

AGENDA - COUNCIL MEETING - TUESDAY - JULY 31, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Alvarado

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 1, 2007 - 9:00 A. M.

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

MAYOR'S REPORT

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

CONSENT AGENDA NUMBERS 1 through 53

AGENDA - AUGUST 1, 2007 - PAGE 2

MISCELLANEOUS - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment of **MR. HARRY J. HAYES** as Director of the **SOLID WASTE MANAGEMENT DEPARTMENT**

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF DIRECTORS OF THE GREATER EAST END MANAGEMENT DISTRICT**:
 - Position Three - **MR. ROY ZERMENO**, appointment, for a term to expire 6/1/2009
 - Position Eight - **MR. KENNETH E. STALLMAN**, appointment, for a term to expire 6/1/2011
 - Position Nine - **MR. DONALD ROZUM**, reappointment, for a term to expire 6/1/2011
 - Position Ten - **DR. DANIEL E. JENKINS III**, reappointment, for a term to expire 6/1/2011
 - Position Eleven - **MR. EDMUNDO "BILL" GARCIA**, reappointment, for a term to expire 6/1/2011
 - Position Twelve - **MR. DIONICIO VIDAL (SONNY) FLORES**, reappointment, for a term to expire 6/1/2011
 - Position Thirteen - **MR. VIRGIL H. COX**, appointment, for a term to expire 6/1/2011
 - Position Fourteen - **MS. MARJORIE (MARGIE) PEÑA**, appointment, for a term to expire 6/1/2011
 - Position Fifteen - **MR. GARRY FLORES**, appointment, for a term to expire 6/1/2011

3. RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for the participation of Disadvantaged Business Enterprises in DOT/FAA funded contracts from October 1, 2007 through September 30, 2008, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements

ACCEPT WORK - NUMBERS 4 and 5

4. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$55,827,573.22 and acceptance of work on contract with **THE MORGANTI GROUP, INC** for Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston, Project 444B - 5.89% over the original contract amount - **DISTRICT B - JOHNSON**

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$577,578.95 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Lateral and Service Connection Replacement Contract for the Department of Public Works & Engineering - 2.91% under the original contract amount **DISTRICTS B - JOHNSON; D - EDWARDS; E - WISEMAN; F - KHAN; H - GARCIA and I - ALVARADO**

PROPERTY - NUMBERS 6 through 9

6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Michael Van of Terramark, on behalf of Jack J. Terence, for abandonment and sale of a 10-foot-wide sanitary sewer easement within the former Morrison Street, located between Woodland Heights Annex No. 3 and Howard Terrace Annex, out of the John Austin Two League Grant, A-1, Parcel SY7-106 - **STAFF APPRAISERS DISTRICT H - GARCIA**

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John G. Patterson of Archway Properties, L.P., on behalf of Rothway Stonington Partners, Ltd. (Mr. Donald E. Dennis, Jr., General Partner), declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide alley from Stonington Street to Sprite Street, between Reo Street and Packard Street, within Block 1, Reserve A, Stonington Business Park, within the Third Subdivision of Fairbanks, Parcel SY7-055 - **DISTRICT A - LAWRENCE**

PROPERTY - continued

8. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY6-101, located at 10830 Old Katy Road, owned by LLA Investments, L.L.C., a Texas limited liability company, Leah Lee Kayem, President, for the **BRITTMOORE ROAD PAVING PROJECT from Old Katy Road to Hammerly Boulevard**, CIP N-000596-0001-2-01 - **DISTRICT A - LAWRENCE**
9. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY6-108, located at 10801 Hammerly Boulevard, owned by Barnard Branca, Beth Branca, and Alexander Branca, for the **BRITTMOORE ROAD PAVING PROJECT from Old Katy Road to Hammerly Boulevard**, CIP N-000596-0001-2-01 - **DISTRICT A - LAWRENCE**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 and 11

10. **GRIMM TECHNOLOGIES, INC** for Grimm Portable Aerosol Spectrometer and Accessories for Health & Human Services Department - \$30,650.00 - Health Special Revenue and Grant Funds
11. **INTEGRATED COMMERCIALIZATION SOLUTIONS, INC dba PARAGARD DIRECT** for Interuterine (IUD) Copper Contraceptive Devices for Health & Human Services Department \$213,808.00 - General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 53

12. ORDINANCE **AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES** relating to Historic Preservation; designating the Old Sixth Ward Protected Historic District pursuant thereto; adopting design criteria to be used in considering the criteria for approval of Certificates of Appropriateness in the Old Sixth Ward Protected Historic District; making findings and containing other provisions relating to the foregoing subject; containing a repealer; providing for severability **DISTRICT H - GARCIA**
13. RESOLUTION designating certain properties within the City of Houston as historic landmarks:
River Oaks Community Shopping Center and
River Oaks Theatre
1952-2050 W. Gray, including the River Oaks
Theatre at 2009 W. Gray - **DISTRICT D - EDWARDS**

Alabama Theatre and Alabama Community Shopping Center
2900 to 2946 S. Shepherd Drive, including The Alabama Theatre
at 2922 S. Shepherd - **DISTRICT C - CLUTTERBUCK**
14. RESOLUTION transferring full maintenance, operation and jurisdiction of Hempstead Highway from IH 610 to 0.10 miles west of W. 18th Street to Interstate Highway System Inventory **DISTRICTS A - LAWRENCE and H - GARCIA**
15. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2007-47 by adding four (4) Captain positions, sixteen (16) Engineer/Operator positions and sixteen (16) Fire Fighter positions; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance
16. ORDINANCE approving and authorizing first amendment to Lease Agreement between **BRAESWOOD DEVELOPMENT, LLC, A Texas Limited Liability Company, as landlord**, and the City of Houston, Texas, as tenant, for space at 8632 S. Braeswood, Houston, Texas, extending the term of the lease, establishing a new monthly rental, adding renewal terms, and providing for improvements to the leased premises, for use by the Department of Health and Human Services for its Women, Infants and Children (WIC) Program - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

17. ORDINANCE appropriating \$3,000,000.00 from the Parks Consolidated Construction Fund, approving and authorizing the purchase of 22.435 acres of land at 7777 Dairy Ashford Drive, Houston, Texas, formerly known as the Hackberry Golf Course, with an additional \$1,888,000.00 contribution from the Houston Parks Board, a Texas Non-Profit Corporation, and approving and authorizing a \$500,000.00 development by the Houston Parks Board of the property into a City park; approving necessary documents related thereto - **DISTRICT F - KHAN**
18. ORDINANCE approving and authorizing contract between the City and the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for Air Pollution Control Services - \$776,854.00 Grant Fund
19. ORDINANCE approving and authorizing the submittal of an application to the Harris County Housing Authority for the continuance of the Focused Care Project that provides Case Management Services to the Hurricane Katrina affected population (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's representative in the application process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds; if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$4,360,366.20 Grant Fund
20. ORDINANCE approving and authorizing first amendment to agreement between the City of Houston and **HOUSTON SHIFA SERVICES FOUNDATION, INC** to provide \$300,000.00 in Community Development Block Grant Funds as supplemental funding for the Construction of a Healthcare Clinic and Community Center located at 10415 Synott Road, Houston, Texas **DISTRICT F - KHAN**
21. ORDINANCE approving and authorizing grant agreement between the City of Houston and **NHDC SUNFLOWER TERRACE, LLC** to provide \$3,140,059.00 in Home Investment Partnerships Funds to be used for the Rehabilitation of a 160 Unit Affordable Housing Complex known as the Sunflower Terrace Apartments located at 5050 Sunflower Street - **DISTRICT D - EDWARDS**
22. ORDINANCE amending City of Houston Ordinance Nos. 2004-685, and 2005-607, passed on June 30, 2004 and on May 11, 2005, respectively, which approved and authorized the submission of the 2004 and 2005 Consolidated Plans, to the United States Department of Housing and Urban Development, including grant applications for the Home Investment Partnerships ("HOME") Program under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended
23. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON SRO HOUSING CORPORATION** to provide funding for the Operation of a Single Room Occupancy Community Residence located at 1111 McIlhenny and the provision of supportive services under the Housing Opportunities For Persons With AIDS ("HOPWA") Program \$78,728.00 - Grant Fund - **DISTRICT I - ALVARADO**
24. ORDINANCE appropriating \$134,600.00 out of TIRZ Affordable Housing Fund 2409 and approving and authorizing contract between the City and the **VILLAGE LEARNING CENTER, INC** to provide funding for the Renovation of the Village at Stoney Glen Adult Residence Facility located at 23910 Eastex Freeway, Kingwood, Texas

RESOLUTIONS AND ORDINANCES - continued

25. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$743,902.00 in Community Development Block Grant ("CDBG") Funds for the implementation, oversight and delivery of a Child Care Program, which amount includes a limitation on additional funding in the amount of \$493,902.00
1 Year
26. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$809,904.72 in Community Development Block Grant ("CDBG") Funds for the implementation, oversight and delivery of a Juvenile Delinquency Prevention Program, which amount includes a limitation on additional funding in the amount of \$509,902.00 - 1 Year
27. ORDINANCE appropriating \$2,655,645.00 out of TIRZ Affordable Housing Fund 2409 and approving and authorizing grant agreement between the City and **TEMENOS COMMUNITY DEVELOPMENT CORPORATION** to construct a single-room occupancy facility at 1719 Gray, Houston, Texas, to house qualified low-income persons
28. ORDINANCE appropriating \$275,000.00 out of Library Special Revenue Fund and approving and authorizing contract among the City of Houston, the **UNIVERSITY OF HOUSTON**, and **DIAGNOSTIC MARKETING GROUP** for the Houston Oral History Project - 1 Year
29. ORDINANCE approving and authorizing the submission of an application for grant assistance to the Bureau of Justice Assistance under the FY2007 Edward Byrne Memorial Discretionary Grant Program for the Broadway Crime Reduction Initiative; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICT I - ALVARADO**
30. ORDINANCE approving and authorizing the submission of an application for grant assistance to the Bureau of Justice Assistance under the FY 2007 Edward Byrne Memorial Discretionary Grant Program for Targeting Violent Crime; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G - HOLM**
31. ORDINANCE approving and authorizing the submission of an application for grant assistance to the Bureau of Justice Assistance under the FY2007 Edward Byrne Memorial Discretionary Grant Program for the Houston Crime Free Zone Initiative; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
32. ORDINANCE approving and authorizing the submission of an application for grant assistance to the US Department of Justice and acceptance of the FY2007 Edward Byrne Memorial Justice Assistance Grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

RESOLUTIONS AND ORDINANCES - continued

33. ORDINANCE approving and authorizing an application to the Office of the Governor, Criminal Justice Division, for Assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor or his designee to act as the City's Representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
34. ORDINANCE approving and authorizing contract between the City of Houston and **VIDSYS, INC** for Professional Consulting Services for the City's Public Safety Video Initiative; providing a maximum contract amount - \$375,000.00 - Grant Fund
35. ORDINANCE approving and authorizing contract between the City and **MILAM STREET AUTO STORAGE, INC** for Vehicle Towing and Storage (Boot Program) Services for the Convention & Entertainment Department - **DISTRICT I - ALVARADO**
36. ORDINANCE amending Ordinance #2006-0973 to increase the maximum contract amount for contracts between the City and **NORTH HOUSTON MOTORS, INC, UNIFIED AUTO WORKS, T&T MOTORS, CANNINO WEST, INC, FIESTA WRECKER SERVICE, NATIONAL AUTO COLLISION, INC, MILAM STREET AUTO STORAGE, INC, ALLIED COLLISION CENTER, KTL ENTERPRISES, INC, WESTSIDE WRECKER SERVICE, INC** and **CORPORATE AUTO SERVICES, INC** for the Safe Clear Major Freeway Towing Program - \$1,869,474.00 - Police Special Services Fund (from METRO Mobility Fund)
37. ORDINANCE approving and authorizing contract between the City of Houston and **eCIVIS, INC** for Grants Locator Database Service for the Mayor's Office; providing a maximum contract amount - 3 Years - \$227,042.00 - General Fund
38. ORDINANCE amending Ordinance No. 2002-695 to increase the maximum contract amount and approving and authorizing first amendment to contract between the City of Houston and **PHYSIO-CONTROL, INC (formerly known as MEDTRONIC PHYSIO-CONTROL CORPORATION)** for Defibrillator Maintenance and Repair Services - \$1,526,275.00 - General Fund
39. ORDINANCE approving and authorizing contract between the City of Houston and **STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES ("DIR")** for Telecommunications and Internet Services Citywide; providing a maximum contract amount - 3 Years with two one-year options - \$653,200.00 - Central Services Revolving Fund
40. ORDINANCE appropriating \$67,023.70 out of Fire Consolidated Construction Fund for Construction Services for Fire Station No. 69, WBS C-000090-0001-4 under an existing contract with **CHARTER ROOFING COMPANY, INC - DISTRICT G - HOLM**
41. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **FEDERAL AVIATION ADMINISTRATION** for Office/Warehouse Space in connection with its Environmental Support Unit at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**
42. ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund for a supplemental allocation for Contract No. 55990 by and between the City of Houston and **4B TECHNOLOGY GROUP, LLC** for Information Technology and Telecommunications Infrastructure Field Inspection Services at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field, WBS A-000138-0006-3-01; Proj. 577

RESOLUTIONS AND ORDINANCES - continued

43. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund, and approving and authorizing Amendment No. 1 to Construction Contract No. 60904 between the City of Houston and **EAS CONTRACTING, LP** for Miscellaneous Airfield Lighting Improvements, Generators, & Generator Buildings at Ellington Field; WBS A-000428-0001-4-01, (Proj. 588) - **DISTRICT E - WISEMAN**
44. ORDINANCE appropriating \$17,392,667.00 out of HAS Consolidated 2004 NONAMT Construction Fund, WBS A-000438-0002-4-01 and awarding construction contract to **EAS CONTRACTING, LP** for Rehabilitation of Runway 12R-30L and Miscellaneous Electrical Work at William P. Hobby Airport, (Project 619); setting a deadline for EAS Contracting, LP's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding EAS Contracting, LP in default if it fails to meet the deadlines; providing funding for engineering testing services, and for contingencies relating to construction of the facilities financed by such fund - **DISTRICT I - ALVARADO**
45. ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund, and approving and authorizing Amendment No. 1 to Contract No. 55521 between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Job Order Contracting Services with the Houston Airport System; WBS #A-000348-0001-4-01 (Proj. 516) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**
46. ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for Tanner Road Paving from Triway Road to Beltway 8, WBS N-000589-0001-3 - **DISTRICT A - LAWRENCE**
47. ORDINANCE approving and authorizing contract between City of Houston and **THE PORT OF HOUSTON AUTHORITY** for the Reconstruction of the Storm Sewer Outfall at Wharf No.1 East at the Turning Basin of the Houston Ship Channel, WBS M-000126-00S7-4 - \$246,162.00 - Storm Water Utility Fund - **DISTRICT I - ALVARADO**
48. ORDINANCE finding and determining the existence of a public necessity for the acquisition of real property interests in connection with the public improvement project known as the Broad Oaks Waterline Replacement Project; authorizing the acquisition, by donation, purchase, or eminent domain proceedings, of permanent easements in, over, under, and across certain property in Lot 8, Block 3 of Broad Oaks Subdivision as recorded in Volume 17, Page 49 of the Map Records of Harris County, Texas, being situated in the Charles Sage Survey, Abstract No. 697, Harris County, Texas; providing for the payment of the costs of such acquisitions, including Appraisal Fees, Fees for Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees **DISTRICT G - HOLM**
49. ORDINANCE approving and authorizing Professional Contract between the City of Houston and **TSC SURVEYING COMPANY** for On-Call Professional Surveying Services - \$150,000.00 General Fund
50. ORDINANCE granting to **DESIGNING TECHNIQUES, LLC, a Texas Limited Liability Corporation, dba DURAN'S YOUR DUMPSTER.COM**, 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; and making certain findings related thereto - **FIRST READING**

RESOLUTIONS AND ORDINANCES - continued

51. ORDINANCE No. 2007-836, passed first reading July 18, 2007
ORDINANCE granting to **EAGLE PRENTICE, 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; and making certain findings related thereto - **SECOND READING**
52. ORDINANCE No. 2007-837, passed first reading July 18, 2007
ORDINANCE granting to **HAZWASTE ENVIRONMENTAL, 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; and making certain findings related thereto - **SECOND READING**
53. ORDINANCE No. 2007-838, passed first reading July 18, 2007
ORDINANCE granting to **SPECIALIZED MAINTENANCE 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; and making certain findings related thereto - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 54 through 64

54. REVIEW on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by **TERESA ARGUETA** on the denial of an Application for a Manufactured Home Hardship Extension at 7911 Brays - **DISTRICT I - ALVARADO**
POSTPONED BY MOTION #2007-763, 7/11/07
This was Item 26 on Agenda of July 11, 2007
55. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **BOWLING BICYCLES, INC** for Mountain Bicycles for Police Department - \$239,746.20 - General Fund
TAGGED BY COUNCIL MEMBER CLUTTERBUCK
This was Item 10 on Agenda of July 18, 2007
56. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to vehicle dimensions and the effects of operation on City streets; declaring certain conduct to be unlawful and providing a penalty therefor; containing findings and other provisions relating to the foregoing subject; providing for severability
TAGGED BY COUNCIL MEMBERS WISEMAN, CLUTTERBUCK, GARCIA and LAWRENCE
This was Item 15 on Agenda of July 18, 2007

MATTERS HELD – continued

57. ORDINANCE consenting to the creation of the **HARRIS COUNTY ROAD IMPROVEMENT DISTRICT NO. 1** and the inclusion of certain land within the district - **DISTRICT E - WISEMAN**
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 21 on Agenda of July 18, 2007
58. ORDINANCE approving and authorizing one-year contract, with four one-year options for renewal, between the City of Houston and **TUTOR.COM, INC** to provide online live homework help services to students verified as Houston Public Library Users; providing a maximum contract amount - 5 Years - \$994,615.00 - General Fund
TAGGED BY COUNCIL MEMBERS LAWRENCE, WISEMAN and CLUTTERBUCK
This was Item 27 on Agenda of July 18, 2007
59. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (H-GAC)** for Hurricane Evacuation Education Program - \$34,855.00 - Greater Houston Transportation and Emergency Center Fund
TAGGED BY COUNCIL MEMBER EDWARDS
This was Item 29 on Agenda of July 18, 2007
60. ORDINANCE appropriating \$422,583.49 out of the Water & Sewer System Consolidated Construction Fund and \$426,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Lake Way Village Subdivision, WBS S-000800-00M4-4/R-000800-00M4-4/M-000800-00M4-4 - **DISTRICT E - WISEMAN** - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 30 on Agenda of July 18, 2007
61. ORDINANCE appropriating \$275,828.34 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Drainage Improvement CPaper Series F Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Riverbend Village Subdivision, WBS S-000800-00M2-4/R-000800-00M2-4/M-000800-00M2-4 **DISTRICT B - JOHNSON** - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 31 on Agenda of July 18, 2007
62. ORDINANCE appropriating \$420,496.01 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water and Sanitary Sewer Lines for Section One of South Meadow Place Subdivision, WBS S-000800-00M5-4/R-000800-00M5-4 - **DISTRICT E - WISEMAN** - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 32 on Agenda of July 18, 2007
63. ORDINANCE appropriating \$101,975.60 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **FAFB, LLC** for Construction of Water and Sewer Lines to serve the Red Robin Square Subdivision, WBS S-000800-0104-4 and R-000800-0104-4 - **DISTRICT E - WISEMAN**
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 33 on Agenda of July 18, 2007

MATTERS HELD – continued

64. ORDINANCE approving and authorizing contract between the City of Houston and **BECK DISASTER RECOVERY, INC** for Disaster Management Recovery and Consulting Services for the Solid Waste Management Department - 5 Years with two one-year options

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 34 on Agenda of July 18, 2007

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

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

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

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

**NOTICE OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF HOUSTON**

NOTICE is hereby given that a Regular Meeting of the City Council of the City of Houston will be held **TUESDAY, JULY 31, 2007 at 1:30 p.m. and WEDNESDAY, AUGUST 1, 2007 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 27th day of JULY, 2007.

City Secretary

CERTIFICATE

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on JULY 27, 2007 at : p.m.

by _____

for Anna Russell
City Secretary



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

1
AUG 01 2007

May 31, 2007

The Honorable City Council
City of Houston, Texas

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: 2-1-07
COUNCIL MEMBER: _____
DATE _____

Dear Council Members:

Pursuant to Chapter 39-17 of the Code of Ordinances, I am appointing Mr. Harry J. Hayes as Director of the Solid Waste Management Department, subject to confirmation by City Council on August 1, 2007. Mr. Hayes currently serves as in the department as Deputy Director of North Operations Division.

Sincerely,

Bill White
Mayor

attachments

cc: Terence Fontaine
Frank Michel
Anthony Hall
Michael Moore
Buck Buchanan
Arturo Michel
Richard Lapin
Marty Stein

RECEIVED
JUN 1 2007
CITY SECRETARY



BILL WHITE
MAYOR

July 18, 2007

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
AUG 01 2007

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-18-07

DATE

COUNCIL MEMBER: _____

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Chapter 3807, Texas Special District Local Laws Code, I am nominating the following individuals for appointment or reappointment to the Board of Directors of the Greater East End Management District, as recommended by the District Board of Directors, subject to Council confirmation.

Mr. Roy Zermeno, appointment to Position Three, for a term to expire June 1, 2009;
Mr. Kenneth E. Stallman, appointment to Position Eight, for a term to expire June 1, 2011;
Mr. Donald Rozum, reappointment to Position Nine, for a term to expire June 1, 2011;
Dr. Daniel E. Jenkins III, reappointment to Position Ten, for a term to expire June 1, 2011;
Mr. Edmundo "Bill" Garcia, reappointment to Position Eleven, for a term to expire June 1, 2011;
Mr. Dionicio Vidal (Sonny) Flores, reappointment to Position Twelve, for a term to expire June 1, 2011;
Mr. Virgil H. Cox, appointment to Position Thirteen, for a term to expire June 1, 2011;
Ms. Marjorie (Margie) Peña, appointment to Position Fourteen, for a term to expire June 1, 2011; and
Mr. Garry Flores, appointment to Position Fifteen, for a term to expire June 1, 2011.

Résumés of the nominees are attached for your review.

Sincerely,

Handwritten signature of Bill White in black ink.

Bill White
Mayor

BW:CC:jsk

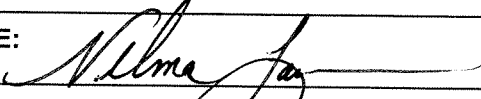
Attachments

cc: Ms. Mary Margaret Hansen, president, Greater East End Management District
Ms. Jeanne H. McDonald, attorney for the district, Greater East End Management District



SUBJECT: Goal for the Participation of Disadvantaged Business Enterprises ("DBEs") in U.S. Department of Transportation/Federal Aviation Administration ("DOT/FAA") Funded projects	Category	Page 1	Agenda Item # 3
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FROM (Department or other point of origin): Mayor's Office of Affirmative Action and Contract Compliance	Origination Date:	Agenda Date: AUG 01 2007
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DIRECTOR'S SIGNATURE: 	Council District affected:
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For additional information contact: Velma Laws Phone: 713.837.9015	Date and Identification of prior authorizing Council action:
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RECOMMENDATION: (Summary) Adopt Motion setting overall goal of 21.8%, including a 1.5% race-neutral component, for the participation of Disadvantaged Business Enterprises in DOT/FAA funded contracts from October 1, 2007 through September 30, 2008, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements.

Amount of Funding: N/A	F & A Budget: N/A
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SOURCE OF FUNDING: NA

SPECIFIC EXPLANATION:

Effective March 4, 1999, the DOT adopted a final rule implementing changes to 49 CFR Part 26, which mandated new requirements for participation for Disadvantaged Business Enterprises ("DBEs") in DOT assisted contracts, for Houston Airport System projects, and if applicable, Department of Public Works and Engineering projects. Substantial changes in federal regulations required enactment of Ordinance 99-893 to comply with the revised federal requirements for DOT-assisted contracts. The City is not eligible to receive DOT financial assistance unless it is in compliance with these federal regulations.

The regulations require the City to set and publish annually a proposed overall contract goal for DBE participation in DOT-assisted contracts, following guidelines set forth in regulations. Pursuant to Ordinance 99-893 approved by City Council on August 18, 1999, the city set an initial goal of 17% DBE participation, with a 1.5% race neutral component. The goals for subsequent fiscal years are as follows:

Fiscal Year	DBE Goal	Race Neutral Goal
2001	19.30%	2%
2002	19.38%	1%
2003	21.3%	1%
2004	20.0%	1%
2005	20.1%	1%
2006	19.7%	1%
2007	20.08%	1%

The City is required to submit a revised goal for the 2008 federal fiscal year, pursuant to federal regulations. The Affirmative Action and Contract Compliance Division of the Mayor's Office ("AAD"), in cooperation with the Houston Airport System, has analyzed the relevant criteria required by DOT, and recommends an overall contract DBE goal of 21.8% DBE participation, with a 1.0% race neutral goal for the 2008 federal fiscal year.

The AAD recommends adoption of the Motion setting goals for the 2008 federal fiscal year in order to comply with federal requirements.

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work – The Morganti Group, Inc. for the Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston: Project 444B.	Category # 7	Page 1 of 1	Agenda Item # 4
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FROM (Department or other point of origin): Houston Airport System	Origination Date June 22, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Kae [Signature]</i>	Council District affected: "B"
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For additional information contact: Eric R. Potts <i>[Signature]</i> Phone: 281-233-1999 John S. Kahl <i>[Signature]</i> 281-233-1941	Date and identification of prior authorizing Council action: 05/16/01 (O) 2001-416 10/14/03 (O) 2003-979
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AMOUNT & SOURCE OF FUNDING: None Required	Prior appropriations: \$ 56,900,000.00 CIP No. A-0026 Airport System Special Facilities Taxable Revenue Bonds (CRCF) \$ 250,000.00 CIP No. A-0422 Airport System Special Facilities Taxable Revenue Bonds (CRCF) \$ 500,000.00 CIP No. A-0026 Airport System Special Facilities Taxable Revenue Bonds (CRCF) <hr/> \$ 57,650,000.00 TOTAL
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RECOMMENDATION: (Summary)
Pass a motion to approve the final contract amount of \$55,827,573.22 or 5.89 percent more than the original contract amount, accept work, and authorize final payment.

SPECIFIC EXPLANATION:

The Contractor, The Morganti Group, Inc., has completed all the work required under their Contract No. 52691 dated May 22, 2001, in the amount of \$52,724,490.00 for the Consolidated Rental Car Facility at George Bush Intercontinental Airport/Houston. During construction, Othon, Inc. inspected this project. The inspector was Mr. Al Vaughan.

The final amount of the contract, including Change Orders Nos. 1 through 3 in the amount of \$3,135,150.29 and line item under runs in the amount of \$32,067.07 will be \$55,827,573.22 which is 5.89 percent more than the original contract amount. The changes were for additional electrical for area lighting, escalator changes, code revisions and changes to the building waterproofing system.

The Morganti Group, Inc. did not meet their 6.93% M/WBE goal. According to Office of Affirmative Action and Contract Compliance, their final participation was 6.37%. The Office of Affirmative Action & Contract Compliance awarded The Morganti Group, Inc. a "Satisfactory" rating.

RMV: ERP: JSK
Attachments

cc: Ms. Marty Stein Mr. Richard M. Vacar Dr. Kent R. McLemore Mr. Dara N. Umrigar
Mr. Anthony W. Hall, Jr. Ms. Sara S. Culbreth Mr. Frank D. Crouch Ms. Janice D. Woods
Mr. Arturo G. Michel Mr. Eric R. Potts Mr. John S. Kahl Mr. Richard Fernandez
Ms. Velma Laws Ms. Kathy Elek Mr. Adil Godiwalla Mr. J. Goodwille Pierre

REQUIRED AUTHORIZATION		
F&A Budget:	Other Authorization:	Other Authorization:

NOT

4

SUBJECT: Accept Work for Lateral and Service Connection Replacement Contract for the Public Works & Engineering Department		Page 1 of <u>1</u>	Agenda Item # 5
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-19-07	Agenda Date AUG 01 2007
DIRECTOR'S SIGNATURE: <i>MSM</i> Michael S. Marcotte, P.E., DEE, Director		Council District affected: B, D, E, F, H and I	
For additional information contact: Roger B. Whitney, P.E. Sr. Assistant Director Phone: (713) 641-9198		Date and identification of prior authorizing Council action: Ordinance No. 2006-0285 dated, 03/29/2006	
RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$577,578.95, which is approximately 2.91% under the original contract amount, accept the work, and authorize final payment.			
Amount and Source of Funding: No additional funding required. Original appropriation of \$594,912.50 from Water and Sewer System Operating Fund No. 701.			F&A Budget: <i>WMSZ 6/28/07</i>
SPECIFIC EXPLANATION: PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided replacement of sanitary sewer laterals and service connections to low-income areas with deteriorated sanitary sewer services throughout the City. DESCRIPTION/SCOPE: This project consisted of sanitary sewer lateral and service connection replacement. The project was awarded to D.L. Elliott Enterprises, Inc. with an original contract amount of \$594,912.50. The Notice to Proceed date was 04/19/2006 and the project had 6 months for completion. LOCATION: The project was located at various locations within Council Districts B, D, E, F, H and I CONTRACT COMPLETION AND COST: The contractor, D.L. Elliott Enterprises, Inc. has completed the work under the contract. The contract was completed within the required time. The final cost of the project is \$577,578.95, which is approximately 2.91% under the original contract amount. Fewer sanitary sewer laterals and service connections were actually made than anticipated. M/WDBE PARTICIPATION: There was no M/WDBE goal for this project. <i>MSM</i> MSM:JT:RBW:JGM:FOS:fos Attachments c: Velma Laws Michael Ho, P.E. Craig Foster			
Project File 4949-01		REQUIRED AUTHORIZATION	
F&A Director:	Other Authorization:	Other Authorization: <i>NOT</i> Jeff Taylor, Deputy Director Public Utilities Division	

D. L. ELLIOTT ENTERPRISES INC.

WORK ORDER STATUS REPORT

FILE NO. 4949-01

PROJECT NO. CC-6-073-024

IMS Work Order No.	IMS W.O. Date	Street No.	Street Name	Work Type	Closing Date	Key Map	Council District
10756824	04/14/06	6706	LOS ANGELES	R/R SEWER LATERAL		454P	B
10756826	04/14/06	3410	SAYERS	R/R SEWER LATERAL	05/11/06	454X	B
10756830	04/14/06	4106	VALOR	R/R SEWER LATERAL	05/19/06	454F	B
10767015	05/15/06	7906	ALLWOOD	R/R SEWER LATERAL	09/27/06	454M	B
10767023	05/15/06	7910	ALLWOOD	R/R SEWER LATERAL	09/27/06	454M	B
10767033	05/15/06	8619	WILEYVALE DR.	R/R SEWER LATERAL	09/02/06	454G	B
10767039	05/15/06	8623	WILEYVALE DR.	R/R SEWER LATERAL	09/02/06	454G	B
10768529	05/18/06	337	N. CAROLINA	R/R SEWER LATERAL	06/24/06	495V	B
10768552	05/18/06	214	CALLOWAY	R/R SEWER LATERAL	06/24/06	495V	B
10768799	05/19/06	8610	COMPTON	R/R SEWER LATERAL	07/14/06	454H	B
10768805	05/19/06	8217	SPALDING	R/R SEWER LATERAL	09/27/06	454H	B
10768816	05/19/06	8420	SHADY DR.	R/R SEWER LATERAL	07/14/06	454H	B
10768909	05/19/06	8607	SHADY DR.	R/R SEWER LATERAL	09/27/06	454H	B
10768919	05/19/06	8610	SHADY DR.	R/R SEWER LATERAL	07/14/06	454H	B
10768924	05/19/06	8611	SHADY DR.	R/R SEWER LATERAL	07/14/06	454H	B
10773039	06/01/06	6114	BOBBY BURNS	R/R SEWER LATERAL	08/16/06	455P	B
10773271	06/02/06	8209	ALLWOOD	R/R SEWER LATERAL	07/21/06	454H	B
10773281	06/02/06	8630	SANDRA ST.	R/R SEWER LATERAL	07/07/06	454G	B
10773283	06/02/06	7906	SHOTWELL	R/R SEWER LATERAL	07/14/06	454L	B
10773288	06/02/06	7931	WILEYVALE DR.	R/R SEWER LATERAL	09/27/06	454L	B
10773292	06/02/06	7733	WILEYVALE DR.	R/R SEWER LATERAL	07/14/06	454L	B
10773295	06/02/06	7612	SHOTWELL	R/R SEWER LATERAL	07/14/06	454L	B
10775680	06/09/06	8221	BARLOW	R/R SEWER LATERAL	08/21/06	455T	B
10775696	06/09/06	5729	HAIGHT	R/R SEWER LATERAL	08/22/06	455P	B
10775704	06/09/06	6202	HAIGHT	R/R SEWER LATERAL	07/21/06	455P	B
10781440	06/26/06	9010	DANDY	R/R SEWER LATERAL	09/02/06	454G	B
10781456	06/26/06	6501	ARABELLA ST.	R/R SEWER LATERAL	09/28/06	412X	B
10781471	06/26/06	6518	ARABELLA ST.	R/R SEWER LATERAL	09/02/06	412X	B
10781495	06/26/06	6522	ARABELLA ST.	R/R SEWER LATERAL	09/02/06	412X	B
10808240	9/5/2006	6533	AVENUE C	R/R SEWER LATERAL	11/11/2006	494V	B
10808253	9/5/2006	7125	AVENUE F	R/R SEWER LATERAL	11/11/2006	494V	B
10808257	9/5/2006	6615	AVENUE E	R/R SEWER LATERAL	11/11/2006	494V	B
10808260	9/5/2006	6713	AVENUE F	R/R SEWER LATERAL	10/1/2006	494V	B
10808264	9/5/2006	6917	CORPUS CHRISTIE	R/R SEWER LATERAL	11/15/2006	494D	B
10826233	10/18/2006	8310	BERTWOOD	R/R SEWER LATERAL	11/11/2006	454H	B
10826236	10/18/2006	8422	BERTWOOD	R/R SEWER LATERAL	11/11/2006	454H	B
10826279	10/18/2006	3823	COURTNEY	R/R SEWER LATERAL	11/11/2006	494B	B
10826292	10/18/2006	3607	DUBOIS	R/R SEWER LATERAL	11/10/2006	533U	B
10775667	06/01/21	7823	COMAL	R/R SEWER LATERAL	07/14/06	533U	D
10756861	04/14/06	8436	LAWLER	R/R SEWER LATERAL		533T	D
10763140	05/02/06	3442	BACON	R/R SEWER LATERAL	11/11/06	533P	D
10767006	05/15/06	4615	KNOXVILLE	R/R SEWER LATERAL	05/31/06	533Z	D
10768556	05/18/06	4315	FRIAR POINT	R/R SEWER LATERAL	06/15/06	573G	D
10768558	05/18/06	8722	VINE ARBOR DR	R/R SEWER LATERAL	06/15/06	574A	D
10768563	05/18/06	1108	NIAGASRA	R/R SEWER LATERAL	06/17/06	533U	D
10770904	05/25/06	3813	SHELBY	R/R SEWER LATERAL	08/21/06	533U	D
10770941	05/25/06	8107	BRANDON	R/R SEWER LATERAL	06/17/06	533U	D
10770968	05/25/06	8321	CANNON ST.	R/R SEWER LATERAL	06/16/06	533T	D
10775623	06/09/06	7920	COMAL	R/R SEWER LATERAL	06/26/06	533U	D
10775642	06/09/06	7912	COMAL	R/R SEWER LATERAL	06/27/06	533U	D
10775656	06/09/06	8006	COMAL	R/R SEWER LATERAL	11/11/06	533U	D
10775677	06/09/06	7827	COMAL	R/R SEWER LATERAL	07/14/06	533U	D
10776539	06/12/06	8026	COMAL	R/R SEWER LATERAL	06/26/06	533U	D

D. L. ELLIOTT ENTERPRISES INC.

WORK ORDER STATUS REPORT

FILE NO. 4949-01

PROJECT NO. CC-6-073-024

10779534	06/20/06	8312	FOUNTAIN	R/R SEWER LATERAL	11/11/06	533T	D
10781323	06/26/06	8221	BRANDON	R/R SEWER LATERAL		533U	D
10782978	06/29/06	8410	GRANDVIEW	R/R SEWER LATERAL	08/21/06	533T	D
10782989	06/29/06	8320	FOUNTAIN	R/R SEWER LATERAL	08/21/06	533T	D
10783043	06/29/06	4323	FRIAR POINT	R/R SEWER LATERAL	08/25/06	573G	D
10788610	7/17/2006	3707	ROSEMONT	R/R SEWER LATERAL		533U	D
10788688	7/17/2006	3438	BACON	R/R SEWER LATERAL	8/25/2006	533P	D
10788709	7/17/2006	8105	BRANDON	R/R SEWER LATERAL	8/21/2006	533U	D
10797783	8/8/2006	4321	PHLOX	R/R SEWER LATERAL	10/21/2006	533Y	D
10797824	8/8/2006	6138	WILLOW GLEN	R/R SEWER LATERAL	9/2/2006	534X	D
10797833	8/8/2006	5958	SOUTHCREST	R/R SEWER LATERAL	9/2/2006	534P	D
10808215	9/5/2006	5967	LONGMEADOW	R/R SEWER LATERAL	11/11/2006	534T	D
10808272	9/5/2006	4307	FRIAR POINT	R/R SEWER LATERAL	10/21/2006	573G	D
10809803	9/8/2006	2631	DRAGONWICK	R/R SEWER LATERAL	11/11/2006	572L	D
10811133	9/12/2006	5816	SOUTHCREST	R/R SEWER LATERAL	11/11/2006	534P	D
10824794	10/16/2006	5119	MYRTLEWOOD	R/R SEWER LATERAL	11/11/2006	533Z	D
10826244	10/18/2006	11018	JUTLAND	R/R SEWER LATERAL	11/10/2006	573H	D
10826254	10/18/2006	8706	BRANDON	R/R SEWER LATERAL		533Y	D
10826260	10/18/2006	8230	GRANDVIEW	R/R SEWER LATERAL	11/10/2006	533T	D
10824821	10/16/2006	5771	SCHEVERS	R/R SEWER LATERAL		574B	E
10783056	06/29/06	3962	CHARLESTON	R/R SEWER LATERAL	08/16/06	533H	F
10824802	10/16/2006	4027	MARCHANT ROAD	R/R SEWER LATERAL	11/11/2006	573L	F
10756937	04/14/06	935	WOOLWORTH	R/R SEWER LATERAL	05/18/06	494H	H
10770931	05/25/06	8	ESTELLE ST.	R/R SEWER LATERAL	11/11/06	494P	H
10770953	05/25/06	2012	SADLER	R/R SEWER LATERAL	09/27/06	453H	H
10779531	06/20/06	709	E 36TH ST.	R/R SEWER LATERAL	11/15/06	453N	H
10779532	06/20/06	719	E 37TH ST.	R/R SEWER LATERAL	09/02/06	453N	H
10781433	06/26/06	608	E. 41ST STREET	R/R SEWER LATERAL	09/02/06	453J	H
10755756	04/14/06	307	BOLDEN	R/R SEWER LATERAL	05/17/06	495V	I
10756758	04/14/06	314	CALLOWAY	R/R SEWER LATERAL	05/09/06	495V	I
10756801	04/14/06	406	DELAWARE	R/R SEWER LATERAL	05/05/06	495V	I
10763102	05/02/06	430	GANS	R/R SEWER LATERAL	05/31/06	495Z	I
10763118	05/02/06	1301	FIDELITY	R/R SEWER LATERAL	06/01/06	495V	I
10763131	05/02/06	302	TENNESSEE	R/R SEWER LATERAL		495V	I
10763735	05/04/06	304	DEHAVEN ST	R/R SEWER LATERAL		495V	I
10763744	05/04/06	422	GANS	R/R SEWER LATERAL	05/31/06	495Z	I
10778562	06/16/06	6501	avenue J	R/R SEWER LATERAL		494V	I
10779243	06/20/06	6501	avenue J	R/R SEWER LATERAL		494V	I
10779248	06/20/06	6514	avenue J	R/R SEWER LATERAL	09/28/06	494V	I
10779261	06/20/06	6823	avenue J	R/R SEWER LATERAL	09/29/06	494V	I
10779265	06/20/06	6645	avenue J	R/R SEWER LATERAL	09/30/06	494V	I
10779521	06/20/06	6633	AVenue K	R/R SEWER LATERAL	11/11/06	494V	I
10779527	06/20/06	6706	AVENUE K	R/R SEWER LATERAL		494V	I
10781333	06/26/06	6711	AVENUE J	R/R SEWER LATERAL	09/29/06	494V	I
10781335	06/26/06	7324	AVENUE K	R/R SEWER LATERAL		495S	I
10781338	06/26/06	7344	AVENUE K	R/R SEWER LATERAL	10/03/06	495S	I
10781340	06/26/06	7627	AVENUE K	R/R SEWER LATERAL	09/02/06	495S	I
10781345	06/26/06	6627	AVENUE Q	R/R SEWER LATERAL		494R	I
10781352	06/26/06	7114	AVENUE Q	R/R SEWER LATERAL	09/26/06	495S	I
10781357	06/26/06	7118	AVENUE Q	R/R SEWER LATERAL	09/26/06	495S	I
10781404	06/26/06	6740	AVENUE U	R/R SEWER LATERAL	08/22/06	494R	I

