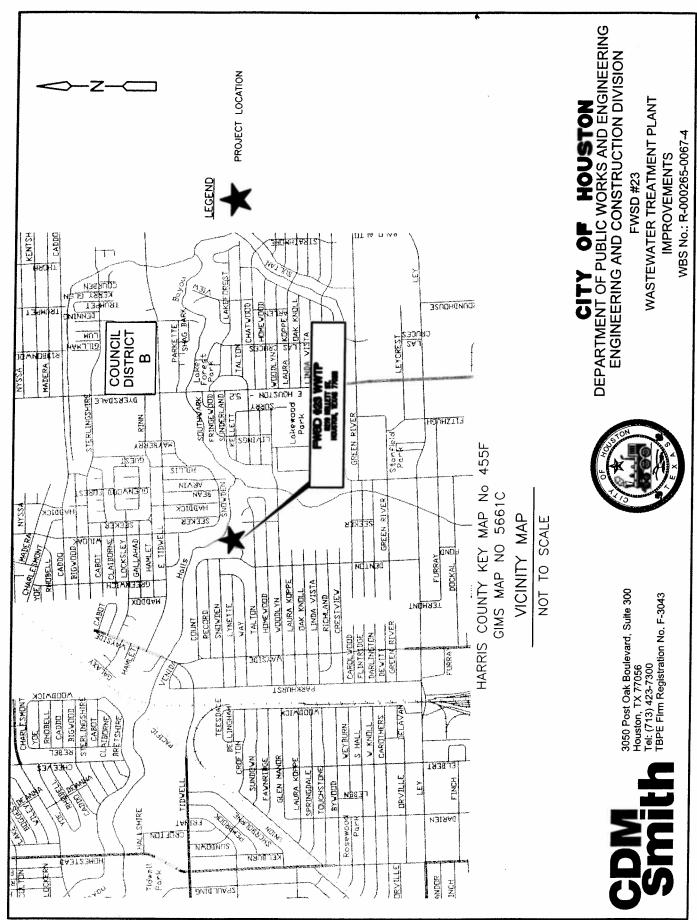
M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 10% MBE goal, and 8% SBE goal for this project.

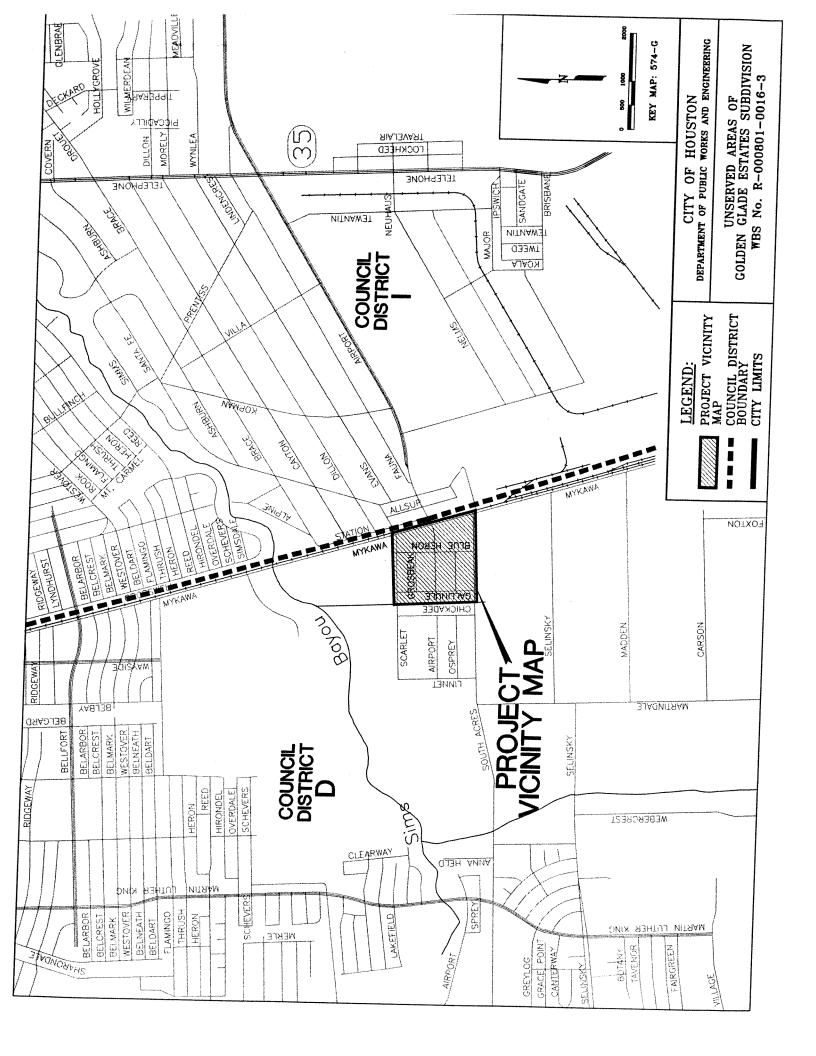
MBE - Name of Firms 1. C & B Rebar Construction, Inc. 2. JTR Constructors, Inc. 3. Energy Electric Supply, Inc.	Work Description Rebar Installation Construction Services Instrumentation TOTAL	Amount \$430,193.00 \$375,000.00 \$ 95,472.00 \$900,665.00	% of Contract 4.78% 4.17% 1.06% 10.01%
SBE - Name of Firms 1. Automation Nation, Inc. 2. Medcalf Fabrication, Inc. 3. Medina Supply, Inc. 4. Riverway Services, LLC	Work Description Software Analysis and Design Structural Fabrication Electrical Supply Distributor Piping Utilities Installation TOTAL	Amount \$ 58,800.00 \$245,717.00 \$340,391.00 \$136,200.00 \$781,108.00	% of Contract 0.65% 2.73% 3.78% 1.51% 8.67%

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

DWK:DRM:RK:EN:BZ:AKH:pa

c: File No. R-000265-0067-3





REQUEST FOR COUNCIL ACTION TO: Mayor via City Secretary SUBJECT: Contract Award for Sims Bayou Widening Wastewater Utility Relocations. Page Agenda Item # 1 of 2 WBS No. R-000521-0054-4. Agenda Date: **Origination Date:** FROM: (Department or other point of origin): MAR 2 7 2013 Department of Public Works and Engineering **Council District affected:** Director's Signature: K M Danier W. Krueger, P.E., Directol Date and identification of prior authorizing For additional information confact: Council action: Phone: (832) 395-2326 Ravi Kaleyatodi, P.E., CPM Senior Assistant Director **RECOMMENDATION:** (Summary) Accept low bid, award construction Contract and appropriate funds. Amount and Source of Funding: \$ 4,804,500.00 Water and Sewer System Consolidated Construction Fund No. 8500. \$ 5,400,000.00 Water and Sewer Contributed Capitol Fund No. 8319. M.P. 2/18/8012 \$10,204,500.00 Total Cost PROJECT NOTICE/JUSTIFICATION: This project is part of the utility conflict resolution related to Harris County Flood Control District's Sims Bayou Widening and Improvements Project, and will facilitate relocation, rehabilitation and construction of sanitary sewer lines. DESCRIPTION/SCOPE: This project consists of Construction of approximately 6,860 linear feet of 8-, 12-, 24-, 36-, 42-, and 48-inch gravity sewer flow diversion to the WCID #51 Lift Station. The project also consists of abandonment and rehabilitation of associated sewer lines. The Contract duration for this project is 365 calendar days. This project was designed by Klotz Associates, Inc. **LOCATION:** The project area is generally bound by Simsbrook Drive on the north, Tiffany Drive on the south, Buxiey Street on the east and Altair Way on the west. The project is located in Key Map Grids 571Q & R. BIDS: Bids were received on October 18, 2012. The five (5) bids are as follows: **Bid Amount Bidder** \$ 8,754,156.00 Huff & Mitchell, Inc. 1. \$ 9,170,002.05 BRH-Garver Construction, L.P. 2. \$ 9,526,085.00 Bover, Inc. 3. \$ 9,957,556.00 S.J. Construction of Texas, Ltd. 4. \$11,959,859.00 Jay Dee Contractors, Inc. **CUIC ID #20TH03** LTS No. 4464 Other Authorization: Other Authorization: **Finance Department:** Daniel R. Menendez, P.E., Deputy Director Jun Chang, P.E., D.WRE, Deputy Director

Public Utilities Division

Engineering and Construction Division

)ate	Subject: Contract Award for Sims Bayou Widening Wastewater	Originator's Initials	Page 2 of <u>2</u>
	Utility Relocations. WBS No. R-000521-0054-4. WBS No. R-000521-0054-4.	Mitchell, Inc., w	rith a low bid of

AWARD: It is recommended that this construction contract be awarded to Huff & Mitchell, Inc., with a low bid of \$8.754.156.00 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$10,204,500.00 to be appropriated as follows:

THE IO	tal book of the l	\$8,754,156.00
•	Bid Amount Contingencies Engineering and Testing Services CIP Cost Recovery Construction Management Fee	\$ 437,707.80 \$ 150,000.00 \$ 262,636.20 \$ 600,000.00

Engineering and Testing Services will be provided by Professional Service Industries, Inc., under a previously approved contract.

approved contract.

Construction Management Services will be provided by S&B Infrastructure, Ltd., under a previously approved contract.

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

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.

compliance with City policy.

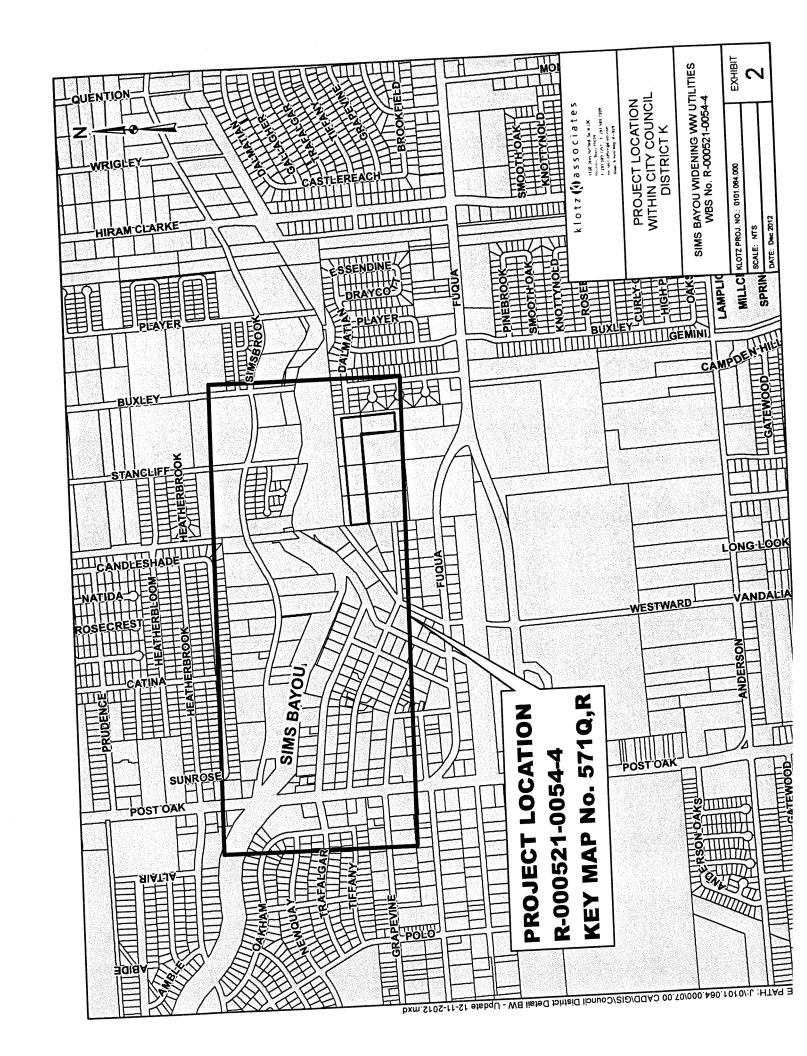
M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 10% MBE goal, and 8% SBE goal for this project.

WBE	PARTICIPATION: The low bluder has			
d 8%	SBE goal for this project.		Am <u>ount</u>	% of Contract
	MBE - Name of Firms	<u>Work Description</u> TV Inspections	\$ 30,000.00	0.34%
1.	Chief Solutions, inc.	Foundment and	\$150,542.00	1.72%
2.	Supply LLC	Plumbing Supplies Hauling Materials	\$326,343.00	3.73%
3.	Monge Trucking		\$326,343.00	3.73%
4.	Reyes Pineda Construction, Inc.,	Pavement Replacement	\$ 42,192.00	<u>0.48%</u>
	DBA R P Construction Standard Cement Materials, Inc.	Manhole Rehabilitation	\$875,420.00	10.00%
5.	Standard Cement Waterland, was	TOTAL	401011	
1. 2.	SBE - Name of Firms Briones Construction & Supply, LTC Houston Barricade & Supply, LLC	Work Description Construction Materials Traffic Control Services Installation of Traffic	<u>Amount</u> \$637,335.00 \$ 10,000.00 \$ 50,000.00	% of Contract 7.28% 0.11% 0.57%
3.	Work Zone Products, Inc.	Control	\$ 3,000.00	0.04%
4.	Stripes & Stops Company, Inc.	Pavement Markings TOTAL	\$700,335.00	8.00%
			uciect have be	en acquired.

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

DWK:DRM:RK:EN:IMR:TH:pa

c: File No. R-000521-0054-4 (3.7)



	DECLIEST FOR	COUNC	L ACTION	
Mayor via City Secretary	REQUEST FOR		Page	Agenda Item
SJECT: Contract Award for Sanitary Sewer Sliplining and Pipe Bursting Metho	r Rehabilitation by ods		1 of 2	* 39
WBS# R-000295-0043-4		Origina	tion Date	Agenda Date
OM (Department or other point of origin)	:	3	21/13	MAR 2 7 2013
partment of Public Works and Engineering		Counc	il District affect	ed:
RECTOR'S SIGNATURE		All		
niel W. Krueger, P.E.		Date a	nd identificatio	n of prior authorizing
or additional information contact:	/	Counc	cil action:	
son Iken, P.E. Phone: (832) 395-4989		N/A	
enior Assistant Director	•			
mount and Source of Funding: \$4,460,5 Construction Fund No. 8500. This project is Revolving Fund (SRF) Equivalency loan. SPECIFIC EXPLANATION: This project	is part of the Ne	ighborhoo	d Sewer Rehab oughout the City.	ilitation Program and is required t
DESCRIPTION/SCOPE: This project cons	02 بسيدا	wer rehab	ilitation by slipl	ning and pipe bursting methods. T
This project cons	sists of sanitary so	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
DESCRIPTION/SCOPE: This project contract duration for this project is 540 cale	endar days.			
contract duration for this p				
LOCATION: The project area is generally	bounded by the C	ity Limits		
LOCATION: The project area is generally	bounded by the C	ity Limits		
LOCATION: The project area is generally BIDS: Two (2) bids were received on No Bidder	bounded by the C vember 01, 2012 f	City Limits For this pro Bio \$4.		
LOCATION: The project area is generally BIDS: Two (2) bids were received on No	bounded by the C vember 01, 2012 f	City Limits For this pro Bio \$4.	nject ås follows: 1 Amount 190,961.46	
LOCATION: The project area is generally BIDS: Two (2) bids were received on No Bidder	bounded by the Covember 01, 2012 for Company, LLC	or this pro	ject às follows: 1 Amount 190,961.46 543,019.75	CUIC# 20JAI449
LOCATION: The project area is generally BIDS: Two (2) bids were received on No Bidder 1. PM Construction & Rehab, LL 2. Portland Utilities Construction	bounded by the Covember 01, 2012 for Company, LLC	or this pro	ject às follows: 1 Amount 190,961.46 ,543,019.75	CUIC# 20JAI449
LTS No. 4871 LOCATION: The project area is generally BIDS: Two (2) bids were received on No. Bidder 1. PM Construction & Rehab, LL 2. Portland Utilities Construction	bounded by the Covember 01, 2012 for Company, LLC	or this pro	ject às follows: 1 Amount 190,961.46 ,543,019.75	
LTS No. 4871 LOCATION: The project area is generally BIDS: Two (2) bids were received on No. Bidder 1. PM Construction & Rehab, LL 2. Portland Utilities Construction	bounded by the Covember 01, 2012 for Company, LLC	or this pro	oject às follows: I Amount 190,961.46 543,019.75 IORIZATION Other A	CUIC# 20JAI449

Subject: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods	Originator's Initials	Page 2 of 2
WBS# R-000295-0043-4		

AWARD: It is recommended that this construction contract be awarded to PM Construction & Rehab, LLC, with a low bid of \$4,190,961.46.

PROJECT COST: The total cost of this project is \$4,460,510.00 to be appropriated as follows:

_	Bid Amount	\$4,190,961.46
•	Contingencies	\$209,548.54
•	Engineering Testing Services	\$60,000.00
•	DII BIII COLLAR	

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

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

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

<u>M/WSBE PARTICIPATION</u>: The bidder has proposed an MBE participation of 19.00% and WBE participation of 5.00%, which fulfills the goal published in the solicitation.

MBE - Name of Firms Chief Solutions, Inc. 5M Rope & Supply, LLC CBL Industries, LLC J. A. Gamez, Trucking Services Standard Cement Materials, Inc.	Work Description Clean & Televise Sewer Lines Supplies Concrete/Asphalt Pavement Dump Truck Services Manhole Rehabilitation TOTAL	Amount \$146,683.65 \$293,367.30 \$146,683.65 \$83,819.23 \$125,728.84 \$796,282.67	% of Contract 3.50% 7.00% 3.50% 2.00% 3.00% 19.00%
WBE - Name of Firms Deanie Hayes, Inc.	Work Description Supplies TOTAL	Amount \$209,548.07 \$209,548.07	% of Contract 5.00% 5.00%

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

DWK:JC:JI:DR:MB:lt

File No. WW 4257-133

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Fire Hydrant Replacement Project (UMB) WBS No. S-000035-0191-4, File No. WA 11128

Page 1 of 2 Agenda Item #

FROM: (Department or other point of origin):

Department of Public Works and Engineering

Origination Date:

Agenda Date: MAR 2 7 2013

DIRECTOR'S SIGNATURE:

Daniel W. Krueger, P.E.

Council District affected:

All

For additional information contact:

Date and identification of prior authorizing Council action:

A. James Millage Senior Assistant Director Phone: 832.395.5262

RECOMMENDATION: (Summary)

Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding:

\$1,670,144.00 Water and Sewer System Consolidated Construction Fund No. 8500. MP. 2/19/2013

PROJECT NOTICE/JUSTIFICATION: This project is required to replace damaged or irreparable fire hydrants throughout the City.

DESCRIPTION/SCOPE: Work shall include the replacement of fire hydrants and valves, the height correction of fire hydrants, and the relocation of fire hydrants and ancillary work. The contract duration for this project is 365 calendar days. This is an on-call contract with projects assigned on an as-needed basis.

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

BIDS: Bids were received on January 10, 2013. The six (6) bids are as follows:

Bidder		Bid Amount
1.	Grava, LLC	\$1,566,803.50
2.	Metro City Construction, L.C.	\$2,063,606.85
3.	Reytec Construction Resources, Inc.	\$2,132,131.45
4.	Resicom, Inc.	\$2,200,656.05
5.	Calco Construction, Ltd.	\$2,217,787.20
6.	D.L. Elliott Enterprises, Inc.	\$2,234,918.35

REQUIRED AUTHORIZATION

D:44--

CUIC#20AJM278

Finance Department:

Other Authorization:

Other Authorization;

Jun Chang, P.E., D.WRE, Deputy Director

Public Utilities Division

NOT

Date	Subject: Contract Award for Fire Hydrant Replacement Project (UMB), WBS No. S-000035-0191-4, File No. WA 11128	Originator's Initials	Page 2 of <u>2</u>
		1	

AWARD: It is recommended that this construction Contract be awarded to Grava, LLC with a low bid of \$1,566,803.50.

PROJECT COST: The total cost of this project is \$1,670,144.00 to be appropriated as follows:

	Bid Amount	\$1,566,803.50
•	Bld Alliount	\$78,340.50
	Contingencies	* *
•		\$25,000.00
•	Engineering and Testing Services	 ,

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

<u>HIRE HOUSTON FIRST</u>: 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 does not meet the requirements of Hire Houston First; no Hire <u>Houston</u> First firms were within three percent.

<u>PAY OR PLAY PROGRAM:</u> 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.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed M/WBE participation to satisfy the 11% MBE goal, and 9% SBE goal for this project.

the 1176 MIDL goal, and 370 222 5	Work Description	<u>Amount</u>	% of Contract
MBE-Name of Firms 1. MMG Contractors 2. Romar Unlimited, Inc.	Underground Utilities Hauling Dirt	\$144,145.00 \$28,203.00	9.20% <u>1.80%</u>
	TOTAL	\$172,348.00	11.00%
SBE-Name of Firms	Work Description	Amount	% of Contract
1. Nerie Construction	Underground Utilities	<u>\$141,013.00</u>	9.00%
	TOTAL	\$141,013.00	9.00%

DWK:AJM:OS:SM:TC:tc

cc:

A. James Millage

Sam Lathrum Orin Smith, P.E.