D. L. ELLIOTT ENTERPRISES INC.

WORK ORDER STATUS REPORT

FILE NO. 4949-01

PROJECT NO. CC-6-073-024

10781421	06/26/06	6715	AVENUE V	R/R SEWER LATERAL		494R	I
10781430	06/26/06	6810	AVENUE V	R/R SEWER LATERAL	11/11/06	494R	I
10782912	06/29/06	7613	AVENUE L	R/R SEWER LATERAL	08/05/06	495S	I
10782935	06/29/06	7631	AVENUE L	R/R SEWER LATERAL		495S	I
10782942	06/29/06	7635	AVENUE L	R/R SEWER LATERAL	09/26/06	495S	I
10782957	06/29/06	7639	AVENUE L	R/R SEWER LATERAL	09/26/06	495S	I
10782998	06/29/06	7431	AVENUE L	R/R SEWER LATERAL	09/26/06	495S	I
10783013	06/29/06	7834	CAPITOL	R/R SEWER LATERAL	09/26/06	495W	I
10785492	07/07/06	7614	AVENUE J	R/R SEWER LATERAL		495S	I
10785502	07/07/06	7611	AVENUE I	R/R SEWER LATERAL	09/26/06	495S	I
10785660	07/07/06	7015	AVENUE P	R/R SEWER LATERAL	09/26/06	495S	I
10785666	07/07/06	7321	AVENUE L	R/R SEWER LATERAL	07/21/06	495S	I
10785689	07/07/06	7607	AVENUE K	R/R SEWER LATERAL		495S	I
10786232	07/10/06	7039	AVENUE N	R/R SEWER LATERAL	09/26/06	495S	I
10786238	07/10/06	7029	AVENUE N	R/R SEWER LATERAL	09/26/06	495S	I
10786247	07/10/06	6939	AVENUE N	R/R SEWER LATERAL	09/26/06	494V	I
10786259	07/10/06	6815	AVENUE Q	R/R SEWER LATERAL	09/22/06	494V	I
10786275	07/10/06	6725	AVENUE Q	R/R SEWER LATERAL	09/29/06	494R	I
10787958	07/13/06	7829	BALTIMORE	R/R SEWER LATERAL	08/16/06	495W	I
10787609	07/13/06	7927	BALTIMORE	R/R SEWER LATERAL	10/21/06	495X	I
10787774	07/14/06	908	71ST ST.	R/R SEWER LATERAL	09/29/06	494V	I
10787779	07/14/06	1007	71ST ST.	R/R SEWER LATERAL	09/26/06	494V	I
10787782	07/14/06	1107	71ST ST.	R/R SEWER LATERAL	09/29/06	494V	I
10787786	07/14/06	1501	70TH. ST.	R/R SEWER LATERAL	09/26/06	494V	I
10787807	7/14/2006	302	76TH ST.	R/R SEWER LATERAL	8/5/2006	495W	I
10787811	7/14/2006	1306	70TH. ST.	R/R SEWER LATERAL		494V	I
10787826	7/14/2006	1606	70TH. ST.	R/R SEWER LATERAL		494V	I
10787954	7/14/2006	115	DRESDEN	R/R SEWER LATERAL	8/16/2006	495W	I
10787961	7/14/2006	113	DRESDEN	R/R SEWER LATERAL		495W	I
10787996	7/14/2006	7421	AVENUE L	R/R SEWER LATERAL	9/26/2006	495S	I
10788017	7/14/2006	6823	AVENUE K	R/R SEWER LATERAL	9/22/2006	494V	I
10788529	7/17/2006	6630	AVENUE O	R/R SEWER LATERAL	9/9/2006	494R	I
10788532	7/17/2006	103	JAMAICA	R/R SEWER LATERAL		495W	I
10788652	7/17/2006	5611	THURSH DRIVE	R/R SEWER LATERAL	8/25/2006	534W	I
10797777	8/8/2006	1308	70th street	R/R SEWER LATERAL		495V	I
10808234	9/5/2006	6728	AVENUE L	R/R SEWER LATERAL		494V	I
10809827	9/8/2006	6707	AVENUE C	R/R SEWER LATERAL	11/11/2006	494V	I
10826203	10/18/2006	7925	CAPITOL	R/R SEWER LATERAL		495W	I
10826211	10/18/2006	7642	AVENUE L	R/R SEWER LATERAL	11/11/2006	495S	I
10826218	10/18/2006	6931	AVENUE T	R/R SEWER LATERAL	11/11/2006	494R	I
10826246	10/18/2006	431	DE HAVEN	R/R SEWER LATERAL	11/11/2006	495V	I
10826298	10/18/2006	7003	AVENUE O	R/R SEWER LATERAL	11/11/2006	495S	I
10826302	10/18/2006	304	S. 74TH STREET	R/R SEWER LATERAL	11/10/2006	495W	I
10826308	10/18/2006	7808	FORD	R/R SEWER LATERAL	11/10/2006	495W	I
10826315	10/18/2006	6809	AVENUE H	R/R SEWER LATERAL	11/11/2006	494V	I

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Request for the abandonment and sale of a 10-foot-wide sanitary sewer easement within the former Morrison Street, located between Woodland Heights Annex No. 3 and Howard Terrace Annex, out of the John Austin Two League Grant, A-1. Parcels SY7-106	Category # 7	Page 1 of 1	Agenda Item # 6
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7-19-07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>MS</i>  Michael S. Marcotte, P.E., DEE, Director	Council District affected: H Key Map 493B
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For additional information contact: <i>D.W.</i> Nancy P. Collins Senior Assistant Director-Real Estate Phone: (713) 837-0881	Date and identification of prior authorizing Council Action: <i>psm</i>
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RECOMMENDATION: (Summary) It is recommended City Council approve a council motion authorizing the abandonment and sale of a 10-foot-wide sanitary sewer easement within the former Morrison Street, located between Woodland Heights Annex No. 3 and Howard Terrace Annex, out of the John Austin Two League Grant, A-1. **Parcels SY7-106**

Amount and Source of Funding: Not Applicable	F & A Budget:
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SPECIFIC EXPLANATION:
Michael Van of Terramark, 322 Julie Rivers Drive, Sugar Land, Texas 77478, on behalf of Jack J. Terence, requested the abandonment and sale of a 10-foot-wide sanitary sewer easement within the former Morrison Street, located between Woodland Heights Annex No. 3 and Howard Terrace Annex, out of the John Austin Two League Grant, A-1. Jack J. Terence, the property owner, plans to remove this easement encumbrance to facilitate the construction of a single-family townhome at 2802 Morrison Street.

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


1. The City abandon and sell a 10-foot-wide sanitary sewer easement within the former Morrison Street, located between Woodland Heights Annex No. 3 and Howard Terrace Annex, out of the John Austin Two League Grant, A-1;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The Legal Department be authorized to prepare the necessary transaction documents; and
4. Inasmuch as the value of the property interests is not expected to exceed \$25,000.00, that the value be established by staff appraisal, according to City policy.

MSM: NPC: psm

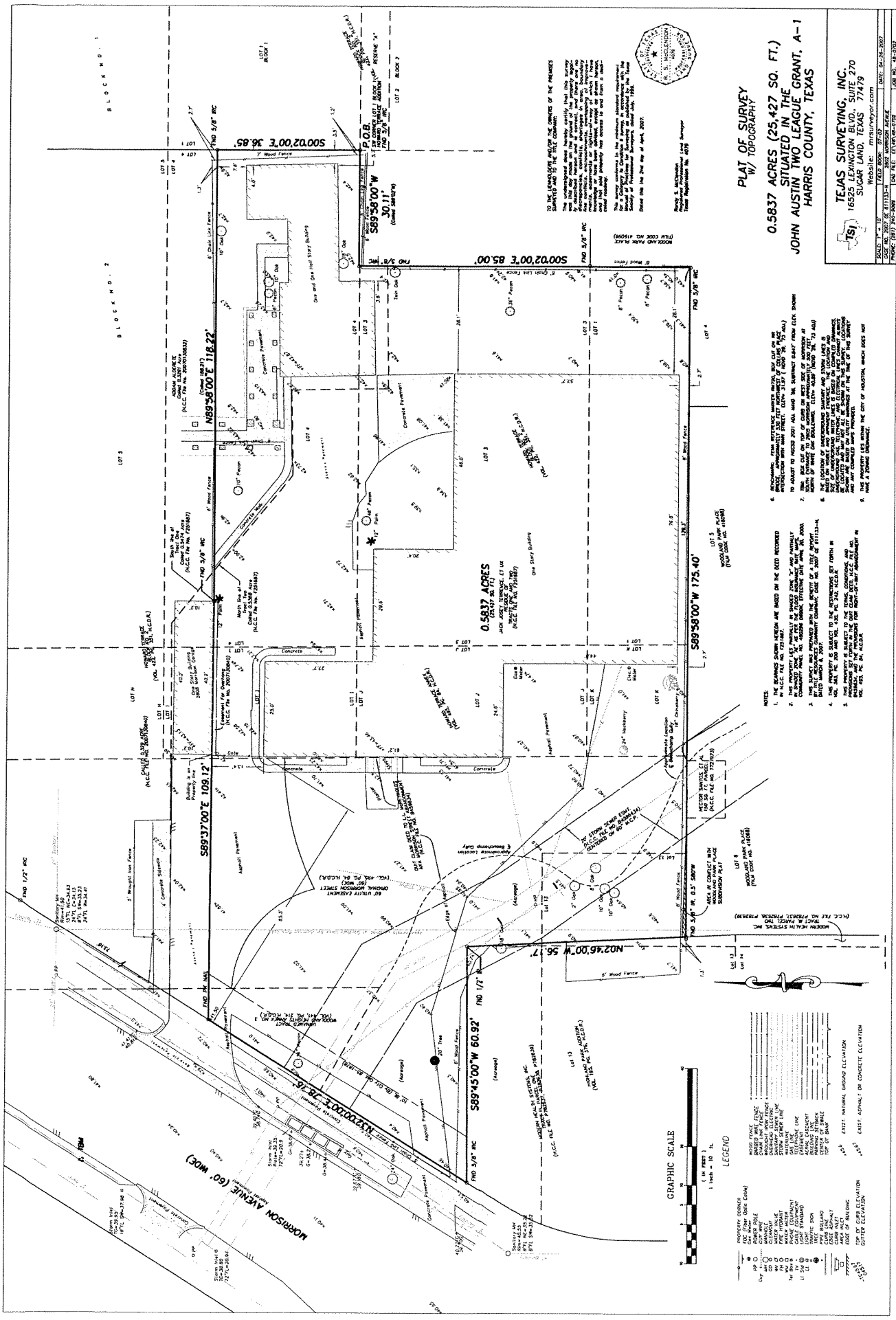
c: Phil Boriskie
Marlene Gafrick
Daniel W. Krueger, P.E.
Arturo G. Michel
Marty Stein
Jeff Taylor

s:\psm\sy7-106.rc1.doc CUIC #20PSM8858

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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Abandonment and sale of a 10-foot-wide sanitary sewer easement within the former Morrison Street, located between Woodland Heights Annex No. 3 and Howard Terrace Annex, out of the John Austin Two League Grant, A-1. Parcels SY7-106

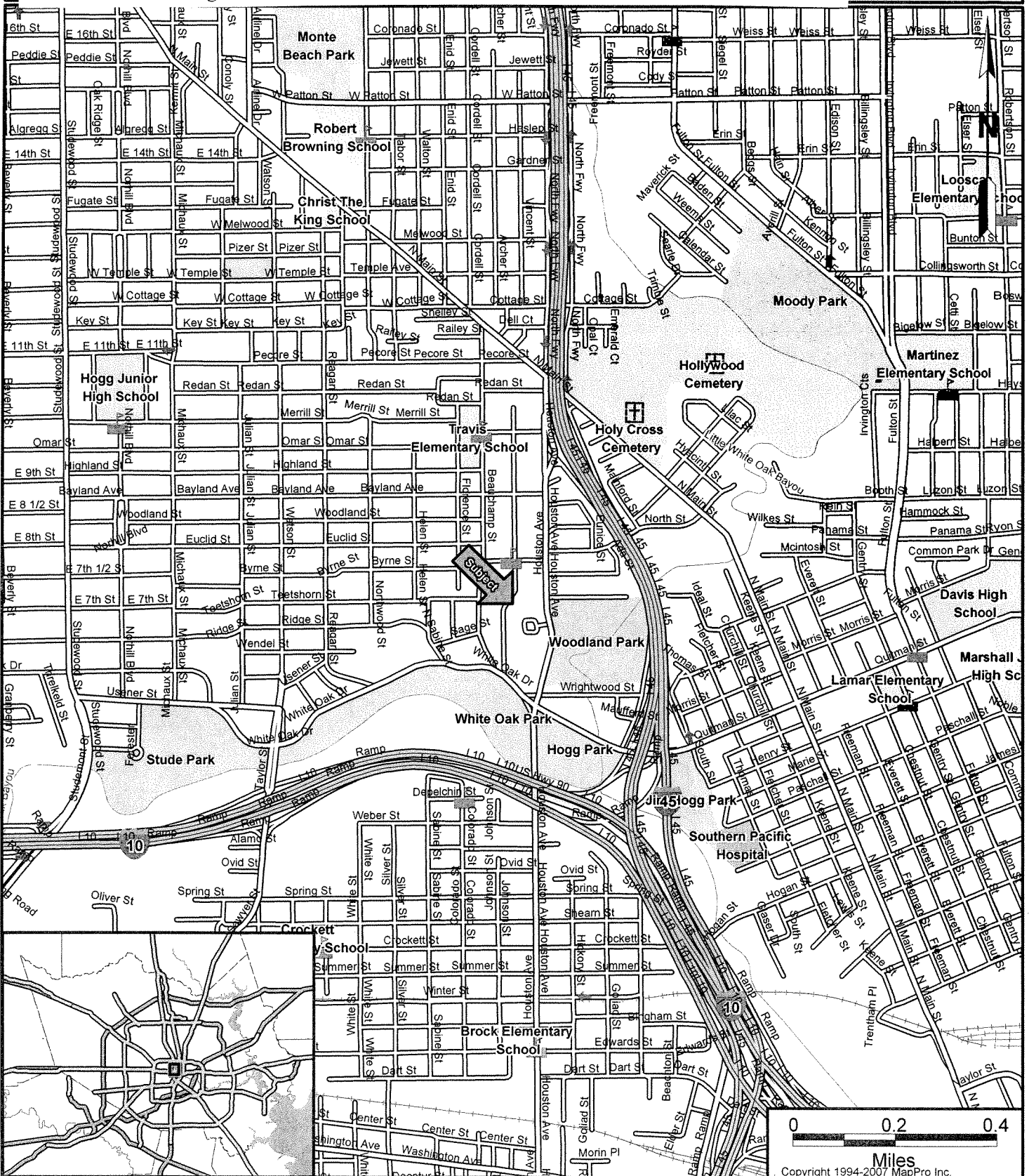


10' x 120' easement area to be abandoned

LOCATION MAP

Description:

Abandonment and sale of a 10-foot-wide sanitary sewer easement within the former Morrison Street, located between Woodland Heights Annex No. 3 and Howard Terrace Annex, out of the John Austin Two League Grant, A-1. **Parcels SY7-106**



CAUTION:

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

SUBJECT: Request for a council motion declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide alley from Stonington Street to Sprite Street, between Reo Street and Packard Street, within Block 1, Reserve A, Stonington Business Park, within the Third Subdivision of Fairbanks. Parcel SY7-055	Category # 7	Page <u>1</u> of <u>1</u>	Agenda Item # 7
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7/20/07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: A Key Map 410X <i>psm</i>
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For additional information contact: Nancy P. Collins <i>(NPC)</i> Phone: (713) 837-0881 Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a council motion declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide alley from Stonington Street to Sprite Street, between Reo Street and Packard Street, within Block 1, Reserve A, Stonington Business Park, within the Third Subdivision of Fairbanks. **Parcel SY7-055**

Amount and Source of Funding: Not Applicable	F & A Budget:
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SPECIFIC EXPLANATION:

John G. Patterson of Archway Properties, L.P., 3721 Briarpark, Suite 155, Houston, Texas 77042, on behalf of Rothway Stonington Partners, Ltd. (Mr. Donald E. Dennis, Jr., General Partner), requested the abandonment and sale of a 10-foot-wide alley from Stonington Street to Sprite Street, between Reo Street and Packard Street, within Block 1, Reserve A, Stonington Business Park, within the Third Subdivision of Fairbanks. The alley was dedicated to the City by the Third Subdivision of Fairbanks Suburban Townsite plat, recorded July 28, 1913, under Volume 4, Page 59, Harris County Map Records. The alley has never been opened nor has the City used it for utility purposes. Further, the City has identified no future need for this alley. One of the abutting property owners, Rothway Stonington Partners, Ltd., plans to use the property being non-accepted as a parking lot for a commercial building it owns located across the street from the property. The other abutting owner, James A. Kromer, plans to incorporate the property being non-accepted into his abutting property. The Joint Referral Committee reviewed the request and determined the alley could be processed as a non-acceptance.

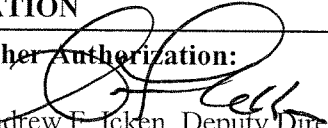
Therefore, it is recommended City Council approve a council motion declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide alley from Stonington Street to Sprite Street, between Reo Street and Packard Street, within Block 1, Reserve A, Stonington Business Park, within the Third Subdivision of Fairbanks .

MSM:NPC:psm

cc: Phil Boriskie
 Marlene Gafrick
 Daniel W. Krueger, P.E.
 Tim Lincoln, P.E.
 Arturo G. Michel
 Reid K. Mrsny, P.E.
 Jack Sakololsy, P.E.
 Marty Stein
 Jeff Taylor

s:\psm\sy7-055.rc1.doc CUIC #20PSM8829

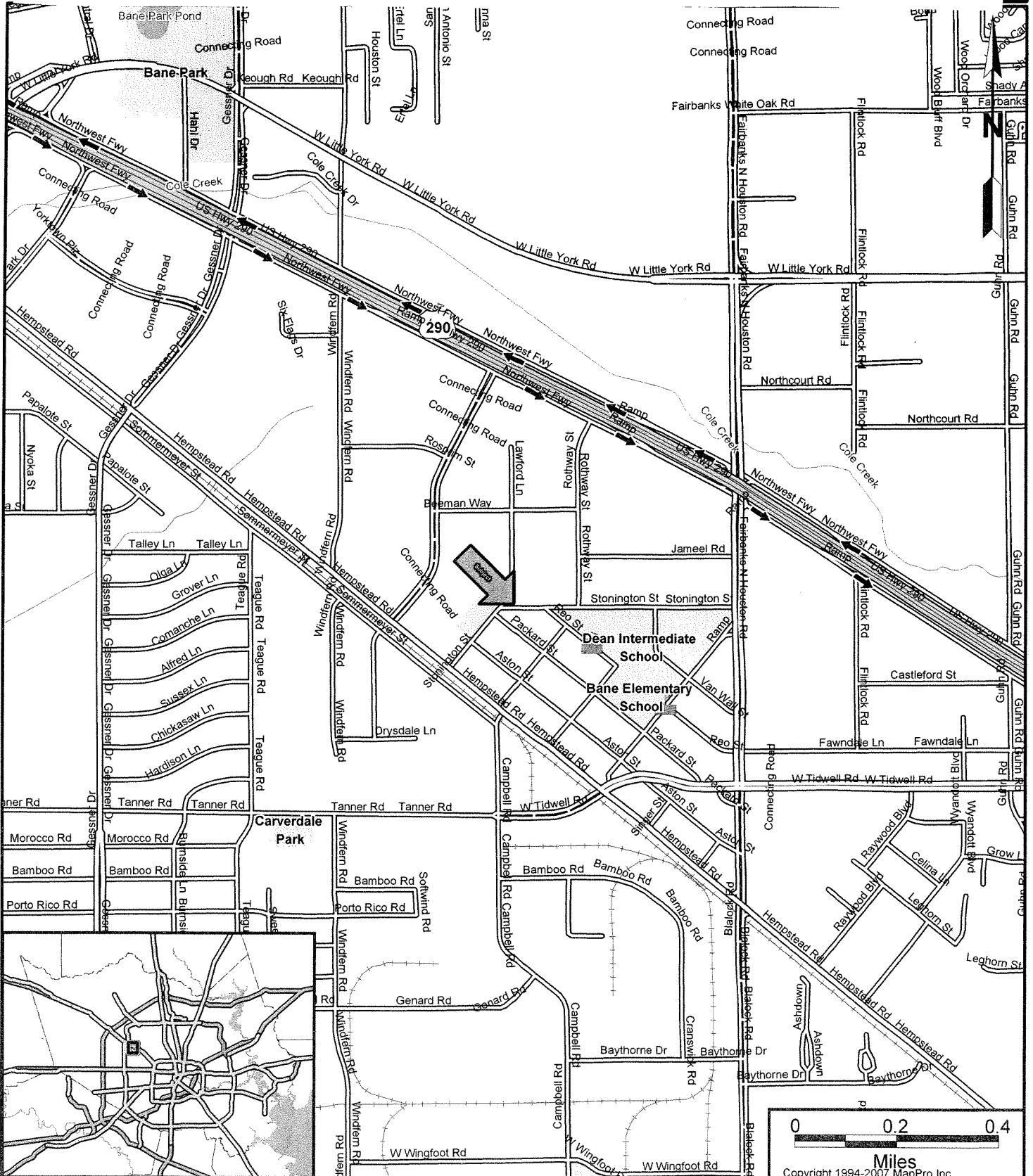
REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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LOCATION MAP

Description:

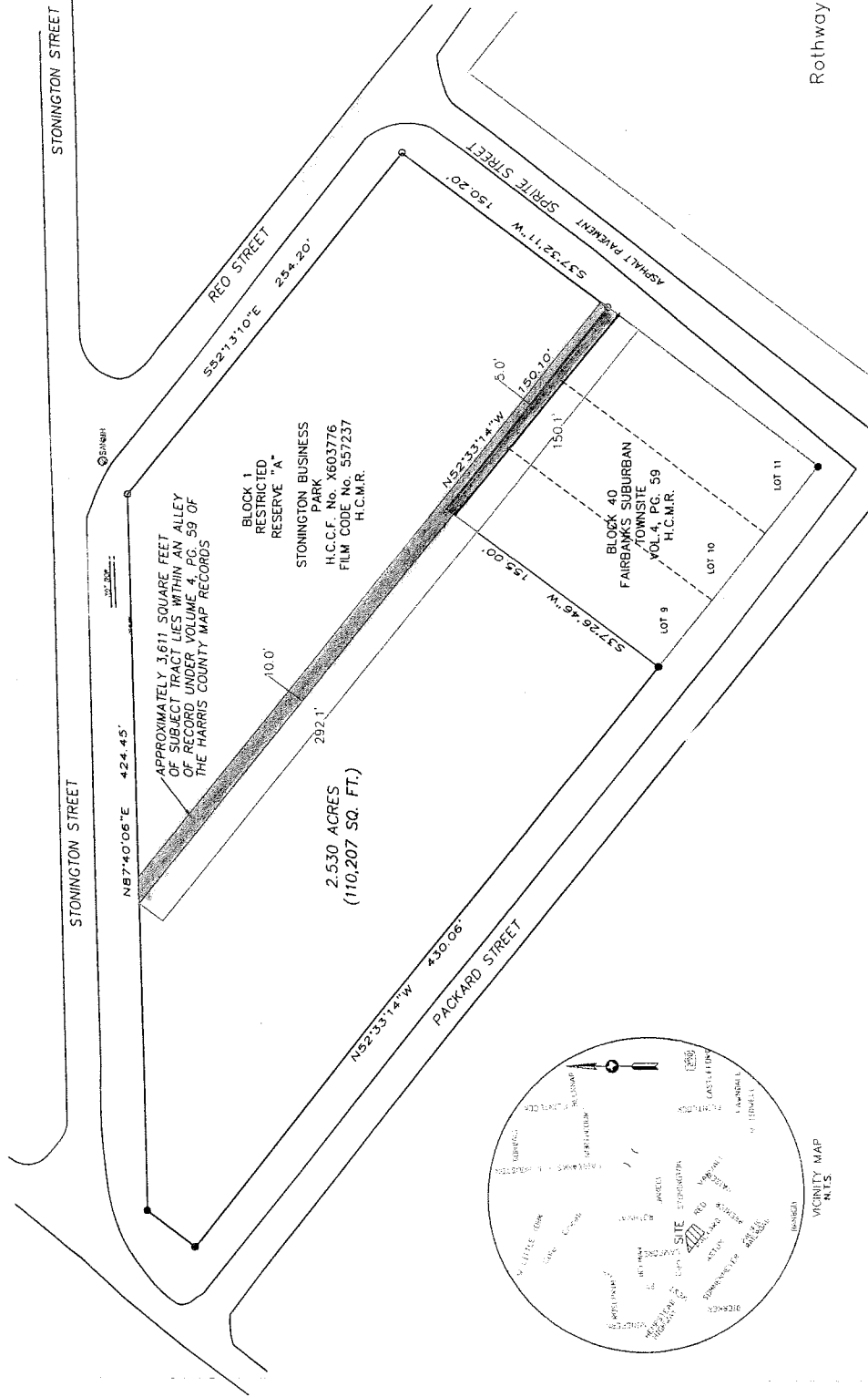
Council motion declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide alley from Stonington Street to Sprite Street, between Reo Street and Packard Street, within Block 1, Reserve A, Stonington Business Park, within the Third Subdivision of Fairbanks. **Parcel SY7-055**



CAUTION:

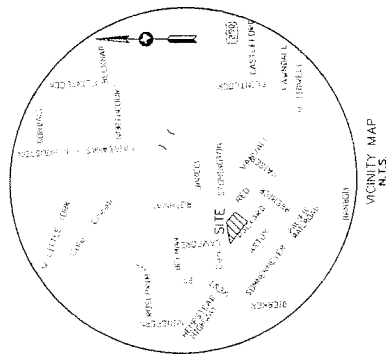
The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

STONINGTON ALLEY EXHIBIT



Rothway Stonington Partners, L.P.

Drawing By: JGP	Date: 7/03/2007	Scale: N.T.S.
Checked By:	J.B.	Atlas/AM No:
Project No:	Drawing Name:	410-X



Council motion declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide alley from Stonington Street to Sprite Street, between Reo Street and Packard Street, within Block 1, Reserve A, Stonington Business Park, within the Third Subdivision of Fairbanks. Parcel SY7-055


To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION


SUBJECT: PURCHASE of Parcel AY6-101, located at 10830 Old Katy Road for the BRITTMOORE ROAD PAVING PROJECT (from Old Katy Road to Hammerly Boulevard). C.I.P. N-000596-0001-2-01 OWNER: LLA Investments, L.L.C., a Texas limited liability company, Leah Lee Kayem, President	Category #7	Page 1 of 1	Agenda Item # 8
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7-19-07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE	Council District affected: A HHT Key Map 489 C
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director	Date and identification of prior authorizing Council Action: Ordinance 2003-1287, December 17, 2003
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RECOMMENDATION: (Summary)
 Authority be given through Council Motion to PURCHASE Parcel AY6-101

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2003-1287 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 437) 	F&A Budget:
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SPECIFIC EXPLANATION:
 The BRITTMOORE ROAD PAVING PROJECT (from Old Katy Road to Hammerly Boulevard) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 10830 Old Katy Road.

PURCHASE:
 The City desires to acquire 1,719 square feet of improved commercial land. The City's offer was based on an appraisal by T.N. Edmonds, Jr., MAI, SRA, ASA, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

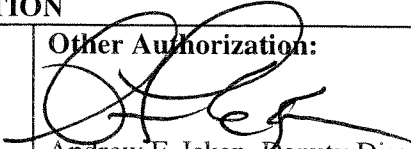
Parcel AY6-101 (Easement).....\$46,840.00

TOTAL COMPENSATION.....\$46,840.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY6-101, owned by LLA Investments, L.L.C., a Texas limited liability company, Leah Lee Kayem, President. The property is to be used as street right of way. This parcel contains 1,719 square feet of land situated in the Chris Williams Survey, Abstract 834, Harris County, Texas and being a portion of a called 3.58 acre tract of land as described in deed to LLA Investments, L.L.C., recorded under Harris County Clerk's File U940000 and being out of Lot 5 of Moore Acres Subdivision, recorded in Volume 10, Page 69, Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM:NPC:hht
 cc: Marty Stein

Tyler/AY6-101RCA CUIC #20HHT181

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division

PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY6-101:

Parcel AY6-101

LAND (Easement):

1,719 square feet @ \$25.00 \$42,975.00

IMPROVEMENTS:

191 linear feet of chain link fence @ \$15.00 depreciated 20% \$ 2,292.00

TOTAL IMPROVEMENTS.....\$ 2,292.00

COST TO CURE:

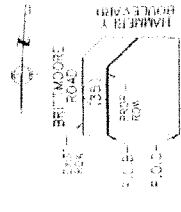
(Remaining cost to relocate fence) \$ 1,573.00

TOTAL COMPENSATION \$ 46,840.00

ABSTRACT NO. 504

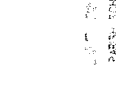
CHRIS WILLIAMS SURVEY ABSTRACT NO. 504

PROJECT NO.	1000000000
DATE	10/10/2010
BY	CHRIS WILLIAMS
CHECKED BY	CHRIS WILLIAMS
SCALE	AS SHOWN

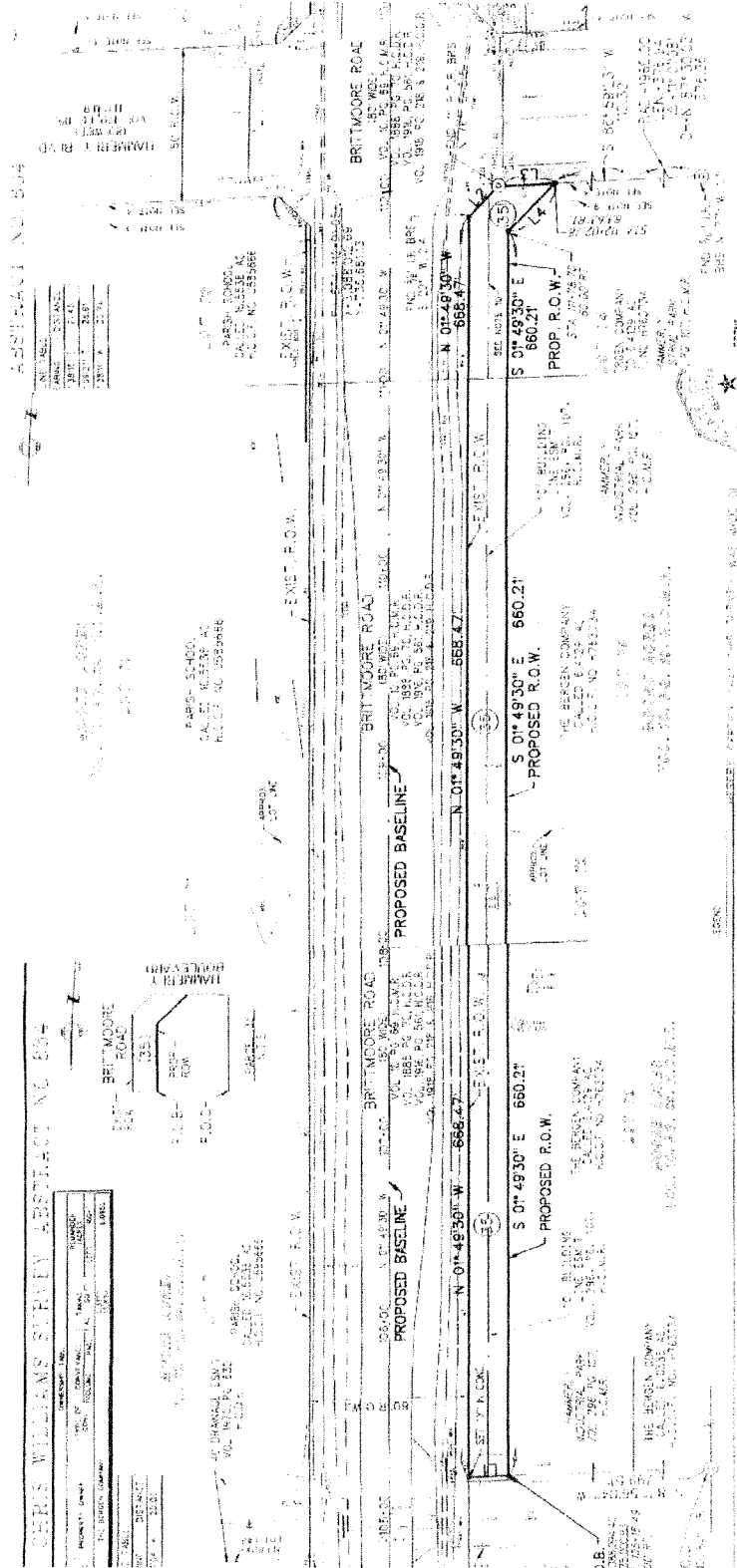


40' BRASS PIN
 40' BRASS PIN
 40' BRASS PIN
 40' BRASS PIN

PROJECT NO.	1000000000
DATE	10/10/2010
BY	CHRIS WILLIAMS
CHECKED BY	CHRIS WILLIAMS
SCALE	AS SHOWN



40' BRASS PIN
 40' BRASS PIN
 40' BRASS PIN
 40' BRASS PIN




To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: PURCHASE of Parcel AY6-108, located at 10801 Hammerly Boulevard for the BRITTMOORE ROAD PAVING PROJECT (from Old Katy Road to Hammerly Boulevard). C.I.P. N-000596-0001-2-01 OWNERS: Barnard Branca, Beth Branca, and Alexander Branca	Category #7	Page 1 of 1	Agenda Item # <p style="text-align: center; font-size: 2em;">9</p>
--	--------------------	--------------------	--

FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date <p style="text-align: center;">7-19-07</p>	Agenda Date <p style="text-align: center;">AUG 01 2007</p>
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE	Council District affected: <p style="text-align: center;">A HH-7 Key Map 449 Q</p>
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director	Date and identification of prior authorizing Council Action: Ordinance 2003-1287, December 17, 2003
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RECOMMENDATION: (Summary)
 Authority be given through Council Motion to PURCHASE Parcel AY6-108

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2003-1287 N-00663A-00RE-2-01 Street and Bridge Consolidated Construction Fund 437)	F&A Budget:
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SPECIFIC EXPLANATION:
 The BRITTMOORE ROAD PAVING PROJECT (from Old Katy Road to Hammerly Boulevard) provides for the acquisition of land necessary for street and utility improvements in order to improve traffic flow/circulation and storm water drainage in the service area. The parcel is located at 10801 Hammerly Boulevard.


PURCHASE:
 The City desires to acquire 13,839 square feet of vacant commercial land. The City's offer was based on an appraisal by Gary L. Meyer, Independent Fee Appraiser. This valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

Parcel AY6-108 (Easement).....	\$46,361.00
TOTAL COMPENSATION	\$46,361.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY6-108, owned by Barnard Branca, Beth Branca, and Alexander Branca. The property is to be used as street right of way. This parcel contains 13,839 square feet of land situated in the Chris Williams Survey, Abstract 834, Harris County, Texas and being a portion of a called 6.4129 acre tract of land as described in deed to The Bergen Company, recorded under Harris County Clerk's File H763734 and being out of Lots 72 and 74 of Moore Acres Subdivision, recorded in Volume 296, Page 107, Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM: NPC:hht
 cc: Marty Stein

Tyler/AY6-108RCA CUIC #20HHT182

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division

PARCEL VALUATION

Following is a breakdown of the consideration for Parcel AY6-108:

Parcel AY6-108

LAND (Easement):
13,839 square feet @ \$3.10\$42,901.00 (rounded)

IMPROVEMENTS:
Grass..... \$ 3,460.00

TOTAL IMPROVEMENTS \$ 3,460.00

TOTAL COMPENSATION \$46,361.00

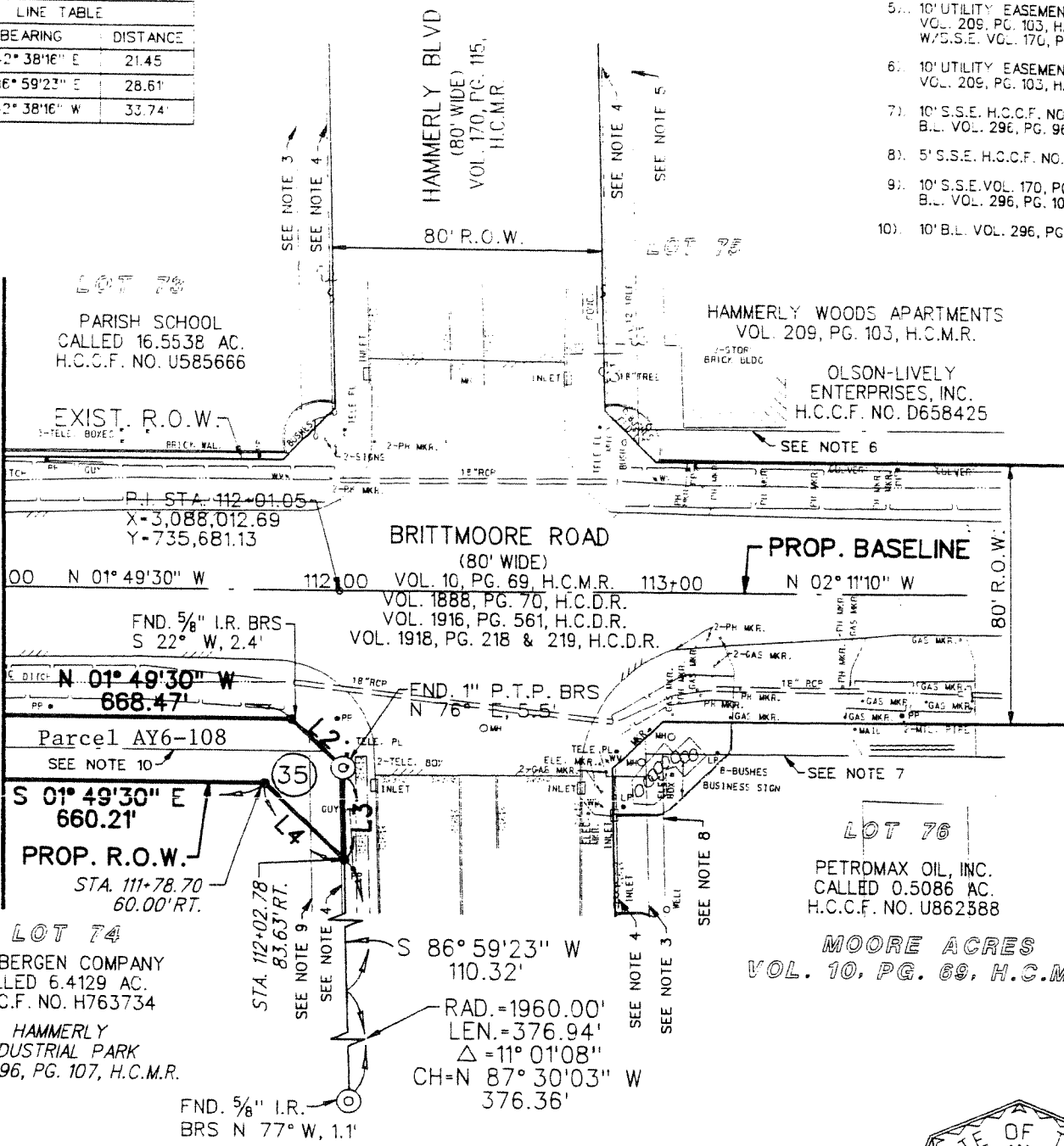
CHRIS WILLIAMS SURVEY ABSTRACT NO. 834

NOTES:

- 3) 10' S.S.E. VOL. 170, PG. 115, H.C.M.F.
- 4) 1' RESERVE VOL. 170, PG. 115, H.C.M.
- 5) 10' UTILITY EASEMENT & B.L. VOL. 209, PG. 103, H.C.M.R. W/S.S.E. VOL. 170, PG. 115, H.C.M.R.
- 6) 10' UTILITY EASEMENT & B.L. VOL. 209, PG. 103, H.C.M.R.
- 7) 10' S.S.E. H.C.C.F. NO. D756892 & B.L. VOL. 296, PG. 96, H.C.M.R.
- 8) 5' S.S.E. H.C.C.F. NO. E043636
- 9) 10' S.S.E. VOL. 170, PG. 115, H.C.M.R. & B.L. VOL. 296, PG. 107, H.C.M.R.
- 10) 10' B.L. VOL. 296, PG. 107, H.C.M.R.