File No. WA 11128

REQUEST FOR COUNCIL A	ACTION			
TO: Mayor via City Secretary			RCA#	
SUBJECT:	Category #	Page 1 of 1	Agenda Item#	
Ordinances granting Commercial Solid Waste Operator Franchises	111	110	AH	
Flaticiises	41-	40	2+6T	
FROM: (Department or other point of origin):	Origination D	ate	Agenda Date	
Tina Paez, Interim Director	03/12/2013		MAD 9 8 90 13	
Administration & Regulatory Affairs			IIII J	
DIRECTOR'S SIGNATURE:	Council Distri	cts affected:	MAR 2 7 2015	
71 16		A1.1	414	
For additional information contact:	Date and ident	ALL tification of price	or authorizing	
Juan Olguin Fo Phone: (713) 837-9623	Council Action		n authorizing	
Naelah Yahya Phone: (713) 837-9889				
RECOMMENDATION: (Summary)				
Approve ordinances granting Commercial Solid Waste Operator F	ranchises			
Amount of Funding:		FIN Budget:	<u></u>	
REVENUE				
SOURCE OF FUNDING: [] General Fund [] Grant Fund	[] Enterpr	ise Fund	Other (Specify)	
SOURCE OF FUNDING: [] General Fund [] Grant Fund	[] Enterpr	ise rund [1 Other (openly)	
SPECIFIC EXPLANATION:				
			, , ,	
It is recommended that City Council approve ordinances granting	Commercial S	Solid VVaste O	perator Franchises	
to the following solid waste operators pursuant to Article VI, Chap	ter 39. The pr	oposeu Franc	chisees are.	
1. FCC Environmental				
2. Specialized Waste Systems, LLC				
3. AAA Flexible Pipe Cleaning				
4. Designing Techniques LLC dba Duran'sYourDumpster.c	com			
5. Greg Morales dba Houston Harris County Septic Tank S	Service			
6. Clean Serve Inc.				
7. Berkeley Outside Services Inc.				
8. Latinosi, LLC				
The proposed ordinances grant the Franchisees the right to u	se the City's	public ways t	for the purpose of	
collecting, hauling or transporting solid or industrial waste from co	ommercial pro	perties locate	d within the City of	
Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee				
equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the				
franchise, the City has the right to inspect, and the company has the duty to maintain, required customer				
records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10				
years from the effective date.				
The Pay or Play Program does not apply to the solid waste franch	ises.			
REQUIRED AUTHORIZATION				

Finance Director: F&A 011.A Rev. 5/11/98

	REQUEST FOR COUNCIL ACTION						
	TO: Mayor via City Secretary SUBJECT:	RCA #					
	Ordinances granting Commercial Solid Waste Operator	Category #	Page 1 of	Agenda Item#			
	Franchises	-	ha				
	47-26	655		生			
	FROM: (Department or other point of origin):	Origination D	ate C	Agenda Date			
	Tina Paez, Interim Director	02/27/2013		1 -			
	Administration & Regulatory Affairs DIRECTOR'S SIGNATURE:			MARIE OF GET HE			
^	DIRECTOR'S SIGNATURE:	Council Distri	cts affected:				
Qı.	Ch PS		A1.1	MAR 2 7 2013			
וצי	For additional information contact:	Date and iden	ALL tification of pr	ior authorizing			
	Juan Olguin 370 Phone: (713) 837-9623	Council Action	n:	ior authorizing			
	Naelah Yahya Phone: (713) 837- 9889						
ŀ	RECOMMENDATION: (Summary)						
L	Approve ordinances granting Commercial Solid Waste Operator F	ranchises					
- 1	Amount of runding:	Tarionises	FIN Budget:				
	REVENUE		Tir Duaget				
F	SOURCE OF FUNDING: General Fund Grant Fund						
L	SOURCE OF FUNDING: [] General Fund [] Grant Fund	[] Enterpri	se Fund] Other (Specify)			
	SPECIFIC EXPLANATION:						
	Alta and a second of the second of						
	t is recommended that City Council approve ordinances granting to the following solid waste operators purguent to Addison VI. On the	Commercial S	olid Waste C	perator Franchises			
'	o the following solid waste operators pursuant to Article VI, Chapte	er 39. The pro	posed Fran	chisees are:			
	1. Conroe Chem Can, Inc. dba Tanks A Lot						
	2. Bayou City Environmental Services, L.P.						
	3. Sprint Waste Services, L.P.						
	4. Bayou City Waste Systems, L.P						
	5. Public Sanitary Works, Inc.						
	6. Texas Outhouse, Inc.						
	7. V.F. Waste Service, Inc. dba V. F. Trash Service						
	8. National Construction Rentals, Inc.						
	he proposed ordinances grant the Franchises at the state						
C	the proposed ordinances grant the Franchisees the right to use	e the City's p	ublic ways t	for the purpose of			
H	ollecting, hauling or transporting solid or industrial waste from cor- ouston. In consideration for this grant, each Franchisee agrees	nmercial prop	erties locate	d within the City of			
	155. 15 17 St titoli dillingi ningg leveline navanje dilatteriv	LA MARIEU Ca					
1	and the company by	ac tha duty to					
1	To the dailing regular business hours. The hanchise contains the	City's standa	rd rologog e.	المسالية والأفاح والمسامين والمسالم			
1	real and termination, liquidated dalilages and force maleline pro	ovisions. The	proposed fra	anchise term is 10			
) ye	ears from the effective date.			79			
TI	ne Pay or Play Program does not apply to the solid waste franchise	00					
	- C The series of the solid waste HallClist						

<u> </u>							
<u></u>	REQUIRED AUTHORIZAT	ION					
	nance Director: A 011.A Rev. 5/11/98	-					
1 10	A ULLA REV. 3/11/98						

REQUEST FOR COUNCIL AC	TION	RCA	#
TO: Mayor via City Secretary SUBJECT: A motion to set a public hearing date regarding the designation of a Tax Abatement Reinvestment Zone for Cyrus One, LLP (Cyrus One Zone).	Category #	Page 1 of 1	Agenda Item#
FROM: (Department or other point of origin): Andy Icken, Chief Development Officer Mayor's Office	Origination [3 21 1	Date 3	Agenda Date MAR 2 7 201
SIGNATURE:	Council District "A" -		d:
Gwendolyn Tillotson Phone: 832-393-0937	Date and ide authorizing (date 9/16/09;	Council Actio	on: 2009-858,
RECOMMENDATION: (Summary) That City Council adopts a motion regarding the designation of a Tax Abatement Reinvestment Zone for	to set an Apr Cyrus One, L	il 10, 2013 pu LP (Cyrus Or	ublic hearing date ne Zone).
Amount of Funding: Not Applicable		Finance Bu	dget:
SOURCE OF FUNDING: [] General Fund [] Grant Fund [] Other (Specify)	[] Ente	rprise Fund	
cities' tax abatement guidelines and criteria expire after two years. guidelines and criteria on December 14, 2011 continuing the Citagreements as well as modified the language such that competitive sapplicant is considering an alternate location for the project and restandards was added to the LEED abatement section. Sec. 312.201 body holds a public hearing before it can adopt an ordinance designation. Cyrus One, LLP is a retailer of datacenter capacity providing data	ty's eligibility siting evidence furbishment of the Tax Co ing an area as	to enter into e shall be sub of an existing de requires to a reinvestmo	o tax abatement omitted only if the gracility to LEED hat the governing ent zone.
clients. The Cyrus One facility located on 5170 Westway Park Drive, megawatts on approximately 6 acres of land adjacent to the exist expansion of its existing facility at 5150 Westway Park Drive. Cyrus to the City on June 4, 2012. The proposed abatement will entail job property relating to the construction of a new facility. Additional invest and other technology related to the service.	Houston, 770 ting Cyrus O One submitte retention, inv	41, will includine facility are facility are de tax abate vestment in r	de capacity for 12 nd represents an ement application eal and personal
The City reviewed the application and the tax abatement agreement is seeking any variance from the City.	is currently in	process. Th	e applicant is not
cc: Marta Crinejo, Agenda Director Anna Russell, City Secretary David Feldman, City Attorney Deborah McAbee, Senior Assistant City Attorney			
REQUIRED AUTHORIZATION	ON		
Finance Director: Other Authorization:	Other	Authorization	·



MOTION NO. 2013

MOTION by Council Member Bradford that the recommendation of the Purchasing Agent, for purchase of Meningococcal Vaccine from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Health and Human Services Department, S08-E24506, be adopted, and authority is hereby given to issue a purchase order to the State contract supplier, Novartis Vaccines and Diagnostics, in the total amount of \$54,417.60.

Seconded by Council Member Costello

Council Member Adams absent on personal business

Council Members Hoang and Gonzalez absent on City business

On 3/20/13 the above motion was tagged by Council Member Brown.