LINE	BEARING	DISTANCE
L2	N 42° 38' 16" E	21.45
L3	N 86° 59' 23" E	28.61
L4	S 42° 38' 16" W	33.74

MATCH LINE STA. 111+00



MATCH LINE STA. 111+00

LEGEND

- Existing R.O.W. Line
- Proposed R.O.W. Line
- - - Property Line
- x-x- Existing Fence
- (X) Parcel Number
- ⊙ Property Corner Found (except as noted)
- Found Type I Conc.Mon.
- Set Type II Conc.Mon. (except as noted)
- Set 5/8" I.R. W/Plastic Cap (except as noted)
- H.C.M.R.—HARRIS COUNTY MAP RECORDS
- H.C.C.F.—HARRIS COUNTY CLERK'S FILE
- H.C.D.R.—HARRIS COUNTY DEED RECORDS
- G.S.U.E.—GULF STATES UTILITIES ESM'T
- S.S.E.—SANITARY SEWER EASEMENT
- U.E.—UTILITY EASEMENT
- A.E.—AERIAL EASEMENT
- B.L.—BUILDING LINE
- D.E.—DRAINAGE EASEMENT
- ESM'T—EASEMENT

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT.

Scott M. Fertak
30 APRIL 2005
SCOTT M. FERTAK
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5257

- NOTES:
- 1) ALL BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED TO THE CITY OF HOUSTON MONUMENTATION SYSTEM, BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 27, MONUMENT NUMBER 4958-0215. TO CONVERT SURFACE VALUES TO GRID VALUES MULTIPLY BY THE GRID FACTOR OF 0.9998909839.
 - 2) SUBJECT TO AN UNDEFINED PIPELINE EASEMENT TO TEXAS PIPELINE COMPANY, RECORDED IN VOL. 372, PG. 225, H.C.M.R.

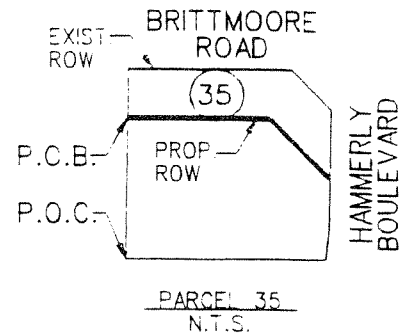


RIGHT OF WAY PLAT
SHOWING PROPERTY OF
PARCEL 35
BRITTMOORE HARRIS COUNTY
CONTROL NO. 0912-71-634
LANDTECH CONSULTANTS, INC. APRIL, 200

CHRIS WILLIAMS SURVEY ABSTRACT NO. 834

OWNERSHIP TABLE								
PARCEL NO.	DEED ACREAGE	PROPERTY OWNER	TYPE OF CONV.	CONVEYANCE		TAKING AC. SQ. FT.	REMAINDER (ACRES)	
				VOLUME	PAGE		LEFT	RIGHT
35	6.4129	THE BERGEN COMPANY				0.3177 13,839		6.0952

LINE TABLE		
LINE	BEARING	DISTANCE
L	S 87° 56' 04" W	20.00'



*MOORE ACRES
VOL. 10, PG. 69, H.C.M.R.*

LOT 77

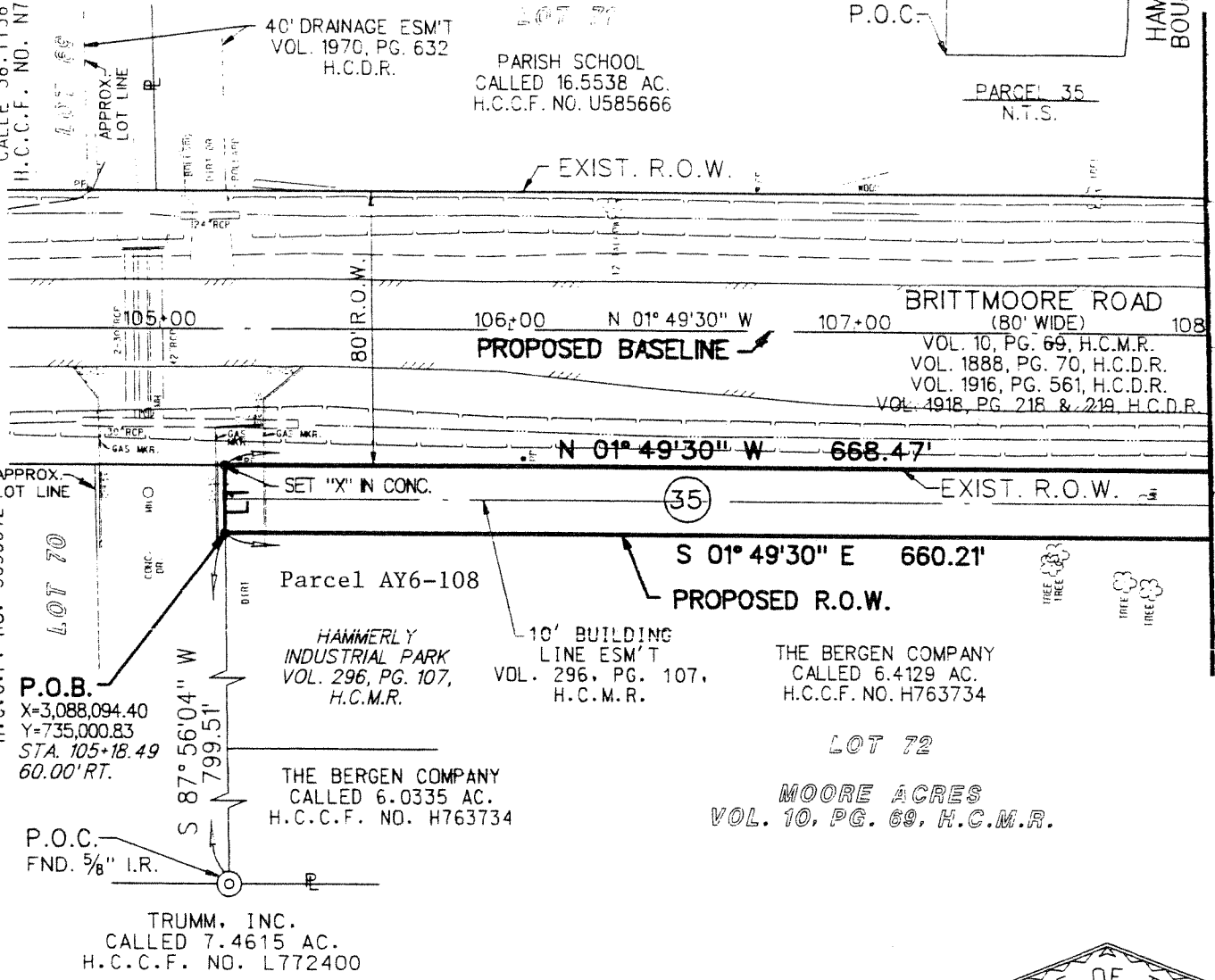
PARISH SCHOOL
CALLED 16.5538 AC.
H.C.C.F. NO. U585666

40' DRAINAGE ESM'T
VOL. 1970, PG. 632
H.C.D.R.

BRITTMOORE HAMMERLY
PARTNERSHIP
CALLED 38.1138 AC.
H.C.C.F. NO. N750033

MIT UNSECURED, L.P.
CALLED 12.9373
H.C.C.F. NO. S658812

MATCH LINE STA. 108+00



LEGEND

- Existing R.O.W. Line
- Proposed R.O.W. Line
- - - Property Line
- x - Existing Fence
- (X) Parcel Number
- ⊙ Property Corner Found (except as noted)
- Found Type I Conc. Mon.
- Set Type II Conc. Mon. (except as noted)
- Set 5/8" I.R. W/Plastic Cap (except as noted)
- H.C.M.R.—HARRIS COUNTY MAP RECORDS
- H.C.C.F.—HARRIS COUNTY CLERK'S FILE
- H.C.D.R.—HARRIS COUNTY DEED RECORDS
- G.S.U.E.—GULF STATES UTILITIES ESM'T
- S.S.E.—SANITARY SEWER EASEMENT
- U.E.—UTILITY EASEMENT
- A.E.—AERIAL EASEMENT
- B.L.—BUILDING LINE
- D.E.—DRAINAGE EASEMENT
- ESM'T—EASEMENT

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT.

Scott M. Fertak 30 APRIL 2005

SCOTT M. FERTAK
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5257

NOTES:

- 1). ALL BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED TO THE CITY OF HOUSTON MONUMENTATION SYSTEM, BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 27, MONUMENT NUMBER 4958-0215. TO CONVERT SURFACE VALUES TO GRID VALUES MULTIPLY BY THE GRID FACTOR OF 0.9998909839.
- 2). SUBJECT TO AN UNDEFINED PIPELINE EASEMENT TO TEXAS PIPELINE COMPANY, 2600...



RIGHT OF WAY PLAT
SHOWING PROPERTY OF
PARCEL 35
BRITTMOORE HARRIS COUNTY
CONTROL NO. 0912-71-634
LANDTECH CONSULTANTS, INC. APRIL, 2005

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7517

Subject: Approve the Sole Source Purchase of a Grimm Portable Aerosol Spectrometer and Accessories for the Health & Human Services Department.
S23-N22531

Category #
4

Page 1 of 1

Agenda Item

10

FROM (Department or other point of origin):
Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 10, 2007

Agenda Date

AUG 01 2007

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Daphne Sands Phone: (713) 794-9197
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve the sole source purchase from Grimm Technologies, Inc. in the amount of \$30,650.00 for a portable aerosol spectrometer and accessories for the Health & Human Services Department.

Award Amount: \$30,650.00

F & A Budget

\$18,900.00 - Health Special Revenue Fund (2002)
\$11,750.00 - Federal State Local - Pass Through Funds (5030)
\$30,650.00 TOTAL

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve the sole source purchase from Grimm Technologies, Inc. in the amount of \$30,650.00 for a portable aerosol spectrometer and accessories for the Health & Human Services Department and that authorization be given to issue a purchase order. This instrument will be used by the Department's Bureau of Air Quality Control to investigate complaints pertaining to particulate matter. Particulate matter is a complex mixture of extremely small particles and liquid droplets. The sizes of the particles are directly linked to their potential for causing health problems such as chronic bronchitis and acute respiratory symptoms.

Grimm Technologies, Inc. is the sole source manufacturer of the patented instrument and has no authorized distributors for this equipment.

This award consists of a portable real-time aerosol spectrometer, a lead storage battery, an external power supply, and accessories such as carrying cases and a battery charger. This instrument will come with a full one-year warranty for parts and workmanship and the life expectancy is ten years.

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

Buyer: Roy Breaux

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization: *MDT*

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7515

Subject: Sole Bid Received for Interuterine (IUD) Copper Contraceptive Devices for the Health & Human Services Department
S09-S22473

Category #
4

Page 1 of 1

Agenda Item

11

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 09, 2007

Agenda Date

AUG 0 1 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Daphne Sands Phone: (713) 794-9197
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Integrated Commercialization Solutions, Inc. dba ParaGard Direct on its sole bid in an amount not to exceed \$213,808.00 for interuterine (IUD) copper contraceptive devices for the Health & Human Services Department.

Estimated Spending Authority: \$213,808.00

F & A Budget

\$213,808.00 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Integrated Commercialization Solutions, Inc. dba ParaGard Direct on its sole bid in an amount not to exceed \$213,808.00 for IUD copper contraceptive devices for the Health & Human Services Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period.

This award consists of IUDs that will be administered to the indigent patients that visit six (6) of the City's health clinics. These health clinics in specific are La Casa Nueva, Lyons Health Center, Magnolia, Northside, Riverside and Sunnyside.

This City of Houston's expenses on this project will be reimbursed via the Government's Medicaid program.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Nine prospective bidders viewed the solicitation document on SPD's e-bidding website, and only one bid was received due to the specialization of these items.

Buyer: M.A. Cruz Goldman

Attachment: M/WBE zero-percent goal document approved by the Affirmative Action Division.

Estimated Spending Authority:

Department	FY08	Out Years	Total
Health & Human Services Department	\$45,000.00	\$168,808.00	\$213,808.00

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MD



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: M. A. Cruz Goldman

Date: April 27, 2007

Subject: MWBE Participation Form

I am requesting a **waiver** of the MWBE Goal: Yes No Type of Solicitation: Bid Proposal

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes No 0%

I am requesting a **revision** of the MWBE Goal: Yes No Original Goal: 0% New Goal: 0%

If requesting a revision, how many solicitations were received: _____

Solicitation Number: S09-S22473 Estimated Dollar Amount: \$213,808.00

Anticipated Advertisement Date: 5/4/2007 Solicitation Due Date: 5/17/2007

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

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

Name and Intent of this Solicitation:

This bid covers 230 boxes of Interuterine (IUD) Copper Contraceptive Devices that will be administered to patients at the City's health clinics. This quantity represents a 60-month term contract that will be federally funded under a grant.

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

There is only one manufacturer/distributor for these IUDs and neither company is locally situated. The IUDs will be dropped-shipped to the City of Houston. Thus, there isn't an opportunity to involve a City-certified M/WBE.

Concurrence:

SPD Initiator

Division Manager


FOR Velma Laws, Director
*Affirmative Action

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

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

File location: <http://choice.net/spd/forms.html>

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Article VII of Chapter 33, Code of Ordinances, relating to the designation of the Old Sixth Ward as a Protected Historic District, approval of design guidelines to be applicable to all properties within the Old Sixth Ward Protected Historic District and providing a procedure for administrative approval of minor work.		Category #	Page 1 of 1	Agenda Item # 12
FROM (Department or other point of origin): Department of Planning and Development		Origination Date 07-24-07		Agenda Date AUG 0 1 2007
DIRECTOR'S SIGNATURE: 		Council District affected: H		
For additional information contact: Randy Pace Phone: x7-7796		Date and identification of prior authorizing Council action: Ord. 95-228 3/5/1995; Res. 98-25 6/25/1998; Ord. 07-463, 4/11/07		
RECOMMENDATION: (Summary) Approval of an Ordinance amending Article VII of Chapter 33, Code of Ordinances, relating to the designation of the Old Sixth Ward as a Protected Historic District and approval of design guidelines to be applicable to all properties within the Old Sixth Ward Protected Historic District (OSWPHD) and providing a procedure for administrative approval of minor work.				
Amount and Source of Funding: NA			F & A Budget:	
<p>SPECIFIC EXPLANATION: The Old Sixth Ward was designated a City of Houston historic district June 25, 1998. The Old Sixth Ward is unique because it represents the highest concentration of historic structures in the City. The City of Houston established a tax increment reinvestment zone in 1998 (TIRZ 13) by a petition process with the authority to establish land use regulations. TIRZ 13's Board of Directors envisioned the adoption of land use regulations for the purpose of protecting and maintaining the historic character of the neighborhood.</p> <p>The designation of an Old Sixth Ward Protected Historic District and adoption of the design guidelines would preserve the existing building stock and general neighborhood character, allow for orderly and compatible alteration of existing historic properties in the District, provide for new infill development compatible with surrounding historic structures, and achieve one of the goals of the approved TIRZ 13 project plan.</p> <p>The OSWPHD boundary is slightly smaller (see attached map) than the current OSW Historic District which has suffered significant loss of historic buildings on the fringe areas.</p> <p>The current provisions of section 33-250(a) allow an applicant to proceed with inappropriate activity after the 90-day waiting period even though a certificate of appropriateness (COA) considered by the Houston Archaeological and Historical Commission (HAHC) is denied. The 90-day waiting period provision will not apply to any properties within the boundary of the OSWPHD. When an applicant is denied a COA, he or she may revise their project to comply with the ordinance criteria as illustrated in the design guidelines, or they may appeal their decision to the Planning Commission. The 90-day waiting period will continue to apply to the properties lying outside the OSWPHD.</p> <p>A section will be added to the ordinance to allow for administrative approval of minor work to shorten the processing time of standard COAs for minor repairs or changes to a structure.</p> <p>The HAHC held Public hearings on May 23, 2007 and June 13, 2007 and recommended approval of the amendment. Houston Planning Commission held a public hearing on June 21, 2007 and recommended approval of the amendment on July 5, 2007. The Council Committee on Quality of Life approved the amendment on July 17, 2007.</p> <p>The design guidelines, process flowcharts, public comments and recommendations, and maps can be found at www.houstontx.gov/planning/historic_pres/Sixth_Ward/sixth_ward.htm.</p>				
xc: Marty Stein, Mayor's Agenda Office Arturo Michel, City Attorney Harold L. Hurtt, Chief, HPD Robert Fiederlein, F&A		Jill Jewett, Mayor's Liaison for Cultural Affairs Deborah McAbee, Legal Department Phil Boriskie, Fire Chief		
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

**PROPOSED AMENDMENTS TO ARTICLE VII OF CHAPTER 33
OF THE CODE OF ORDINANCES RELATING TO
HISTORIC PRESERVATION AND
THE OLD SIXTH WARD PROTECTED HISTORIC DISTRICT**

Sec. 33-201. Definitions.

<Design guidelines means the design guidelines for the Old Sixth Ward protected historic district approved by the city council, and as subsequently amended by the HAHC, pursuant to division 6 of this article.

Old Sixth Ward protected historic district or OSWPHD means the protected historic district established by the city council pursuant to division 6 of this article.>

Sec. 33-214. Responsibilities.

In addition to other responsibilities specified in this article, the responsibilities of the HAHC shall be as follows:

- (1) Adopt such rules of procedure for meetings and proceedings of the HAHC as are necessary or convenient to accomplish the purposes set out in this article;
- (2) Actively pursue and encourage the creation and maintenance of a list and maps of buildings, structures, objects, sites and areas in the city having special archaeological, historical, paleontological and historical architectural interest or value. The HAHC shall place particular emphasis upon evaluating and incorporating into the list and maps the findings of studies and surveys already completed;
- (3) Identify buildings, structures, objects, sites and areas of the city that have the potential for designation as landmarks, protected landmarks, historic districts or archaeological sites and, where authorized by this article, initiate the process for the designation of landmarks, historic districts and archaeological sites;
- (4) Increase public awareness of the value of archaeological, historical, paleontological and historical architectural conservation by facilitating and participating in public educational programs and by recommending updates to the conservation program;
- (5) Make recommendations to the city council concerning the availability and utilization of grants from federal and state agencies, private groups and individuals, and the utilization of budgetary appropriations to promote the conservation of significant archaeological, historical, paleontological or

historical architectural sites or structures in the city;

- (6) Evaluate and comment upon decisions by city departments and agencies affecting archaeological, historical, paleontological or historical architectural resources;
- (7) Assist the city in working with the Texas Historical Commission, the Texas Antiquities Committee, the Texas State Historic Preservation Officer, the Harris County Historical Commission, and other appropriate federal, state and local agencies;
- (8) Facilitate efforts of persons wishing to donate archaeological, historical, paleontological or historical architectural artifacts, materials, structures, objects or sites to the public in placing those resources with qualified curatorial associations;
- (9) <Evaluate the effectiveness of the design guidelines in achieving the goals of the Old Sixth Ward protected historic district and recommending changes to the design guidelines, if appropriate;
- (10)> Report annually to the city council the results of its work in these areas; and
- ~~((10))~~<(11)> Perform any other duties that the city council authorizes the HAHC to perform.

Sec. 33-240. Criteria for issuance of certificates of appropriateness--General.

Except as provided in <subsection 33-241(b) and> sections 33-248 and 33-249 of this Code, the HAHC shall review and approve, approve with conditions, or disapprove a certificate of appropriateness pursuant to the applicable specific criteria in this division or, if a conservation plan for an historic district has been approved pursuant to section 33-268 of this Code, the criteria in the conservation plan. <In considering and acting upon a certificate of appropriateness for any property located within the Old Sixth Ward protected historic district, the HAHC shall use the design guidelines to determine whether the application meets the applicable specific criteria of this division.> The applicant for a certificate of appropriateness shall have the burden of demonstrating that the application satisfies the criteria applicable to the issuance of the certificate of appropriateness. To approve or disapprove an application for a certificate of appropriateness, the HAHC shall consider and make findings with respect to the relationship between the proposed activity and the applicable criteria. The HAHC shall take into consideration the current needs of the applicant and shall be sensitive to the property owner's financial condition in determining whether to issue a certificate of appropriateness.

Sec. 33-241. Same--Alteration, rehabilitation, restoration and construction.

(a) The HAHC shall issue a certificate of appropriateness for the alteration, rehabilitation, restoration or construction of an exterior feature of (i) any landmark, (ii) protected landmark, (iii) any building, structure or object in an historic district, or (iv) any building, structure or object that is part of an archaeological site, upon finding that the application satisfies the following criteria, as applicable:

- (1) The proposed activity must retain and preserve the historical character of the property;
- (2) The proposed activity must contribute to the continued availability of the property for a contemporary use;
- (3) The proposed activity must recognize the building, structure, object or site as a product of its own time and avoid alterations that seek to create an earlier or later appearance;
- (4) The proposed activity must preserve the distinguishing qualities or character of the building, structure, object or site and its environment;
- (5) The proposed activity must maintain or replicate distinctive stylistic exterior features or examples of skilled craftsmanship that characterize the building, structure, object or site;
- (6) New materials to be used for any exterior feature must be compatible with the materials being replaced in composition, design, texture and other visual qualities;
- (7) The proposed replacement of missing exterior features, if any, should be based on accurate duplication of features, substantiated by available historical, physical or pictorial evidence, where that evidence is available, rather than on conjectural designs or the availability of different architectural elements from other structures;
- (8) Proposed additions or alterations must be done in a manner that, if removed in the future, would leave unimpaired the essential form and integrity of the building, structure, object or site;
- (9) The proposed design for alterations or construction must not destroy significant historical, architectural or cultural material and must be compatible with the size, scale, material and character of the property and the area in which it is located;

- (10) The setback of any proposed construction or alteration must be compatible with existing setbacks along the blockface and facing blockface(s); and
- (11) The proposed activity will comply with any applicable deed restrictions.

(b) <Notwithstanding the preceding subsection (a), the planning official is authorized to issue a certificate of appropriateness for the following types of alteration of a (i) landmark, (ii) protected landmark, (iii) building, structure or object in an historic district, or (iv) building, structure or object that is part of an archaeological site upon finding that the application satisfies the criteria of the subsection (a) of this section of the Code, as applicable:

- (1) Removal of an inappropriate window or door element that was not original to the structure and replacement with a window or door element that:
 - a. Is appropriate to the historic significance of the structure; and
 - b. Does not change the size, shape or location of any opening, including the trim, molding or other features associated with the opening, from which the window or door elements are to be removed;
- (2) Removal of synthetic exterior wall cladding, such as asbestos, aluminum or vinyl siding, that was not an original feature or characteristic of the structure and replacement with appropriate cladding; and
- (3) Installation of missing porch elements or detailing that has been partially lost or removed but whose existence has been substantiated by the remaining elements still in existence or historical documentation such as architectural plans or historic photographs.

If the director disapproves the application, or if the director does not approve the application within 15 business days of receipt of the complete application, the application shall be referred to the HAHC for consideration pursuant to subsection (a) of this section. The schedule for consideration of an application for a certificate of appropriateness provided by section 33-239 of this Code shall apply to an application considered under this subsection and the administrative process authorized herein shall not suspend any time required for consideration. The director may promulgate rules for the receipt and processing of applications under this subsection.

(c)> In reviewing applications for certificates of appropriateness under this section, the HAHC <or the director, respectively as appropriate,> shall also consider any elements of the proposed activity that may be necessary to enable the property to comply with any other applicable city ordinances or state or federal law so as to facilitate compliance with this ordinance and other applicable laws.

Sec. 33-250. Ninety-day waiver certificate.

(a) Except as provided in subsection (c) of this section, if for any reason a certificate of appropriateness has not been issued on or before the ninetieth day following the filing of a complete application for a certificate of appropriateness with the planning official, then the applicant, upon request to the planning official, shall be entitled to the immediate issuance of a 90-day waiver certificate, which shall for all purposes be the equivalent of a certificate of appropriateness.

(b) Before the expiration of the 90 days, the applicant shall consult with department staff to explore alternatives to the actions proposed by the applicant to mitigate the reasons for which the certificate was denied. Notwithstanding the foregoing, any property for which a 90-day waiver certificate is granted pursuant to the provisions of this section shall not be eligible for any tax exemptions or other financial benefit authorized by the city council for the property based on its designation pursuant to this article.

(c) The planning official shall not issue a 90-day waiver certificate for any protected landmark <or for any property located within the Old Sixth Ward protected historic district>.

Sec. 33-254. Demolition by neglect.

The owner <of a contributing structure or potentially contributing structure located within the Old Sixth Ward protected historic district or> of a protected landmark shall not permit the <contributing structure or potentially contributing structure or> protected landmark to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature. The city should establish rules and procedures by which neighboring landowners and residents could initiate processes to remove landmarks in a serious state of disrepair from protected status.

<DIVISION 6. OLD SIXTH WARD PROTECTED HISTORIC DISTRICT

Sec. 33-275. Designation of Old Sixth Ward protected historic district.

In recognition of the unique historical significance of the Old Sixth Ward area and in furtherance of the project plan and reinvestment zone financing plan of the Old Sixth Ward tax increment reinvestment zone (Reinvestment Zone Number Thirteen, City of Houston, Texas), there is hereby designated an area to be known as the Old Sixth Ward protected historic district. The purpose of the designation is to provide additional protection against the irretrievable loss or alteration of the historic structures with the OSWPHD and new construction that is not compatible with the historic structures in the district. The area included in the OSWPHD and the contributing, potentially contributing, and noncontributing structures in the OSWPHD are shown in Appendix G and Appendix H, respectively, to this

chapter. The provisions of section 33-250(a) of this Code shall not apply to a certificate of appropriateness for any structure or property within the OSWPHD.

Sec. 33-276. Approval of design guidelines.

The city council hereby approves design guidelines to be applicable in the Old Sixth Ward protected historic district. A copy of the design guidelines is to be maintained in the office of the city secretary and on the website of the department. The HAHC shall refer to the design guidelines in determining whether an application for certificate of appropriateness satisfies the applicable criteria of division 4 of this article and in making the findings required by section 33-240 of this Code.

Sec. 33-277. Amendment of design guidelines.

The HAHC shall conduct a public hearing on amendments to the design guidelines if changes are recommended by the HAHC in any annual report. At the public hearing, interested parties may comment in person or in writing on any recommended amendments to the design guidelines. Following the public hearing, the HAHC may amend the design guidelines.

<DIVISION 6. OLD SIXTH WARD PROTECTED HISTORIC DISTRICT

Sec. 33-275. Designation of Old Sixth Ward protected historic district.

In recognition of the unique historical significance of the Old Sixth Ward area and in furtherance of the project plan and reinvestment zone financing plan of the Old Sixth Ward tax increment reinvestment zone (Reinvestment Zone Number Thirteen, City of Houston, Texas), there is hereby designated an area to be known as the Old Sixth Ward protected historic district. The purpose of the designation is to provide additional protection against the irretrievable loss or alteration of the historic structures with the OSWPHD and new construction that is not compatible with the historic structures in the district. The area included in the OSWPHD is shown on the map attached as Appendix A to this article. The provisions of section 33-250(a) of this Code shall not apply to a certificate of appropriateness for any structure or property within the OSWPHD.

Sec. 33-276. Approval of design guidelines.

The city council hereby approves design guidelines to be applicable to all property within the Old Sixth Ward protected historic district. A copy of the design guidelines is to be maintained in the office of the city secretary and on the website of the department. The HAHC shall refer to the design guidelines in determining whether an application for certificate of appropriateness satisfies the applicable criteria of division 4 of this article and in making the findings required by section 33-240 of this Code.

Sec. 33-277. Amendment of design guidelines.

The HAHC shall conduct a public hearing on amendments to the design guidelines if changes are recommended by the HAHC in any annual report. At the public hearing, interested parties may comment in person or in writing on any recommended amendments to the design guidelines. Following the public hearing, the HAHC may amend the design guidelines.>

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AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES RELATING TO HISTORIC PRESERVATION; DESIGNATING THE OLD SIXTH WARD PROTECTED HISTORIC DISTRICT PURSUANT THERETO; ADOPTING DESIGN CRITERIA TO BE USED IN CONSIDERING THE CRITERIA FOR APPROVAL OF CERTIFICATES OF APPROPRIATENESS IN THE OLD SIXTH WARD PROTECTED HISTORIC DISTRICT; MAKING FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; CONTAINING A REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, under Article XI, Section 5 of the Texas Constitution, the City of Houston is a home-rule municipality having the full power of self-government and, as set forth in section 51.072 of the Texas Local Government Code, may exercise that authority independent of the powers granted it under the Texas Local Government Code; and

WHEREAS, in the exercise of this power, the City Council has adopted Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas, (the "Historic Preservation Ordinance") providing for the recognition, protection, enhancement, perpetuation and use of sites and landmarks of historical or archeological interest within the City; and

WHEREAS, the City Council finds that the Historic Preservation Ordinance is necessary and appropriate and is in the public interest as a means to preserve and protect the historic heritage of the City and to protect and promote the health and economic well-being, safety and welfare of the people of the City, and

WHEREAS, the City Council finds that the administration of the Historic Preservation Ordinance through the approval of certificates of appropriateness as provided therein can be enhanced through the provision of a process to allow for the administrative approval of certain types of certificates of appropriateness for minor changes to historic structures; and

WHEREAS, the City Council finds that it is necessary and appropriate to amend the Historic Preservation Ordinance to provide for administrative approval of certificates of appropriateness for certain minor changes to historic structures; and

WHEREAS, the City Council designated the Old Sixth Ward Historic District as a City historic district pursuant to the provisions of the Historic Preservation Ordinance by Resolution No. 98-24 on June 24, 1998; and

WHEREAS, the City Council created a contiguous area within the City, including the Old Sixth Ward Historic District, as Tax Increment Reinvestment Zone Number Thirteen, City of Houston, Texas (the "Old Sixth Ward TIRZ") by Ordinance No. 98-1256 on December 22, 1998; and

WHEREAS, the City Council approved a Project Plan and Reinvestment Zone Financing Plan for the Old Sixth Ward TIRZ by Ordinance No. 1999-794 on July 28, 1999, and an amendment to the Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 1999-827 on August 11, 1999 (collectively, as amended, the "Plans"); and

WHEREAS, the Plans provide that "[t]he purpose of the Old Sixth Ward [TIRZ] is to advance the improvement of the historic Old Sixth Ward neighborhood," and contemplate the adoption of regulations "protecting and maintaining the historic character of the neighborhood;" and

WHEREAS, the City Council finds that protecting and maintaining the historic character of the Old Sixth Ward neighborhood furthers the public health, safety and welfare, is consistent with the Historic Preservation Ordinance and is necessary to implement the Plans; and

WHEREAS, the City Council finds that a number of historical structures within the Old Sixth Ward Historic District and the Old Sixth Ward TIRZ have been demolished, altered or relocated and others may be demolished, altered or relocated due to the

applicability of Subsection 33-250(a) of the Historic Preservation Ordinance to property proposed to be demolished, altered or relocated in the District and the TIRZ; and

WHEREAS, the City Council finds that new construction of structures within the Old Sixth Ward Historic District and the Old Sixth Ward TIRZ that are not compatible with the historic character of the District has occurred and may continue to occur due to the applicability of Subsection 33-250(a) of the Historic Preservation Ordinance to property in the District and the TIRZ; and

WHEREAS, the City Council finds that demolition, alteration, relocation or construction of structures within the Old Sixth Ward Historic District that is not compatible with the historic character of the District will have a serious adverse effect on the city's policy to protect and preserve the historical resources of the City and defeat a primary purpose for the creation of the Old Sixth Ward TIRZ; and

WHEREAS, the City Council finds that it is necessary to further protect the Old Sixth Ward Historic District; and

WHEREAS, the City Council further finds that it is necessary and appropriate to approve Design Guidelines for the Old Sixth Ward Historic District that can be used in determining whether applications for certificates of appropriateness within the Old Sixth Ward Historic District meet the criteria of the Historic Preservation Ordinance; **NOW, THEREFORE,**

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

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

Section 2. That terms used in this Ordinance shall have the meaning ascribed to them in Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas.

Section 3. That Section 33-201 of the Code of Ordinances, Houston, Texas, is hereby amended by adding the definitions of “*design guidelines*” and “*Old Sixth Ward protected historic district*” in the appropriate alphabetical order, which definitions shall read as follows:

“*Design guidelines* means the design guidelines for the Old Sixth Ward protected historic district approved by the city council, and as subsequently amended by the HAHC, pursuant to division 6 of this article.”

“*Old Sixth Ward protected historic district* or *OSWPHD* means the protected historic district established by the city council pursuant to division 6 of this article.”

Section 4. That Section 33-214 of the Code of Ordinances, Houston, Texas, is hereby amended by renumbering items (9) and (10) as numbers (10) and (11), respectively, and adding a new Item (9), which shall read as follows:

“(9) Evaluate the effectiveness of the design guidelines in achieving the goals of the Old Sixth Ward protected historic district and recommending changes to the design guidelines, if appropriate;”

Section 5. That Section 33-240 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 33-240. Criteria for issuance of certificates of appropriateness--General.

Except as provided in subsection 33-241(b) and sections 33-248 and 33-249 of this Code, the HAHC shall review and approve, approve with conditions, or disapprove a certificate of appropriateness pursuant to the applicable specific criteria in this division or, if a conservation plan for an historic district has been approved pursuant to section 33-268 of this Code, the criteria in the conservation plan. In considering and acting upon a certificate of appropriateness for any property located within the Old Sixth Ward protected historic district, the HAHC shall use the design guidelines to determine whether the application meets the applicable specific criteria of this division. The applicant for a certificate of appropriateness shall have the burden of demonstrating that the application satisfies the criteria applicable to the issuance of the certificate of appropriateness. To approve or disapprove an application for a certificate of appropriateness, the HAHC shall consider and make findings with respect to the relationship between the proposed activity and the applicable criteria. The HAHC shall take into consideration the current needs of the applicant and shall be sensitive to the

property owner's financial condition in determining whether to issue a certificate of appropriateness.”

Section 6. That Section 33-241 of the Code of Ordinances, Houston, Texas, is hereby amended by redesignating Subsection (b) as Subsection (c), adding a new Subsection (b), and amending subsection (c), as redesignated by this Ordinance, to read as follows:

“(b) Notwithstanding the preceding subsection (a), the planning official is authorized to issue a certificate of appropriateness for the following types of alteration of a (i) landmark, (ii) protected landmark, (iii) building, structure or object in an historic district, or (iv) building, structure or object that is part of an archaeological site upon finding that the application satisfies the criteria of the subsection (a) of this section of the Code, as applicable:

- (1) Removal of an inappropriate window or door element that was not original to the structure and replacement with a window or door element that:
 - a. Is appropriate to the historic significance of the structure; and
 - b. Does not change the size, shape or location of any opening, including the trim, molding or other features associated with the opening, from which the window or door elements are to be removed;
- (2) Removal of synthetic exterior wall cladding, such as asbestos, aluminum or vinyl siding, that was not an original feature or characteristic of the structure and replacement with appropriate cladding; and
- (3) Installation of missing porch elements or detailing that has been partially lost or removed but whose existence has been substantiated by the remaining elements still in existence or historical documentation such as architectural plans or historic photographs.

If the director disapproves the application, or if the director does not approve the application within 15 business days of receipt of the complete application, the application shall be referred to the HAHC for consideration pursuant to subsection (a) of this section. The schedule for consideration of an application for a certificate of appropriateness provided by section 33-239 of this Code shall apply to an application considered under this subsection and the administrative process authorized herein shall not suspend any time required for consideration. The director may promulgate rules for the receipt and processing of applications under this subsection.

(c) In reviewing applications for certificates of appropriateness under this section, the HAHC or the director, respectively as appropriate, shall also consider any elements of the proposed activity that may be necessary to enable the property to comply with any other applicable city ordinances or state or federal law so as to facilitate compliance with this ordinance and other applicable laws.”

Section 7. That Subsection (c) of Section 33-250 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(c) The planning official shall not issue a 90-day waiver certificate for any protected landmark or for any property located within the Old Sixth Ward protected historic district.”

Section 8. That Section 33-254 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 33-254. Demolition by neglect.

The owner of a contributing structure or potentially contributing structure located within the Old Sixth Ward protected historic district or of a protected landmark shall not permit the contributing structure or potentially contributing structure or protected landmark to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature. The city should establish rules and procedures by which neighboring landowners and residents could initiate processes to remove landmarks in a serious state of disrepair from protected status.”

Section 9. That Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Division 6, which shall read as follows:

“DIVISION 6. OLD SIXTH WARD PROTECTED HISTORIC DISTRICT

Sec. 33-275. Designation of Old Sixth Ward protected historic district.

In recognition of the unique historical significance of the Old Sixth Ward area and in furtherance of the project plan and reinvestment zone financing plan of the Old Sixth Ward tax increment reinvestment zone (Reinvestment Zone Number Thirteen, City of Houston, Texas), there is hereby designated an area to be known as the Old Sixth Ward protected historic district. The purpose of the designation is to provide additional protection against the irretrievable loss or alteration of the historic structures with the OSWPHD and new construction that is not compatible with the historic structures in the district. The area included in the OSWPHD and the contributing, potentially contributing, and noncontributing structures in the OSWPHD are shown in Appendix G and Appendix H, respectively, to this chapter. The provisions of section 33-250(a) of this Code shall not apply to a certificate of appropriateness for any structure or property within the OSWPHD.

Sec. 33-276. Approval of design guidelines.

The city council hereby approves design guidelines to be applicable in the Old Sixth Ward protected historic district. A copy of the design guidelines is to be maintained in the office of the city secretary and on the website of the department. The HAHC shall refer to the design guidelines in determining whether an application for certificate of appropriateness satisfies the applicable criteria of division 4 of this article and in making the findings required by section 33-240 of this Code.

Sec. 33-277. Amendment of design guidelines.

The HAHC shall conduct a public hearing on amendments to the design guidelines if changes are recommended by the HAHC in any annual report. At the public hearing, interested parties may comment in person or in writing on any recommended amendments to the design guidelines. Following the public hearing, the HAHC may amend the design guidelines.”

Section 10. That each application for certificate of appropriateness for property within the Old Sixth Ward historic district as defined by Resolution No. 98-24 shall be processed and considered by the Director of the Planning and Development Department or the Houston Archaeological and Historical Commission, as appropriate, pursuant to the provisions of Article VII of Chapter 33, Code of Ordinances, Houston, Texas, and Ordinance No. 2007-292 in effect prior to the effective date of this Ordinance, and the former provisions of Article VII of Chapter 33 and Ordinance 2007-292 are saved for that limited purpose.

Section 11. That, except as saved for the limited purpose of Section 8 of this Ordinance, Ordinance No. 2007-292 is hereby repealed.

Section 12. That the boundaries of the Old Sixth Ward Protected Historic District, shall be as shown on Exhibit “A” attached hereto and incorporated herein. Exhibit “A” is also hereby adopted as Appendix G of Chapter 33 of the Code of Ordinances, Houston, Texas, as amended by this Ordinance.

Section 13. That the Inventory shown on Exhibit “B” attached hereto and incorporated herein is hereby adopted as the designation of the Contributing, Potentially Contributing and Noncontributing Structures in the Old Sixth Ward Protected Historic

District. Exhibit "B" is also hereby adopted as Appendix H of Chapter 33 of the Code of Ordinances, Houston, Texas, as amended by this Ordinance.

Section 14. That the Design Guidelines attached hereto as Exhibit "C" are hereby adopted and approved for application in the Old Sixth Ward protected historic district as provided in Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas, as amended by this Ordinance. The Design Guidelines hereafter may be amended as provided in Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas.