Subject: Purchase of Meningococcal Vaccine from the State of Texas Procurement and Support Services Contract for the Health & Human Services Department. S08-E24506 FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department DIBLECTOR'S SIGNATURE For additional information contact: From Phone: (832) 393-8726 Phone: (832) 393-8726 Page 1 7 2013 Mark 5 8 784 Council District(s) affected Fund Identification of prior authorizing Council Action: Page 2 7 2013 Mark 5 8 784 Council District(s) affected Fund Identification of prior authorizing Council Action: Page 3 7 2013 Page 1 7 2013 Mark 5 8 784 Mark 5 8 784 Council District(s) affected Fund Identification of prior authorizing Council Action: Page 3 7 2013 Date and Identification of prior authorizing Council Action: Page 3 7 2013 Date and Identification of prior authorizing Council Action: Page 3 7 2013 Date and Identification of prior authorizing Council Action: Page 4 7 2013 Date and Identification of prior authorizing Council Action: Page 4 7 2013 Date and Identification of prior authorizing Council Action: Page 4 7 2013 Date and Identification of prior authorizing Council Action: Page 4 7 2013 Date 3 1 2013 Date 3 1 2013 Date 3 1 2013 Date 3 2 2 1 2013 Date 3 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	TO: Mayor via City Secretary	REQUEST FOR COU	NCIL ACTION		
Calvi Purchasing Agent Administration & Regulatory Affairs Department DIRECTOR'S SIGNATURE Dar additional information contact: Kathy Barton Phone: (832) 393-5045 Ray DuRousseau Phone: (832) 393-8726 Phone: (832) 393-8726 Date and Identification of prior authorizing Council Action: Dar additional information contact: EXECOMMENDATION: (Summary) Approve the purchase of meningococcal vaccine from the State of Texas Procurement and Support Service Contract in the total amount of \$54,417.60 for the Health & Human Services Department. Finance Budget Finance Budg	Subject: Purchase of Menin Procurement and Support Services Department.	gococcal Vaccine from the Sta Services Contract for the Healt	e of Texas C		T
Council District(s) affected Phone: (632) 393-5045 Phone: (632) 393-5045 Phone: (632) 393-5726 Provided Phone: (632) 393-5045 Phone: (632) 393-5726 Provided Phone: (632) 393-5726 Recommendation contact: Kathy Barton Ray DuRousseau Recommendation contact: Kathy Barton Recommendation contact: Council District(s) affected Pate and Identification of prior authorizing Council Action: Date and Identification of prior aut	FROM (Department or other p	oint of origin):	Origination Date	e	Agenda Date
Administration & Regulatory Affairs Department DIRECTOR'S SIGNATURE For additional information contact: Kathy Barton Phone: (832) 393-5045 Ray DuRousseau Phone: (832) 393-8726 Phone: (832) 393-8726 Phone: RECOMMENDATION: (Summary) Approve the purchase of meningococcal vaccine from the State of Texas Procurement and Support Service Contract in the total amount of \$54,417.60 for the Health & Human Services Department. Pinance Budget Finance Budget Finan					
For additional Information contact: **Cathy Barton** Ray DuRousseau** Phone: (832) 393-8726 **Ray DuRousseau** Phone: (832) 393-8726 **Recommendation: (Summar)** Approve the purchase of meningococcal vaccine from the State of Texas Procurement and Support Service Contract in the total amount of \$54,417.60 for the Health & Human Services Department. **Tinance Budget** **Finance B	Administration & Regulator	Affairs Department	March 08, 2	2013	MAR 2 0 20
Per additional Information contact: Karty Barton Phone: (832) 393-5045 Ray DuRousseau Phone: (832) 393-5045 Phone: (832) 393-8726 RECOMMENDATION; (Summary) Approve the purchase of meningococcal vaccine from the State of Texas Procurement and Support Service Contract in the total amount of \$54,417.60 for the Health & Human Services Department. Award Amount: \$54,417.60 Second Revenue (Fund - 2002) SPECIFIC EXPLANATION: The Director of the Health & Human Services Department and the City Purchasing Agent recommend the State of Texas Procurement as Support Services Contract through the State of Texas Cooperative Purchasing Agent recommend the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program in the total amount order to the State contract supplier, Novartis Vaccines and Diagnostics. This vaccine will be administered the Health Department's Sharpstown Health Clinic vaccine center, located at 6201 Bonhomme Street. This purchase consists of 160 packages (5 doses each) of injectable vials of meningococcal vaccine. The vaccine will be used to immunize college students and persons traveling to foreign countries. Hire Houston First: This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicite procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicite procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicite procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicite procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicite procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicite procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicite procurement in the State of Texas Purchasing Program. REQUIRED AUTHORIZATION	DIRECTOR'S SIGNATURE	y with a Dopartition	Council District((s) affected	
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MOTION NO. 2013



MAR 2 7 2013

MOTION by Council Member Bradford that the recommendation of the Finance and Administration Department, to amend Motion No. 2009-0922, passed and adopted December 16, 2009, which authorized award for purchase of Tech-Related Products/Services through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities for Various Departments, E23418-A1, be adopted, and Motion No. 2009-0922, is hereby amended to increase spending authority on award to GTSI Corp. from \$6,000,000.00 to \$8,500,000.00 and authority is hereby given to issue purchase orders.

Seconded by Council Member Costello

Council Member Adams absent on personal business

Council Members Hoang and Gonzalez absent on City business

On 03/20/2013 the above motion was tagged by Council Member Brown.

REQUEST FOR COUNCIL ACTION **TO:** Mayor via City Secretary **RCA#9640** Subject: Amend Council Motion for the Purchase of Tech-Related Category # Page 1 of 2 Agenda Item Products/Services through the Master Intergovernmental Cooperative 4 Purchasing Agreement with U.S. Communities for Various Departments/E23418-A1 FROM (Department or other point of origin): **Origination Date** Agenda Date Calvin D. Wells City Purchasing Agent March 08, 2013 Administration & Regulatory Affairs Department DIRECTOR'S SIGNATURE Council District(s) affected For additional information contact: All Date and Identification of prior authorizing Charles T. Thompson Phone: (832) 393-0082 **Council Action:** Douglas Moore Council Motion No. 2009-0922; passed Dec. 16, Phone: (832) 393-8724 2009 **RECOMMENDATION:** (Summary) Amend Council Motion No. 2009-0922, to increase the spending authority for GTSI Corp. from \$6,000,000.00 to \$8,500,000.00 for the purchase of tech-related products/services through the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with U.S. Communities for various departments. **Finance Budget** Spending Authority Increased by: \$2,500,000.00 Various funds for various departments **SPECIFIC EXPLANATION:** The Director of the Houston Information Technology Services (HITS) and the City Purchasing Agent recommend that City Council amend Council Motion No. 2009-0922, to increase the spending authority for GTSI Corp. from \$6,000,000.00 to \$8,500,000.00 for the purchase of tech-related products/services through the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with U.S. Communities for various departments and that authorization be given to issue purchase orders, as necessary, to the U.S. Communities

Lead Public Agency contractor, GTSI Corp. All GTSI Corp. purchases citywide will require HITS approval and the Strategic Purchasing Division (SPD) will be responsible for processing all GTSI Corp. purchase orders Individual purchases over \$300,000.00 will continue to require separate Council approval. Additionally, HITS in conjunction with the Finance Department will continue to monitor detailed spending and provide reports to City Council when required.

The initial spending authority granted to GTSI Corp. was approved by Council Motion No. 2009-0922, passed December 16, 2009 in an amount not to exceed \$6,000,000.00. Expenditures as of March 6, 2013 totaled \$5,895,749.88. Due to the contract between the U.S. Communities Lead Public Agency and GTSI Corp. being extended for one additional year, the additional spending authority is necessary to allow the City to continue to purchase tech-related products/services from GTSI Corp. through April 30, 2014 when the first option year will expire. Additionally, due to the urgent requirements of the City Departments needing continued future services, and if the U.S. Communities Lead Public Agency elects to exercise its second option year of three, it is anticipated that the City Departments will seek City Council approval for additional spending authority in approximately eleven months; at which time a new request for council action will be submitted.

GTSI Corp will provide technology products and services for all City Departments; this will significantly decrease the amount of staff time required to develop specifications and bid items for IT-related software. hardware, equipment and related services. The utilization of the MICPA allows the City to leverage numerous existing US governmental contracts with over 38,000 participating agencies with an estimated purchasing

REQUIRED AUTHORIZATION							
Finance Department:	Other Authorization:	Other Authorization:					

Date: 3/8/2013 Subject: Amend Council Motion for the Purchase of Tech-Related Products/Services through the Master Intergovernmental Cooperative Purchasing Agreement with U.S. Communities for Various Departments/E23418-A1	Initials MS	
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power value of \$1.5 billion annually. Moreover, the City will receive the (most favored nation rate). As a result, the City shall capitalize on significant cost savings.

The City is eligible to participate in the U.S. Communities Purchasing Alliance as set out in Section 791.011 of the Government Code and such purchases satisfy State bid laws as set out in Section 791.025 of the Government Code.

M/WBE Compliance:

All purchases made pursuant to the MICPA with U.S. Communities Lead Public Agency contractors valued at \$100,000.00 or greater are assessed in terms of divisibility of the work and the M/WBE capacity related to the type of work to be performed. The City assigns the M/WBE participation goal in the procurement phase and it will be referenced on each purchase order issued.

Buyer: Murdock Smith III

TO: Mayor via City Secretary	REQUEST FOR COUNCIL	ACTION H	D13-26 Res
SUBJECT: Approval of a City of Hou	iston Resolution supporting and an	oranina Cata	Page Agenda tem
the proposed construction of Hurshousing complex located at the NW qu	tbourne Crossing, an affordable	rental #	1-of 1 # 1
PROM:	Total Road and III To.	Origination Date	Agenda Date
Neal Rackleff, Director		3/5/2013	
Housing and Community Development DIRECTOR'S SIGNATURE:	t . 1 1/		M AR 2 0 2013
D ()/es	a Musha	Council District affe	ected: MAR 2 7 2013** District I
For additional information contact:	Marc Eichenbaum		ion of prior authorizing
Phone:	713-865-4557	Council action:	_
RECOMMENDATION: The Department construction of Hurstbourne Crossing	ent recommends approval of a Re	solution supporting a	nd approving the proposed
construction of Hurstbourne Crossing, and H 10.	an affordable rental housing compl	ex located at the NW	quadrant of Oats Road and
Amount of Funding:			
	Not Applicable		Finance Budget:
SOURCE OF FUNDING []	General Fund [] Grant	Fund [] F	Interprise Fund
	No Funding is Required		incipilee i ullu
SPECIFIC EXPLANATION:	red : unumg is itequired		
Hurstbourne Crossing, LP, the developed the NW quadrant of Oats Road and IH of Housing and Community Affairs (TDH supported by housing tax credits or privipatatement of support from the Govern considered for Housing Tax Credits. Due to outstanding need, the Housing are This item was presented to the Housing,	HCA). Because the City of Houstor rate activity bonds, TDHCA require ing Body of the municipality to s	g Tax Credits (HTC) for has twice the state is that the developer of the ubmit with its application to the trecommends a	rom the Texas Department average of units per capita obtain approval and written ation for the project to be proval of this Resolution.
Cc: City Secretary Legal Department Mayor's Office			
	REQUIRED AUTHORIZATION		
nance Department:	Other Authorization:	Other Auth	orization:

ਹੈਂO: ੍ਰ Mayor via City Secretary	REQUEST FOR COUNCIL	ACTION H	CD13-24Rap
SUBJECT: Approval of a City of Housto	n Resolution supporting and app	proving Category	Page Agenda tem
the proposed construction of MainStreet complex for seniors located at Dunham R	Kingwood, an affordable rental h	ousing #	1 of 1 #6/2#
FROM:		Origination Date	Agenda Date
Neal Rackleff, Director		3/5/2013	MAR 2 0 2013
Housing and Community Development DIRECTOR'S SIGNATURE:		Council District affor	octod: MAR 2 7 com
Olah	Dack 100		District E
	Marc Eichenbaum 13-865-4557	Date and identificat Council action:	ion of prior authorizing
RECOMMENDATION: The Department			
construction of MainStreet Kingwood, an	affordable rental housing comple	ex for seniors located	at Dunham Road. Finance Budget:
Amount of Funding:	ot Applicable		Finance Budget:
	General Fund [] Gran	Fund []	Enterprise Fund
SOURCE OF FORDING	No Funding is Require		interprise i una
SPECIFIC EXPLANATION:			
MainStreet Kingwood, LP, the developer for seniors located at Dunham Road, is a Housing and Community Affairs (TDHCA supported by housing tax credits or private statement of support from the Governing considered for Housing Tax Credits.	currently applying for Housing TA). Because the City of Houstor te activity bonds, TDHCA requiring Body of the municipality to	Tax Credits (HTC) from has twice the state es that the developer submit with its applications.	m the Texas Department of average of units per capita obtain approval and written cation for the project to be
Due to outstanding need, the Housing and	d Community Development Depart	artment recommends	approval of this Resolution.
This item was presented to the Housing, S	Sustainable Growth and Develop	ment Committee on M	March 19, 2013.
cc: City Secretary Legal Department Mayor's Office			
· · · · · · · · · · · · · · · · · · ·	REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:		uthorization:

CUIC ID# 20UPA222

Other Authorization:

REQUIRED AUTHORIZATION LTS# 1745

Finance Department:

Authorization:

Deputy Director

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

Planning and Development Services Division

Marie

	SUBJECT: Ordinance adopting Impact Fees for drainage in accordance with Chapter 395 of the Texas Local Government Code and amending Chapter 47 of the Code of Ordinances to set the Drainage Impact Fee.	Originator's Initials	rage 2 of <u>2</u>
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The report establishes the maximum allowable drainage impact fee that can be assessed within each Service Area as:

SERVICE AREA	MAXIMUM FEE PER SERVICE UNIT
Addicks Reservoir	\$0.00
Barker Reservoir	\$0.00
Brays Bayou	\$8.63
Buffalo / White Oak	\$16.38
Clear Creek	\$0.39
Greens Bayou	\$13.41
Hunting Bayou	\$10.24
San Jacinto	\$0.00
Ship Channel	\$0.00
Sims / Vince	\$57.24

Under Chapter 395 of the Local Government Code, the Ordinance adopting the Impact Fees cannot be adopted under an emergency ordinance; therefore, it must be read at two (2) separate City Council meetings. State Law also requires City Council to hold public hearings before adopting the Land Use Assumptions and Capital Improvement Plan and the Drainage Impact Fee calculations. These occurred on Wednesday, January 16, 2013, and Wednesday, March 6, 2013, respectively.

RECOMMENDATION: Approve an ordinance accepting the maximum allowable Impact Fees for Drainage within each Service Area and amendments to Chapter 47 of the Code of Ordinances setting the Drainage Impact Fees, in accordance with Chapter 395 of the Texas Local Government Code.

ORDINANCE ADOPTING DRAINAGE IMPACT FEES IN ACCORDANCE WITH CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE ("CHAPTER 395"); AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS AND CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR SEVERABILITY.

* * * *

WHEREAS, Houston voters approved an amendment to the City Charter known as Proposition 1 on the ballot, commonly referred to as "ReBuild Houston," at an election held on November 2, 2010, to "provide for the enhancement, improvement and ongoing renewal of Houston's drainage and streets by creating a Dedicated Pay-As-You-Go Fund for Drainage and Streets"; and

WHEREAS, the Charter amendment embodied in Proposition 1 was included in the City Charter as Article IX, Section 22, and reads in pertinent part, "All proceeds of developer impact fees, which beginning in fiscal year 2012, and continuing thereafter shall be imposed in an equitable manner as provided by law to recover allocable costs of providing drainage and streets for properties under development"; and

WHEREAS, City Council passed Ordinance No. 2011-0254, effective date April 6, 2011, to create a Municipal Drainage and Utility System and establish a schedule of drainage charges to help fund ReBuild Houston; and

WHERAS, City Council passed Ordinance No. 2011-1168, effective date December 14, 2011, which created the City Fee Schedule and provided for removing fees from the Code of Ordinances in order to increase administrative efficiency and reduce costs to tax payers; and

WHEREAS, City Council passed Ordinance No. 2012-0097, authorizing a professional services agreement with Kimley-Horn and Associates, Inc., countersigned

on February 7, 2012, in part to develop land use assumptions and a capital improvement plan for the calculation of impact fees consistent with Article IX, Section 22 (the "Study"); and

WHEREAS, City Council received the Study, which the City Secretary's Office made available to the public on December 12, 2012; and

WHEREAS, the City published notice of a public hearing on adoption of land use assumptions and a capital improvement plan for possible adoption of impact fees for drainage in the Houston Chronicle on December 16, 2012, in accordance with Chapter 395; and

WHEREAS, City Council held a public hearing on January 16, 2013, and upon adoption of the aforementioned land use assumptions and a capital improvement plan, known internally as the Drainage Impact Fee Improvement Plan and

WHEREAS, City Council adopted the aforementioned land use assumptions and the Drainage Impact Fee Improvement Plan on January 30, 2013; and

WHEREAS, the City published notice of a public hearing on the adoption of drainage impact fees in accordance with Chapter 395 on February 3, 2013 in the Houston Chronicle, in accordance with Chapter 395; and

WHEREAS, the Planning Commission held a special meeting on February 21, 2013 to review and comment upon the drainage impact fees per service unit in each respective service area as proposed by the Study and recommended by the Department of Public Works and Engineering;

WHEREAS, on February 26, 2013, the City Secretary received and made available to the public the Planning Commission's special meeting minutes, containing the comments on the drainage impact fees per service unit in each respective service area;

WHEREAS, City Council held a public hearing on the adoption of drainage impact fees on March 6, 2013, in accordance with Chapter 395, City Council now intends to adopt impact fees; and

WHEREAS, City Council intends to adopt the maximum fee per service unit as the actual impact fee per service unit, and therefore, no increases to the actual impact fee per service unit may occur until the City amends the drainage impact fee improvement plan; NOW, THEREFORE,

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

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That, based upon Section V.C. of the Study and the recommendations of the Planning Commission and the Department of Public Works and Engineering, City Council hereby adopts the drainage impact fees per service unit in the table below ("service unit rates"):

SERVICE AREA	SERVICE UNIT RATES
Addicks Reservoir	\$0.00
Barker Reservoir	\$0.00
Brays Bayou	\$8.63
Buffalo / White Oak	\$16.38
Clear Creek	\$0.39
Greens Bayou	\$13.41
Hunting Bayou	\$10.24
San Jacinto	\$0.00
Ship Channel	\$0.00
Sims / Vince	\$57.24

Section 3. That City Council hereby accepts from the Planning Commission comments concerning the Proposed Amendments, which were placed on file with the City Secretary on February 26, 2013, and are attached hereto as "Exhibit B".

Section 4. That the Director of the Finance Department shall amend the City Fee Schedule to reflect the unit service rates established by this Ordinance.

Section 5. That Chapter 47 of the Code of Ordinances, Houston, Texas, is hereby amended to add Article XV to read as follows:

"ARTICLE XV. DRAINAGE IMPACT FEES

DIVISION 1. GENERAL PROVISIONS

Sec. 47-881. Purpose.

This article is intended to ensure the provision of adequate public drainage facilities to serve new development in the city by requiring each such development to pay its pro rata share of the costs of drainage capital improvements necessitated by and attributable to such new development.

Sec. 47-882. Authority.

This article is adopted pursuant to Chapter 395 of the Texas Local Government Code and pursuant to the Houston City Charter, Article IX, Section 22. The provisions of this article shall not be construed to limit the power of the city to utilize other methods authorized under state law or pursuant to other city powers to accomplish the purposes set forth herein, either in substitution for or in conjunction with this article.

Sec. 47-883. Definitions.

As used in this article, the following terms and phrases shall have the following meanings:

Assessment means the determination of the amount of the service unit rate that may be imposed on new development pursuant to this article as determined at the time specified in section 47-891 of this Code.

Building permit means:

- a. With respect to buildings or premises within the corporate limits of the city, the general permit required by the Construction Code; or
- b. With respect to buildings or premises outside the corporate limits of the city or for which a general

permit under the Construction Code is not required, a plumbing permit under the Construction Code or under section 47-14 of this Code.

Credit means a certain number of service units attributable to an improved lot with impervious surface for purposes of article XIV of this chapter.

Drainage means water transported by or detained in features and improvements, whether natural or man-made, such as streets, curbs, bridges, catch basins, channels, conduits, creeks, culverts, detention ponds, ditches, draws, flumes, pipes, pumps, sloughs, treatment works, and any appurtenances, that use force or gravity to draw off surface water from land, carry the water away, collect, store, or treat the water, or divert the water into natural or man-made watercourses.

Drainage benefit area means an area within the city's extraterritorial jurisdiction that may reasonably connect to the city's drainage system.

Drainage capital improvement or drainage impact fee improvement means a drainage facility with a life expectancy of three or more years, to be owned or operated by or on behalf of the city.

Drainage capital improvement plan or drainage impact fee improvement plan means the plan adopted by city council at least every ten years, as may be amended from time to time, identifying the drainage facilities and their associated costs, necessitated by and attributable to new development, to be financed in whole or in part through drainage impact fees imposed and collected pursuant to this article.

Drainage facility means an improvement to land designed or utilized, in whole or part, for the purpose of collecting, storing, pumping or conveying drainage, including an existing facility, the capacity of which has been expanded to service new development. Drainage facility includes land, roads, easements or structures and all appurtenances associated with such facilities.

Drainage impact fee means a fee imposed by city council on new development to fund or reimburse the costs of drainage capital improvements necessitated by and attributable to such new development. Drainage impact fees do not include requirements for the dedication or construction of rights-of-way or easements for such facilities, nor payment by persons receiving service from a drainage facility of connection charges imposed to reimburse a property owner for the costs of extending such drainage facility.

Drainage service area means an area designated as such by city council within a certain watershed boundary located within the corporate limits of the city.

Drainage system means the drainage and drainage facilities owned or controlled in whole or in part by the city, including provisions for additions to the system. Drainage system components, including but not limited to streets, sidewalks, other dedicated improvements, and supporting rights-of-way shall not be considered residential or nonresidential property as defined herein.

Impervious surface means any area that has been compacted or covered such that it does not readily absorb water or does not allow water to percolate through to undisturbed underlying soil strata. Surface materials considered impervious shall include, but not be limited to, bricks, pavers, concrete, asphalt, compacted oil-dirt, compacted or decomposed shale, oyster shell, gravel, or granite, and other similar materials. Surface features utilizing such materials and considered impervious shall include, but not be limited to, decks, foundations (whether pier and beam or slab), building roofs, parking and driveway areas, sidewalks, compacted or rolled areas, paved recreation areas, swimming pools, and other features or surfaces that are built or laid on the surface of the land and have the effect of increasing, concentrating, or otherwise altering water runoff so that flows are not readily absorbed.

Improved lot means a lot or a tract of land on which the city has recorded impervious surface as determined under Article XIV of this chapter.

New development means a project involving the construction, reconstruction, redevelopment, conversion, structural alteration, relocation or enlargement of any structure, or any use or extension of the use of land, that requires either the issuance of a building permit or connection to the city's drainage system and has not been exempted from compliance by this article or state law.