Section 15. That if any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their applicability 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 16. That the City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 552 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 17. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore,

this Ordinance shall be passed finally on such date and shall take effect immediately upon passage and approval by the Mayor.

PASSED AND APPROVED this _____ day of _____, 2007.

Mayor of the City of Houston

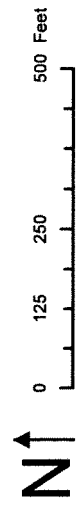
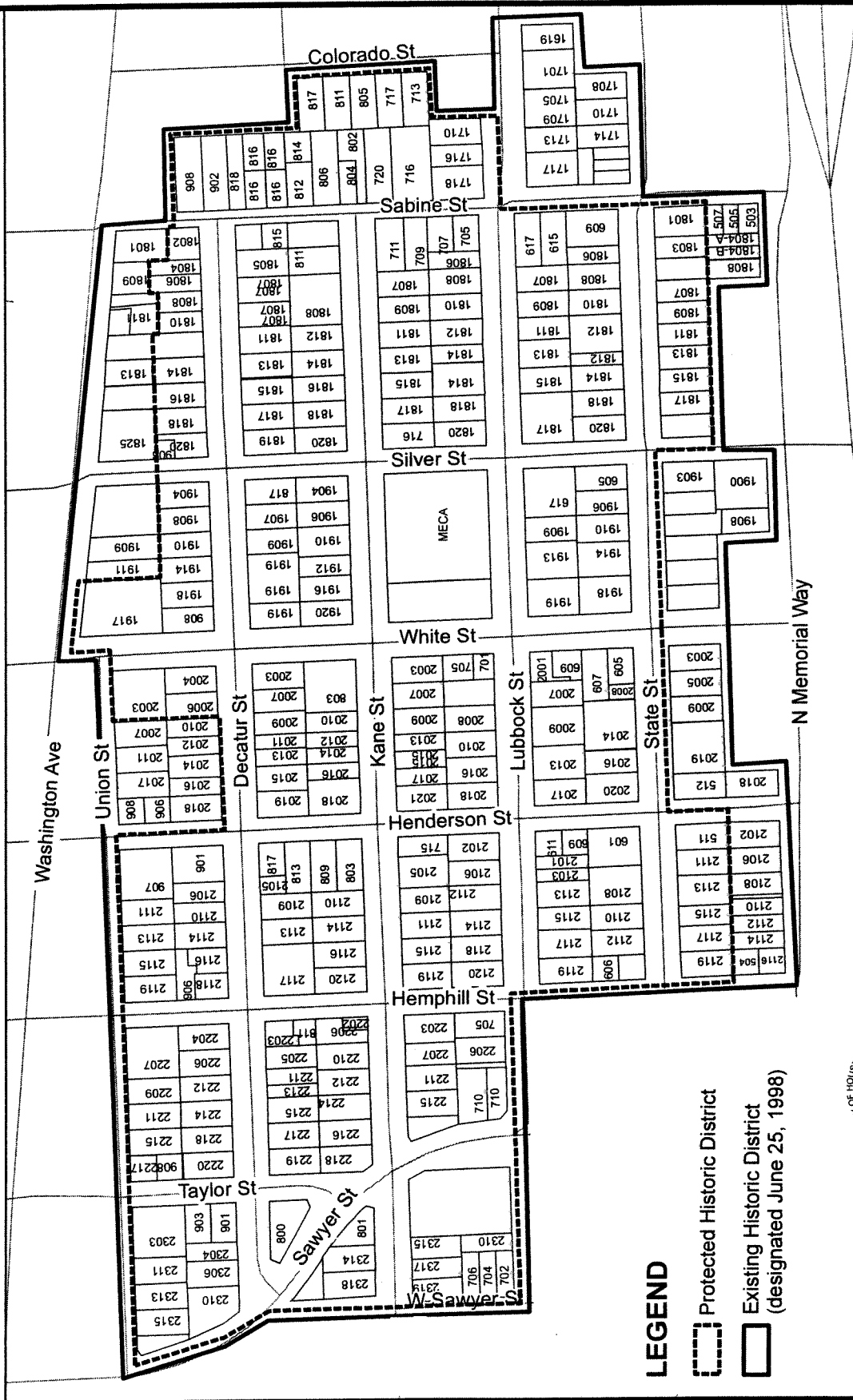
Prepared by Legal Dept.
DFM:dfm July 26, 2007
Requested by Marlene L. Gafrick, Director, Planning & Development Department
L.D. File No. 0420700010001


Senior Assistant City Attorney

EXHIBIT "A"

EXHIBIT A
 OLD SIXTH WARD
 PROTECTED HISTORIC DISTRICT
 HOUSTON, TX

Old Sixth Ward Protected Historic District



- LEGEND**
- Protected Historic District
 - Existing Historic District (designated June 25, 1998)



The COHGIS data represents the best information available to the city. The city does not warrant its accuracy or completeness. Field verification should be done as necessary.

EXHIBIT "B"

B. Alteration or Rehabilitation

1. Scope: These guidelines apply to the alteration or rehabilitation of any element of a contributing or potentially contributing structure that is visible from the exterior. Alterations are further categorized as follows:
 - a. Minor Alteration. Changes to exterior materials and finishes, windows and doors, or exterior ornamentation that does not involve structural elements or changes to the building historical significance.
 - b. Major Alteration. Alterations that involve changes to the roofline, structural framing, locations of exterior walls and porches, or selective demolition of certain building elements.
 - c. Additions. Changes to the building envelope that involve clear and distinct expansions of the floor plan (as opposed to a bay window, dormer, or a chimney, which would be considered a major alteration). Additions shall be physically connected to the existing structure; if they are wholly detached and independent of the existing structure, they would be considered new construction.
2. Applicable Regulations. Depending on the category of alteration, the following sections of the guidelines apply:
 - a. Minor Alteration. Since the change will not affect the majority of the building or structure, the changes should not deviate substantially from the established range of materials and finishes.
 - b. Major Alteration. Refer to Section V, Building Elements and Details.
 - c. Additions. Refer to Section IV, Site Planning Standards and Section V, Building Elements and Details.
3. Section 33-241 of the Houston Code is reproduced below for convenience.

Sec. 33-241. Same--Alteration, rehabilitation, restoration and construction.

- (a) The HAHC shall issue a certificate of appropriateness for the alteration, rehabilitation, restoration or construction of an exterior feature of (i) any landmark, (ii) protected landmark, (iii) any building, structure or object in an historic district, or (iv) any building, structure or object that is part of an archaeological site, upon finding that the application satisfies the following criteria, as applicable:
- (1) The proposed activity must retain and preserve the historical character of the property;
 - (2) The proposed activity must contribute to the continued availability of the property for a contemporary use;
 - (3) The proposed activity must recognize the building, structure, object or site as a product of its own time and avoid alterations that seek to create an earlier or later appearance;
 - (4) The proposed activity must preserve the distinguishing qualities or character of the building, structure, object or site and its environment;
 - (5) The proposed activity must maintain or replicate distinctive stylistic exterior features or examples of skilled craftsmanship that characterize the building, structure, object or site;
 - (6) New materials to be used for any exterior feature must be compatible with the materials being replaced in composition, design, texture and other visual qualities;
 - (7) The proposed replacement of missing exterior features, if any, should be based on accurate duplication of features, substantiated by available historical, physical or pictorial evidence, where that evidence is available, rather than on conjectural designs or the availability of different architectural elements from other structures;

- (8) Proposed additions or alterations must be done in a manner that, if removed in the future, would leave unimpaired the essential form and integrity of the building, structure, object or site;

- (9) The proposed design for alterations or construction must not destroy significant historical, architectural or cultural material and must be compatible with the size, scale, material and character of the property and the area in which it is located;

- (10) The setback of any proposed construction or alteration must be compatible with existing setbacks along the blockface and facing blockface(s); and

- (11) The proposed activity will comply with any applicable deed restrictions.

- (b) In reviewing applications for certificates of appropriateness under this section, the HAHC shall also consider any elements of the proposed activity that may be necessary to enable the property to comply with any other applicable city ordinances or state or federal law so as to facilitate compliance with this ordinance and other applicable laws.

(Ord. No. 95-228, § 2, 3-1-95; Ord. No. 05-969, § 14, 8-17-05)

C. Restoration

1. Scope: Restoration is applicable to contributing or potentially contributing structures. Restoration involves careful attention to the historic integrity of the building or structure and its original materials and construction techniques.
2. Applicable Regulations: Refer to Section VI, Historic Restoration.

D. Relocation

1. Scope: The relocation of any structure into the District or any contributing or potentially contributing structure out of the District shall require a Certificate of Appropriateness.
2. Relocation of a contributing or potentially contributing structure within the historic district or away from the historic district may be considered in cases when an economic hardship can be proven. Relocation is subject to the provisions of Sections 33-242 through 33-245 of the Houston Code.

E. New Construction

1. Scope. Guidelines for new construction apply to any construction on a vacant lot or to any detached construction on an existing built lot.
2. New construction within the District shall be subject to the compatibility standards and design criteria established in these guidelines. Compatibility means that the new construction is consistent with historic structures in terms of

setbacks, exterior features, and scale. No specific architectural style is dictated by these guidelines, nor should any new construction replicate historic architecture.

3. Applicable Regulations: Refer to Section IV, Site Development Standards and Section V, Building Elements and Details.
4. Section 33-242 of the Houston Code is reproduced below for convenience.

Sec. 33-242. Same--New construction in historic district.

The HAHC shall issue a certificate of appropriateness for new construction in an historic district upon finding that the application satisfies the following criteria:

- (1) *The new construction must be compatible with the setbacks along the blockface and facing blockface(s);*
- (2) *The exterior features of new construction must be compatible with the exterior features of structures along the blockface or facing blockface(s); and*
- (3) *The proportions of the new construction, including height, width, length and roofline, must be compatible with structures and objects along the blockface or facing blockface(s).*

Nothing in the foregoing shall be construed to require or impose a single architectural style in any historic district.

(Ord. No. 95-228, § 2, 3-1-95)

IV. Site Development Standards

This Section is divided into two categories: Required Guidelines and Recommended Guidelines.

Required Guidelines

A. Street Frontage

1. Intent: All construction should be compatible and primary facades should face the street as do the existing historic buildings. Primary entrances should also face the street.
2. Front porches are highly recommended on any new construction. Porches are one of the essential defining features of historic houses in the District.
 - a. Minimum recommended width: 50% of total width of building.
 - b. Minimum recommended depth: 6 feet.

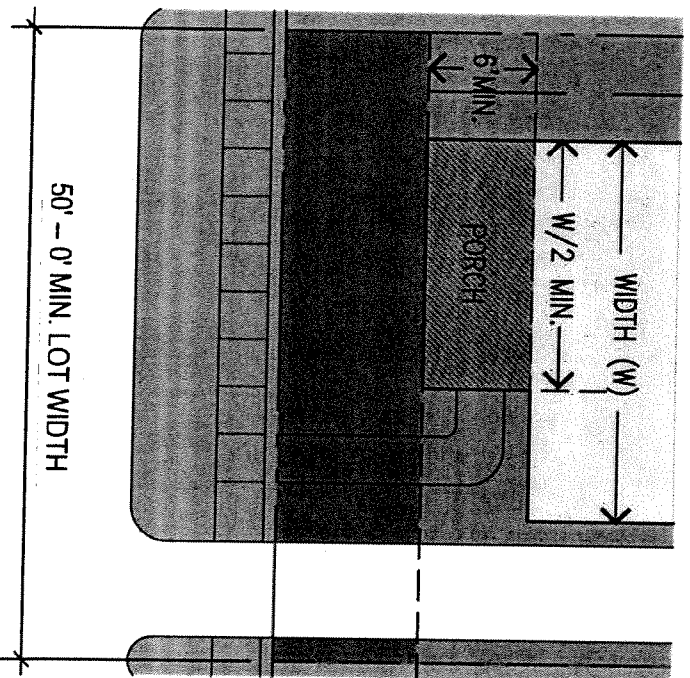


Figure IV-1. Minimum porch recommendations.

B. Building Lines

1. Intent. The general rule for compatible building lines is to match the most frequently occurring building line on the blockface or facing blockface(s).
2. Whereas all building lines (i.e., front, rear, and sides) are important, matching the front building line condition, including a porch where applicable, is considered of primary importance.

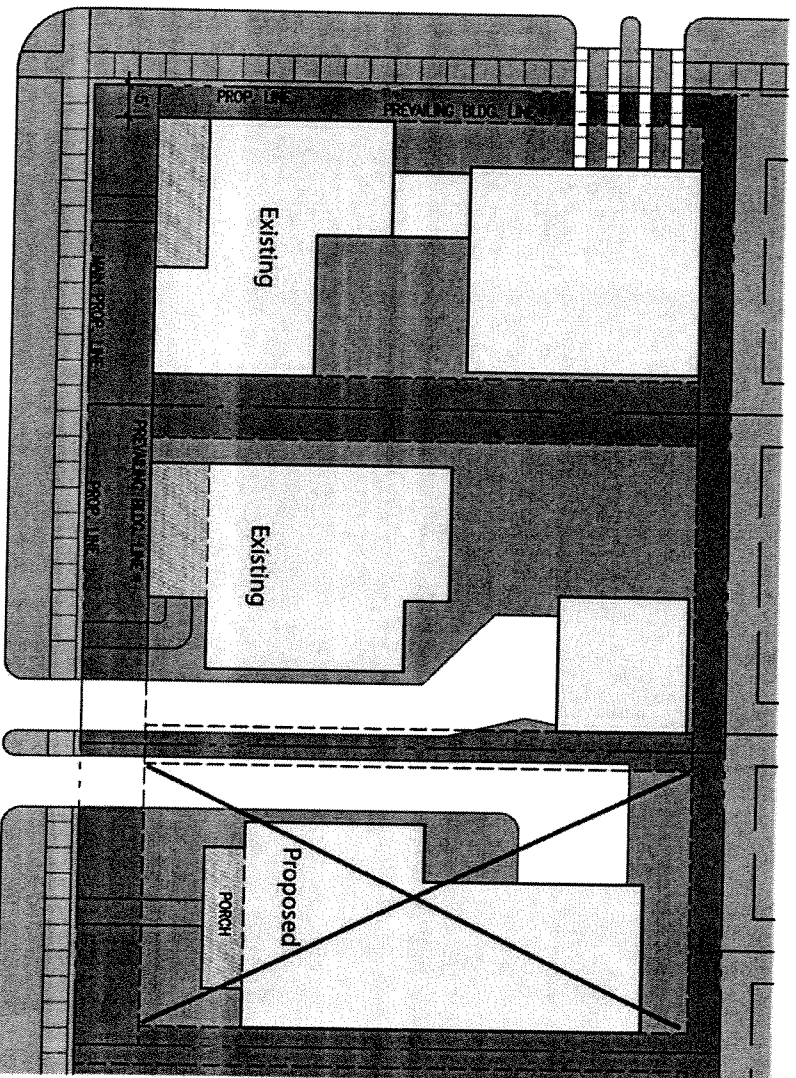


Figure IV-2. Building line requirements.

Note: Prevailing building line tends to be 10' on East and West streets and 5' on North and South streets.

C. Parking

1. New construction shall provide off-street parking as required in the Houston Code.
2. Garages or covered carports shall be located on the rear half of the lot; driveways must be placed to the side of the dwelling for interior lots. Driveway material must be concrete, stone, brick pavers, or gravel.
3. Driveway access to the garage on interior lots is limited to a single driveway with a maximum width of 10 feet at any point within the front half of the lot.
4. On corner lots, garage access shall be from the side street.
5. Exception: On lots of insufficient width (generally 25 feet wide), a porous parking pad in compliance with City codes may be placed in front of the building for off-street parking. Variances may be granted for special circumstances.

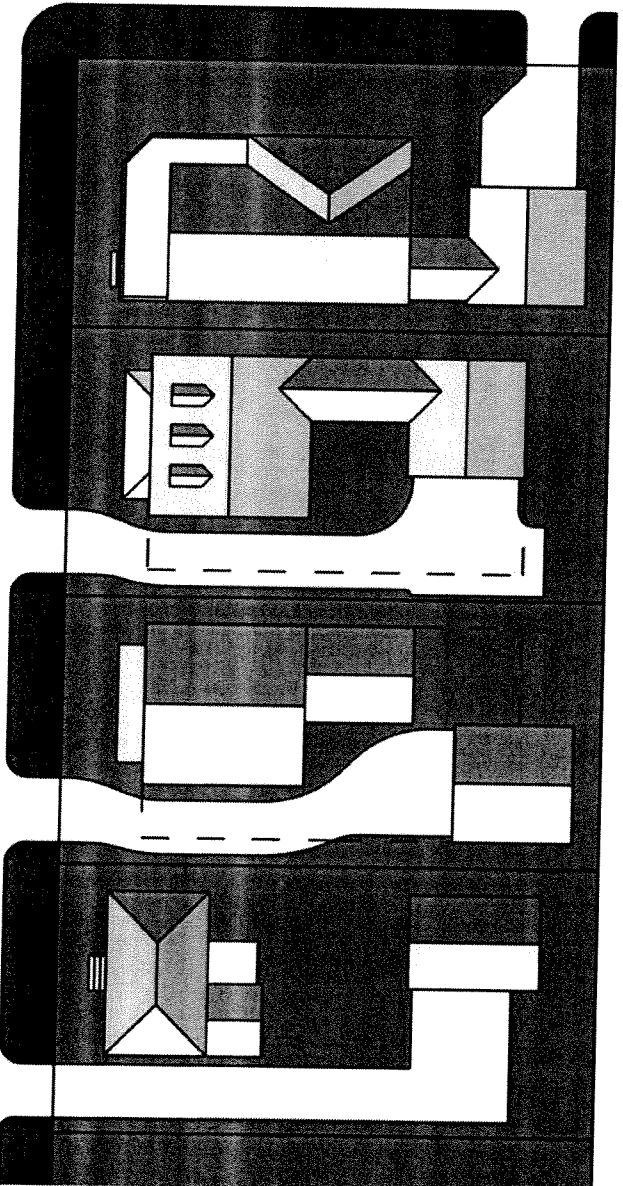


Figure IV-3. Appropriate configurations for garages and driveway access.

D. Signage

While Old Sixth Ward is predominantly residential in character, there are a few small scale commercial buildings in the District. There are also instances of residential structures that have been converted to a small office or other commercial uses. The following provides a guideline to types of signs that would be considered appropriate.

1. General Provisions: Signage within the District should be designed and painted in a manner to respect the historic character of the buildings and the neighborhood. The signs should be:
 - a. Appropriate in size and scale.
 - b. Constructed of high quality materials and craftsmanship.
 - c. Located in a logical place on the building or in the front yard, and should not obstruct key elements or details of the building.
 - d. In a style that is compatible with the character of the services or merchandise.
 - e. (If lighted) Illuminated indirectly and using an external light source.

2. Address Numbers: All residential and commercial buildings are required by the Houston Code to identify their street address numerals. Address numerals should conform to the following guidelines:
 - a. Numerals should be displayed near the main entry and clearly visible from the street fronting the building.
 - b. Numerals may consist of individual characters or a decorative panel.
 - c. Numerals should be no more than 6 inches in height. Panels should be no more than 1 square foot in area.

3. Commercial Signage: These guidelines apply to on-premises signage for commercial buildings that are clearly commercial in nature: i.e., not converted residential structures. Signs are classified into the following types:
 - Building Signage
 - Sign Band
 - Bracket Signs
 - Window Signs
 - Monument and Pole Signs
 - Post Signs

Recommendations for specific sign types are as follows:

a. **Building Signage:** The developer of a building may give the building a name, or the major tenant of the building may place its name on the building, according to the following specifications:

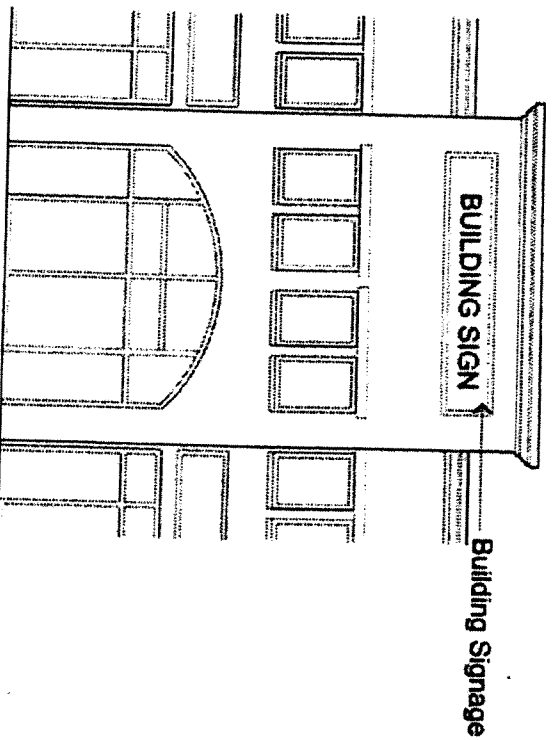
- 1) Placement:
 - (a) Sign should be placed near the top of the building.
 - (b) Sign should be placed above upper floor windows.
 - (c) Sign is to be mounted directly on the wall surface, and the background must be the building wall.
 - (d) Sign must face a public street.
 - (e) Signage may be placed on a maximum of two building sides.
 - (f) Signs may be cut or carved.
 - (g) No roof signs are permitted.
- 2) Dimensions:
 - (a) A maximum of 20 square feet for each sign is permitted.
 - (b) Lettering may be a maximum of 16".
 - (c) Sign may include a logo, which will be counted toward total square feet.
- 3) Letter materials:
 - (a) Sign may be metal, stone, wood, paint, carved, or plaster. No plastic letters are permitted.

4) **Lighting:**

- (a) Front-lit signs (illuminated by an external light source) are acceptable. No backlit or channel cut lighting permitted.

5) **Other provisions:**

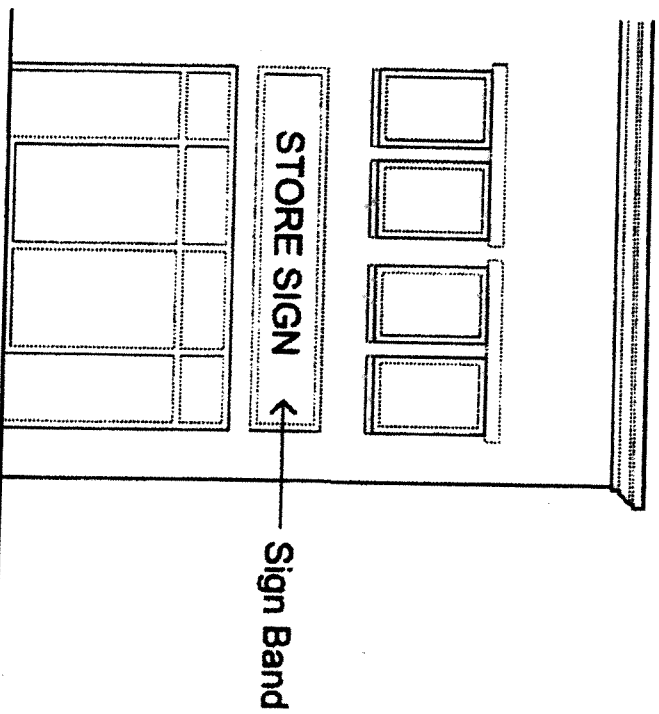
- (a) No neon signs are permitted.
- (b) Signs shall be static; no rotating, electronic, or digital signs are appropriate.
- (c) Inclusion of a numerical date is optional.



b. Sign Band. This type of sign is intended primarily for retail uses at street level to draw the attention of pedestrians and drivers.

- 1) Placement:
 - (a) Sign should be mounted on the building face between the first and second floor window openings.
 - (b) Sign should be integrated with the composition of the facade.
 - (c) Background may be the building wall or "backboard".
 - (d) Profile of the sign should be essentially flush.
 - (e) Bottom edge of sign should be located a minimum of 10' above sidewalk.
- 2) Dimensions:
 - (a) Backboard and overall band width is limited to 60% of bay width.
 - (b) Backboard may have a maximum height of 24".
 - (c) Letters may have a maximum height of 18".
- 3) Letter or backboard materials:
 - (a) Sign may be metal, stone, wood, paint, carved, plaster, or plastic; cabinet signs are not permitted.
- 4) Lighting:
 - (a) Front-lit signs (illuminated by an external light source) are acceptable.

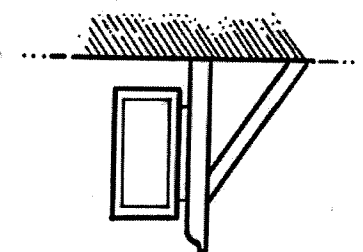
- 5) Other provisions:
 - (a) No neon signs are permitted. Consistency of the sign bands in a single building is recommended.



c. Bracket Signs. These may be used in place of a sign band, or in addition to a sign band if located in an arcade or if the bracket sign is not in conflict with the sign band. Bracket signs may include symbols such as barber poles.

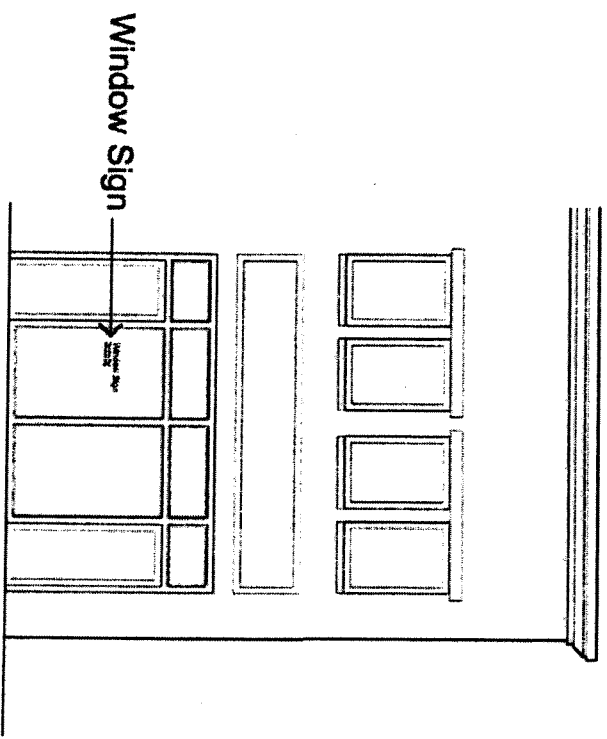
- 1) Placement:
 - (a) Sign must be perpendicular to the principal building façade.
 - (b) Sign may be held by brackets, cantilevered, or suspended under a canopy.
 - (c) Sign placement must allow a minimum sidewalk height clearance of 8’.
 - (d) For residential buildings converted to commercial use, a sign panel hanging from the porch beam is acceptable.
- 2) Dimensions:
 - (a) Sign may be a maximum of 6 square feet.
 - (b) Bracketed signs may project a maximum of 48” from the building face but may not project over a public right-of-way.
 - (c) Double-sided signs are permitted.
 - (d) Letters may have a maximum height of 10”.
 - (e) Logos or artwork may be a maximum of 18” in any dimension.
- 3) Materials:
 - (a) Sign may be metal and/or wood.
- 4) Lighting:
 - (a) Externally projected lighting is permitted.

- 5) Design:
 - (a) A logo may be included on the face of the sign.
- 6) Other provisions:
 - (a) No neon signs are permitted.
 - (b) Any signage that is approved as appropriate but encroaches over a public right-of-way must obtain a license agreement from the Finance & Administration department.

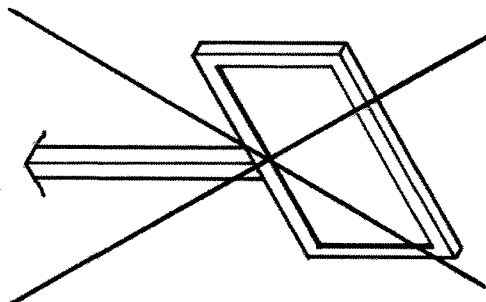
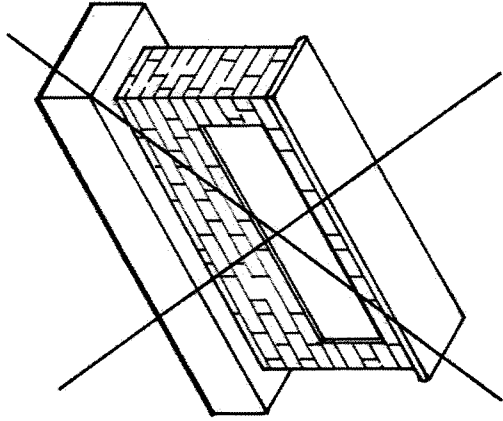


d. **Window Signs.** These signs are intended for the pedestrian. They include applied graphics such as name, hours of operation, telephone numbers, and street numbers. "Open/closed" hanging signs are acceptable.

- 1) **Placement:**
 - (a) Signs may be placed on storefront windows and doors.
 - (b) Signs may be applied to the interior surface of glass only.
 - (c) Signs may not substantially obscure visibility through the window; signage should be located in the upper third of the window.
- 2) **Dimensions:**
 - (a) Window graphics are limited to 5% of total glass area of the storefront.
 - (b) Lettering size may be a maximum of 6".
- 3) **Letter Materials:**
 - (a) Signs may be vinyl, gold leaf, painted, or stick-on plastic.
- 4) **Lighting:**
 - (a) Lighting of window signs is not permitted.



e. Monument and Pole Signs. These types of signs are not appropriate for use within the District.



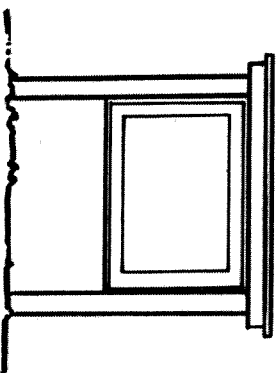
Other inappropriate commercial sign types include:

- 1) Large or illuminated signs behind the glass storefront that advertise on a permanent basis.
- 2) Applied window signs, such as cardboard panels.
- 3) Trailer signs.

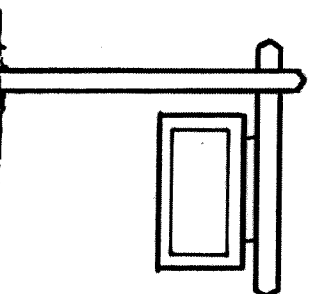
f. **Post Signs.** These signs are appropriate for residential structures that have been converted to commercial use. These are typically small and understated signs meant to be relatively unobtrusive in a neighborhood setting.

- 1) **Placement:**
 - (a) Sign should be perpendicular to the ground, near the entrance to the property.
 - (b) Sign may be parallel or perpendicular to the front facade.
 - (c) Sign must be on the property and may not encroach into the right-of-way.
- 2) **Configuration:**
 - (a) Sign may be a double post with framed panel or an offset single post with bracketed or suspended panel.
 - (b) Double-sided signs are acceptable.
 - (c) A single post with centered panel is not recommended.
 - (d) Sign must be essentially two-dimensional. Small structures or kiosk-type designs are not appropriate.
- 3) **Dimensions:**
 - (a) Sign panel should be a maximum of 6 square feet;
 - (b) Overall sign should be a maximum height of 4 feet above grade.
- 4) **Materials:**
 - (a) Sign may be metal and/or wood.
- 5) **Lighting:**
 - (a) Post signs should not be illuminated.

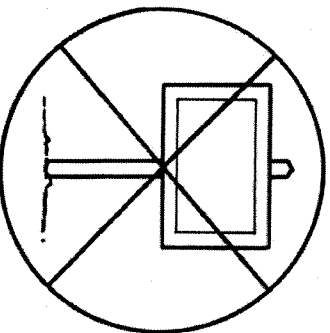
- 6) **Design:**
 - (a) Sign panel is limited to a two-dimensional graphic layout.
 - (b) A logo may be included on the face of the sign.



Recommended



Recommended



Not recommended

4. Temporary Signage. Temporary signage may remain in place for two (2) months. Acceptable temporary signage types include:

- Seasonal signs
- Promotional and sale signs
- Announcement signs
- Event signs
- Real estate signs
- Political campaign signs
- Future or ongoing construction

Pennants and banners are not permitted.

- a) Seasonal, promotional, sale, announcement, and event signs:
 - 1) Retail uses may advertise special promotions and sales.
 - 2) Signage is limited to the display windows and must be located inside the glass.
 - 3) Temporary sandwich boards are permitted.
- b) Real estate signs:
 - 1) On residential properties, real estate signs are limited to the standard two-faced ground signs of no more than 3 square feet in area.
 - 2) No more than one rider (i.e., "sale pending" or similar message) may be added.
 - 3) Real estate signs must be removed promptly once the sale is closed.

c) Political signs:

- 1) Political signs must be located on private property.
- 2) Yard signs and window signs may be no larger than 2 ½ square feet in area.
- 3) Large banners and billboards are not permitted.
- 4) Political signs must be removed within seven (7) days after the election.

d) Construction signs:

- 1) Construction signs that primarily advertise the builder must be no larger than 6 square feet in area.
- 2) Larger commercial or civic projects that include a professional rendering of the project may use signs as large as 4 feet by 8 feet. The illustration must occupy at least 40% of the total area, with the balance reserved for information about the architect, contractor, etc.
- 3) Construction signs must be removed promptly at the end of construction.

Recommended Guidelines

A. Service and Utilities

- 1. General: Service elements should be located at the rear of the building, preferably so that they are not visible from any public street. Service elements should not be located within any street-fronting yard setback. Service elements visible from a public street shall be screened by an opaque wall or fence of sufficient height to completely obscure the equipment. A landscape screen, such as a hedge, may be used, provided that it is opaque and maintained at the appropriate height.

2. Recommendations for Specific Elements:

- a. Mechanical Equipment: Certain mechanical equipment items may be located on the roof, provided that they are screened from view by an opaque screen compatible with the architecture of the building. The screen shall be of sufficient height to completely obscure the equipment when viewed from any point in a public right-of-way.
- b. Plumbing vents, roof attic vents, electrical, cable/telephone service lines, and satellite dishes should not be located on any roof plane facing the lot frontage.

B. Landscaping

- 1. Landscaping within the front yard and the street right-of-way is intended primarily to enhance the visual experience for the pedestrian and to provide a sense of continuity of design. In general, the intent is not to screen the buildings from view, but to provide a complementary contrast in texture and color.
- 2. Front yard landscaping should play a supporting role and help to accent and enhance the architecture. The screening of the building face with planting is neither appropriate nor desirable.
- 3. Landscaping within private areas of the lot, generally in side and rear yards, is afforded a much greater freedom, provided that the overall landscape provisions meet the minimum requirements of Chapter 33 of the Houston Code.

C. Fencing and Screen Walls.

Two types of fencing conditions are recommended:

1. Front yard fencing (applies also to side streets on corner lots):
 - a. Type: This low, mostly open fencing is intended primarily to define the front yard area, rather than to provide any visual screen or security. Wood picket fencing and ornamental steel rail and picket fencing are recommended fence types.
 - b. Height: The body of the fence may be a maximum of 60 inches high. Posts, which may include decorative finials, may be a maximum of 66 inches high.
 - c. Placement: Fencing may be placed along any street frontage and may return to the building face or to intersect with privacy fencing at appropriate locations.
2. Rear yard and privacy fencing.
 - a. Type: This mostly opaque fencing is intended to provide a visual screen or barrier.
 - b. Height: Fence may be a maximum of 6 feet high.
 - c. Placement: Fencing may be used to enclose rear yards and to screen unsightly elements, such as mechanical equipment, dumpsters, etc. Privacy fences may also enclose side yards, provided that they are placed at least 10 feet from the front building line.
3. Materials *not* recommended for fencing or screen walls include:
 - Chain link, with or without inserts
 - Corrugated or formed metal panels
 - Plain concrete masonry
 - Concrete or pre-cast concrete
 - Barbed wire or razor wire

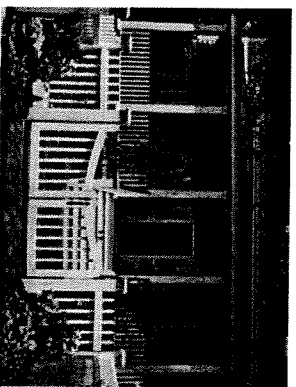
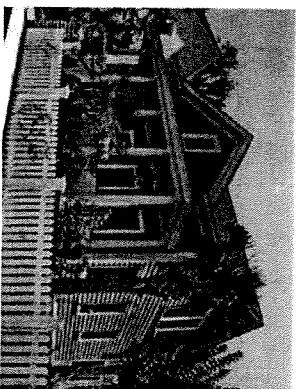


Figure IV-5. Examples of front yard fencing that meet the guidelines.

V. Building Elements and Details

A. Characteristics

The historic character of the District derives from a building tradition that was based on wood framing and carpentry. Brick construction is uncommon, although it does occur. When found, it is typically limited to commercial or civic buildings or the larger, more elaborate houses. The typical wood-framed examples are characterized by:

- Raised pier and beam foundations.
- Front porches, which often run along the entire front of the building.
- Relatively slender porch columns, which may range from simple square posts to turned columns.
- Narrow, vertically proportioned windows, with horizontal lintels. (Arched openings are generally not used, unless constructed of brick.)
- Exterior walls of horizontal lap siding in a variety of profiles.
- Pitched roofs, usually with end gables. Exposed rafter tails are fairly common.

With few exceptions, the historic structures in the District do not represent an established or defined style such as Queen Anne or Victorian. Most of the structures are fairly modest buildings that were constructed by carpenters and craftsmen working in an informal, vernacular tradition. Details may have been copied from other buildings or from publications, without regard to a strict adherence to style. These guidelines are not intended to impose any particular style, only to clarify what qualifies as compatible construction.



Figure V-1. This house displays many of the defining characteristics of the historic houses in Old Sixth Ward.

It is more useful to think of the construction techniques in the District as ranging between the vernacular and the refined. The vernacular is typically done in the most simple, straightforward manner, using widely available materials, common techniques, and relatively little ornament. On the other hand, a client with greater means may have insisted on a more refined level of detail, and an additional level of applied ornament. This could involve such enhancements as turned posts instead of square posts, more elaborate balusters and trim work, and decorative fretwork.

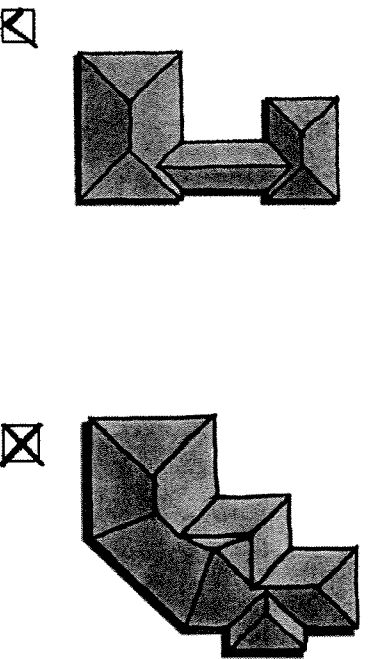


Figure V-2. Appropriate massing combines simple forms, preferably with a functional basis for differentiation.

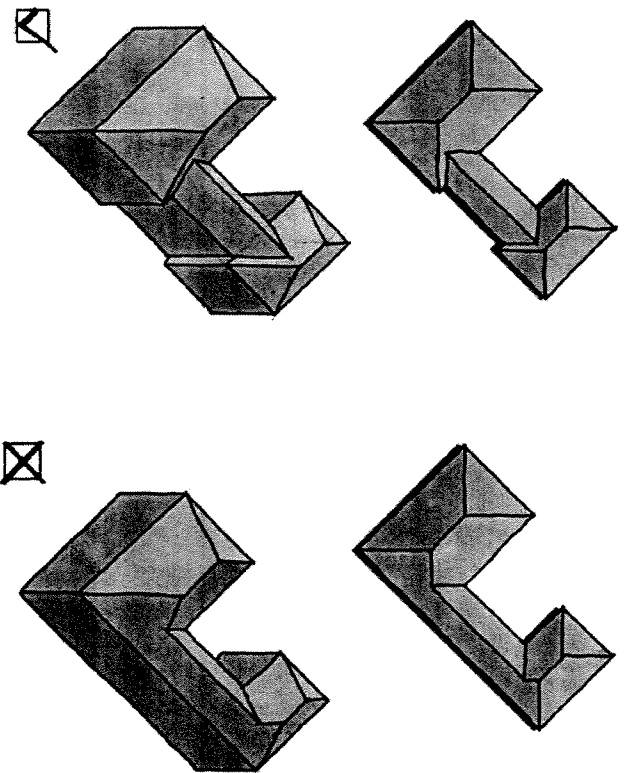


Figure V-3. Separate volumes should be articulated for clarity.

B. General Standards for New Construction.

These standards are meant to define and illustrate compatible construction. As stated in Section 33-242, a structure must be compatible in terms of setbacks, as further clarified in Section IV of these Guidelines. It also must be compatible in terms of exterior features, scale, roofline, and proportions. Examples of compatible new construction are illustrated in this document (Section D: Key Construction Details).

1. Exterior Features:
 - a. Buildings shall be composed of simple, rectilinear volumes, or combinations of simple volumes when the resulting footprint serves a meaningful purpose, such as defining an exterior courtyard or a focal element on a front façade.
 - b. When combining multiple volumes to create a more complex envelope, each volume should be clearly articulated.
 - c. The use of angles other than right angles should be limited to subordinate accent elements such as bay windows.

Figure V-5. Monopitch or shed roofs should be avoided unless part of a subordinate element.

2. Roof Forms.

- a. Residential buildings should have pitched roofs of simple profiles, generally limited to gabled roofs, hipped roofs, or some combination thereof. Hybrid designs such as a gable-on-hip roof or truncated gable are also acceptable.
- b. Monopitch roofs should be avoided but are permissible when part of a subordinate element or framing into a vertical element.
- c. Roof pitches should be in the range of 6-on-12 to 12-on-12.
- d. Flat roofs are permissible only on storefront, commercial buildings. Flat roofs shall be defined by a parapet along any street-facing elevation.

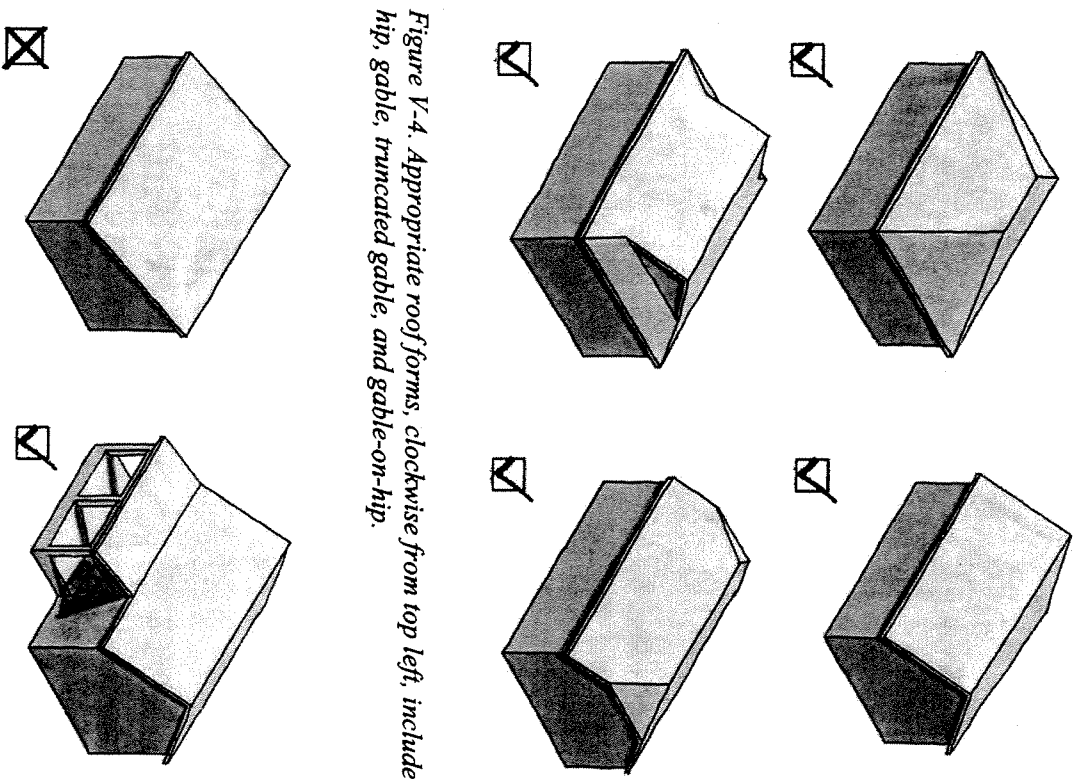


Figure V-4. Appropriate roof forms, clockwise from top left, include hip, gable, truncated gable, and gable-on-hip.

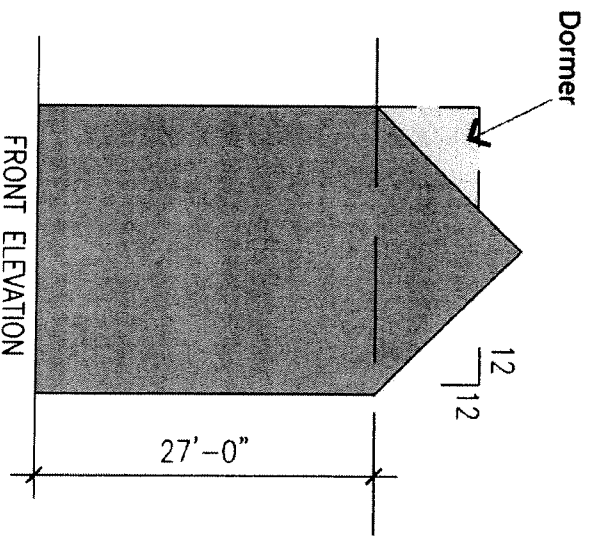


Figure V-6. Permissible building envelope. Dormers comprising less than 10% of the footprint area may project above the height envelope.

3. Height:

An appropriate building height, as with many other characteristics in the District, is determined by the condition existing on the blockface or facing blockface(s). While the specific conditions may vary, the following provisions may be used as a general guideline.

- a. Building height in the District should generally not exceed 2 stories (approximately 27 feet) at the top of the eave board at the side and rear building lines. The height may be increased by one foot for every foot of distance inside of the building line. Occupied space is permitted within the roof structure, provided that the overall building form fits within the recommended envelope defined here.
- b. Dormers comprising less than 10% of the building's footprint area may project above this recommended envelope.

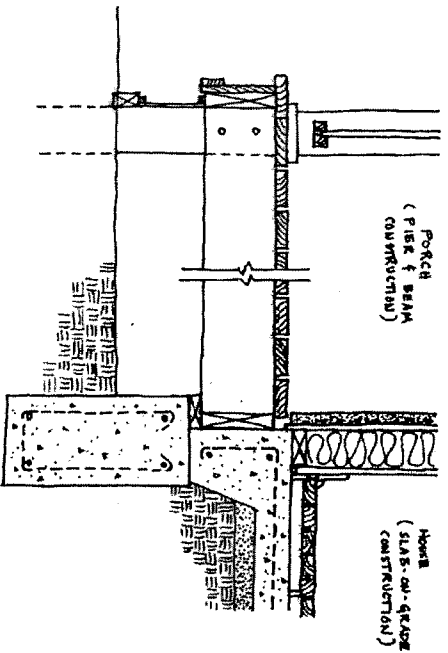


Figure V-7. A combination foundation with a porch on pier and beam and the main structure on slab.

4. Special Elements:

- a. Front porches are highly recommended for all residential structures. Porches should extend a recommended minimum of 50% of the overall width of the structure, and should be at least 6 feet deep.
- b. Raised foundations. The historic homes in the District were generally built on raised pier and beam foundations, in the typical manner of the time. The finished floor height is usually at least two (2) feet above grade. While the use of pier and beam foundation is not required for new construction, slab on grade must be elevated and detailed to resemble a raised foundation.

5. Accessory Buildings:

- a. Buildings that are subordinate to the principal building on the site shall not be placed on the primary street frontage. Accessory buildings shall be located on the rear half of the lot.
- b. Accessory buildings shall be architecturally compatible with the principal building.

C. Major Alterations and Additions

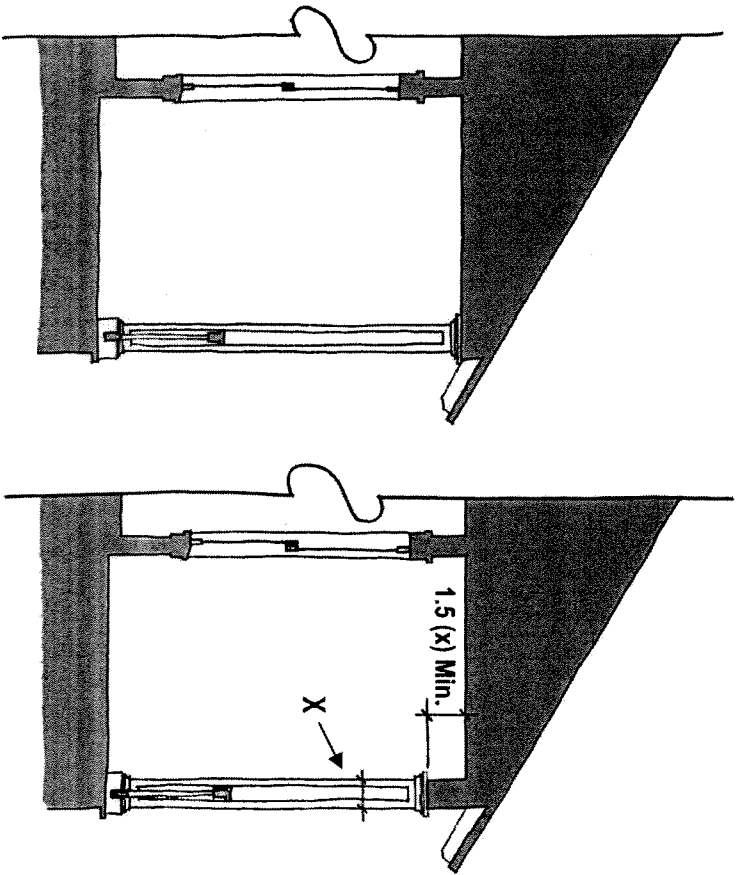
1. **Applicability:** Any alteration to an existing historic structure that changes the structure or roofline or adds to the footprint of the structure shall comply with the provisions of this Section. Refer to Section III-B for the definitions of Major Alterations and Additions.
2. **Intent:** This Section addresses significant modifications to existing contributing and potentially contributing structures. Such changes are permitted subject to the requirements of this section, which are intended to define the extent of modifications permitted while maintaining the integrity and character of the existing building or structure.
3. **Guiding Principles:**
 - a. Additions should generally be confined to the rear portion of an existing building and should leave the existing street frontage essentially unchanged.
 - b. Vertical additions (that is, adding a second or third story to an existing footprint) are generally more difficult to achieve in an aesthetically convincing manner.

D. Key Construction Details.

1. **Foundations:** Foundations should be designed so that the finished floor surface is at least 18 inches above prevailing grade. The traditional method, used widely throughout the District, is a raised pier and beam foundation. Conventional slab on grade foundations may also be used but should be elevated on slightly deeper perimeter-grade beams to achieve a similar effect. Concrete foundations should be detailed to express a clear distinction between the foundation material and the wall material. This is generally accomplished by transition elements such as a horizontal frieze board or water table.

Porch foundations should be detailed as pier and beam foundations. A combination system with a concrete slab for interior spaces and a pier and beam foundation for the porch areas can be readily achieved.

Foundation piers shall be faced with monochromatic (one color) brick or stucco.



Avoid porch framing with no visible beam dropped below the roof/soffit line.

A well proportioned porch should have a substantial beam spanning over the tops of columns, separate and distinct from the roof eave.

Figure V-8. Porch beams.

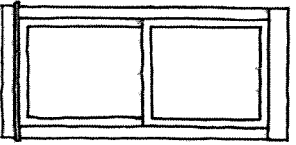
2. Porches: Front porches are an essential characteristic of the Old Sixth Ward house and are highly recommended for compatible new construction. Porches should be a minimum of 6 feet deep with 8 feet of headroom. It is recommended that porches are at least half as wide as the overall width of the structure.

a. Columns: Porches should be defined by a series of similar columns spaced in a regular manner. In cases where there is an unusually long colonnade (a row of columns), the corner columns may be differentiated, generally by being more massive.

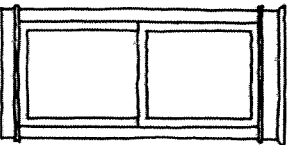
b. Porch Beam: The porch beam is the horizontal element spanning across the tops of the columns. A properly proportioned porch beam is important to achieving a convincing porch design. It should be a clearly expressed element dropping below and distinct from any soffit or eave. The porch beam should be at least as deep as the width of a typical column, and preferably about 1.5 to 2 times the column width.

c. Guardrails are required for any porch that is more than 30 inches above the adjacent grade. Guardrails shall consist of a series of repetitive vertical balusters spanning between a lower rail and a top guardrail. They should be fairly open, generally with at least 50% open area. Avoid solid panels or “pony walls.”

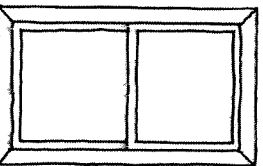
Baluster designs may vary greatly, ranging from simple 2x2 square pickets to turned posts. Flat boards cut into a decorative, repetitive pattern are also acceptable.



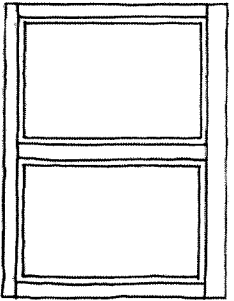
Window trim should articulate a sill element, as well as a header that is deeper than the jambs.



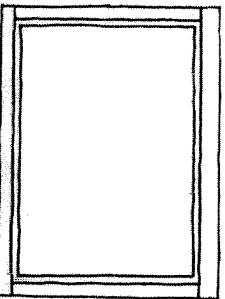
This same principle can be rendered with more ornate moldings in a more decorative or more formal style.



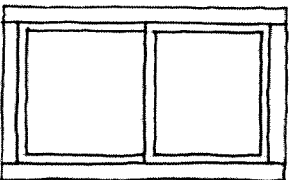
Do not use mitered boards of the same width to trim an opening.



Expansive views and greater amounts of glazing may be achieved by mulling together several vertical windows.



Windows shall be vertically proportioned, that is, taller than they are wide.



The horizontal trim elements should dominate at corners, so that the jambs appear to rest on the sill, and the header appears to rest on the jambs.

3. Windows:

a. Proportion: Any single window should be square or vertically proportioned (i.e., taller than it is wide). Several windows may be grouped together for wider arrangements.

b. Types: Windows should be of wood or clad wood profiles. Vinyl and fiberglass profiles that resemble wood may also be used. Residential aluminum windows should be avoided. Operable windows should be double hung, single hung, or casement types.

Divided lights, if used, should be true divided lights with working muntins (strips of wood that separate and hold the panes of glass) rather than snap-in false muntins.

c. Specialty Windows: Specialty windows include such shapes as round, oval, or fan. They shall be used sparingly and generally only for accent purposes. They shall be of similar materials and construction as the other windows and compatible with the architectural style of the house.

d. Shutters: Shutters should be real, operable units and (whether operable or decorative) should be correctly proportioned to the window opening (i.e., with a width equal to one half the opening width). Shutters should not be used on double or triple openings. Rolling shutters are not recommended.

Figure V-9. Window and trim configurations.

4. Doors:

- a. Entry doors facing the street should feature a transom window above the door.
- b. Sidelights are desirable for entry doors and should be placed on each side of the door.

5. Trim Work:

- a. Trim work should be compatible with the major construction materials. Wood or Hardiboard trim should be used with wood siding. Stucco may have relief trim of a like material or may be treated with simple, unarticulated transitions.
- b. Particular attention should be paid to trim work around window and door openings. Properly detailed trim around openings should mimic a structure: for example, the jambs should appear to rest on the sill and to support the lintel. The lintel should be deeper than the jamb width. Avoid mitered corners.

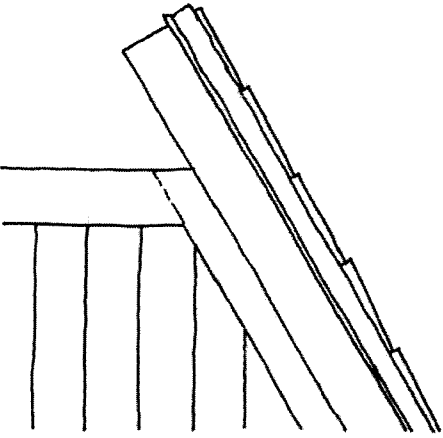
6. Dormers:

- a. A dormer should be considered as part of the roof rather than trying to mimic the wall below. Dormers are generally used to provide windows for an upper story that is built within the roof form; the window is the principal reason for the dormer. It should thus be expressed as framing around a window, and not a short piece of wall with a window opening. The key detail is the jamb, which should be expressed as a single piece of trim, with no siding showing.
- b. A dormer should be proportioned similarly to a window; that is, substantially taller than it is wide. Dormers may be wider if they frame around multiple windows, each properly proportioned and grouped with appropriate framing and spacing.
- c. Half dormers (sometimes called wall dormers) are generally used only in masonry or stucco construction and are a way of introducing a heavy wall material as a dormer finish that would otherwise look awkward and unnatural when supported by a roof. The wall element should form a parapet, so that the roof and the wall are clearly expressed as distinct elements.

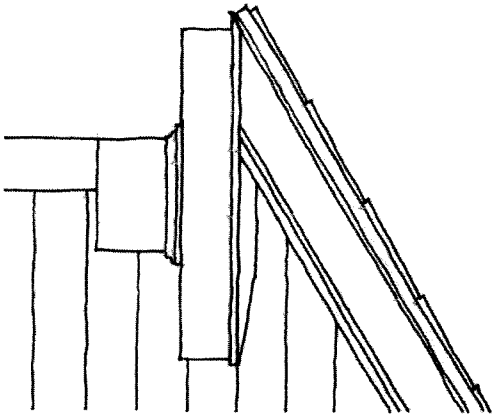
7. Eaves:

a. Roof overhangs are recommended. A vernacular treatment seen widely in the District is to simply leave the roof rafters exposed beyond the wall line. This can be done with a straight cut, a plumb cut, or a decorative shape.

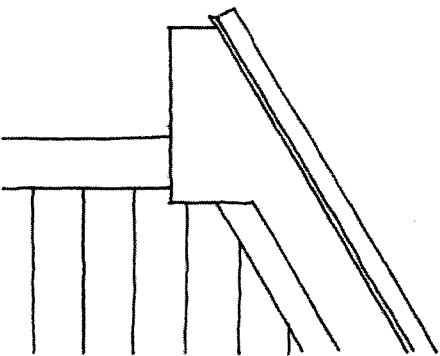
b. If a flat soffit is desired, the eave should have a horizontal return at all gable ends.



Vernacular treatment simply extends the framing beyond the wall.



If a flat soffit is desired, the gable end should be finished with a horizontal return.



The "pork chop" treatment is inappropriate as there is no horizontal return.

E. Materials and Finishes

1. Exterior walls may be finished in any of the following:
 - a. Wood or cement siding (e.g., Hardiplank or equal).
 - b. Modular brick. King size and other non-standard brick sizes should be avoided.
2. Roofs may be constructed of any of the following materials:
 - a. Dimensional composition shingles, which may feature a ridge vent for ventilation purposes.
 - b. Galvanized metal and pre-finished metal panels, in standing seam, batten seam, or 5-V crimp pattern. Colors should be muted neutral or gray tones.
3. Flat roofs, where appropriate, may be of any built-up or membrane roofing system.

VI. Historic Restoration

A. Intent and General Provisions

This section discusses appropriate treatments for historic properties within Old Sixth Ward and contains general restoration principles as well as resource information on the types of historic construction found within the District. In general, the provisions of this section apply to restoration projects where the intent is to respect and repair the historic integrity of the structure.

The following principles apply to restoration projects:

- Respect the historic design character of a building. Identify and keep original elements; remove later modifications that are not in character.
- Some alterations that date from before World War II may have acquired historic significance in their own right and should be retained. More recent alterations that are not historically significant should be removed.
- In-kind repair (repair using the same materials) should be used for damaged or deteriorated features.
- In-kind replacement (similar materials, details, and finishes) should be used only when repair is not feasible.
- If new features are added or additions are constructed, they should have minimal effect on the original features. The new work should be differentiated from the original and should be compatible in terms of size, scale, proportions, and massing. For example, where the walls of an addition join the historic building, the new construction should be

stepped-in at the corners (the location of the original, vertical cornerboard trim) to delineate the old from the new construction. The wall cladding for the addition should be different than the historic building cladding to delineate the addition. This can be accomplished by using a different type of lap siding or vertical board and batten siding (wood or Hardiplank). The roof of the addition should not be higher than the roof of the historic building.

The general principles outlined above are derived from the Secretary of the Interior's Standards for the Treatment of Historic Properties, codified in 1995 as 36 CFR Part 68.

Please note that The Secretary of the Interior's Standards for the Treatment of Historic Properties are only regulatory for projects receiving federal grant funds; otherwise, they are intended only as general guidance for work on any historic building. Mandatory observance of these standards may also be linked to certain local grant and incentive programs.

B. Structure Types and Distinctive Features

There are many types and styles of structures found within the Old Sixth Ward Protected Historic District. This information is presented as a resource to assist in the accurate and appropriate restoration of a similar building in the District.

The following pages document the principal historic building types found in Old Sixth Ward, along with a list of distinctive features and some representative examples of the type.

C. Structure Types

The structure type of a house not only helps to determine the age of the building, but is also the basic framework that creates the general form of the building. Structure types in the District include, in alphabetical order:

1. Bungalow
2. Central Hall
3. Corner Store
4. Cross Gable
5. Double Tenant Cottage
6. Duplex
7. Extended Shotgun
8. Garage Apartment
9. I-Cottage
10. L-Cottage
11. Raised Cottage
12. Side Hall
13. Shotgun
14. Three Bay

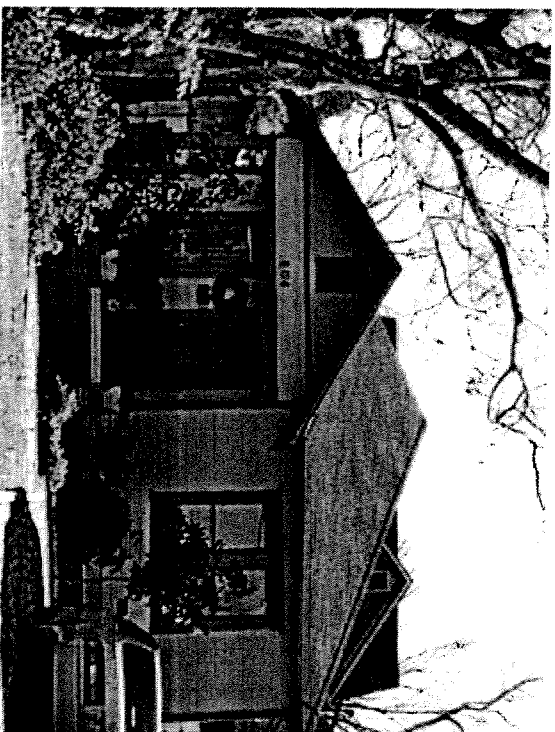
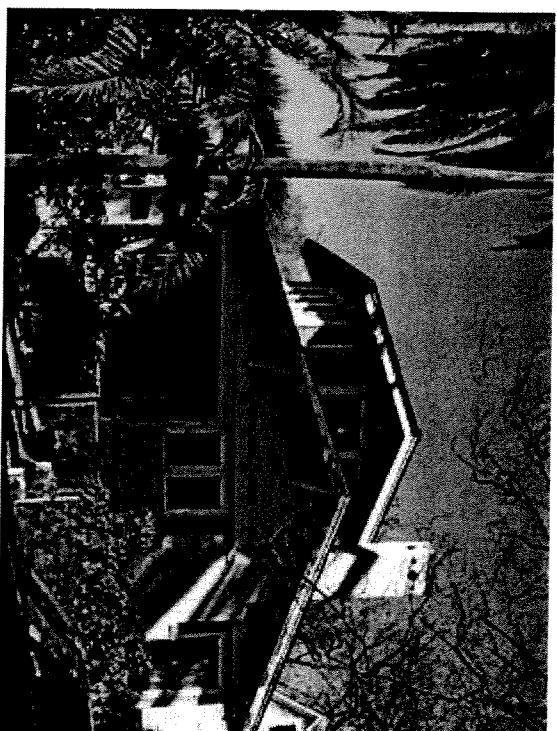
1. Bungalow

Built within the District: 1905-1945

Distinctive features:

- A deep porch across the entire facade or a partial width porch; porch can be inset under main roof or applied to front, and features its own gable roof.
- Low-pitched roof with rafters often exposed.
- Decorative beams or brackets under gable eaves.
- Porch roof typically supported by tapered square columns.
- Often a large front-facing gable spanning entire porch width.
- Generally one story; Airplane Bungalow features a single room on second level (two-story).
- Windows of wood and 1 over 1 type, sometimes with decorative upper sashes or screens.
- Horizontal, wood lap or teardrop (#117) siding (although there are a few brick examples).

The bungalow represents part of a general movement toward simplification following the excesses of the Victorian period. The typical bungalow floor plan is more informal than earlier plans. One generally enters directly into the main living area of the home. Houses of this type often emphasize the hearth, and a fireplace is generally visible upon entry.



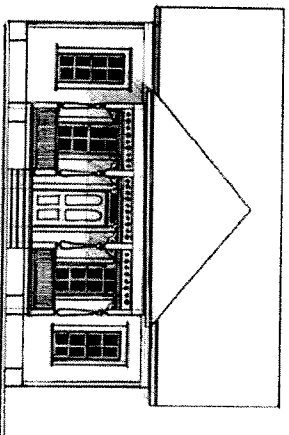
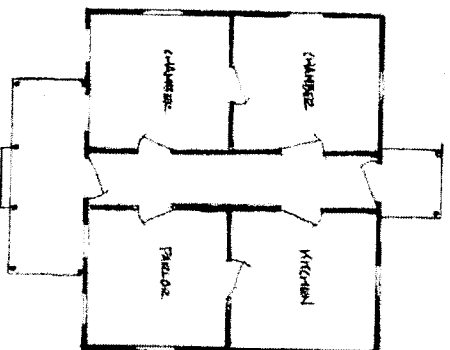
2. Central Hall

(also known as Dog Trot, Gulf Coast Colonial, or Five Bay)

Built within the District: 1850-1890

Distinctive features:

- Often a deep porch across front. This porch can be inset as in a Gulf Coast Colonial or applied to the front. Later porches highly ornamented. Earlier porches were less ornamental.
- High-pitched roof with side gables and enclosed eaves. Gulf Coast Colonials had no eave or gable overhanging.
- Gulf Coast Colonials usually had Greek Revival doorways with fanlight and sidelights.
- Porch typically supported by square chamfered or turned posts. Later examples with decorative bracket and frieze work
- Never with hipped roof or front gable.
- Generally one or 1 ½ story.
- Windows of wood and any of the following types: usually 4 over 4, 2 over 2, and even 1 over 1.
- Shutters or wood-framed screens.
- Wood, horizontal siding.



2203 Kane Street William Pasch Residence Built circa 1888

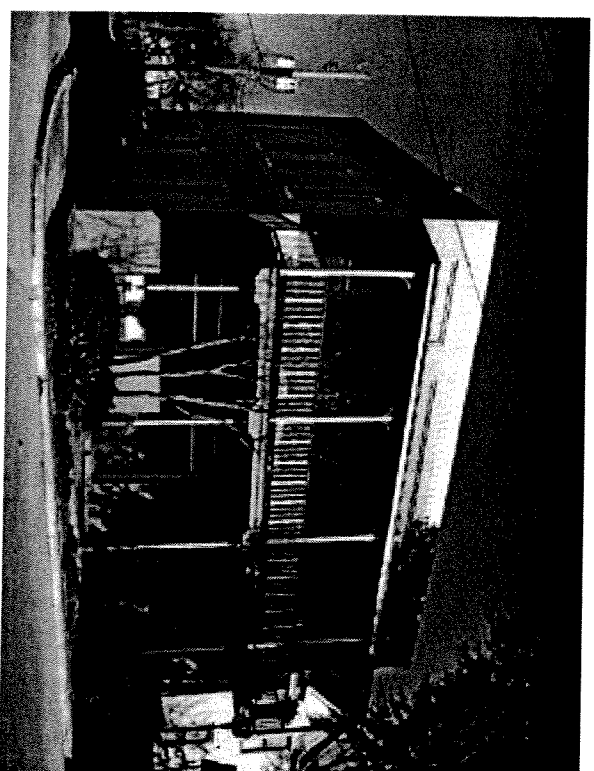
3. Corner Store

Built within the District: 1850-1950

Distinctive features:

- Shop located on a corner lot.
- Often with housing attached for owners of shop. Housing on be on the side or on the upper level.
- Constructed of brick or wood.
- Large shop windows along front or main Façade.
- One or two stories.
- Windows of wood and any of the following types: 2 over 2, or 1 over 1.
- Plateglass with divisions and transom windows above storefront windows on first floor; also on upper floor.

Corner stores were built throughout the District. These structures served the local community prior to the prevalence of the automobile. The businesses were often grocery stores, but also included drug stores, hardware stores, and one candy store.



4. Cross Gable

Built within the District: 1890-1920

Distinctive features:

- Usually with a wrap-around porch connecting the two cross gable roofs.
- High-pitched roof with side gables and enclosed eaves. One prominent front facing gable.
- Decorative trim under eave overhang with small windows in gables. Sometimes stained glass.
- Porch typically supported by square chamfered or turned posts. Often with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches were more simple. Examples built after 1900 usually had round Doric porch columns.
- Often with hipped roof with intersecting gable roof(s).
- Generally one or two stories.
- Windows of wood and any of the following types:
 - 2 over 2 or 1 over 1.
- Shutters or wood-framed screens.
- Horizontal wood siding. Sometimes decorative shingle-work in gable fronts.



5. Double Tenant House

Built within the District: 1860-1880

Distinctive features:

- Often a deep porch across front, usually inset as in a Gulf Coast Colonial.
- High-pitched roof with side gables and enclosed eaves. Gulf Coast Colonials had no eave overhanging.
- Decorative trim under eave overhang with small windows in gables.
- Twin front doors on front façade.
- Porch typically supported by square chamfered or turned posts. Rarely with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches are less ornamented.
- Never with hipped roof.
- Generally one or 1 ½ story.
- Windows of wood and any of the following types:
 - 6 over 6, 4 over 4.
- Shutters or wood-framed screens.
- Horizontal wood siding.



6. Duplex

Built within the District: 1910-1940

Distinctive features:

- Often a small bracketed porch, or pediment over entry doors.
 - Low-pitched roof with open or closed eaves. Often with gable front roof. Rarely with hipped roof.
 - Small window or vent in gable front.
 - Porch typically supported by simple brackets.
 - Generally one story.
 - Windows of wood and any of the following types:
 - 2 over 2, 1 over 1.
 - Shutters or wood-framed Screens (plain or decorative).
 - Horizontal wood lap or teardrop (#117) siding.
- (Note: lumber yards often refer to teardrop siding as #117.)



7. Extended Shotgun

Built within the District: 1880-1920

Distinctive features:

- Front porch can extend full width of house or half width of the house and porch is inset under main roof.
- High-pitched roof with gables and enclosed eaves. One prominent front facing gable.
- Decorative trim under eave overhang with small windows in gables. Sometimes stained glass.
- Porch typically supported by square chamfered or turned posts. Often with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches were less ornamented.
- Never with hipped roof.
- Generally one or 1 ½ story.
- Windows of wood and any of the following types:
 - 4 over 4, 2 over 2.
- Shutters or wood-framed screens.
- Horizontal wood siding. Often with decorative shingles in gables.

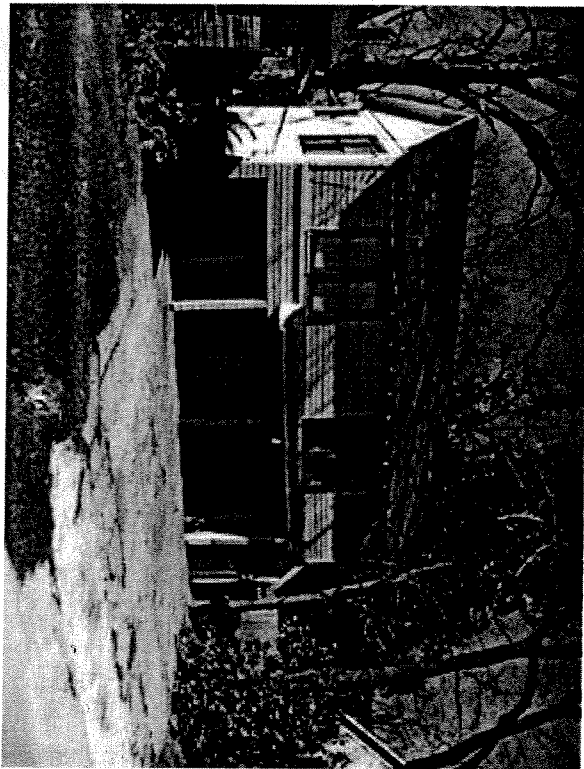


8. Garage Apartment

Built within the District: 1920-1950

Distinctive features:

- Often a small bracketed porch or pediment over entry door.
- Both high or low-pitched roof with side gables. Sometimes eaves have exposed rafters. • Sometimes comes features a hipped roof.
- Generally two stories.
- Wooden garage doors on lower level.
- Sometimes built with exterior staircase to second level.
- Windows of wood and any of the following types:
 - 4 over 4, 2 over 2, but mostly 1 over 1.
- Shutters or wood-framed screens.
- Horizontal wood siding or board and batten siding.

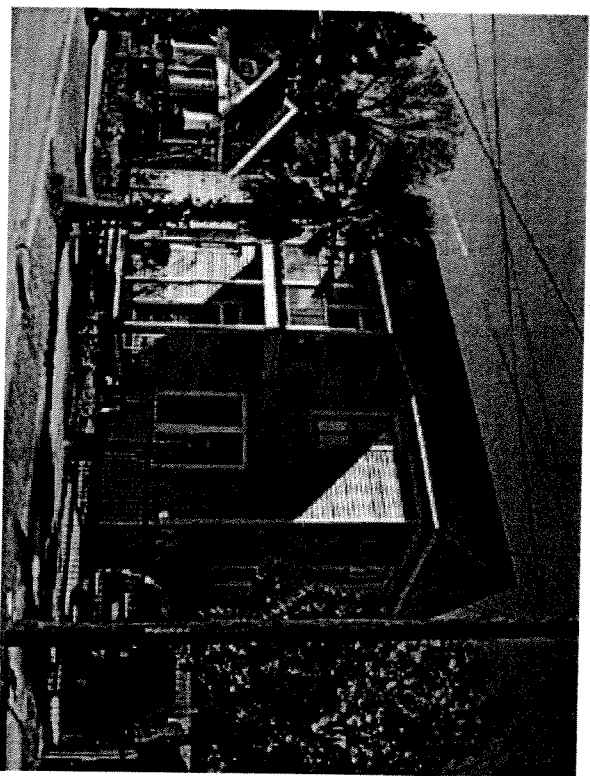


9. I-House

Built within the District: 1870-1890

Distinctive features:

- Often with a deep double-galleried porch across the entire front facade but sometimes a partial width porch which is centered.
- High-pitched roof with gables and enclosed eaves. Sometimes with hipped roof.
- Sometimes with decorative trim under eave overhang with small windows in gables. Rarely with stained glass.
- Floor plan resembles an 'I', hence the style name, often with a rear service wing of one or two stories.
- Porch typically supported by square chamfered or turned posts. Often with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches were less ornamented.
- Generally two stories.
- Windows of wood and any of the following types:
 - 4 over 4, 2 over 2
- Shutters or wood-framed screens.
- Horizontal wood siding.

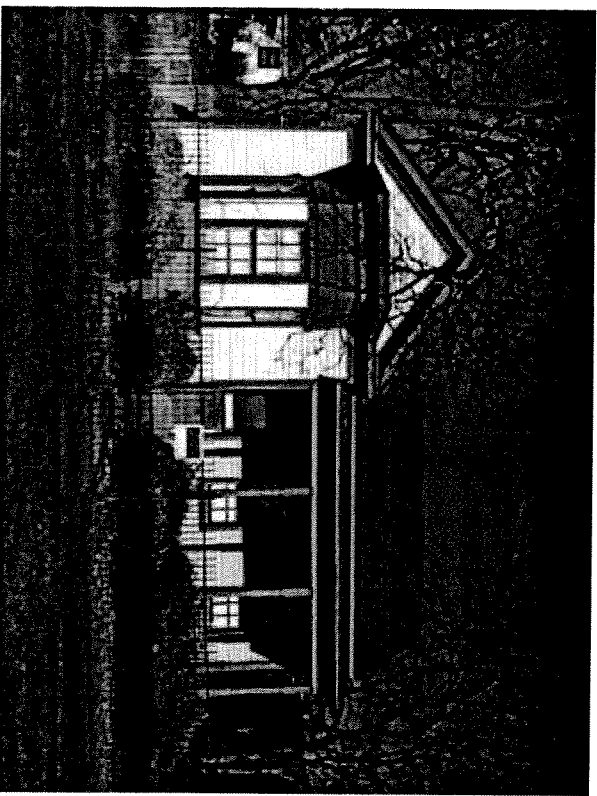


10. L-Cottage

Built within the District: 1880-1890

Distinctive features:

- Often a deep porch in front, adjoining front gable ell. This porch is usually applied to the front.
- High-pitched roof with gables and enclosed eaves. One prominent front facing gable.
- Decorative trim under eave overhang with small windows in gables. Sometimes stained glass.
- Porch typically supported by square chamfered or turned posts. Often with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches were less ornamented. Examples built after 1900 usually had round Doric porch columns.
- Never with hipped roof.
- Floor plan resembles an “L”, hence the style name.
- Generally one or 1 ½ story.
- Windows of wood and any of the following types:
 - 4 over 4, 2 over 2, rarely 1 over 1
- Shutters or wood-framed screens.
- Horizontal wood siding. Often with decorative shingles in gable fronts.