Offset means the amount of the reduction of a drainage impact fee, determined under this article or pursuant to administrative guidelines, that is equal to the value of a drainage

facility or portion thereof included in the drainage impact fee improvement plan and is constructed or financed by a property owner without reimbursement from other city funds.

Plat means the plan or map of a subdivision to be filed for record with the county clerk in the county in which the property is located. Plat includes a replat, but excludes a development plat.

Property owner means the owner in fee of a tract or parcel of land upon which new development is to be located, or his authorized representative.

Service unit means 1,000 square feet of impervious surface rounded to the nearest ten square feet for purposes of impact fee calculation.

Service unit rate means the drainage impact fee that the city charges per service unit within a certain drainage service area.

Sec. 47-884. Drainage impact fees, in general.

- (a) Except as otherwise provided herein, each new development within any of the city's drainage service areas shall pay a drainage impact fee for drainage facilities necessitated by and attributable to that development as provided in division 2 of this article. Drainage impact fees shall be assessed against and collected from new development on the basis of service units and shall vary depending on the drainage service area in which the property is located.
- (b) The maximum drainage impact fee per service unit assessed against a new development is provided in the drainage impact fee improvement plan. The service unit rates shall never exceed the maximum drainage impact fee per service unit.
- (c) The service unit rates shall be published in the city fee schedule and shall be collected from new development as stated in this article. On July 1 of each year beginning on July 1, 2018, and to the extent allowed by subsection (b), the director shall cause the service unit rates in the city fee schedule to be adjusted by an amount equal to the percentage increase (if any) in the designated index for the preceding calendar year multiplied by the service unit rates. The director shall annually calculate the effective service unit rates for each drainage service area on or before June 1 of each year and make all calculations available in his or her office upon request for public inspection.

For purposes of this subsection, the term *designated index* shall mean the United States Producers Price Index for All Commodities (1982=100), as published by the Bureau of Labor Statistics, U.S. Department of Labor. If such index is subject to adjustment later, then the city shall use the adjusted index, together with any correlation factor necessary to relate the later adjusted index to the earlier index, as published by the entity publishing the index, or if such publication is discontinued, the designated index shall then refer to comparable statistics on changes in the cost of living for urban consumers as the same may be computed and published by an agency of the United States or by a responsible financial periodical of recognized authority, which agency or periodical shall be selected by the city.

(d) City council may amend drainage impact fees to be collected from new developments without amending the service unit rates or drainage impact fee improvement plan adopted herein, as long as the impact fees to be collected do not exceed the maximum drainage impact fees per service unit that may be assessed for such facilities.

Sec. 47-885. Drainage service areas

- (a) The department shall keep, update, and make available to the public maps of the drainage service areas. The drainage service areas may be amended from time to time as part of a new or amended drainage impact fee improvement plan. When the city's corporate limits are altered by general purpose annexation to include land within a natural watershed boundary, the land so annexed shall become part of a drainage service area.
- (b) At the time of assessment, the utility official shall determine the appropriate drainage service area or areas for the new development based on the developer's application and the map(s) attached to the most recent land use assumptions adopted by city council.

Secs. 47-886--47-890. Reserved.

DIVISION 2. ASSESSMENT, COLLECTION AND COMPUTATION OF DRAINAGE IMPACT FEES

Sec. 47-891. Assessment of fees.

Assessment of drainage impact fees against new development shall be based on the drainage impact fee per service unit within the applicable drainage service area, established by city council. Except as otherwise provided herein, the utility official shall assess a drainage

impact	fee	on	any	building	permit	ар	plica	tion 1	for	new	devel	opment
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Sec. 47-892. Time of fee collection.

Drainage impact fees shall be collected at or before the time of issuance of building permits.

Sec. 47-893. Computation of fees.

The department shall compute the drainage impact fees in the following manner:

- (1) Except as otherwise provided in this section, the drainage impact fee shall be calculated by multiplying the applicable service unit rate by the number of service units generated by the new development, rounded to the nearest hundredth.
- (2) The drainage impact fee for new development on an improved lot shall be reduced by a credit determined by the utility official to be equal to the existing impervious surface on which drainage fees are being paid at the time a building permit application is submitted.
- Development of low and moderate cost single family housing (3) is exempt from payment of impact fees. To qualify for this exemption, a house must be a single family residence located within the city limits having an initial purchase price as certified by the property owner that does not exceed the latest available 12-month listing for median price single family housing in the city as published by the Real Estate Center at Texas A&M University. In the event the initial purchase price exceeds this amount, the property owner making the certification shall pay to the city the full amount of the impact fee as calculated under this section. If publication of the median price for single family housing is discontinued by the Real Estate Center at the Texas A & M University, the mayor is authorized to select another publication that lists the median price of single family houses in the city.

¹ The City Secretary shall insert the month and day of this Ordinance's effective date.

- (4) If the new development involves the alteration of existing structures, new impervious surface created by such altered structure or structures shall be converted to additional service units. If the impervious surface for the new development exceeds the existing impervious surface, the amount of the drainage impact fee due shall be the number of additional service units, rounded to the nearest hundredth, multiplied by the drainage impact fee per service unit then in effect. If the impervious surface for the new development is less than or equal to the existing impervious surface, no impact fee is due.
- (5) The amount of each drainage impact fee due shall be reduced by any allowable adjustments in the manner provided in section 47-894 of this Code.
- (6) If the property owner proposes to increase the number of service units for development following payment of the drainage impact fee, the additional drainage impact fees collected for such new service units shall be determined in the same manner as provided in this section.

Sec. 47-894. Determination of service units.

- (a) The utility official shall determine the number of service units generated from a new development based on the information contained in the building permit application along with digital map data associated with tax plats and assessment rolls or other similar, reliable data from independent sources authorized by the director.
- (b) If the utility official determines that sufficient information is provided along with the building permit application to demonstrate that no drainage will ever flow off all or a significant portion of the property, the director may approve an adjustment in the number of service units. Before an adjustment is made, the property owner shall covenant not to change the property to allow drainage to flow off the property without first obtaining a building permit and paying impact fees on any new development. The director may develop guidelines to determine the amount of drainage that will flow off the property and what constitutes a significant portion of the property.

Sec. 47-895. Offsets against drainage impact fees.

(a) A property owner may receive an offset pursuant to a development agreement approved by the city, if

- (1) The property owner constructs or finances a drainage facility included in the drainage impact fee improvement plan;
- (2) The property owner does not receive reimbursement for the drainage facility constructed or financed by the property owner;
- (3) The drainage facility serves only the city drainage system; and
- (4) The offset does not include on-site drainage for the property.
- (b) A drainage facility constructed for an offset pursuant to a development agreement must be constructed within the drainage service area in which the property is located. The offset may be associated with the plat of the property that is to be served by the constructed or financed drainage facility. The amount of the offset shall be determined pursuant to rules established in this section and any administrative guidelines promulgated by the director. In no event shall the offset allowable under this subsection exceed the amount of the drainage impact fees due.
- (c) Any offset associated with new development shall be applied against the drainage impact fee due at the time that the fee for the building permit is collected.
- (d) Any offset provided under this section shall have no effect on on-site drainage requirements associated with the property.

Sec. 47-896. Development agreements in drainage benefit areas.

If the director determines that adequate capacity exists within the drainage system, a property owner within a drainage benefit area may voluntarily enter into a development agreement to connect to the drainage system. The director may authorize a development agreement to allow the property owner to construct facilities consistent with section 47-895 of this Code, and any associated rules and guidelines, or pay charges equivalent to drainage impact fees. The drainage impact fee improvement plan, as amended in accordance with Chapter 395 of the Local Government Code, shall account for the connections pursuant to development agreements under this section and shall include projections for voluntary connections to the drainage system from the drainage benefit area.

Secs. 47-897--47-900. Reserved.

DIVISION 3. ADMINISTRATION

Sec. 47-901. Accounting.

- (a) All drainage impact fees collected within a certain drainage service area shall be deposited in a dedicated fund to which interest is allocated in accordance with Section 22, Article IV of the City Charter. All such amounts, together with all interest earned thereon, shall be used solely for the purposes set forth in subsection (b).
- (b) The drainage impact fees collected pursuant to this article shall be used to finance or recoup the costs of any drainage impact fee improvements identified in the drainage impact fee improvement plan for the applicable drainage service area, including but not limited to the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorneys' fees, and expert witness fees) and fees paid to an independent qualified engineer or financial consultant for preparing or updating the drainage impact fee improvement plan.
- (c) Disbursement of funds shall be authorized by the department at such times as are reasonably necessary to carry out the purposes intended by this article; provided, however, that funds shall be expended within a reasonable period of time, but not to exceed ten years from the date drainage impact fees are deposited in the fund.
- (d) An owner of property for which a drainage impact fee has been paid is entitled to a refund for all or a portion of the fee in the following circumstances:
 - (1) The city denies service to the property on which the impact fees were paid; and
 - a. The city has the drainage facilities to provide service to the property;
 - b. The city has not constructed the drainage facilities within five years of the date the impact fees were collected; or
 - c. The city has not spent the impact fees within 10 years of the date the impact fees were collected.

- (2) After receiving a completed application for an impact fee refund, the department shall issue a refund to the record property owner. The refund shall include interest calculated from the date of collection to the date of refund at the statutory rate provided in Texas Local Government Code Section 395.024, or its successor statute. A drainage impact fee shall be considered expended on a first-in, first-out basis.
- (3) If a refund is due pursuant to paragraph (2), the department shall divide the difference between the amount of expenditures and the amount of the fees collected by the total number of service units for which drainage impact fees have been paid within the service area for the period to determine the refund due per service unit. The refund to the owner shall be calculated by:
 - a. Multiplying the refund due per service unit by the number of service units of the development for which the fee was paid; and
 - b. Determining interest due based on the amount calculated under subsection (d)(3)a.
- (4) Upon completion of all the drainage facilities identified in the drainage impact fee improvement plan for the drainage service area, the department shall recalculate the drainage impact fee per service unit using the actual costs for the drainage facilities. If the maximum drainage impact fee per service unit based upon actual cost is less than the drainage impact fee per service unit paid, the city shall refund the difference if such difference exceeds the drainage impact fee paid by more than ten percent. If the difference is less than ten percent, no refund shall be due. Refund to the record owner shall be calculated by:
 - a. Multiplying such difference by the number of service units of the development for which the drainage impact fee was paid; and
 - b. Determining interest due based on the amount calculated under subsection (d)(4)a.
- (e) The department shall establish adequate financial and accounting controls to ensure that drainage impact fees disbursed from the fund are utilized solely for the purposes authorized. The department

shall maintain and keep financial records for drainage impact fees that shall show the source and disbursement of all fees collected or expended within a certain drainage service area. The records of the fund into which drainage impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

(f) Nothing in this article shall prevent the city from paying all or part of the drainage impact fees due for a new development pursuant to criteria adopted by city council.