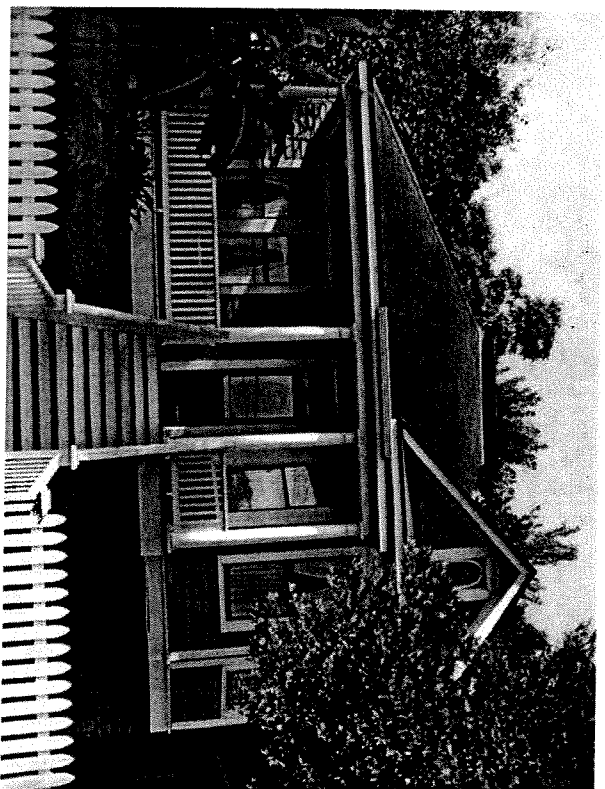


11. Raised Cottage

Built within the District: 1880-1910

Distinctive features:

- Often a deep porch across front or adjoining front gable ell. This porch can be inset under main roof or applied to the front.
- High-pitched roof with gables and enclosed eaves. Usually with prominent front facing gable.
- Sometimes with decorative trim under eave overhang with small windows in gables. Sometimes stained glass. Gulf Coast Colonials had no gable overhang.
- Porch typically supported by square chamfered or turned posts. Often with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches were less ornamented. Examples built after 1900 usually had round Doric porch columns.
- Rarely with hipped roof.
- Generally one or 1 ½ story.
- Windows of wood and any of the following types:
 - 4 over 4, 2 over 2, and 1 over 1.
- Shutters or wood-framed screens.
- Horizontal wood siding. Sometimes with decorative shingles in gable fronts

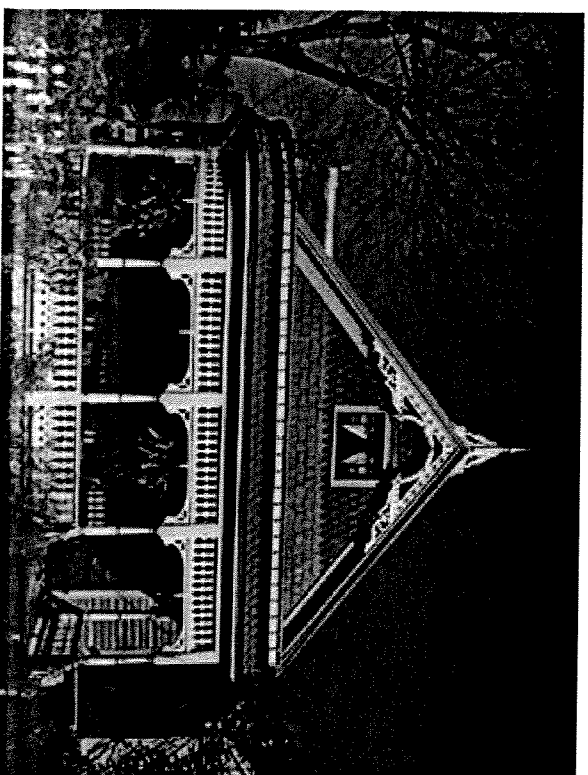


12. Side Hall

Built within the District: 1880-1900

Distinctive features:

- Often a deep porch across front. This is usually applied to the front and may wrap around the corner. Sometimes double-galleried.
- High-pitched roof with gables and enclosed eaves. One front prominent facing gable.
- Often with decorative trim under eave overhang with small windows in gables. Often with stained glass.
- Porch typically supported by square chamfered or turned posts. Often with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches were less ornamented.
- Rarely with hipped roof.
- Generally one or two stories.
- Windows of wood and any of the following types:
 - 4 over 4, 2 over 2
- Shutters or wood-framed screens.
- Horizontal wood siding. Often with decorative shingles in gable fronts

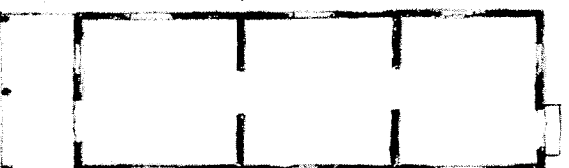
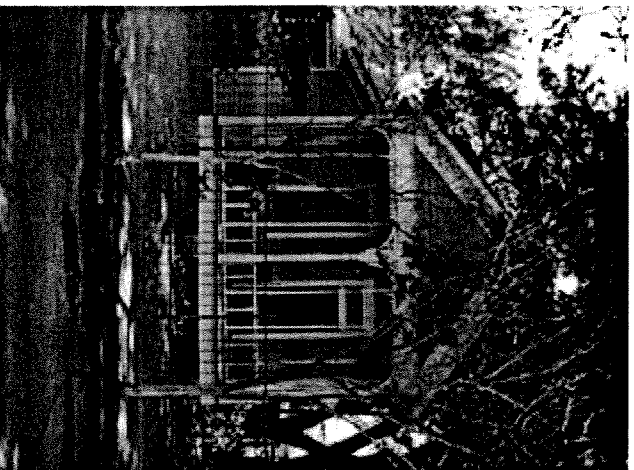


13. Shotgun

Built within the District: 1870-1910

Distinctive features:

- Often a deep porch across front. This porch can be inset under the main roof or applied to the front.
- High-pitched roof with gables and enclosed eaves. One prominent front facing gable.
- Decorative trim under eave overhang with small windows in gables. Sometimes stained glass.
- Porch typically supported by square chamfered or turned posts. Often with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches were less ornamented.
- Sometimes with hipped roof.
- Generally one story.
- Windows of wood and any of the following types:
 - 6 over 6, 4 over 4, 2 over 2; rarely 1 over 1.
 - Shutters or wood-framed screens.
 - Horizontal wood siding. Sometimes with decorative shingle-work in gables.



14. Three-Bay

Built within the District: 1860-1880

Distinctive features:

- Often a deep porch across entire facade of house or a partial width porch which is centered. This porch can be inset in Gulf Coast Colonial examples or applied to the front.
- High-pitched roof with gables and enclosed eaves. One front facing gable. Gulf Coast Colonials had no gable overhangs.
- Rarely with decorative trim under eave overhang with small windows in gables
- Porch typically supported by square chamfered or turned posts. Often with decorative bracket and frieze work. Later porches highly ornamented. Earlier porches were less ornamented.
- Sometimes with a hipped roof and small dormer on front slope of roof.
- Generally one or 1 ½ story.
- Windows of wood and any of the following types:
 - 6 over 6, 4 over 4, or 2 over 2
- Shutters or wood-framed screens.
- Horizontal wood siding, rear wings sometimes had board and batten siding.



Design Guidelines for Old Sixth Ward

VIII. Appendices

A. Resource Materials

B. A Village in the City

C. Listing of Documented Houses

D. Illustrated Glossary

Appendix A

Resource Materials

There exists a considerable amount of resource material that will be helpful to anyone considering a project in Old Sixth Ward. While these materials are too numerous to list here in detail, this Appendix will serve to at least refer the user to more comprehensive sources.

Most of the pertinent information may be accessed through the Planning and Development Department's section of the City of Houston web site at:

<http://www.houstontx.gov/planning/index.html>

Key links in the menu include:

Development Regulations

Historic Preservation/Houston Archeological and Historical Commission (HAHC)

The latter link will provide access to a range of detailed information including frequently asked questions, application forms, descriptions of the Certificate of Appropriateness process, and information about the Houston Archeological and Historical Commission. The HAHC page includes a schedule of meeting dates.

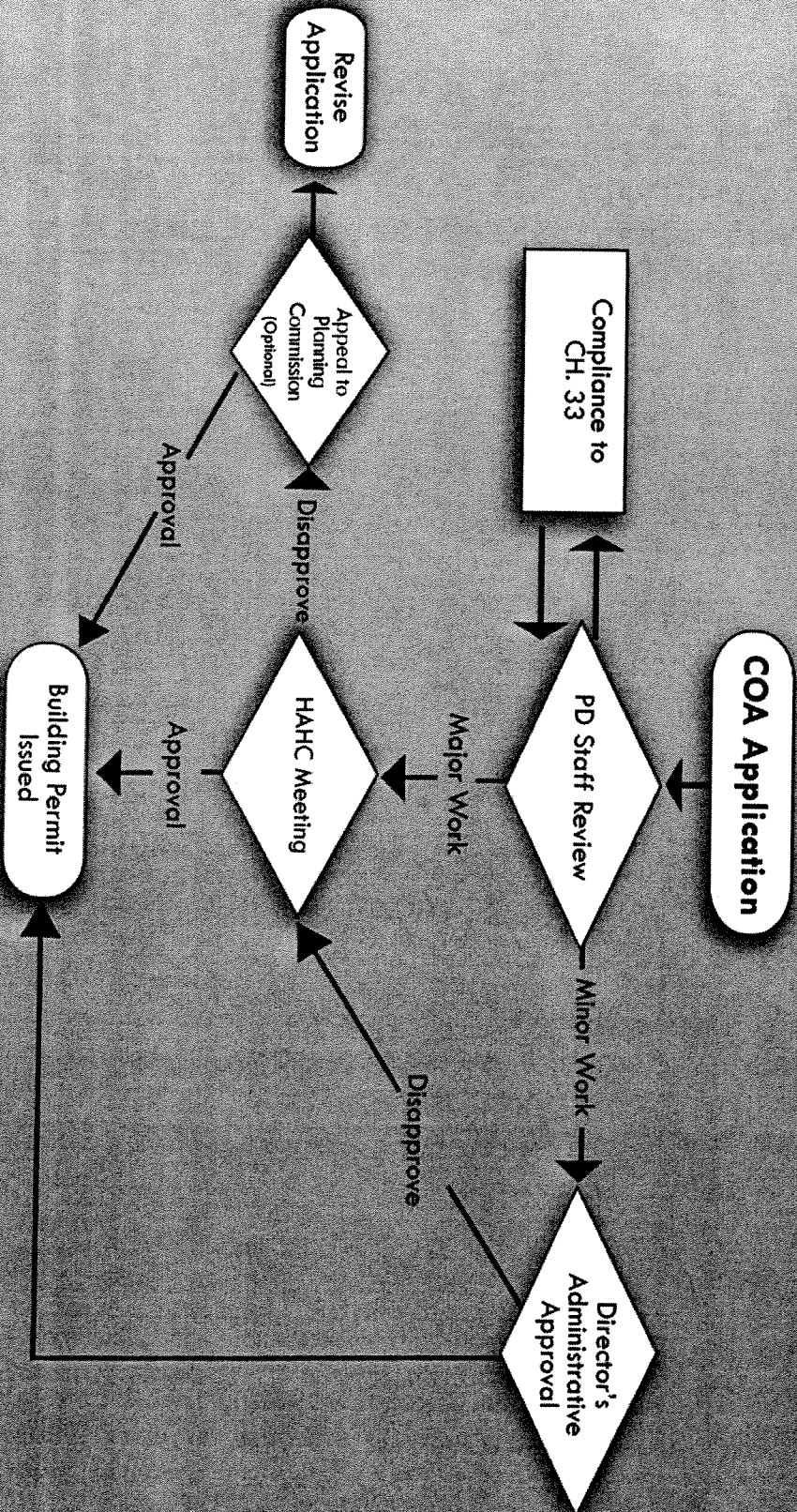
A diagram of the application process for a Certificate of Appropriateness in Old Sixth Ward is shown on the following page.

The City of Houston Code of Ordinances may also be accessed through the Online Library of the Municipal Code Corporation at:

<http://www.municode.com/Resources/OnlineLibrary.asp>

On this website, select the appropriate state and city and an index to the entire code of ordinances will appear. The Historic Preservation Ordinance is included in Chapter 33.

Process for Protected Old Sixth Ward Historic District



Appendix B

A Village in the City

Home to approximately 2,000 Houstonians, the area now called the Old Sixth Ward was originally part of a two-league Mexican land grant made in 1824 to John Austin. On July 6, 1838, two years after John K., Augustus C., and Charlotte B. Allen founded the town of Houston, S.P. Hollingsworth filed a survey of the area in which he divided the land into large, narrow tracts that ran northward from Buffalo Bayou. By January 1839, portions of the Hollingsworth survey located in the future Old Sixth Ward had been conveyed to several prominent Houstonians, including W. R. Baker, James S. Holman, Nathan Kempton, and Henry Allen. By 1858, W. R. Baker and his friends owned or held mortgages on most of the land in this area. Baker engaged the County Surveyor, Samuel West, to restructure his holdings by converting the whole area into a lot and block system. The new survey was laid out to true north, varying from downtown, which was platted at a 45-degree angle to true north. The first sale after the re-plating took place on January 31, 1859, when Baker transferred several blocks to W. W. Leeland. Subsequent lot and block sales followed Baker's plat, which remains in use today.

For many years, W. R. Baker served as President of the Houston and Texas Central Railroad. Its route approached Houston from the northwest, and the railroad's success greatly influenced the growth of the neighborhood, which attracted immigrants seeking employment. Long noted for its ethnic and economic diversity, the neighborhood has at various times been home to Swedish, German, English, Irish, French, Swiss, Italian, Polish, Eastern European, Jewish, African, Chinese, Vietnamese, Mexican, Latin American, and Scottish immigrants. The 1870 census indicates that everyone

who lived in this area worked either for the railroad or in a related enterprise, such as construction or retail services.

In 1871, Glenwood Cemetery opened at the western edge of the area. It provided a natural, protective boundary that continues in force today. In 1872, Washington Avenue was graded and the number of businesses located there increased. By 1878, the Houston Street Railway (trolley) extended to Washington Avenue, where the business district was known as "Uptown," in contrast to the Market Square area, which was known as "Downtown." A bird's-eye view of the area drawn in the early 1890s shows the neighborhood to have been fully developed with a structure on almost every lot. By the early 1900s, the Sixth Ward was a fully developed community complete with a fire station, a public school, stores, saloons, churches, and industrial establishments.

The *Houston Chronicle* newspaper lauded "Fourth Ward North," as Sixth Ward was originally called, as one of the finest and "healthful" places to live in Houston. The area enjoyed the highest elevation in Houston as well as abundant artesian water, fed by the Beauchamp Springs. Its residents enjoyed proximity to downtown and other attractions such as the popular Highland Park resort at the corner of Houston Avenue and White Oak Drive, which had excellent swimming and boating facilities. Fourth Ward North was so popular that the *Chronicle* ran a weekly section on it for several years.

The majority of the houses standing today were built in the 1870s, 1880s, and 1890s as modest, one-story frame cottages occupied by single families. During the 1880s, the majority of the families living in the neighborhood were of German descent. Many of those families

lived on farms in the country in northwest Houston where the Spring Branch, Rosslyn, Timbergrove, and Oak Forest subdivisions now stand. In keeping with German tradition, they built houses in Sixth Ward as “town homes.” They would use these houses while selling their farm produce at the city market downtown, doing their annual shopping, socializing, or attending theatres or opera houses downtown. They used timber from their farms to build these houses.

During the late 19th century, more than half of the houses were owner-occupied. The vernacular character of these dwellings was enhanced by decorative millwork, usually applied to the front porches. As the 20th century progressed, new housing reflected changes in architectural styles. Bungalows were built among the cottages, but the essential character of the neighborhood did not change. During World War II, many of the original owners had passed on and their houses were converted from single to multi-family tenant dwellings, often owned by absentee landlords. Since achieving recognition as both a nationally and a locally designated historic district, the Old Sixth Ward has witnessed the restoration of many homes to single-family occupancy.

Today’s Old Sixth Ward is often described by visiting historians as a small village in the shadow of downtown Houston. The Old Sixth Ward is a complete community with historic churches, corner stores, and even a school and cemetery. It is with the intent to preserve this valuable cultural resource that the design guidelines and historic district were created.

Appendix C

Listing of Documented Structures

The most current list of contributing, potentially contributing, and non-contributing buildings in the District can be found on the City of Houston Planning Department website:

http://www.houston.tx.gov/planning/historic_pres/Sixth_Ward/OSWMap.pdf

Appendix D

Illustrated Glossary

Alteration: any change to the exterior of a building, structure, object or site. Alteration shall include, but is not limited to, changing to a different kind, type or size of roofing or siding materials; changing, eliminating, or adding exterior doors, door frames, windows, window frames, shutters, fences, railings, columns, beams, walls, porches, steps, porte-cocheres, balconies, or ornamentation; or the dismantling, moving or removing of any exterior feature. Alteration does not include ordinary maintenance and repair.

Archaeological: relating to the study of past human behavior through use of material remains of historic and prehistoric origin.

Archaeological site: a property or location designated by the city council on which there exists material remains of past life or past life activities that occurred on the property or at the location.

Balustrade: a railing or low wall consisting of a handrail on balusters (small supporting posts) and a base rail.

Base: the lowest part of a building or column.

Bead Board: a traditional paneling comprised of individual tongue-and-groove boards with a half round bead along one edge, frequently used as a finish material for ceilings, porch soffit, and wainscoting.

Block: one or more lots, tracts, or parcels of land bounded by streets, easements, rights-of-way, or other physical features or a combination thereof.

Blockface: the portion of a block that abuts a street.

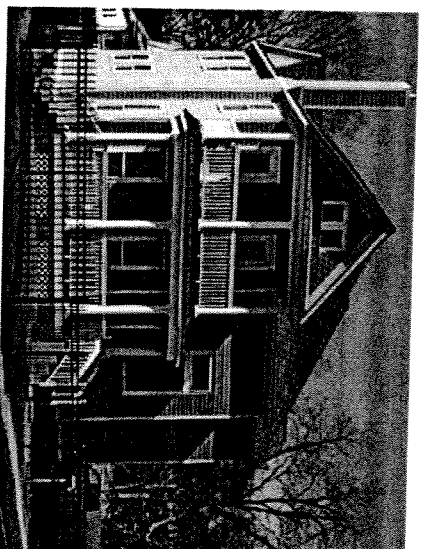
Building: any structure used or intended for supporting or sheltering any use or occupancy.

Building permit: an official document or certificate issued by the building official authorizing performance of a specified activity, including the alteration, restoration, rehabilitation, construction, relocation or demolition of a building, structure, or object.

Capital: the top decorative portion of a column or pilaster.

Certificate of Appropriateness: a current and valid permit issued by the HAHC or the planning official, as applicable, authorizing the issuance of a building permit for construction, alteration, rehabilitation, restoration, relocation or demolition required by this article.

Compatible: the condition in which two or more structures or objects demonstrate a harmonious and consistent relation distinguished by scale, material, compositional treatment, and other features that add to the character of the scene.



The residence located at 803 Sawyer is compatible.

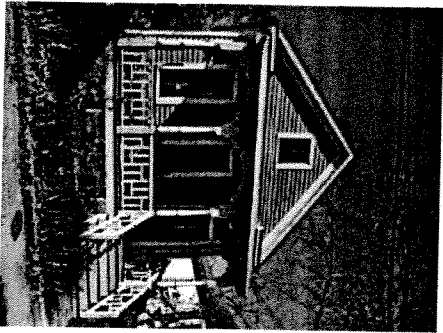
Conservation plan: an inventory and analysis of historic resources within a geographic area of the city that has been designated or proposed for designation as an historic district pursuant to the provisions of this article, which contains standards for alteration, rehabilitation, restoration, construction, relocation and demolition of buildings, structures, objects or sites in an historic district.

Construction: the act of expanding an existing building, structure or object or the erection of a new building, structure or object on a lot, site, or other property.

Context: the surrounding environment of a building or site, including other structures, site features, landscape, and streets.

Contributing: a building, structure, object, or site that reinforces the cultural, architectural, or historical significance of the historic district in which it is located.

Contributing structure: a building, structure, object, or site that is identified as contributing to the designation of the historic district in which it is located.



This residence on Sabine Street is a contributing structure

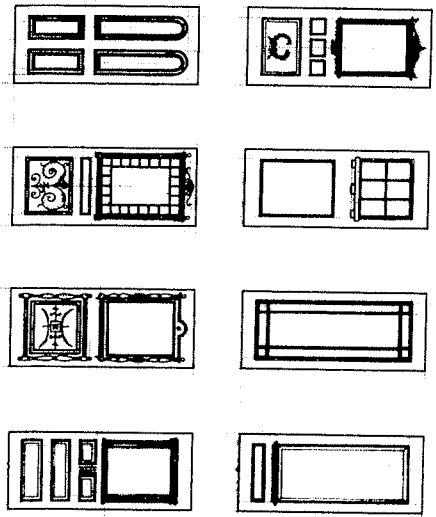
Corbel: a bracket of stone, wood, or metal projecting from the side of a wall and serving to support a cornice, the spring of an arch, a balustrade, or other element.

Cornice: a projecting ornamental molding along the top of a building.

Demolition: an act or process that destroys in whole or in part any building, structure, object, or site.

Designation: the formal recognition by the city council of a building, structure, object, site, or district as historically, architecturally, culturally, or archaeologically significant to the city, state, nation, or region.

Door



Doors in the District display a range of designs with recessed panels; some of these may contain glass lights.

Dormer: a window set upright in a sloping roof; the roofed projection in which this window is set

Economic return: a profit or capital appreciation from use or ownership of a building, structure, object, or site that accrues from investment or labor.

Elevation: a “head-on” drawing of a building façade or object, without any allowance for perspective. An elevation drawing will be in a fixed proportion to the measurement on the actual building.

Excavation: to expose, uncover, or remove by digging, cutting, or hollowing out.

Exterior feature: an element of the architectural character and general arrangement of the external portion of a building, structure, or object (including building material), which is visible from a public right-of-way.

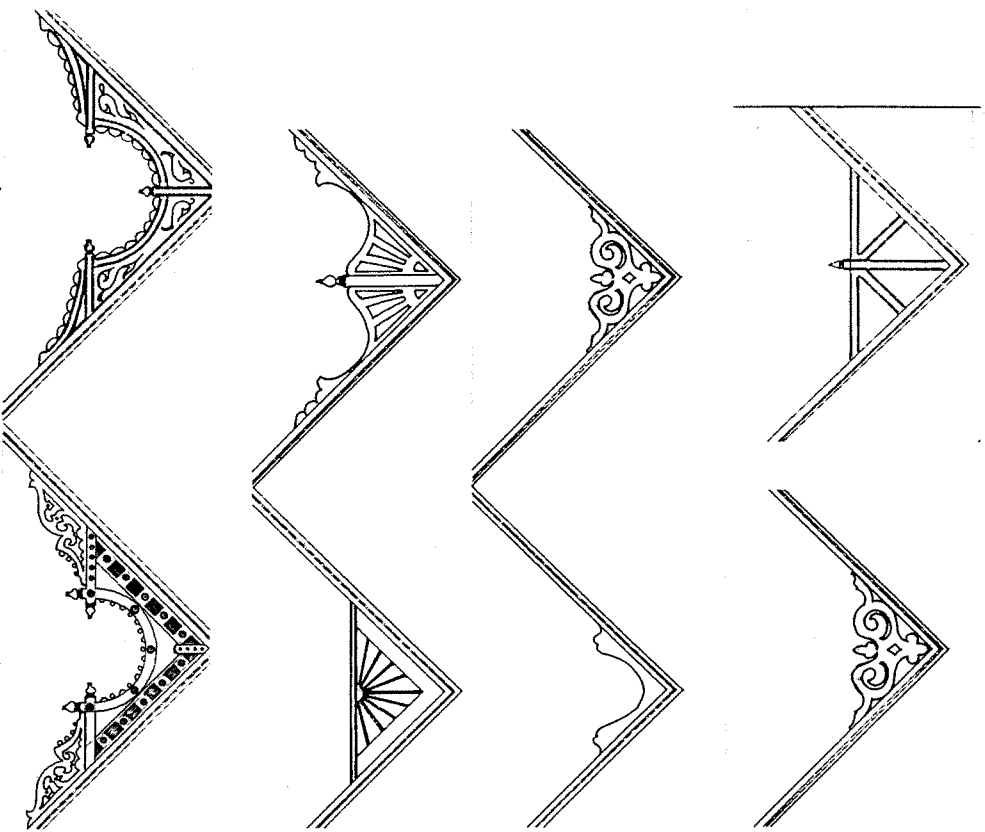
Façade: a face of a building, usually referring to the main entry side of the structure.

Fascia: a horizontal band of vertical face trim located under the bottom roof line.

Free-standing sign: a detached sign that is supported by one or more columns, uprights, or braces extended from the ground or from an object on the ground; or, a detached sign that is erected on the ground.

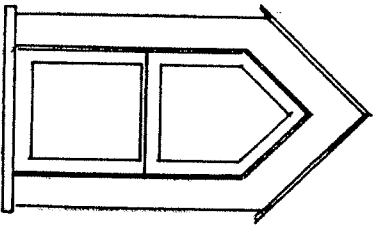
Gable: the triangular wall enclosed by the sloping ends of a ridged roof.

Gable ornament: a decorative trim added at the apex of a (usually front facing) gable on structures built in the later part of the 19th century.



Examples of gable ornaments found within the District.

Gable window: a decorative window located within the gables of a structure.



This example of a gable window has an upper detail to coordinate with the gable.

HAHC: the Houston Archeological and Historical Commission.

Historic district: a geographical area designated by the city council that possesses a significant concentration, linkage, or continuity of buildings, structures, objects, or sites united by historical, cultural, architectural, or archaeological significance to the city, state, nation, or region.

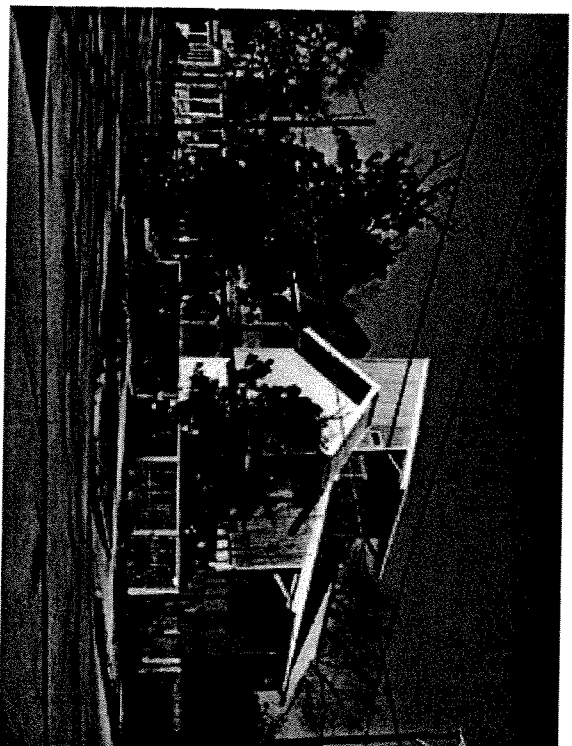
Historic property: a building, structure, object, or site significant in American history, architecture, engineering, archaeology, or culture at the national, state, or local level.

Historic resource: generally, a historic property; includes architectural, historical, and archaeological properties as well as landscape features.

Hood molding: a projecting molding or trim around the top of a doorway or window to throw off the rain.

Old Sixth Ward Protected Historic District Design Guidelines

Incompatible: a non-harmonious and inconsistent relation between two or more structures or objects, distinguished by scale, material, compositional treatment, and other features that do not add to the character of the scene.



The Residence at 1904 Decatur is an incompatible construction.

Integrity: the authenticity of a property's historic identity, evidenced by survival of physical characteristics that existed during the property's historic or prehistoric period.

Inventary: a list of historic resources that have been identified and evaluated as meeting specified criteria of significance.

Landmark: any individual building, structure, object, or site designated by the city council for its historical, cultural, architectural, or archaeological significance in the city, state, nation, or region.

Lattice: an openwork screen or grill made of interlocking or overlapping strips.

Mandatory repair: a repair of a building or structure that is necessary in order to comply with Article IX of Chapter 10 of the City Code as evidenced by an order of the hearing official or the building and standards commission or by a citation.

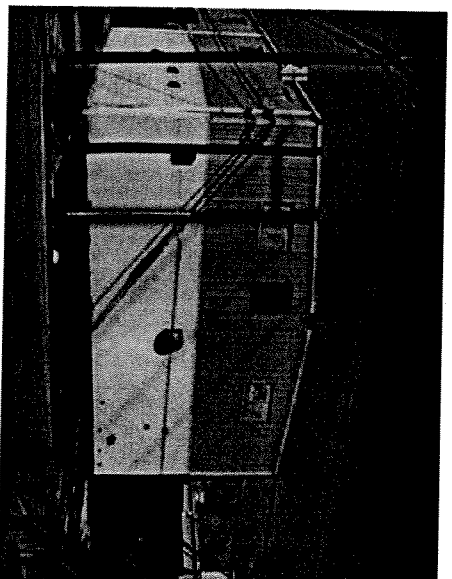
Mimic: to copy or imitate closely.

Molding: a shaped strip of wood, metal, brick, or other material that is used in an ornamental or functional way.

Muntin: a strip of wood or metal used to separate and hold panes of glass in a window.

Non-contributing: a building, structure, object, or site that does not reinforce the cultural, architectural, or historical significance of the historic district in which it is located.

Non-contributing structure: a building, structure, object, or site that is identified as non-contributing to the designation of the historic district in which it is located.

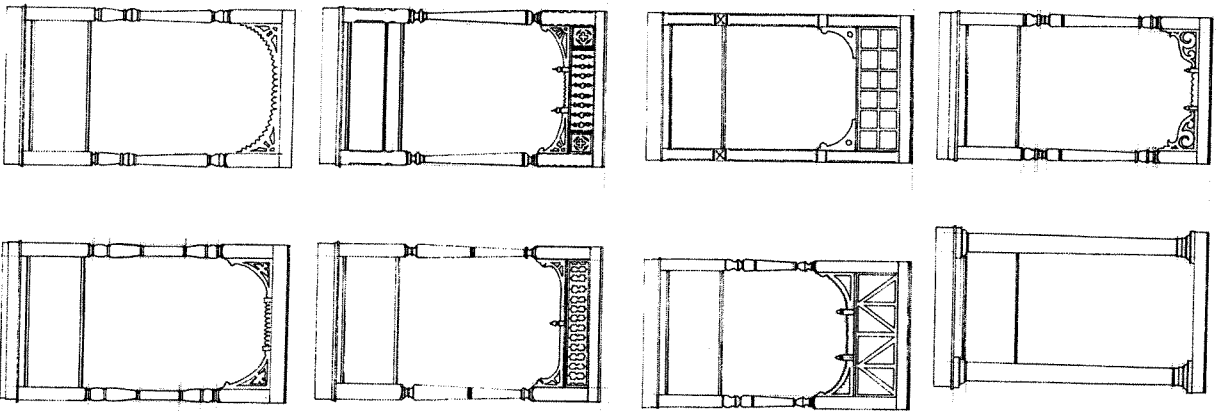


Example: A non-contributing structure.

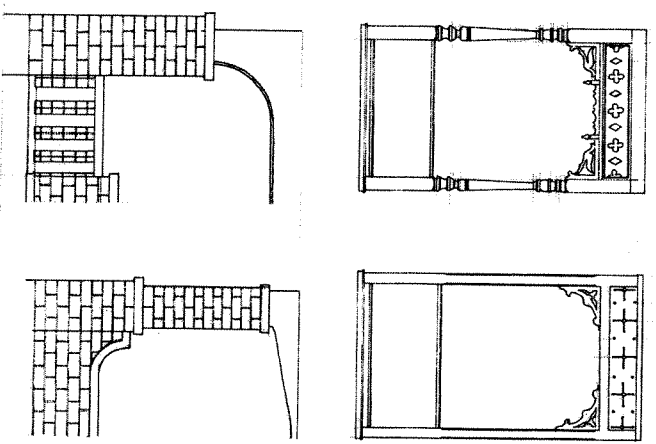
Object: a material thing of a functional, aesthetic, cultural, historical, or scientific value that may be moveable by nature or design, yet is related to a specific setting or environment.

Ordinary maintenance and repair: any work to correct or prevent deterioration, decay, or damage to a building, structure, object, or site (or any part thereof), provided that the work does not change the design, character, texture, or material of any exterior feature and does not constitute an "alteration" as defined above.

Porch

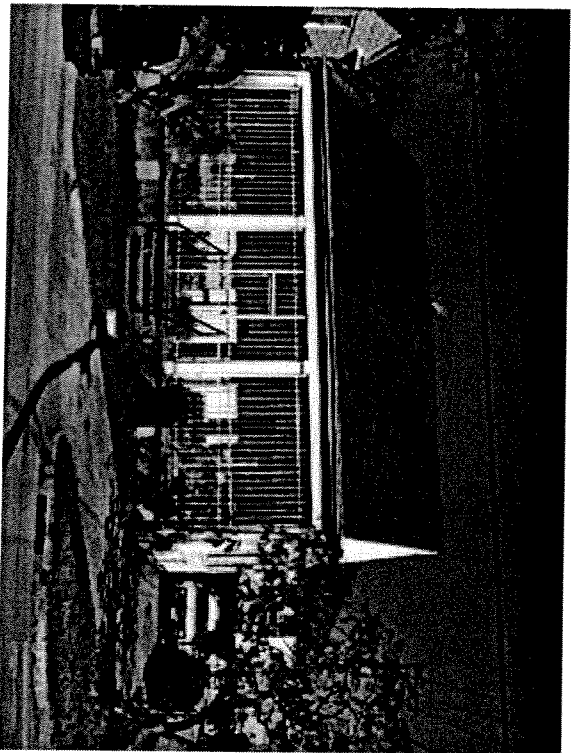


Porch posts



Potentially contributing: a building, structure, object or site with incompatible alterations or deteriorating conditions that, if reversed, would reinforce the cultural, architectural, or historical significance of the historic district in which it is located.

Potentially contributing structure: a building, structure, object, or site with incompatible alterations or deteriorating conditions, that if reversed, would reinforce the significance of the historic district in which it is located.



The residence at 1904 Kane is a potentially contributing structure.

Preserve: to keep in a perfect or unaltered condition.

Preservation: the act or process of applying measures to sustain the existing form, integrity, and material of a building or structure and the existing form and vegetation cover of a site. It may include initial

stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

Public right-of-way: an area, at grade level, dedicated to the public for the passage of people or goods.

Qualified curatorial association: an organized and permanent non-profit institution, essentially educational or aesthetic in purpose, with professional staff, that owns and utilizes tangible objects, cares for them, and exhibits them to the public on some regular schedule, provided that the institution meets the requirements of the Council of Texas Archaeologists' Guidelines (Curator Standards and Procedures), 1992 edition, as may be amended or updated from time to time.

Real property records: the applicable records of a county in which conveyances of real property are recorded.

Reconstruct: to create again. A building, room or detail may be reproduced in its exact detail and appearance as it once existed. Accurate reconstruction, such as in the case of a porch, requires good evidence of the original design.

Rehabilitation: the act or process of returning a building, structure, object, or site to a state of utility that makes possible an efficient contemporary use while preserving those portions or exterior features that are historically, architecturally and culturally significant.

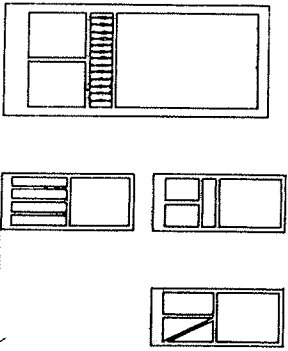
Relocation: any change in the location of a building, structure, or object.

Remodel: to remake or make over. In a remodeling, the appearance is changed by adding or removing elements from the structure. Often these changes are not reversible.

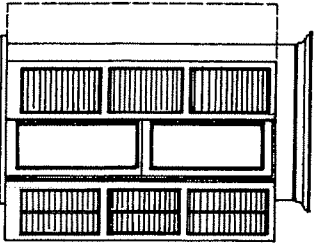
Restore: to bring back to a previous condition.

Restoration: the act or process of accurately recovering the form and details of a building, structure, object or site and its setting as it appeared at a particular period of time by means of the removal of later work, or by the replacement of missing earlier work or both.

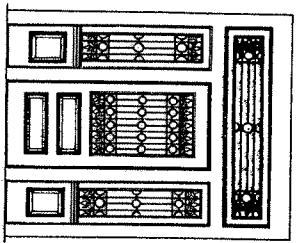
Screen door



Shutter

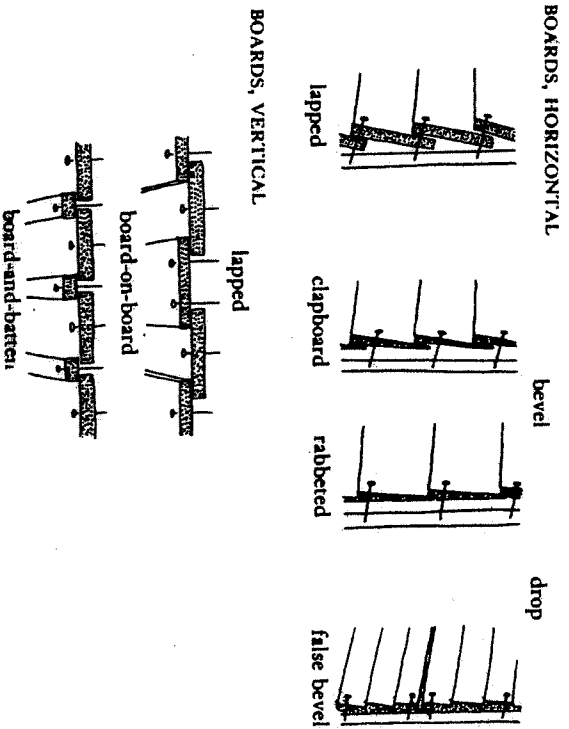


Sidelight: a vertical window on one or two sides of a central door.



This door has a sidelight on each side of the door.

Siding



Sill: the horizontal bottom member of a window or door frame.

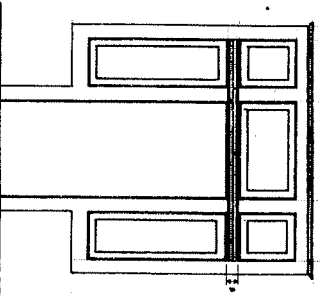
Site: property upon which a significant event occurred, including but not limited to any land, building, or natural resource where prehistoric or historic occupations or activities occurred; or the location of buildings and structures, whether standing, ruined, demolished, or relocated, where the location retains historical, architectural, or archaeological value and integrity.

Stabilize: to make resistant to change in condition. A building is usually stabilized to retard deterioration until it can be repaired. A weather resistant closure and a safe structural system are minimum stabilization efforts.

Structure: that which is built or constructed; an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

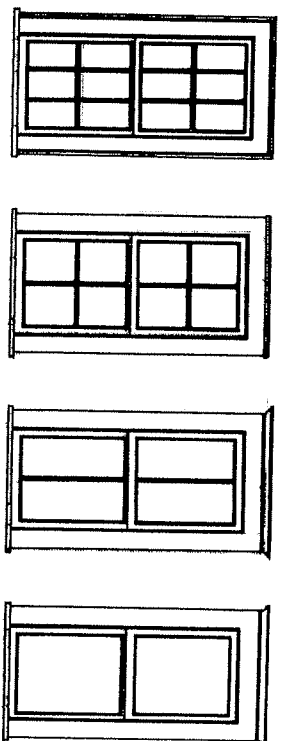
Tract: a contiguous parcel of land under common ownership.

Transom: a horizontal cross-bar in a window, over a door, or between a door and the window above it. It may also refer to a window above a door or other window.
Transom



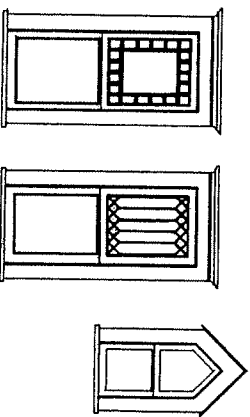
This door has an unusual triple transom.

Window

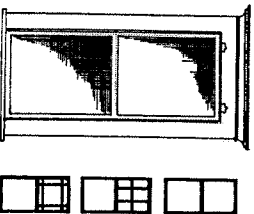


Windows are frequently described by the number of divided lights (panes of glass) in each sash. Shown here from left to right are a 6-over-6, 4-over-4, 2-over-2, and a 1-over-1.

A more decorative upper sash is also fairly common.



Window screen



R

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

SUBJECT: Approval of a resolution designating River Oaks Community Shopping Center and River Oaks Theatre, and Alabama Community Shopping Center and Alabama Theatre as 2 Historic Landmarks (See attachment - page 2 of 2)	Category #	Page 1 of 2	Agenda Item # 13
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FROM (Department or other point of origin): Planning and Development	Origination Date 7/27/2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Thomas McWhorter</i>	Council District affected: D & C
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For additional information contact: Thomas McWhorter Phone: 713-837-7963	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Approval of a resolution designating River Oaks Community Shopping Center and River Oaks Theatre, and Alabama Community Shopping Center and Alabama Theatre as 2 Historic Landmarks - (See attachment - page 2 of 2)

Amount and Source of Funding: NA	F & A Budget:
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SPECIFIC EXPLANATION:

In accordance with Section 33-222 of the City of Houston Code of Ordinances, the property owner or the Houston Archaeological and Historical Commission (HAHC) may initiate an historic landmark designation application. The HAHC rather than the property owner initiated landmark designation applications of River Oaks Community Shopping Center (1952-2048 W. Gray) and River Oaks Theatre (2009 W. Gray), and Alabama Community Shopping Center (2900-2946 S. Shepherd) and Alabama Theatre (2922 S. Shepherd) on April 25, 2007. When the HAHC voted to initiate the applications for designation of these properties, they became subject to provisions of the Historic Preservation Ordinance. On May 9, 2007 the owner applied for a certificate of appropriateness (COA) to demolish the northwest corner of the River Oaks Community Shopping Center at W. Gray and S. Shepherd (2040-2048 W. Gray) which the HAHC considered and denied on May 23, 2007.

Public Hearings were held by the HAHC and the Houston Planning Commission on June 13, 2007 and June 21, 2007 respectively. Both commissions determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the two historic landmark designations. On July 20, 2007 the owner provided Planning staff with new information regarding the demolition of a historic building, which was part of the original Landmark designation application for the River Oaks Community Shopping Center. The historic building was demolished in 1979, and instead of being renovated as originally stated in the application, it was replaced with two new buildings, which are immediately adjacent to one another. The Landmark application has been revised to exclude the first building (2002 W. Gray - La Griglia), which was originally built in 1982-83 and then rebuilt in 1991. The second building, also built in 1982-83, includes the following addresses: (2008 W. Gray; 2012 W. Gray; 2020 W. Gray; (2022 W. Gray); and (2028 W. Gray).

The applicant may not proceed with demolition until the 90 day waiver period expires, which is August 7, 2007. On August 8, the owner may apply for a permit for demolition.

There were no objections to the designation applications.

MLG: tm

Attachments: Revised Staff Reports

xc Marty Stein, Agenda Director; Anna Russell, City Secretary; Arturo G. Michel, City Attorney; Deborah McAbee, Land Use Division, Legal Dept; Harold L. Hurr, Chief, Police Depart; Phil Boriskie, Chief, Fire Department

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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LANDMARKS NAME /ADDRESS:	INITIATED BY:	COUNCIL DISTRICT:	HAHC HEARING:	PLANNING COMMISSION HEARING:
1. River Oaks Community Shopping Center - the north side of W. Gray including 1952-1998 and 2030-2048 W. Gray and the south side of W. Gray including 1953-2047 W. Gray and the River Oaks Theatre at 2009 W. Gray	HAHC	D	6-13-2007	6-21-2007
2. Alabama Community Shopping Center and Alabama Theatre including 2900-2946 S. Shepherd Drive, including the Alabama Theatre at 2922 S. Shepherd Drive, being the entire west side of the 2900 block of S. Shepherd Drive between Kipling and W. Alabama	HAHC	C	6-13-2007	6-21-2007

Photos of the proposed landmarks can be found by going to the following link on the Planning Department's web site:
http://www.houstontx.gov/planning/historic_pres/pending.htm

REVISED 7-26-07

LANDMARK DESIGNATION REPORT

LANDMARK NAME: River Oaks Community Shopping Center and River Oaks Theatre

AGENDA ITEM: II.b

OWNER: Weingarten Realty

HPO FILE No.: 07L183

APPLICANT: Houston Archaeological and Historical Commission

DATE ACCEPTED: 05-23-07

LOCATION: 1952-2048 W. Gray, including the River Oaks Theatre at 2009 W. Gray, being both the north and south sides of W. Gray between Driscoll Street and S. Shepherd Drive, excluding the following addresses: 2050 W. Gray; 2049 W. Gray; 2028 W. Gray; 2022 W. Gray; 2020 W. Gray; 2012 W. Gray; 2008 W. Gray; and 2002 W. Gray.

HAHC HEARING: 06-13-07

PC HEARING: 06-21-07

30-DAY HEARING NOTICE: 05-09-07

SITE INFORMATION

Tracts 1, 3, 9, 10, 11, 12, 13A, Abstract 696, O. Smith Survey, Houston, Harris County, Texas. The buildings on the site include a movie theatre and several one and two-story, stucco-clad commercial buildings.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The River Oaks Community Shopping Center, one of Houston’s most innovative and well-recognized early retail complexes, was determined by the Texas Historical Commission on September 5, 2006 as eligible for listing in the National Register of Historic Places. On April 25, 2007 the Houston Archaeological and Historical Commission (HAHC) instructed the Planning Official to prepare a Landmark Designation application for the River Oaks Community Shopping Center and River Oaks Theatre to be considered at the HAHC public hearing on June 13, 2007.

Richard Longstreth, the foremost historian of 20th century American retail architecture, considers the River Oaks Community Shopping Center to be “one of the outstanding examples of shopping center design of the 1930s in a national context.” Stephen Fox, Rice University professor and architectural historian, contends that the Center has significance for listing in the National Register of Historic Places at the national level, and would be a good candidate for designation as a National Historic Landmark. Furthermore, Fox says it ranks with the downtown Foley's store and The Galleria as one of the three most architectural-historically significant works of 20th century retail architecture in Houston.

The River Oaks Community Shopping Center was constructed between 1936 and 1937 by the River Oaks Corporation from a design by Stayton Nunn-Milton G. McGinty, architects, with Oliver C. Winston as consulting architect. The construction of the River Oaks Community Shopping Center was an important part of the implementation of the overall River Oaks master plan. It provided convenience and commerce for not only the River Oaks neighborhood, but eventually for all Houstonians.

The original center at W. Gray and S. Shepherd consists of two, identical crescent-shaped, one-story masonry, stucco-clad commercial blocks, one on the north side and another on the south side of W. Gray. Each of the two commercial blocks terminates into a two-story, commercial block on the eastern edges, again, one located on the north side and another located on the side south side of W. Gray. This

symmetrical placement of these two crescent shaped buildings is what one first sees when leaving the upscale, River Oaks neighborhood on W. Gray, or turning onto W. Gray from S. Shepherd. The center was designed to allow drivers to see all storefronts in either half of the center. The exceptional design and quality of the development was the subject of an extensive article in *Architectural Record* in June 1940. Another innovative approach for the center was the introduction by the architects of a backlit, cavetto canopy to Houston. Another first for Houston was that all buildings were unified by restrictions on signs, displays, and lighting.

The buildings are not only significant examples of modern, Art Deco architecture, but are also closely linked to the importance and prominence of the River Oaks Corporation and its innovative development, River Oaks. Moreover, the Center is significant as Houston's first auto-centered, suburban shopping center, and one of the first such developments in the country. The original two buildings were eventually incorporated into a larger complex covering approximately eight blocks, which expanded the shopping complex eastward toward downtown Houston.

The River Oaks Theatre was built and operated by Interstate Theatre Corporation, which owned a number of theaters in the South. Interstate Theatres hired the Dallas-based architectural firm of H. F. Pettigrew and Worley to design the theater, which was designed in the Modernistic style so prevalent in America at the time and in harmony with the balance of the River Oaks Community Shopping Center. The theater building is notable for its sleek modern exterior with bold horizontal lines of alternating black and white bands of enameled steel, a motif which is repeated throughout the complex. A boomerang shaped marquee is affixed horizontally below the black and white banding and is capped by neon letters which spell "River Oaks." The theater remains unique even today as the only historic Houston movie theater still used for its original purpose.

REVISION: The center has undergone several sympathetic remodelings in the past that reversed prior unsympathetic alterations. Since the time of the public hearings before the HAHC and the Planning Commission, Weingarten Realty has provided Planning staff with new information regarding the demolition of a historic building that was part of the original Landmark designation application. They advised that the building was demolished in 1979, and instead of being renovated as originally stated, it was replaced with two new buildings, which are immediately adjacent to one another. These buildings, which are not historic, have been excluded from the revised Landmark designation application. They are located on the north side of W. Gray, being described as Tract 2, Tract 16, and Tract 17. The first building is 2002 W. Gray (La Griglia), which was originally built in 1982-83 and then rebuilt in 1991. The second building, built in 1982-83, includes the following addresses: 2008 W. Gray (Chico's); 2012 W. Gray (Gymboree); 2020 W. Gray (Bath Junkie); 2022 W. Gray (Paula Fridkin); and 2028 W. Gray (Talbot's).

Also excluded originally from the Landmark designation application were the following new buildings: Starbuck's Coffee at 2050 W. Gray (located at the southwest corner of Tract 1), Bank One at 2049 W. Gray (located at the northwest corner of Tracts 11, 12, and 12A), and the Kroger Shopping Center further east. All of the modern, auxiliary buildings, not included in the Landmark designation application, were constructed to harmonize in scale, context and appearance with the historic River Oaks Community Shopping Center. More importantly, the historic Center was not altered in any way during those recent projects. In fact, Weingarten's past actions have done nothing but acknowledge the center's original architectural elements as significant, and by respecting the Center's architectural and historical importance, have strived to create a real "sense of place" for the entire shopping area. This special character is rarely found elsewhere in Houston, and is one that should be respected and preserved.

The River Oaks Community Shopping Center and River Oaks Theatre, which have been determined as eligible for listing in the National Register of Historic Places, qualify for City of Houston Landmark Designation under Criteria 1, 3, 4, 5, 6, and 8.

HISTORY AND SIGNIFICANCE:

The River Oaks Community Shopping Center located at 1952 to 2050 W. Gray and the River Oaks Theatre at 2009 W. Gray comprise one of Houston's most innovative and well recognized early retail complexes. Designed to provide convenient shopping for the new subdivision of River Oaks, this 'community center' is a fine example of suburban commercial architecture with the attributes of small scale, accessibility by automobile, and dramatic modern architecture.

The original shopping center was constructed by the River Oaks Corporation, which was financed by Will C. Hogg and Mike Hogg, with Hugh Potter acting as its President. The River Oaks Corporation had begun to develop the River Oaks subdivision in 1923. The neighborhood's first building was the summer home for William L. Clayton at 3376 Inwood Drive (City of Houston Landmark), which backed up against the extensive River Oaks Country Club and Golf Course. Clayton, a well respected businessman and civic leader in Houston and in the nation's capitol, set the trend for the high caliber of future residents who would be drawn to the subdivision.

The creation of this type of subdivision was unique for Houston in many respects. The subdivision was laid out at what was then the far western edge of Houston. Prior to 1923, the majority of Houston's residential developments had occurred in a tight girdle around the downtown business district. As the sheer size of Houston increased, the demand for more neighborhoods grew along with it. Beginning in the early 20th century, the development followed a generally westerly and southwesterly expansion. The newer, more fashionable neighborhoods, such as Westmoreland (1902), Avondale (1907), Montrose (1911), Audubon Place (1906), Cherryhurst (1908), Binz, Southmore (1914), and Courtland Place (1906), developed along the Main Street corridor and to the southwest of downtown. River Oaks, however, was situated at the western city limits far away from other developments.

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

"River Oaks is by Buffalo Bayou and Memorial Park in west central Houston. The residential garden suburb, which comprises 1,100 acres, was developed in the 1920s by Michael Hogg and attorney Hugh Potter, who in 1923 obtained an option to purchase 200 acres surrounding the River Oaks Country Club. In 1924 Hogg organized Country Club Estates to promote the development. The two developers retained Kansas City landscape architects Hare and Hare to provide a master plan that would protect the environmental integrity and natural beauty of the area. They also hired J. C. Nichols, who built one of the first major shopping centers in the United States, to serve as a design consultant. The master plan included homesites, a fifteen-acre campus for River Oaks Elementary School, two shopping centers, and esplanades planted with flowers. It called for underground utility lines, eliminated alleys, allowed only three intersecting streets, provided rigid building codes, and eventually banned all commercial traffic. Deed restrictions and centralized community control assured exclusivity; approval of house designs by a panel of architects and citizens and a purchase price of at least \$7,000 were required. A "gentleman's agreement" excluded

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blacks, Jews, and other minorities. The first home in the area, built by Will and Sue Clayton, is now listed in the National Register of Historic Places. Among the other notable houses is Ima Hogg's family home Bayou Bend [City of Houston Landmark], designed by John F. Staub and Birdsall P. Briscoe. In the late 1920s the development lost money, but by the late 1930s developers had invested \$3 million in the project, and the community had begun to influence development patterns downtown. In the 1990s River Oaks was at the geographic center of Houston. The community operated independently for three years, after which it was annexed by the city of Houston.”

The creation and implementation of the River Oaks plan went far beyond the layout of the neighborhood itself. The developers also needed to devise a clever way of drawing prospective buyers away from the more traditional neighborhoods located closer to the downtown business district. This was achieved in two ways. The first was to insure that proper roads connected River Oaks with downtown Houston. The second was to bring the amenities to the residents.

Beginning in 1925, work began in earnest on Buffalo Bayou Drive, which would later become Allen Parkway. Buffalo Bayou Drive was designed by the Kansas City architectural landscape firm of Hare and Hare. The thoroughfare, atypical for its time, was built to provide a reliable route by which River Oaks residents could get to their jobs in downtown Houston while simultaneously providing a pleasant driving experience. The street was designed to follow the meanders of nearby Buffalo Bayou and originated at the north entry to the River Oaks neighborhood. The entry was marked by grand entry gates designed by Houston architect John F. Staub in 1926.

The plan for the scenic drive began more than a decade before its implementation with the Arthur Comey plan for Houston in 1912. The Comey plan was a progressive and ambitious plan to guide the future of Houston's development, with quality of life issues as a major component. Parts of the Comey plan called for the creation of scenic drives, considerable park space, and linear parks along the city's bayous. Ultimately, only a small proportion of the components of Comey's plan came to fruition. Among these realized elements were the layout of South Main at Hermann Park with its prominent traffic circles, and Allen Parkway Drive with its adjacent linear park space situated between the drive and Buffalo Bayou.

Once the River Oaks Corporation solved the access dilemma, Will Potter and Mike Hogg also needed to find a way to furnish the new residents with the goods and services with which they had become accustomed. In 1935-36, the Corporation embarked on a building campaign on sites adjacent to River Oaks proper, where deed restrictions precluded the construction of commercial or multi-family dwellings. The construction of the River Oaks Community Shopping Center was an important part of the implementation of the overall River Oaks master plan.

The River Oaks Community Shopping Center was constructed at the head of West Gray Boulevard where it enters River Oaks and becomes Inwood Drive. The center was designed to not only provide convenient shopping opportunities to the residents, but also to frame the entry to the new subdivision. The plan of the shopping center consisted of two symmetrically arranged semi-circular wings on either side of West Gray at the westernmost edge of the center at its point of juncture with South Shepherd Drive and the entrance into the neighborhood. A service station located on each corner of the shopping center at Shepherd welcomed drivers to this automobile friendly development. A Texaco Service Station was located on the northeast corner, and a Gulf Service Station was located on the southeast corner. These buildings also conformed to the architectural style of the center.

The River Oaks Corporation hired Stayton Nunn, Milton McGinty, and Oliver Winston to design the center. Work began on the center in 1937, a decade after the initial development of the River Oaks

neighborhood. According to the June 1940 *Architectural Record* magazine, the architects for the River Oaks Community Shopping Center had to follow several criteria for its design:

“Establishment of a community shopping center is feasible as soon as there is sufficient population in the surrounding trading area to support a representative group of merchants.... The center should be neighborly in character with the adjoining community, corner locations should be reserved for service stations, which were to be planned without sacrificing maximum visibility for the set-back stores: front parking space and direct delivery access in the rear, were to be provided with large additional parking spaces so disposed that patrons would not hesitate to use them; Form and construction of each shop space were to be adaptable for use either with or without air conditioning; Costs were kept as low as was compatible with reasonably good construction. Appearance of all buildings was to be unified, with restrictions on signs, displays, and lighting.”

The first phase of construction of the shopping center included both of the one-story crescent-shaped structures located on the north and south sides of West Gray at Shepherd Drive. The north section originally comprised 2.34 acres of land, and the southern section was 2.15 acres. Land to the east of the symmetrical wings, leading to McDuffie, was as yet re-platted at the time of the first phase.

Subsequent phases of redevelopment were added to the River Oaks Shopping Center in 1939 and again in 1948. The additions occurred on several smaller tracts, which were adjacent to the east side of the original crescent shaped structures, but which had previously been used for different uses unrelated to the River Oaks Community Shopping Center master plan, including an Humble Oil Service Station and a U-Tote-M store. Additions to the complex in 1948 finished out the River Oaks Community Shopping Center on both the north and south sides. Although the additions to the complex occurred in two distinct phases of construction, the overlying Art Deco theme is carried throughout all of them. Furthermore, the newer additions to the complex were constructed in 1948, and are therefore considered historic by the United States Department of the Interior.

One of the most character-defining elements of the River Oaks Community Shopping Center is the River Oaks Theatre located at 2009 West Gray. The River Oaks Theatre was constructed in 1938-1939 on the southeast side of the center. The building was actually a free standing building, not connected to the original crescent shaped wings facing South Shepherd Drive, when first constructed.

The River Oaks Theatre was built and operated by the Interstate Theatre Corporation, which owned and operated a number of theatres in the South. Interstate Theatres was formed in 1906 by several business partners, including Karl Hoblitzelle (1879-1967), who was an internationally acclaimed early cinematic director, producer, and Oscar winner. Interstate originally operated vaudeville theatres, which were in vogue during the period shortly after the turn of the 20th century until the early 1930s. Vaudeville entertainment was centered around the theatrical stage and provided a wide array of live “talent” acts, like dancers, musicians, and sideshow acts. Vaudeville acts had been extremely popular throughout most of the United States, but struggled in the southern states where popular opinion of vaudeville entertainment was not very favorable. Interstate Theatres worked diligently in the South to establish itself as a reputable and wholesome business, and eventually prevailed in its public relations endeavors and established its brand name as one to be reckoned with. At its height, Interstate owned more than 150 theatres in the South.

As vaudeville acts began to wane in popularity all across the U. S., Interstate Theatres was forced to adapt to the changing trends in entertainment. The company began to feature cinematic works alongside its vaudeville performances. This would eventually give way to full time screenings of cinematic works and the eventual abandonment of the vaudeville acts. Interstate Theatres sold most of its interest to the RKO

Pictures in 1930. RKO, which has operated continuously since 1929, produced many of the blockbuster films of the 1930s and 1940s.

Interstate Theatres hired the Dallas-based architectural firm of Pettigrew and Worley to design the River Oaks Theatre. The theatre was designed in the Modernistic style so prevalent in America at the time and in harmony with the balance of the River Oaks Community Shopping Center. The building is notable for its sleek modern exterior with bold horizontal lines of alternating black and white bands of enameled steel, a motif which is repeated throughout the complex. A boomerang shaped marquee is affixed horizontally below the black and white banding and is capped by neon letters which spell River Oaks.

The theatre's sleek exterior belies the rich interiors found within the building. The opulent interiors of the River Oaks Theatre were executed in rich displays of high relief plaster scenes painted in a palette of rich tones. The theater was originally configured with one viewing screen, but was later converted to three screens. The theater lobby is separated from the main theater screen which is accessible from the ground floor by pairs of steel doors with round port hole windows. An interior stair with graceful curving banister of brushed aluminum begins near the entry to the theater lobby and extends to the second floor mezzanine level. The two mezzanine level movie screens were carved from the original main theater balcony, but which have not taken away from the grandeur of the main theater on the ground floor.

The River Oaks Theatre opened on November 28, 1939, within one month of the opening of the nearby Alabama Theatre. According to "Old Bayou City History Website: "Opening ceremonies featured Houston Mayor Oscar F. Holcombe; Hugh Potter, president of the River Oaks Association; H. F. Pettigrew, of Pettigrew and Worley; who designed the theatre; Buck Wynn, Jr., who designed the interior; and Paul Scott, theatre operator and manager." "When the theatre first opened, it seated about 1,000 patrons. The balcony stairway was lit with a continuous tube embedded in an aluminum hand rail. The interior and exterior lighting reflected advancements presented for the first time this year at the New York and San Francisco fairs." "Bas reliefs to the left and right of the stage are outstanding decorative features of the theatre. Said to be the largest castings of their kind in the South, the bas reliefs portray the land and the sea. The work of Mr. Wynn, they have caused considerable favorable comment from artists and sculptors."

The movie shown that night was "Batchelor Mother," starring David Niven. A flyer for the gala opening of the new River Oaks Theatre stated "*Safe! You can send your children to the new River Oaks with the comforting thought that the building is as safe as the most advanced architectural design, the most rigid engineering standards, the most careful precautions can make it. It's fireproof throughout, with extra added margins of safety in every detail of construction. EVERY SEAT A GOOD SEAT! The latest developments in theatre design have enabled us to provide every patron with a full undistorted view of our screen. Every seat in the house is a good seat – and luxuriously comfortable.*" There were businesses too which advertised in the flyers and newspapers of the day. One business, Monarch Cleaners on Shepherd Drive, "offered all-night service and allowed theatre patrons to drop off or pick up their clothes anytime after the show." The theater continues to operate as a theater and is the only historic Houston theater still used for its original purpose.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The River Oaks Community Shopping Center and River Oaks Theatre represent several phases of construction. The earliest phase of construction encompassed the western end of the site at its intersection with West Gray and South Shepherd Drive. This section of the shopping center was constructed circa 1937. It is most recognizable for its symmetrical arrangement of semi-circular wings of one-story store fronts. The symmetrical arrangement is divided by West Gray Avenue, which is a major artery to and from the still fashionable, and now historic, River Oaks neighborhood, where Inwood Drive enters River Oaks.

Further west in the shopping center, located immediately east of the two semi-circular wings, are two-story buildings on both the north and south sides of West Gray. The building on the north side of the shopping center is oriented perpendicular to West Gray. This two-story building, which most recently housed a retail clothing store, is an integral part of the original 1937 portion of the complex. The buildings adjacent to the two-story building on the north side of West Gray are part of the 1948 addition to the center. A 1988 alteration to the 1948 additions, on both the north and south side of the streets, added a clock face at the roofline of the front façade.

Another of the center's architectural highlights is its use of integrated concave stucco-clad canopies throughout. The canopies make clever use of hidden indirect lighting which was a novelty to Houston when first introduced. These canopies are mostly obstructed by canvas awnings which were added to all of the storefronts during one of the subsequent remodelings.

The center has experienced several sympathetic remodeling periods in the past, including one in 1974 (Clovis Heimsath, architect) and another in 1978 (S. I. Morris Associates, architects), both of whom reversed unsympathetic alterations in their restorations.

REVISION: The center has undergone several sympathetic remodelings in the past that reversed prior unsympathetic alterations. Since the time of the public hearings before the HAHC and the Planning Commission, Weingarten Realty has provided Planning staff with new information regarding the demolition of a historic building that was part of the original Landmark designation application. They advised that the building was demolished in 1979, and instead of being renovated as originally stated, it was replaced with two new buildings, which are immediately adjacent to one another. These buildings, which are not historic, have been excluded from the revised Landmark designation application. They are located on the north side of W. Gray, being described as Tract 2, Tract 16, and Tract 17. The first building is 2002 W. Gray (La Griglia), which was originally built in 1982-83 and then rebuilt in 1991. The second building, built in 1982-83, includes the following addresses: 2008 W. Gray (Chico's); 2012 W. Gray (Gymboree); 2020 W. Gray (Bath Junkie); 2022 W. Gray (Paula Fridkin); and 2028 W. Gray (Talbot's).

Also excluded originally from the Landmark designation application were the following new buildings: Starbuck's Coffee at 2050 W. Gray (located at the southwest corner of Tract 1), Bank One at 2049 W. Gray (located at the northwest corner of Tracts 11, 12, and 12A), and the Kroger Shopping Center further east. All of the modern, auxiliary buildings, not included in the Landmark designation application, were constructed to harmonize in scale, context and appearance with the historic River Oaks Community Shopping Center. More importantly, the historic Center was not altered in any way during those recent projects. In fact, Weingarten's past actions have done nothing but acknowledge the center's original architectural elements as significant, and by respecting the Center's architectural and historical importance, have strived to create a real "sense of place" for the entire shopping area. This special character is rarely found elsewhere in Houston, and is one that should be respected and preserved.

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According to Richard Longstreth, the foremost historian of 20th century American retail architecture, the River Oaks Community Shopping Center is "one of the outstanding examples of shopping center design of the 1930s in a national context." Stephen Fox, Rice University professor and architectural historian, contends that the center has significance for listing in the National Register of Historic Places at the National level, and would be a good candidate for designation as a National Historic Landmark. Fox also concludes that the River Oaks Shopping Center ranks with Highland Park Village in the Dallas suburb of Highland Park as one of the two most architectural-historically significant shopping centers in Texas of the interwar era. It ranks with the downtown Foley's store and The Galleria as one of the three most architectural-historically significant works of 20th century retail architecture in Houston.

Richard Longstreth identifies the River Oaks Shopping Center as one of the outstanding examples of shopping center design of the 1930s in a national context. Longstreth writes in his book, "The Drive-In, the Supermarket, and the Transformation of Commercial Space in Los Angeles, 1914-1941":

"Through the combined efforts of an enlightened developer and a talented architect, the examples of the Washington [D.C.] centers and the drive-in market were fused in an arresting design that was at once heralded as a showpiece of its city.

"The River Oaks complex was also touted as a model nationally for nearly a decade. Even after the shopping center began to experience dramatic, fast-paced change after World War II, River Oaks was lauded as a pioneer in the field. [Hugh] Potter [developer of River Oaks and builder of the River Oaks Shopping Center] played a central role in fostering this legacy. In 1940, he joined J. C. Nichols and other colleagues in forming the urban Land Institute, a Washington-based organization devoted to improving the standards of new development.

He served as the group's third president (1943-1944) and in 1950 succeeded Nichols as chairman of its Community Builder's Council, which had become the principal proponent and source of information about shopping centers. In the late 1930s, when the [shopping center] type was still considered an unusual venture of perhaps limited application, and when the drive-in concept was likewise seen as experimental for most purposes other than automobile service, River Oaks offered convincing evidence that such ventures had a sound practical basis. No other example so successfully presented the shopping center concept, crafted in a vocabulary that exuded promise, as a solution that appeared not only realistic but inevitable."

The businesses along the north side of the shopping center between Shepherd and McDuffie have not had their leases renewed and this portion of the center is largely empty at this point. On May 23, 2007, the owner, Weingarten Realty, requested a Certificate of Appropriateness from the HAHC to demolish the historic, crescent-shaped building, including both the one- and two-story portions, located at the northwest corner of W. Gray and S. Shepherd, up to McDuffie Street. Their request was denied unanimously by the HAHC.

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

BIBLIOGRAPHY:

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 Handbook of Texas , Texas State History Association.

APPROVAL CRITERIA FOR LANDMARK DESIGNATION:

The HAHC and the Planning Commission, in making recommendations with respect to designation, and the City Council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

S	NA	S - satisfies	NA - not applicable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1));	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2));	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3));	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4));	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5));	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6));	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7));	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8)).	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b)).	

STAFF RECOMMENDATION:

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the River Oaks Community Shopping Center at 1952 – 2048 W. Gray, including the River Oaks Theatre at 2009 W. Gray.

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Alabama Theatre and Alabama Community Shopping Center

AGENDA ITEM: II.a

OWNER: Weingarten Realty

HPO FILE NO.: 07L182

APPLICANT: Houston Archaeological and Historical Commission

DATE ACCEPTED: 05-23-07

LOCATION: 2900 to 2946 S. Shepherd Drive, including the Alabama Theatre at 2922 S. Shepherd, being the west side of the 2900 Block of S. Shepherd Drive between Kipling and W. Alabama

HAHC HEARING: 06-13-07

PC HEARING: 06-21-07

30-DAY HEARING NOTICE: 05-09-07

SITE INFORMATION

East 2.7625 acres known as Tract 1, Abstract 696, O. Smith Survey, located at the northwest corner of S. Shepherd and W. Alabama, and also Lots 1-7 and Tract 8A, Block 5, Lanier Place Addition, located at the southwest corner of Kipling and S. Shepherd (formerly part of the original Lot 48, O. Smith Survey), Houston, Harris County, Texas. The building on the site includes a former movie theatre adjacent and attached to a one-story, stucco clad commercial building on either side.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Alabama Theatre and Community Shopping Center is a rare Houston example of an early “suburban” Modernistic shopping center and entertainment complex designed to meet the needs of the burgeoning automobile culture which began in earnest in America during the 1920s and 30s. The Alabama Theatre and Alabama Community Shopping Center were determined by the Texas Historical Commission on September 5, 2006 as eligible for listing in the National Register of Historic Places. On April 25, 2007, the Houston Archaeological and Historical Commission (HAHC) instructed the Planning Official to prepare a Landmark Designation application for the Alabama Shopping Center and Alabama Theatre to be considered at the HAHC public hearing on June 13, 2007.

The Modernistic buildings are located at 2900-2946 South Shepherd Drive. The Alabama Theatre was constructed in 1938-1939 by Interstate Theatre Company, and opened on November 2, 1939. Interstate, a large national company, at one time operated 10 movie houses in Houston, including the Garden Oaks, Majestic, Metropolitan, River Oaks, and Village Theatres. They also operated more than 150 theatres located throughout the country. Interstate Theatre Company hired Dallas architect, W. Scott Dunne, who by 1928 had specialized his practice in theatre design. Dunne designed the Alabama Theatre as well as other notable theatres, including Houston’s Tower Theatre on Westheimer and Dallas’ Texas Theatre.

The Alabama Theatre is notable for its imposing façade which forms both the physical and visual axis of the Alabama Shopping Center. The 800-seat theater’s most distinguishing exterior feature is its prominent fluted center bay/canopy. The shopping wings flanking the theater were constructed by the Clayton Foundation in 1940 to service the surrounding River Oaks, Winlow Place, Montrose, and the Museum District neighborhoods. The Clayton Foundation, whose trustees were prominent Houstonians Benjamin, Julia, and William Clayton, commissioned well-known architect, Kenneth Franzheim, to design the wings.

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The Alabama Theatre ceased functioning as a theater in 1983. It was extensively restored and sympathetically converted to a retail bookstore in 1984-1985, which received award-winning recognition. The conversion maintained and restored much of the significant elements of the historic building's ornate interiors as well as the exterior, while simultaneously meeting the changing needs of future tenants. The Alabama Theatre and Shopping Center, which have been determined as eligible for listing on the National Register of Historic Places, meet Criteria 1, 3, 4, 5, 6, and 8 for Landmark Designation.

HISTORY AND SIGNIFICANCE:

The Alabama Theatre and Community Shopping Center at 2900-2946 South Shepherd Drive were constructed between 1938 (theatre) and 1940 (the shopping center) in the "Modernistic" style which is characterized by its use of curved exterior surfaces and generally streamlined appearance. This early example of an automobile-oriented shopping center was designed specifically for patrons with automobiles which was a style departure from earlier pedestrian-oriented retail centers, which relied on storefronts located close to the street adjacent to sidewalks. This new type of design would set the course for later commercial development in Houston.

The Alabama Theatre was constructed and operated by the Interstate Theatre Corporation. Interstate ran a number of theatres in the South and was the brain child of Karl Hobbelt (1879-1967), an internationally acclaimed, early cinematic director, producer, and Oscar winner.

The Alabama Shopping Center is located within the Obedience Smith Land survey. The physical location for the Alabama Theatre, at the corner of West Alabama and Shepherd Drive, was just inside the Houston city limits of the mid 1930s. The development followed the trend of Houston's western expansion as many Houstonians began to migrate in a westward direction from older inner city neighborhoods. The shopping center was one of the earliest in Houston to be designed with prominently placed automobile parking lots in front and to the rear of the complex in order to cater to the new "suburbanites."

As late as 1925, the 2.48 acre block on which the Alabama Theatre and Shopping Center were later built, was vacant land owned by the family of real estate developer and philanthropist, Henry F. Macgregor. The Macgregors were instrumental in the development of the Southmore Addition, located near the Houston Museum District. The Macgregor family is most well-known for their donation of the land on which MacGregor Park is now located

A number of residential additions were developed in and around the future location of the Alabama Theatre and Shopping Center. Among the residential neighborhoods located in the near vicinity were Alabama Place (1930), Avalon Place (1931), Colquitt Court (1941), Westlawn Terrace (1928), and Winlow Place (1923). Melrose Place subdivision was also platted nearby. Several residential structures were located along the northern border of the block facing Kipling Street. These would later be demolished to make room for the expansion of the Alabama Shopping Center in 1940.

The Interstate Theatre Company entered into a ground lease agreement with the owners of the land on which the Alabama Theatre would be built. This agreement allowed the tenant, Interstate Theatres, to construct a theater and provide all subsequent maintenance while paying rent to the owners of the land. Interstate hired Dallas architect, W. Scott Dunne, to design the theater. Dunne also designed other notable theaters, such as Houston's Tower Theatre and Dallas' Texas Theatre, which became infamous as the location where Lee Harvey Oswald was arrested by Dallas police on November 22, 1963.

According to Stephen Fox and the National Park Service website, the list of projects by Dunne include many theatres as follows: R & R Theatres in San Angelo and Oak Cliff (Dallas), Laredo, Mesquite, and

CITY OF HOUSTON

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Planning and Development Department

Corpus Christi, Texas; Texas Theatre, 231 W. Jefferson Boulevard, Dallas (N.R.); Plaza Theatre, 125 Pioneer Plaza, El Paso, Texas (N.R.); Del Rio Amusement, Del Rio, Texas; Charles Mangold Hotel (Dallas); Oak Cliff Theatre and Hotel (Dallas); the Martini Theatre (Galveston); and other theaters in Jefferson, Amarillo, and Longview, Texas. He also designed the Oklahoma Theatre, 18 E. Choctaw, Pittsburg, Oklahoma (N.R.). Dunne also designed Astin Memorial Parish House, St. Andrew's Episcopal Church in Bryan, Texas as well as the Physics Building (now Psychology Building), Texas A & M University, Bryan, Texas. Dunne taught architecture at Texas A & M University just after World War I. By 1928, he was in Dallas already specializing in the design of theatres.

Interstate Theatres had been formed in 1906 by several business partners, including Karl Hoblitzell, who eventually went on to become president of the company. The company originally operated vaudeville theatres, which were in vogue during the period shortly after the turn of the 20th century until the early 1930s. Vaudeville entertainment was centered around the theatrical stage and provided a wide array of live "talent" acts, like dancers, musicians, and side show acts. Vaudeville acts had been extremely popular throughout the United States, but struggled in the southern states. Interstate Theatres worked diligently in the South to establish themselves as a reputable and wholesome business in states where popular opinion of Vaudeville entertainment was not very favorable. Interstate eventually prevailed in their public relations endeavors and established their brand name as one to be reckoned with.

As vaudeville acts began to wane in popularity across the U.S., Interstate Theatres was forced to adapt to the changing trends in entertainment. The company began to feature cinematic works alongside its vaudeville performances. This would eventually give way to the full time screenings of cinematic works and the eventual abandonment of the vaudeville acts which had been so profitable to the company. Interstate Theatres sold most of its interest to RKO Pictures in 1930. RKO, which has operated continuously since 1929, produced many of the blockbuster films of the 1930s and 1940s.

The 1930s saw turbulent times for the Interstate Theatre Company as well as others in the movie industry as the result of the Great Depression which began with the stock market crash of 1929. While RKO was the parent company of Interstate Theatres after 1930, Interstate maintained its ownership of the major Texas theatres. RKO filed for bankruptcy in 1932 and ownership of its Interstate Theatres interest reverted back to Karl Hoblitzell. Paramount Pictures, which had also filed for bankruptcy during this time period, eventually entered into an agreement with Karl Hoblitzell of Interstate Theatres, as well as the RKO Company, to run one of its subsidiaries. The new conglomerate meant market dominance in the southern United States, which in the next decade would lead to more than 150 locations in Texas alone. This alliance was later dismantled by the Federal Courts under the Sherman Anti-Trust Act. The Federal Government argued that the movie industry was in violation of the Sherman Anti-Trust Act because of the conglomerations which were formed in the industry during the 1930s and 1940s, and because these conglomerates were not only producing films, but also distributing the films to their own movie houses. The dissolution of the Interstate-Paramount conglomerate was finalized in 1951. Karl Hoblitzelle maintained ownership of the now independent Interstate Theatre Company until his death in 1967.

The Interstate Theatre Company is currently owned by the Starplex Cinema Corporation. Starplex operates theatres in small towns and cities in California, Colorado, Florida, Indiana, Nebraska, New Jersey, Ohio, Oklahoma, Texas, and the District of Columbia. The chain does not currently operate any theatres in Houston.

According to the *Houston Post* article of July 21, 1940, "Foundation will erect \$100,000 Community Center" stating further that the Clayton Foundation, whose trustees Benjamin and Julia S. Clayton, and William Clayton, had commissioned Kenneth Franzheim to design the wings flanking the Alabama

Theatre. A rendering of the community center is included in the article. The Claytons were prominent Houstonians in both business and as philanthropists.

According to the *Handbook of Texas*:

“Anderson, Clayton and Company, cotton merchants, was founded by brothers-in-law Frank E. Anderson and William Lockhart Clayton, cotton merchants, and Monroe D. Anderson, a banker. The partnership was established in Oklahoma City on August 1, 1904. In 1905 Benjamin Clayton, Will's younger brother and an expert in rail and steamship transportation, joined the firm. Company headquarters moved to Houston in 1916 to be nearer the deep-water port facilities of the Houston Ship Channel.

"World War I demands for cotton enhanced the company's fortunes. As its buying and distributing organization expanded, the firm acquired storage and compressors for American cotton handling and improved its finance and insurance arrangements. As United States exports and banking accommodations grew, Anderson, Clayton set up overseas distributing agents. By the mid-1920s company trading firms were operating in Europe, Egypt, India, and China.

"The company was incorporated in 1929 and remained private until 1945. At that time it went public and was listed on the New York Stock Exchange. By 1945, with 223 gins, 33 cottonseed oil plants, and 123 warehouses worldwide, Anderson, Clayton and Company was called the largest buyer, seller, storer, and shipper of raw cotton in the world by Fortune Magazine. Its subsidiaries included a marine insurance company, the barge line, bagging and cotton-blanket mills, a Mexican loan bank, and the machine works. After 1950 sales in the international market reached 3½ percent of all the world's production, and the multimillion-dollar corporation came to be known as ACCO, or the Big Store.

"When rayon threatened the cotton market after the war, ACCO further diversified, reducing its cotton interests by half and adding industrials, government warehousing services, and other interests. A Foods Division was organized after the purchase of Mrs. Tucker's Foods of Sherman, Texas, in 1952 and by 1954 ACCO sold Chiffon margarine and Seven Seas dressing and owned some of the first consumer-product franchises in Mexico. By 1965 the company handled approximately 15 percent of Brazilian coffee exports and a substantial quantity from other countries, as well as cocoa exports and soybean processing.

"By 1977 Anderson, Clayton and Company maintained firms or exclusive agents for cotton in over forty nations; had expanded its Ranger trademark insurance ventures, founded in 1923, with acquisition of Pan Am Insurance in 1968 and American Founders Life in 1977; and had acquired Igloo Corporation, a producer of thermoplastic beverage containers and ice chests. The company climaxed its shipping investments as cooperator of the first nuclear-powered merchant ship, the Savannah.

"Pruning of operations began in the 1960s, and by 1973 the firm had withdrawn from cotton merchandising everywhere except in Brazil and Mexico and considered itself chiefly a producer of food products. Anderson, Clayton and Company became a wholly owned subsidiary of the Quaker Oats Company in 1986, when Quaker Oats purchased the Anderson Clayton stock. Some food products, notably Gaines dog food, continued to be marketed under the name Anderson Clayton, but the company's Houston headquarters was closed and the stock was delisted.”

According to the article by Stephen Fox in the *Handbook of Texas*:

“Kenneth Franzheim, architect, was born on October 28, 1890, in Wheeling, West Virginia. He graduated from Lawrenceville School and Massachusetts Institute of Technology (B. A. 1913), then worked from 1913 until 1917 for the Boston architect Welles Bosworth. He subsequently served for two years at Ellington Field outside Houston, Texas, as a first flight lieutenant in the United States Army Air Corps.

On May 12, 1919, he married Elizabeth Frances Simms; they had three children, one of whom, Kenneth Franzheim II, served as ambassador to New Zealand, Western Samoa, Fiji, and Tonga during President Richard M. Nixon's administration.

"Franzheim became a partner of the Detroit architect C. Howard Crane in 1920. He worked for Crane in Chicago, then in Boston. In 1925 he began independent practice in New York, where he specialized in the design of large commercial buildings and airports. He was retained in 1928 by Jesse H. Jones to collaborate with Alfred C. Finn on the design of the thirty-seven-story Gulf Building, Houston (1929), and to design a temporary coliseum for the Democratic national convention in Houston. Also for Jones, Franzheim designed a forty-two-story office building (1930) and a twenty-story apartment building (1931) in midtown Manhattan. A second round of major projects in Houston, undertaken with John F. Staub, led Franzheim to move his practice from New York to Houston in 1937, although he maintained a New York office until 1940. From 1941 until 1944 Franzheim worked in Washington, D.C. Upon returning to Houston he established himself as the foremost commercial architect in the city, a position he held until his death. Most of the buildings that he produced in Houston were examples of modernistic architecture. Ben A. Dore, another former partner of C. Howard Crane, was his chief designer.

"Franzheim's major buildings in Houston were the seventeen-story Humble Tower (1936, with Staub- City of Houston Landmark); the second Hermann Hospital and the Hermann Professional Building (1949, with Hedrick and Lindsley); the eighteen-story Prudential Building (1952); the twenty-one-story Texas National Bank building (1955); and the twenty-four-story Bank of the Southwest building (1956). Franzheim was also responsible for the twenty-one-story National Bank of Commerce building in San Antonio (1957, with Atlee B. and Robert M. Ayres). Franzheim's best known Houston building was Foley's Department Store (1947, 1957), for which he won an Award of Merit from the American Institute of Architects in 1950.