Sec. 47-902. Impact fee appeals.

- (a) The property owner or applicant for a new development may appeal the following administrative decisions to an administrative hearing official appointed by the director:
 - (1) The applicability of a drainage impact fee to the development;
 - (2) The amount of the drainage impact fee due;
 - (3) The determination of service units;
 - (4) The applicability of any credit or offset to the development;
 - (5) The amount of any credit or offset; or
 - (6) The amount of a refund due, if any.
- (b) The burden of proof shall be upon the applicant to demonstrate that the administrative decision was not made in accordance with this article or applicable state law.
- (c) The applicant shall file a written notice of appeal with the director within 30 days following the date of the decision from which an appeal is made. If the notice of appeal is accompanied by a payment or other sufficient security satisfactory to the department in an amount equal to the original determination of the drainage impact fee due, the development application may be processed while the appeal is pending. In addition to any other amount collected, the director shall collect from the applicant an administrative fee in accordance with Section 1-14 before considering the applicant's appeal.

Sec. 47-903. Relief procedures.

- (a) Any person who has paid a drainage impact fee, or an owner of land for which a drainage impact fee has been paid, may petition city council to determine whether any duty required by this article or by chapter 395 of the Texas Local Government Code has not been performed within the time so prescribed. The petition shall be in writing and delivered to the city secretary and shall state the nature of the unperformed duties and request that the duties be performed within 60 days of the request. If city council determines that the performance of the duty is required pursuant to this article and is late in being performed, it shall cause performance of the duty to commence within 60 days of the date of the request and to continue until completion. This subsection shall not apply to matters subject to appeal pursuant to section 47-902 of this Code.
- (b) City council may grant a variance from any requirement of this article, upon written request by the property owner subject to the article following a public hearing, but only upon finding that a strict application of such requirement would, when regarded as a whole, result in confiscation of the property.
- (c) If city council grants a variance to the amount of the drainage impact fee due for a new development under this section, it shall cause to be appropriated from other city funds the amount of the reduction in the drainage impact fee to the fund for the drainage service area in which the property is located.

Sec. 47-904. Storm water drainage letters.

- (a) A storm water drainage letter associated with a new development shall automatically expire unless the developer makes progress towards completion of the new development within two years after the developer obtains the storm water drainage letter. If prior to expiration, the developer presents the utility official with evidence of progress towards completion of the project, then the developer shall have an additional two years to complete the project or make additional progress towards completion of the project.
- (b) Progress towards completion of the project shall consist of one or more of the following:
 - (1) Payment or other provision of consideration authorized under this article for drainage impact fees on the new development;

- (2) Execution of a performance bond, naming the city as obligee, for public infrastructure associated with the new development;
- (3) Provision to the utility official of a copy of a substantially complete application necessary for completion of the new development that the developer has filed and actively pursued with the city or any local, state, or federal agency of competent jurisdiction; or
- (4) Presentation to the utility official of documentation conclusively showing that the developer has spent, in aggregate, more than five percent of the most recent appraised market value of the property associated with the new development towards the development of infrastructure facilities."

Section 7. The Department of Public Works and Engineering shall begin collecting drainage impact fees no sooner than one year after the effective date of this Ordinance.

Section 8. If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 9. This Ordinance shall take effect immediately upon final passage and approval by the Mayor; however, in the event the Mayor fails to sign this Ordinance within five days of its passage and adoption, it shall take effect in accordance with Article VI. Section 6 of the Houston City Charter.

PASSED on first reading this _____ day of March, 2013

PASSED AND FINALLY APPROVED on second reading this __ day of

March, 2013.	
	Mayor of the City of Houston
	, and only of Frontier
Pursuant to Article VI, Section 6 foregoing Ordinance is	, Houston City Charter, the effective date of the
	City Secretary
Prepared by Legal Dept. ALC; asw 03/12/2013 Assistance Requested by Daniel W. Krueger, Engineering L.D. File No. 0420900113001	ant City Attorney E., Director, Department of Public Works &
G:\CONTRACT\ALC\Ordinances & RCA's\Chanter	c 47\ Drainage laure 15 1 and 15

Houston and the Greater H	roving and authorizing an agreement louston Partnership, Inc.	between the City o	f Category #	Page 1 of 1	AGEN	IDA ITEM
FROM (DEPARTMENT OR O Mayor's Office	THER POINT OF ORIGIN):	Origination 3/12/201		AGENDA I 3/20/201		13
DIRECTOR'S SIGNATURE:	DEVELOPMENT OFFICER	COUNCIL DIS	STRICT AFFECTED		L 272	2013
FOR ADDITIONAL INFORMAT GWENDOLYN TILLOTSON 832-393	ION CONTACT: -0937	DATE AND IDI	ENTIFICATION OF	PRIOR AUTH	IORIZIN	G
RECOMMENDATION: Ap Houston Partnership, Inc	prove an ordinance authorizing a	n agreement betv	veen the City o	f Houston	and the	Greater
AMOUNT AND SOURCE O Initial Allocation: FY13 - Out Years - \$752,250.00 Maximum Contract Amou		0) (FUNDED BY HOTEL	Occupancy Tax (DNLY)		
System ("HAS") had a joint an new air services to the City of for each of CEFD and HAS, i	IS: Historically the Convention and Erd equally funded contract with the Great Houston and other specified services. In esulting in a contract between the CEFI erenewal of the CEFD part of the contract	ter Houston Partnersh i 2011, this contract w D and the GHP and	hip (the "GHP")to vas separated into	promote ecor two specifica	nomic de ally defin	evelopment ed services
Houston Chief Development of effective January 1, 2013, with CDO requested a 90 extension effective through the earlier of	separated to form the Houston First Cor Officer, who recommends that City Cou the option to renew for two successive of on from the December 31, 2012 termina the contract renewal date or March 31, ast year's amount of \$376,125.00.	uncil approve a one- one-year terms at the ation date on the 20	year agreement request of the Cl 012 contract. The	between the DO. On Dece extension v	City and ember 20 vas gran	d the GHP), 2012, the nted and is
economic prosperity. GHP's E and corporations to look to Ho provide various professional s activities, plus the direct effect	to promote Houston as the location of a conomic Development Division, that incluston for both expansions and relocation ervices to further augment the City's a of publicizing and promoting Houston for the Houston area and is expected to	dudes its International ons to increase invest economic developme in GHP publications	al Business group, stment efforts and ent efforts. The , websites and of	works to soll job creation collateral implication implication in the community works with the community works and the community works with the community works to soll works to sold works to soll works to sold wor	icit site of in House of the contract of the c	consultants ston and to these GHP
Houston Convention and Visito demographic data, which are us	its research capabilities available on a rs Bureau to facilitate the creation of prosed as sales and marketing tools to sell the ps that represent potential clients for the	ofessional, sophistica the benefits and capa	ated marketing republicities of the City	ports that inci	lude eco	nomic and
are more efficiently supported a add constructive input to GHP's	emphasizes the consultation and joint particularly dendorsed by GHP actions. In particular marketing campaigns, web and promotes benefitted by the Economic Developn	ular, we have expand tional material that is	led the media sec expected to enha	tion, which all	lows for ability t	the City to to highlight
promote minority businesses in Business Enterprise programs a	and coordinates activities with the Hous the Houston area. This effort will cont s described in Chapter 15, Article V of th iltored by Office of Business Opportunitie	tinue under the agree ne City's Code of Ordi	ement to support	the City's Mi	nority an	nd Women
The proposed contract requires n this case, the contractor provi	compliance with the City's 'Pay or Play' des health benefits to eligible employees	ordinance regarding is in compliance with C	health benefits for City policy.	employees o	of City co	ntractors.
	REQUIRED AUT	HORIZATION				
FINANCE DEPARTMENT:	OTHER AUTHORIZATION:		OTHER AUTHORI	ZATION:		

	REQUEST FOR COU	NCIL ACTION			
TO: Mayor via City Secretary					
Subject: Approve an Ordinand	e Amending Ordinance 2011	-800, as	Category #	Page 1 of 2	Agenda Item
amended, to increase the ma	ximum contract amount and t	o authorize a	4		
Change Order for additional	consulting services for the Ho	uston		-/	
Permitting Center Improvement	ent Project in the City's Contra	ct with		1 6	4/201
Alvarez & Marsal Business C	onsulting, LLC			1 4	1 57
FROM (Department or other poi	nt of origin):	Origination I	Date Date	Agenda Date	
Kelly Dowe					
Finance Director		March 1	2, 2013	1	2 7 2013
Finance Department				MAR	2013
DIRECTOR'S SIGNATURE		Council Distr	ict(s) affected		
		All			
lucy Done					
For additional information contact	t:	Date and Idea	ntification of p	rior authorizii	ng
Kelly Dowe	Phone: (832) 393-9051	Council Actio			•
Bruce Haupt	Phone: (832) 393-9110	Ordinance 2	2011-800 on	September 1	14, 2011;
,		amended or	1 July 1, 201	2 with Ordina	ance 2012-
		629	•		
RECOMMENDATION: (Summa	Ty)				
Approve an ordinance amen	ding Ordinance 2011-800, as	amended by	Ordinance	2012-629, to	o increase a
maximum contract amount a	nd authorize a Change Ord	er for addition	nal consultir	na convices i	in the City's

contract with Alvarez & Marsal Business Consulting, LLC to include the Houston Permitting Center Improvement Project.

AMOUNT & SOURCE OF FUNDING:

Maximum Contract Amount: \$2,999,183.65

Increased Contract Amount: \$392,000 – Building Inspection Fund (Fund 2301)

SPECIFIC EXPLANATION:

On September 14, 2011, City Council authorized a contract through Ordinance 2011-0800 between the City of Houston and Alvarez & Marsal Business Consulting, LLC ("A&M") for consulting services for Citywide Accounts Receivables and Collections Improvement for the Finance Department, and appropriated \$1,147,183.65 out of the Miscellaneous Capital Projects/Acquisitions Commercial Paper Series E Fund. Because of the Phase I rate of return, as well as the developed expertise of A&M consultants, the Contract was subsequently amended by City Council on July 1, 2012 through Ordinance 2012-629, to increase the maximum contract amount to \$2,607,183.65. As of today, the contractor has been paid \$1,873,300 from the proceeds generated from the Accounts Receivable and Collections Improvement Project.

The Finance Department and A&M have signed off on a Change Order to add the Houston Permitting Center Improvement Project to the scope of services of the contract. The Finance Department recommends that City Council 1) approve the above-mentioned Change Order for additional consulting services for the Houston Permitting Center Improvement Project and 2) approve an ordinance amending Ordinance No. 2011-800, as amended, to increase the maximum contract amount to \$2,999,183.65. We recommend extending this contract with A&M again because of their unique subject matter knowledge on City of Houston permitting and licensing developed through the original contract and demonstrated ability to assist the City in improving process effectiveness and efficiency.

The Houston Permitting Center Improvement Project plans to document, improve and create step-by-step materials for various work flows, evaluate customer load balancing and flow and propose a modified floor plan to balance customer load and improve flow, develop and implement a customer service training curriculum and formalize and streamline interdepartmental hand-offs to reduce non-compliance and optimize the time spent by customer at HPC, among other activities.

	REQUIRED AUTHORIZATIO		
Finance Department:	Other Authorization:	Other Authorize	tiet)
		CAN(T)	7/

Date: 3/12/2013	Subject: Approve an Ordinance Amending Ordinance 2011-800 to Increase the Maximum Contract Amount for the Contract with Alvarez & Marsal Business Consulting, LLC for Phase II of Consulting for Accounts Receivables and Collections; also authorizing reimbursement of original contract cost with funds generated from the contract	Originator's Initials	Page 2 of 2	
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The scope of work for Houston Permitting Center Improvement Project requires that the contractor work with City staff in both Finance and the HPC to perform the following activities:

Stage 1:

- Evaluate and recommend format and content for printed customer-friendly, step-by-step procedures for modifying a residence. Second action will be to deliver an on-line version of same.
- Review the current kiosk and QFlow settings used to move people within the HPC. Discuss issues
 with business unit and HPC reception staff. Recommend changes for consideration to improve the
 customer experience
- Review current customer loading in HPC and distribution across the various floors of the building.
- Review the Residential Permitting work flow process in place by Code Enforcement. Discuss opportunities for adjustments and enhancements.
- Review affidavit requirements and deliver recommended changes to affidavit ordinances for consideration by business units and the legal department.
- Compile an integrated inspectors' checklist for consideration by the business units that may deploy practice in future.
- Review the business case to demonstrate the extent of need for a collaborative look at Citywide permitting IT needs.

Stage 2:

- Recommend a customer service training curriculum incorporating existing learning practices and costeffective training specifically addressing issues with customer service and the HPC.
- Recommend changes for consideration to services locations in HPC and customer flow for consideration in future building reorganization.
- Review and recommend changes to interdepartmental hand-offs to reduce non-compliance and optimize the time spent by customer at HPC

M/WBE Subcontracting:

The Office of Business Opportunity has reviewed the scope of work and has determined there is capacity of a 10% MWBE goal, and the vendor has agreed to make a good faith effort to achieve such participation. The original contract was awarded with a 10% goal. The contractor has been paid \$1,873,300 to date. Of this amount \$126,525.00 has been paid to MWBE sub-contractors. Based on actions they have already taken that are not currently reflected, A&M is on track to fulfill their contracted MWBE obligations and pay an additional \$192,400 to MWBE sub-contractors in Phase II.

TO: Mayor via City Secretary	REQUEST FOR CO	DUNCIL ACTION				
and Cotchett, Pitre, & McCarthy, I	BJECT: An Ordinance authorizing an agreement with Mithoff Law Firm d. Cotchett, Pitre, & McCarthy, LLP relating to the pursuit of damages sociated with London Interbank Offered Rate ("LIBOR") manipulation.					
FROM (Department or other point Legal Department	ROM (Department or other point of origin): Grigination Date 3/13/13 Agenda Date 3/19/2MBR 2 0 28					
DIRECTOR'S SIGNATURE: David M Feldman City Attorney	DIRECTOR'S SIGNATURE: Council District affected: MAR 2 7 2013 All					
For additional information conta	ct:	Date and identi		orior auth	orizing	
Kelly Dowe, Director of Finance - 8	332-393-9051	,				
RECOMMENDATION: (Summary, Adopt an ordinance approving an a Firm and Cotchett, Pitre, & McCar financial institutions who may be liable.)	greement for legal service thy, LLP, for representation	ation of the City i	n an action t	to be initia		
Amount and Source Of Funding: Payment to the Mithoff Law Firm and Cotchett, Pitre, & McCarthy, LLP, is contingent upon recovery of funds from defendant financial institutions.						
SPECIFIC EXPLANATION:						
City seeks to retain the Mithoff Law Firm and Cotchett, Pitre, & McCarthy, LLP ("Firms") to assist the City with the investigation and prosecution of London Interbank Offered Rate (LIBOR) litigation against financial institutions that participate in setting the LIBOR and engaged in a conspiracy to manipulate LIBOR interest rates upon which a multitude of municipal financial instruments are set, including equity investments; derivative investments such as interest rate swaps, forward purchase agreements, etc.; debt; pensions; mortgages; leases and other municipal transactions. These actions caused the City to pay artificially high rates and/or receive artificially depressed rates of returns on its financial instruments, and to incur unreasonable and excessive fees and costs.						
Such work is to be performed by Firms on a contingency fee based on the net recovery (i.e., all amounts received by the City by way of judgment settlement, or other resolution after the deduction of litigation expenses incurred by the Firms). The contingency fee will be 10.5%; however, should the case settle within less than 6 months of filing the complaint, the contingency fee will be 5.25%, and should the case settle within six to twelve months from the filing of the complaint, the fee will be 7.40%.						
No settlement or resolution of the dispute will be undertaken without the approval of the City Attorney.						
	REQUIRED AUTHOR	RIZATION				
Finance Director:	Other Authorization:		Other Autho	orization:		

TO: Mayor via City Secretary	REQUEST FOR COUNCIL	ACTION			
SUBJECT: Approve an ordinand Texas Master Ordinance authorizi Combined Utility System First Lier 2013A.	ng the issuance of City of Houston	Texas	Category #	Page 1 of 1	Agenda Item#
FROM (Department or other point Department of Finance and Office	nt of origin): of the City Controller	Originat 2/27/201	ion Date: 3	Agenda Da	te 2013
Dure (Council All	District Affe	cted: MAR 2	7 2013
For additional information contaction Jennifer Olenick Charisse Mosely	Phone: 832-393-9112 Phone: 832-393-3529	S ouncil a Nov. 30, 2	action: 2011 Ord. 20	on of prior au	_
RECOMMENDATION: (Summary) First Lien Revenue Refunding Bon privately placed with the Texas Wat	QS. Series 2013A. in an amount n	ot to evo	of Houston eed \$50 mill	Combined Ut ion. These bo	ility System ands will be
Amount of Funding: No	ot Applicable			Finance Bud	lget:
Source of Funding: [] General I	Fund [] Grant Fund [] Other	(Specify	/) [X] Ente	erprise Fund	
SPECIFIC EXPLANATION:					
The Texas Water Development Boa to applicants to assist in meeting cle State Revolving Fund ("CWSRF") ar The City's Combined Utility System (Houston Combined Utility System Filexceed \$50 million. CWSRF loans a	an water needs of communities. The isopen to political subdivisions to the control of the contro	his prograthat own gram sin	am is known and operate ce the late 19	as the Clean a wastewater 980's. The Cit	Water system.
The FWG recommends that the City approved projects, an addition to the	issue the CUS Series 2013A Bond reserve fund and costs of issuance	is with th e.	e proceeds to	o be used to f	und
The CUS Series 2013A Bonds will be The closing is expected to occur in ea LP and Escamilla, Poneck & Cruz, L	arry April 2013. Recommended as	which elir co-bond	minates the n counsel are l	eed for under Fulbright & Ja	writers. worski
This transaction was presented to Bu	dget & Fiscal Affairs Committee or	n January	/ 29 th 2013.		
Recommendation:		,			
he Finance Working Group recommo	ends the approval of this item.			ŧ ,	
	REQUIRED AUTHORIZATION	N			
nance Director:	Other Authorization:		her Authoriz	zation:	

TO: Mayor via City Samutan	REQUEST FOR COUN	CIL ACTION		
TO: Mayor via City Secretary	D. D			RCA# 9437
Subject: Formal Bids Received for		t for Base Ca	ategory#	Page 1 of 2 Agenda Iter
Camp Services (Post Disaster) for	the City of Houston		4 ,	
S50L24293			-16	0/19/14
				179727
FROM (Department or other point of o	origin):	Origination Date	L	Agenda Date
Calvin D. Wells		January Date		MAR 2 7 2013
City Purchasing Agent		January 28,	2013	MAR 0 6 2013
Administration & Regulatory Affairs	s Denartment	Juliani, 20,		TELL WILLIAM
DIRECTOR'S SIGNATURE	s Department	Council District(s) afforted	
Man XW	100/	All) amecieu	L
or additional information contact:	457	Date and Identific	ation of -	
	Phone: (832) 393-0875	Council Action:	cation of b	prior authorizing
		Council Action:		
	Phone: (832) 393-8726			
RECOMMENDATION: (Summary)		DD0 E		
Approve an ordinance awarding a	pre-positioned contract to	DRC Emergency	y Service	es, LLC on its low bid for
base camp services for the City of	nouston.			
			1	Einanga Dudget
No funding required at this time.			1	Finance Budget
	a .			
SPECIFIC EXPLANATION:	Water the second			
	y and Homeland Security	and the City Pu	ırchasind	Agent recommend that
The Mayor's Office of Public Safet	y and Homeland Security	and the City Pu	rchasing	g Agent recommend that
The Mayor's Office of Public Safet City Council approve an ordinance	awarding a pre-positione	d five-year contra	act to DF	RC Emergency Services
The Mayor's Office of Public Safet City Council approve an ordinance LC for base camp services (post of the country of the c	awarding a pre-positione disaster) for the City of Ho	d five-year contra ouston. The City	act to DF Purchasi	RC Emergency Services ing Agent may terminate
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Date: Subject: Formal Bids Received for a Pre-Positioned Contract for Base 1/28/2013 Camp Services (Post Disaster) for the City of Houston S50L24293	Originator's Initials AL	Page 2 of 2
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Hire Houston First:

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

M/WBE Subcontractor:

This Invitation to Bid (ITB) was issued as a goal-oriented contract with an 11% M/WBE participation level. DRC Emergency Services, LLC has designated the below-named company as its certified M/WBE subcontractor:

Name

Type of Service

Hallmark Capital Group, LLC Commercial Construction

Dollar Amount

25% of the contract spending amount at the time of contract activation

The contract will be monitored by the Office of Business Opportunity.

Pay or Play Program:

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

Buyer: Art Lopez

BASE CAMP LOCATIONS

The Houston Police Academy, located at 7000 Aldine Westfield.
The Houston Fire Academy, located at 8030 Braniff.
Other potential locations: 3828 Aberdeen Way, 2902 Berry Road,
8420 Schuller, 8422 Jenson Dr. and 3000 Greens Road.