"Franzheim was particularly interested in incorporating works of art in his architecture, and this led to collaboration with the artists Wheeler Williams, Peter Hurd, Leo Friedlander, and Rufino Tamayo. Franzheim was the first chairman of the board of the Allied Arts Association of Houston and was an honorary member of the National Sculpture Society. In 1949 he was elected to fellowship in the American Institute of Architects, the same year that he served as chairman of the institute's annual convention, which was held in Houston, and as president of the Houston Chapter of the AIA. Franzheim also was an honorary member of the Mexican Society of Architects; after 1945 he maintained a second home in Mexico City. He was a member and deacon of the First Presbyterian Church of Houston. He belonged to the Bayou Club, the Houston Country Club, the Coronado Club, and the Ramada Club. Franzheim died in Mexico on March 13, 1959, and is buried in Glenwood Cemetery, Houston."

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The Alabama Theatre and Shopping Center were designed in the "Modernistic" Style. This style enjoyed sizeable popularity in America during the mid to late 1930s. The style is often associated with Art Deco or Art Nouveau, which also flourished in America during the 1920s and early 1930s, but which is stylistically different. The Modernistic style is noted for its use of rounded corners, horizontal bands of windows, and smooth surfaces.

The Alabama Theatre is a historic two-story steel and plastered surfaced theater building which is flanked on the north and south sides by conjoined one-story retail buildings. The Alabama Theatre, constructed in 1938 and completed in 1939, is notable for its imposing façade which forms both the physical and visual axis of the Alabama Shopping Center. The theater's most distinguishing exterior feature is its prominent fluted center bay/canopy. The center bay projects forward towards the street, and beyond the stepped-back

massing which characterizes the remainder of the building. The central projecting bay/canopy features large half-round, vertical fluting of smooth enameled steel which lend verticality to the building. The forward projection of the building is also repeated in the marquee which is affixed horizontally to the front of the building and which comes to a point facing South Shepherd Drive. An historic tall, slender enameled steel sign, which advertises the Alabama Theatre and Shopping Center, is located between the theater's projecting canopy and the street. The Alabama Theatre ceased functioning as a theater in 1983. It was extensively restored and sympathetically converted to a retail bookstore in 1984-1985, which received award-winning recognition. The conversion maintained and restored much of the significant elements of the historic building's ornate interiors as well as the exterior while simultaneously meeting the changing needs of future tenants.

A row of one-story buildings adjacent to the south side of the historic theatre building was built during the same construction phase as the theatre (1935-1939). Although this row of buildings was originally separated from the theatre building by a narrow, open-air pedestrian alley, it is now attached as the result of a sympathetic 1988 remodeling which connected the one-story buildings with the two-story theatre. The one-story wing is designed with glass storefronts which span the entire length of the buildings' eastern (front) facade. The interconnected buildings of the south wing of the Alabama Shopping Center were serviced by a covered mezzanine located to the rear. The original mezzanines have been incorporated into additional retail space for the businesses which face South Shepherd Drive. The entire south wing features whitewashed stucco exterior finishes with a continuous band of black and alternating black and white glazed porcelain tiles, which run along the base of all of the buildings facing the front (east) side of the center.

A similar one-story wing exists to the north of the Alabama Theatre. The north wing was originally comprised of a single one-story building attached to the theater's north wall. The first building to be located on the north side of the theatre was constructed during the initial phase of construction (1935-1939). Later phases of construction added additional retail space to the north wing of the shopping center until the wing eventually stretched north to Kipling Street. The subsequent additions are also one-story buildings with similar detailing and massing. The north wing exterior is also clad in a smooth textured, stucco finish which is whitewashed like other buildings of the complex.

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

BIBLIOGRAPHY:

Anderson, Thomas D., Handbook of Texas, "Anderson, Clayton and Company."

Fox, Stephen, Handbook of Texas, "Kenneth Franzheim."

Harry Ransom Center; University of Texas at Austin, "The Hoblitzelle and Interstate Theatres Collection".

Houston Architectural Survey, vol.4, "Alabama Theatre".

Harris County Appraisal District Real Property Records.

Houston Chronicle, "A page of history in danger at the Alabama Theatre.", August 7, 2006.

Houston Chronicle, "Mrs. J.C. Bering is Erecting a \$35,000 River Oaks Home", April 17, 1938.

Houston Chronicle, "City Panel Urges Weingarten to Spare Landmarks.

The New York Times, "Fighting the Wrecking Ball to Save Houston Landmarks", August 12, 2006.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

Sanborn Fire Insurance Company 1924-1951, Addtl. Sheet 1935.

APPROVAL CRITERIA FOR LANDMARK DESIGNATION:

The HAHC and the Planning Commission, in making recommendations with respect to designation, and the City Council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

- | S | NA | | S - satisfies | NA - not applicable |
|-------------------------------------|-------------------------------------|---|---------------|---------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1); | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2); | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3); | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4); | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5); | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6); | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7); | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8). | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b). | | |

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the Alabama Theatre and Alabama Community Shopping Center at 2900 – 2946 S. Shepherd Drive.

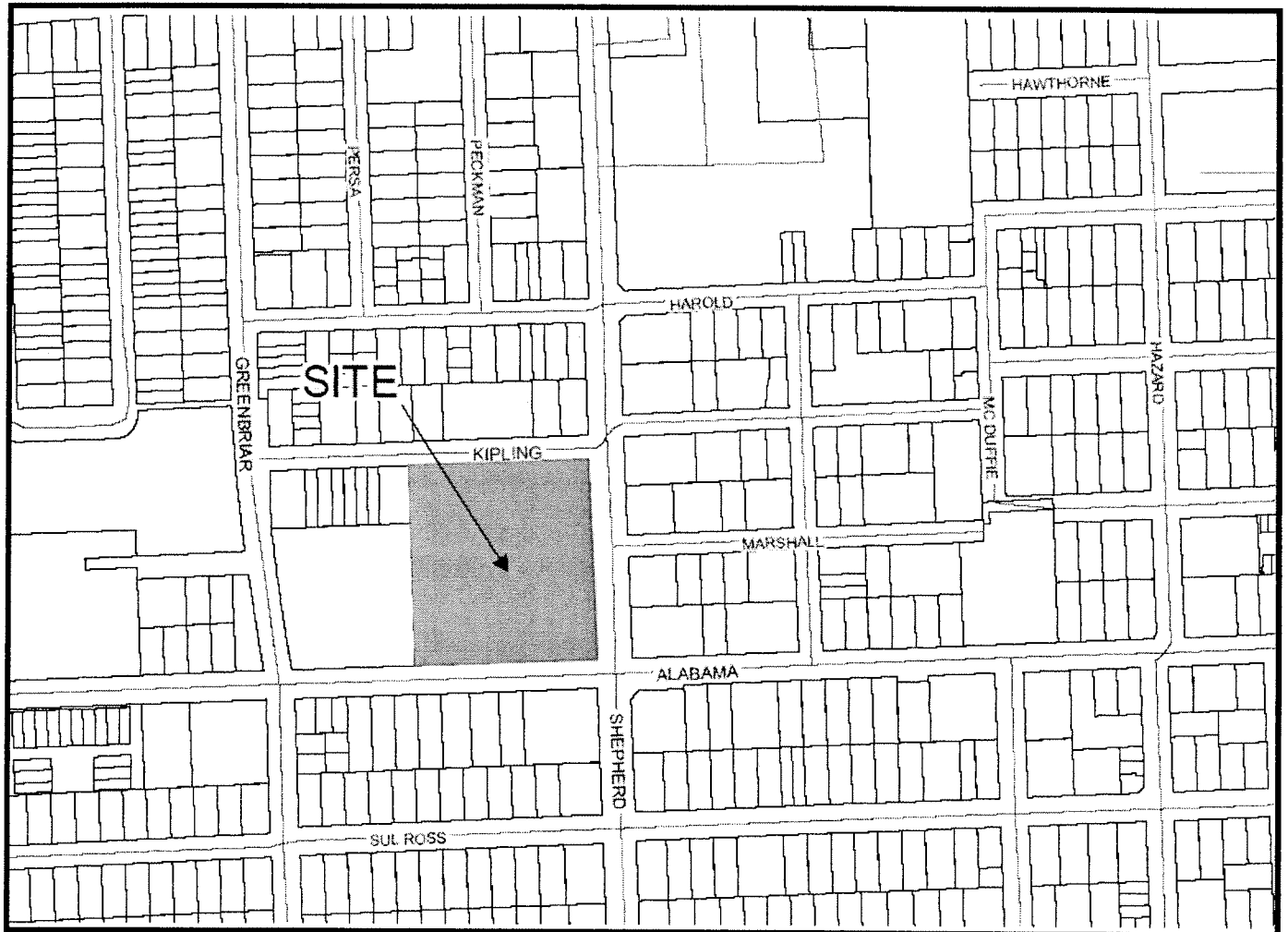
CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department


SITE LOCATION MAP


ALABAMA THEATER AND ALABAMA COMMUNITY SHOPPING CENTER
2900 TO 2946 S. SHEPHERD DRIVE, INCLUDING 2922 S. SHEPHERD (THEATRE)
NOT TO SCALE



SUBJECT: Hempstead Highway from IH 610 to W. 18 th Street	Page 1 of <u>1</u>	Agenda Item # 14
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7/20/07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: A & H
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For additional information contact:  Reid K. Mrsny, P.E. Senior Assistant Director Phone: (713) 837-0452	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Pass a resolution allowing the City of Houston to transfer full maintenance, operation, and jurisdiction of Hempstead Highway from IH 610 to W. 18th Street to the Texas Department of Transportation.

Amount and Source of Funding: N/A

PROJECT NOTICE/JUSTIFICATION: Texas Department of Transportation (TxDOT) desires to construct the IH 610 and US 290 interchange project. In order to take advantage of interstate highway funding opportunities for federally subsidized right-of-way acquisition and utility adjustments, certain affected roadways must be transferred to interstate highway system inventory. In order to transfer this state-owned property to interstate inventory, the City of Houston must transfer all maintenance, operation and jurisdiction of Hempstead Highway from IH 610 to 0.10 miles west of W. 18th Street to TxDOT. This action will relieve the City of required financial participation relating to ROW acquisition and utility adjustments.

LOCATION: This project is located along Hempstead Highway from IH 610 to W. 18th Street and is under Key Map grids 451V & Z.

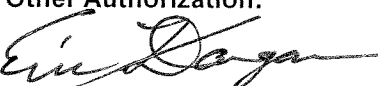
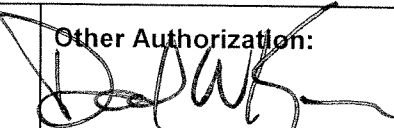
PREVIOUS HISTROY AND SCOPE: Hempstead Highway was originally designated as SH 6 and was part of the state highway system. When the Texas Highway Commission (the precursor of the Texas Transportation Commission) passed Minute Order 35331 designating US 290 as a freeway facility, Hempstead Highway was removed from the state highway system for local maintenance, operation and jurisdiction. Hempstead Highway from IH 610 to 0.10 miles west of W. 18th Street is currently under the City's maintenance, operation and jurisdiction. The fee ownership of Hempstead Highway is still under state control as the original SH 6.

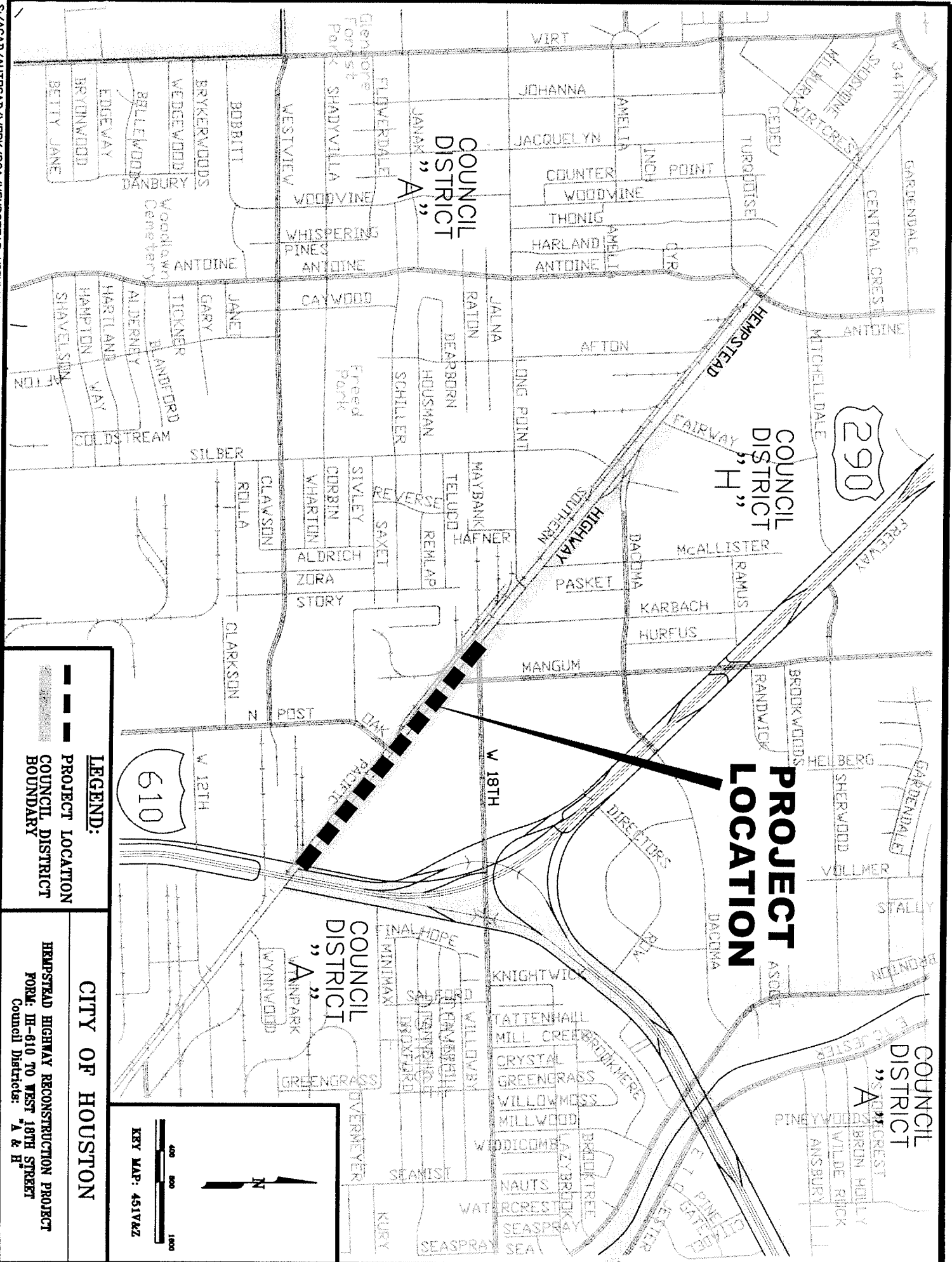
ACTION RECOMMENDED: It is recommended that City Council approve a resolution transferring full maintenance, operation and jurisdiction of this state-owned property to interstate inventory.

MSM:DWK:RKM:MLL:AHH:ahh
S:\constr\A-SB-DIV\Design\TxDOT\Projects\Hempstead - IH 610 to 18th Street\RCA\Hempstead RCA.DOC

- c: Susan Bandy Velma Laws Michael Shannon
- O. Craig Foster Mike Naumann Marty Stein
- File: Hempstead Road from IH 610 to W. 18th Street

REQUIRED AUTHORIZATION **CUIC ID #20MLL49**

F&A Director:	Other Authorization:  Eric K. Dargan, Deputy Director Right-of-way and Fleet Maintenance Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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COUNCIL DISTRICT "H"

COUNCIL DISTRICT "A"

PROJECT LOCATION

610

400 800 1600
KEY MAP: 451V&Z

CITY OF HOUSTON

HEMPSTEAD HIGHWAY RECONSTRUCTION PROJECT
FORM: III-610 TO WEST 18TH STREET
Council Districts: "A" & "H"

LEGEND:
 - - - PROJECT LOCATION
 --- COUNCIL DISTRICT BOUNDARY

SUBJECT: Amendment to the Fire Department Classified Personnel Ordinance	Category # 3	Page 1 of 2	Agenda Item # 15
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FROM (Department or other point of origin): Human Resources Department	Origination Date July 24, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>C. Albridge</i>	Council Districts affected: D, E, F and H
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For additional information contact: Karen DuPont Phone: (713) 859-4934 Asst Chief Adrian Trevino Phone: (713) 495-4217	Date and identification of prior authorizing Council action: Amends Fire Classified Personnel Ordinance 2007-47
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RECOMMENDATION: (Summary)
At the request of the Fire Department, Human Resources puts forth this amendment to the Classified Personnel Ordinance to add four (4) Captain positions, sixteen (16) Engineer/Operator positions and sixteen (16) Firefighter positions.

Amount of Funding: FY08: \$3,503,441 FUND 1000 (GENERAL FUND) Included in the FY08 Budget	F & A Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

Amendments to the current Fire Department Classified Personnel Ordinance are as follows:

Title	Present Positions	Amount Change	Proposed Total	FY08 Cost
Captain	417	4	421	\$447,736
Engineer/Operator	1010	16	1026	\$1,540,067
Firefighter	2086	16	2102	\$1,515,638

Note: Cost figures above include base pay, assignment pays and fringe benefits.

The Fire Chief is requesting creation of these positions, which are approved in the FY08 budget. HFD had an overnight 21% spike in calls for EMS service as people arrived from New Orleans. As a result, HFD placed additional units in service, which were staffed with overtime personnel. Over the past two years, the actual increase in run volume has been sustained at 9%. Demand for EMS services has historically increased at a rate of approximately 4% per year. HFD has planned for and received budgetary approval to convert the units, which are needed to meet the current run volume, from overtime positions to permanent positions.

Immediate savings will not be realized by making these positions permanent. Hence, the personnel costs for these positions were budgeted and approved at the overtime rate of pay in the FY08 Budget. Currently, there are not enough personnel employed by HFD to fill these positions, except with overtime personnel. However, HFD is unable to hire and promote employees into these positions until they are actually created in the Classified Personnel Ordinance.

REQUIRED AUTHORIZATION

F & A Director: <i>Michelle Mitchell</i>	Other Authorization: <i>Paul Bonakill</i>	Other Authorization:
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Date
July 24, 2007

Subject: Amendments to the Fire Department
Classified Personnel Ordinance

**Originator's
Initials**

Page
2 of 2

Units currently in service are located in the following stations:

3 Basic Life Support (BLS) Units: Station 36 (District E), Station 46 (District D), and Station 25 (District D)

1 Advanced Life Support (ALS) Unit: Station 10 (District F)

1 EMS Supervisor (Captain position): Station 17 (District H)

SUBJECT: First Amendment to Lease Agreement at 8632 S. Braeswood with Braeswood Development, LLC for the Women, Infants and Children Program of the Department of Health and Human Services	Page 1 of 1	Agenda Item <i>16</i>
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FROM (Department or other point of origin): Building Services Department	Origination Date <i>7-19-07</i>	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush</i>	Council District affected: C
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For additional information contact Jacquelyn L. Nisby <i>J. Nisby</i> 713-247-1814	Date and identification of prior authorizing council action: Ordinance No. 2006-1161, 11/29/2006
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RECOMMENDATION: Approve and authorize First Amendment to Lease Agreement with Braeswood Development, LLC, for the leased space at 8632 S. Braeswood, for the Women, Infants and Children (WIC) Program of the Department of Health and Human Services and allocate funds.

Amount and Source Of Funding: Federal State Local – Pass Through Fund (5030) – WIC Grant: \$325,023.00 Initial Base Term	F&A Budget:
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SPECIFIC EXPLANATION: On December 6, 2006, the Department of Health and Human Services (DHHS) entered into a short-term lease with Braeswood Development, LLC for lease space to operate its WIC Program. It was anticipated that DHHS would relocate to a larger facility to accommodate its operations, but was unable to move due to budgetary constraints. Therefore, DHHS desires to amend the original lease to extend the lease term. There are no city-owned facilities that can accommodate this operation.

The Building Services Department recommends that City Council approve and authorize a First Amendment to Lease Agreement with Braeswood Development, LLC for 3,352 square feet of leased space at 8632 S. Braeswood, for the DHHS WIC Program. The proposed First Amendment will extend the lease term to a seven-year lease term with one three-year renewal option at the current market rate. The new lease term will commence on August 1, 2007 and expire on July 31, 2014 with the following new monthly rental:

- **\$3,781.53** (\$1.12 psf per month/\$13.53 psq per year/) from August 1, 2007 through July 31, 2012; and
- **\$4,088.80** (\$1.21psf per month/ \$14.63 psq per year) from August 1, 2012 through July 31, 2014.

The landlord will provide improvements to the leased premises and contribute a tenant improvement allowance of \$44,382.50 and DHHS will pay the balance. The Tenant Improvement allowance has been amortized during the lease term.

The original lease commenced on December 6, 2006 and expires on July 31, 2007, at a monthly rental of \$2,653.67 (\$.79 psf per month/ \$9.50 psf per year). All other terms and conditions of the prior lease remain the same during the initial lease term.

The landlord will provide maintenance and DHHS is responsible for utilities.

IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Fred Maier

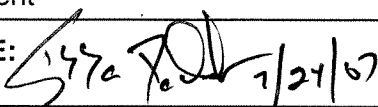
REQUIRED AUTHORIZATION

CUIC ID# 25 RB 17

Building Services Department: <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division	Other Authorization:	Department of Health and Human Services: <i>Stephen L. Williams</i> Stephen L. Williams, M.Ed., M.P.A. Director
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<p>SUBJECT: Approve an ordinance authorizing the appropriation of \$3,000,000.00 to acquire 22.435 acres (approximately 977,759 square feet), more or less, tract of land consisting of land out of the H.T. & B.R.R. Co. Survey, Section No.13, A-405, Harris County, Texas</p>		<p>Page 1 of 1</p>	<p>Agenda Item 17</p>
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<p>FROM (Department or other point of origin): General Services Department</p>	<p>Origination Date</p>	<p>Agenda Date AUG 01 2007</p>
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<p>DIRECTOR'S SIGNATURE:  Issa Z. Dadoush, P.E.</p>	<p>Council District(s) affected: F</p>
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<p>For additional information contact: Jacquelyn L. Nisby 713-247-1814</p>	<p>Date and identification of prior authorizing Council action:</p>
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RECOMMENDATION: Approve an ordinance appropriating \$3,000,000 from the Parks Consolidated Construction Fund, and approve and authorize the purchase of 22.435 acres of land at 7777 Dairy Ashford for the Parks and Recreation Department and approve and authorize a \$500,000 development by The Houston Parks Board, a non-profit corporation.

<p>Amount and Source Of Funding: \$3,000,000.00 Parks Consolidated Construction Fund (4502)</p>	<p>F&A Budget:</p>
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SPECIFIC EXPLANATION: The Parks and Recreation Department and The Houston Parks Board, a non-profit corporation (the "Corporation") propose to commit funds toward the purchase of land by the City of Houston and the re-development of such land by the Corporation into a new park in the Alief area. The Corporation has contracted with Great Century Properties LP, to purchase 22.435 acres of land located at 7777 Dairy Ashford (Key Map 528-M) at a purchase price of \$4,888,000. The City will fund \$3,000,000 of the purchase price from the Parks Consolidated Construction fund and the Corporation will fund the remaining \$1,888,000 of the purchase price plus fund an additional \$500,000 to re-develop the land into a park.

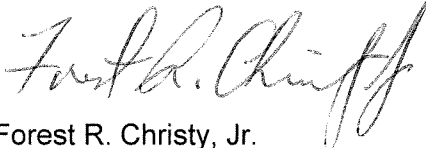
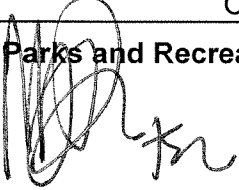
The site is the former Hackberry Golf Course, with a clubhouse and golf cart barn. The Corporation will use the \$500,000 to provide for site work, refurbish deteriorated buildings, upgrade the HVAC system, and modify the existing golf cart paths for walking trails.

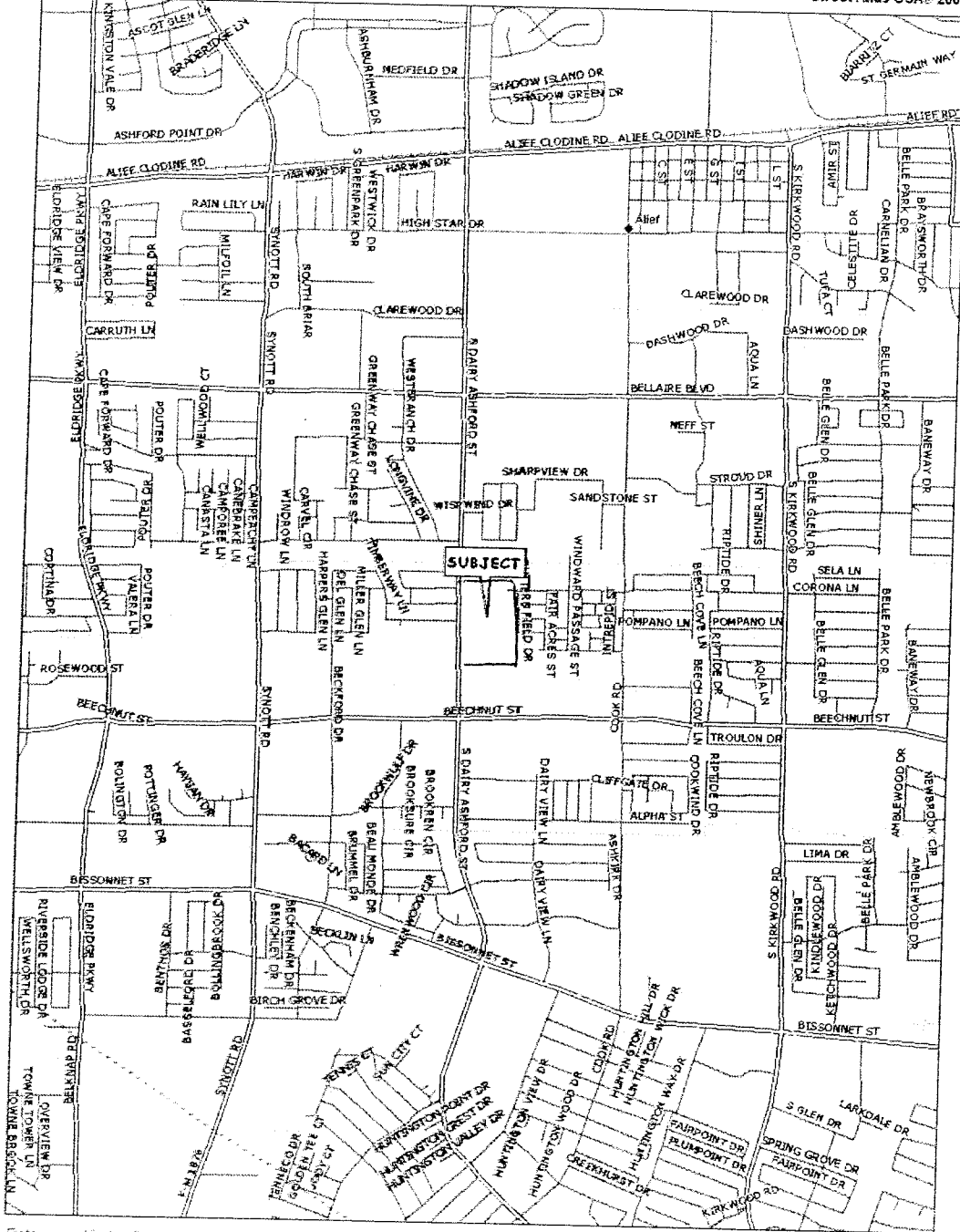
IZD:BC:JLN:FA:fa

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

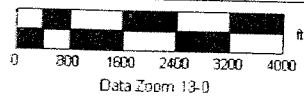
REQUIRED AUTHORIZATION

CUIC ID# 25 FA 08

<p>General Services Department:  Forest R. Christy, Jr. Director, Real Estate Division</p>		<p>Parks and Recreation Department  Joe Turner Director</p>
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NEIGHBORHOOD MAP

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: : An ordinance approving and authorizing a contract with the Texas Commission on Environmental Quality (TCEQ) for the City's air pollution control program	Category #	Page 1 of 1	Agenda Item # 18
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FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	Origination Date 06/28/07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: ALL
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For additional information contact: Kathy Barton Telephone: 713-794-9998 ; pgr 713-607-3290	Date and identification of prior authorizing Council action: 09-09-03 ; 03-0814 ; 08-24-05 ; 05-1008
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RECOMMENDATION: (Summary)

An ordinance approving and authorizing contract No. 582-8-72687 with the Texas Commission on Environmental Quality (TCEQ) for the City's air pollution control program.

Amount of Funding: \$776,854.00: Texas Commission on Environmental Quality Fund 5030 – Federal State Local – Pass Through Fund	F&A Budget:
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SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of a contract with the Texas Commission on Environmental Quality (TCEQ) for the period of September 1, 2007 through August 31, 2009. This contract is payment in the form of reimbursement to the City's Bureau of Air Quality Control for air monitoring activities. The maximum amount to be paid by TCEQ for completion of work will not exceed \$776,854.00.

This contract requires the City to provide a full service air-monitoring program that includes specific requirements such as providing ambient air monitoring for criteria pollutants and particulates and providing required reports. The contract revenue is intended to reimburse the City for costs incurred in operating the monitoring stations and collecting air quality data.

HDHHS' Bureau of Air Quality Control (BAQC) enforces Texas Commission on Environmental Quality (TCEQ) and Environmental Protection Agency (EPA) rules and regulations within Houston city limits. BAQC maintains and operates an ambient air-monitoring network collecting air quality data for National Ambient Air Quality Standard's (NAAQS) criteria pollutants that meets EPA quality assurance standards. The current network consists of 10 continuous monitoring stations and five particulate samplers.

The data collected is used to determine compliance with the NAAQS, track air quality trends, provide information when investigating industrial upset episodes and is used by TCEQ in modeling to identify needed ozone control strategies. The data is also used to provide citizens with timely Ozone Warnings and Air Quality Index information.

cc: Financial & Administration
 Legal Department
 Agenda Director

REQUIRED AUTHORIZATION

F&A Director	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance approving and authorizing the submission of an application for a grant to the Harris County Housing Authority for continuance of the Focused Care Project	Category 9 #	Page 1 of 1	Agenda Item # 19
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FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	Origination Date 06/27/07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: ALL
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For additional information contact: Kathy Barton Telephone: 713-794-9998 – 713-826-5801	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Approval of an ordinance to approve a grant application to the Harris County Housing Authority for continuance of the Focused Care Project to provide case management services to our hurricane affected population.

Amount of Funding: Total Project Cost: \$4,360,366.20. Fund 5030 Federal State Local - Pass Through Funds	F&A Budget
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SOURCE OF FUNDING: [] General Fund [x] Grant Fund [] Enterprise Fund [] Other (Specify)

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of a grant application to the Harris County Housing Authority for continuance of the Focused Care Project to provide case management services to the hurricane affected population. The start date for this project will be on or about September 1, 2007 through February 28, 2009. The estimated total project cost is \$4,360,366.20.

HDHHS requests City Council approval and authorization of the application to the Harris County Housing Authority for the entire project period through February 28, 2009. HDHHS is requesting City Council to authorize the Director to: 1) accept and expend approved funding as soon as awarded; and 2) accept supplemental awards offered by the Harris County Housing Authority during the entire project period.

In 2005, HDHHS established the Focused Care Project (FC) to provide relief to the Houston and Harris County area for health, social service and behavioral health networks. A total of 19 Katrina evacuee professionals were hired as case managers to assess the needs of the affected population and ensure that resources needed for stabilization and supportive transitions were provided. The professionals were capable of formulating recovery plans and *making referrals as needed.*

Since 2005, FC has provided the following: a) outreach to hurricane affected population in apartment complexes, schools and senior citizens residences ; b) case management services for more than 1,000 clients; c) linking 42 clients with local agencies for services totaling \$20,000 that include relocation assistance, child care, utilities assistance, medical care, occupational needs and eye glasses; d) two resource fairs serving over 1,500 clients with information from the Food Bank, clothing assistance for the entire family; and d) referral to the American Red Cross Means to Recovery and Access to Care for financial assistance to five clients that received cars, furniture, clothes and utility assistance totaling \$85,000.

The FC project utilizes the interagency resources of the public and private provider networks and collaborates with the Long Term Recovery Team, a consortium of public and private agencies and all other agencies affected by the hurricane evacuee population.

cc: Finance & Administration
Legal Department
Agenda Director

REQUIRED AUTHORIZATION

F&A Director	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION **HCD 07-156**

Houston Shifa Services Foundation

SUBJECT: Ordinance authorizing a Contract Amendment between the City of Houston and Houston Shifa Services Foundation to provide supplemental funding for construction of a Healthcare Clinic and Community Center.	Category #	Page 1 of 2	Agenda Item # 20
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FROM (Department or other point of origin): Housing and Community Development Department	Origination Date 06/19/2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: District "F"
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MS

For additional information contact: Gayve F. Anklesaria Phone: 713-868-8466	Date and identification of prior authorizing Council action: October 26, 2005 Ordinance # 05-1188
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RECOMMENDATION: (Summary)
Adopt Ordinance authorizing a Contract Amendment between the City of Houston and Houston Shifa Services Foundation to provide supplemental funding for construction of a Healthcare Clinic and Community Center

Amount of Funding: \$300,000 – CDBG Fund (supplemental funding)	F&A Budget:
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SOURCE OF FUNDING [] General Fund Grant Fund [] Enterprise Fund

[] Other (Specify) ***Community Development Block Grant (CDBG)**

SPECIFIC EXPLANATION:

On October 26, 2005 City Council approved CDBG grant funding in the amount of \$500,000 for Houston Shifa Services Foundation for new construction of a Healthcare Clinic and Community Center located at 10415 Synott Road in Houston. The Housing and Community Development Department requests approval of a Contract Amendment that would allow allocation of supplemental funding to the existing Budget to bridge the funding gap.

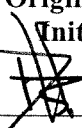
The construction cost projections submitted at the time of Grant application were based on prevailing market rate wages and utilization of limited in-house materials and voluntary labor. Upon Grant approval, the agency learned that CDBG funds were subject to the Davis Bacon Act wage requirements, which in addition to paying higher wages also restricted the utilization of in-house material and labor in the construction process.

The combined effect of higher wages, restrictions on use of in-house material and labor, and recent inclement weather have all contributed in escalating the project cost. The additional estimated cost is attributed to the following items:

Higher wages and labor costs	\$168,000
Additional job site overheads due to inclement weather	\$8,500
Increased professional and management fees	\$20,000
Material testing fees (city of Houston requirements)	\$10,000
Additional cost of steel including lintel Beam	\$14,000
Replace existing electrical service system with new system	\$8,000
Include installation of Aluminum Canopy	\$11,500
Additional Mill work for nursing stations	\$20,000
Additional Storm Drainage work around the project	\$25,000
Contingency and Miscellaneous costs	\$15,000
Total cost escalation	\$300,000

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:

Date 06/15/2007	Subject: Ordinance authorizing a Contract Amendment between the City of Houston and Houston Shifa Services Foundation to provide supplemental funding for construction of a Healthcare Clinic and Community Center.	Originator's Initials 	Page 2 of 2
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Houston Shifa Services Foundation is a non-profit organization and has been in business since 1998 serving the medical and social needs of indigent Houstonians. This project was selected for CDBG funding assistance because it will provide quality healthcare and social services to people in the under-served areas of southwest Houston. The principal objective is to provide these critical services to the low and moderate-income level population in Houston. Furthermore, the agency is primarily striving to provide primary care medical services in addition to limited social services for senior citizens like education and enrichment classes, computer training and job search skills.

The Foundation has demonstrated fiscal responsibility in their operations since inception. Although all current services are being provided free of cost to all the low and moderate-income people, they plan on charging a very nominal fee to cover the basic operational costs for the new programs. This fee will be completely waived for those individuals not being able to afford it. As depicted by their positive cash flow projections, bulk of their revenue will be derived from committed private donors, fundraising, registration fee and insurance payments from patients with insurance.

The Neighborhoods, Housing and Redevelopment Committee reviewed this item on June 13, 2007 and voted to recommend it for favorable Council consideration.

RC:ga

xc: City Attorney
Mayor's Office
City Secretary
Finance and Administration

HCD07-164

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

07- Sunflower Apt

SUBJECT: An Ordinance authorizing a Grant Agreement between the City of Houston and NHDC Sunflower Terrace, LLC.	Category #	Page 1 of 2	Agenda Item # 21
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FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department	Origination Date 7/2/07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: CM Ada Edwards - District "D"
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For additional information contact: Donald H. Sampley Phone: 713-868-8458	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary) The Housing and Community Development Department recommends approval of an Ordinance authorizing a Grant Agreement between the City of Houston and NHDC Sunflower Terrace, LLC to assist in the rehabilitation of the Sunflower Terrace Apartments, a 160-unit affordable housing complex for persons receiving Section 8.

Amount of Funding: \$3,140,059	F&A Budget: 
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) HOME FUNDS (5000)

SPECIFIC EXPLANATION:

NHCD Sunflower Terrace, LLC, a Texas limited liability company, the sole member and manager of which is National Community Renaissance Development Corporation, a 501 (c) 3 nonprofit corporation, is the owner of the Sunflower Terrace Apartments.

The Department proposes providing HOME FUNDS to NHCD Sunflower Terrace, LLC for rehabilitating an existing 160-unit apartment complex currently owned by the company. The complex is now under a Section 8 HAP contract. The apartment property, known as Sunflower Terrace Apartments, was built in 1971 and is located at 5050 Sunflower Street, Houston, Texas. This facility serves the local neighborhood, known as Sunnyside Terrace, located in Southeast Houston.

Current on-site services include Boy and Girl Scouts of America, nutritional programs sponsored through the Healthy Start Sunnyside Multi-center, Aids Awareness sponsored by the NAACP, youth cooking classes, resident cleaning classes, and social services sponsored by House of Prayer Church. The complex amenities include playgrounds, perimeter security fences, controlled access gates, laundry building and community building with kitchen and restrooms.

Approximately 56 units will be restricted to families whose annual income does not exceed 60% of area medium income. This restriction will remain in place for an affordability period of fifteen (15) years, and will be superior to the 1st lien holder, Prudential Financial.

SOURCE OF FUNDS:


Bank Loan	\$ 5,987,200
City Grant	<u>3,140,059</u>
Total	\$ 9,127,259

copy

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:
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MT

Date 7/2/07	Subject: An Ordinance authorizing a Grant Agreement between the City of Houston and NHDC Sunflower Terrace, LLC.	Originator's Initials 	Page <u>2</u> of <u>2</u>
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USE OF FUNDS:

Refinance	\$ 4,420,000
Hard Costs	3,183,384
Soft Costs	<u>1,523,875</u>
Total	\$ 9,127,259

The project is consistent with the City's Consolidated Plan to provide Affordable Housing for Low to Moderate Income families and homeless populations.

On February 22, 2007, HCDD presented the total project cost at \$8,108,772 and voted to forward it for full Council consideration with recommendation.

On June 13, 2007, HCDD presented the total project cost at \$9,127,259 and voted to forward the project to Council for consideration, with recommendation.

The Department recommends approval of a Grant Agreement between the City of Houston and NHDC Sunflower Terrace, LLC.

RC: DS: db

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

SUBJECT An Ordinance approving amendments to two (2) HOME Investment Partnership Grants in the 2004 and 2005 Consolidated Annual Plans (Plans)		Category # 1,2	Page 1 of 2	Agenda Item # 22
FROM (Department or other point of origin): Richard S. Celli, Housing and Community Development Department		Origination Date June 5, 2007	Agenda Date AUG 0 1 2007	
DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>		Council District affected: All		
For additional information contact: Brenda Scott Phone: 713 868-8484		Date and identification of prior authorizing Council Action: June 30, 2004 – Ord. 2004-685; May 11, 2005-Ord. 2005-607		

RECOMMENDATION: (Summary)

The Housing and Community Development Department recommends City Council approval of an Ordinance approving an amendment to two (2) HOME Investment Partnership Grants in the 2004 and 2005 Plans to reallocate funds from Single-Family Down Payment Assistance in the amount of \$4,310,000 and Single-Family Rehabilitation in the amount of \$1,250,000 to Multi-Family Rehabilitation/Acquisition/New Construction in order to fund projects that are eligible; and that are in position to facilitate the HUD's spending goals.

Amount of Funding:	F&A Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

The City of Houston Housing and Community Development Department (HCDD) is proposing to amend two (2) Plans 2004 and 2005 under the HOME Grants. Under the amended Plans, HCDD will reprogram and reallocate funds that are set-aside for Single-Family Housing for Down Payment Assistance and Single Family Rehabilitation to Multi-Family Housing for rehabilitation, acquisition and new construction.

The 2004 CDBG Grant is amended as follows:

<u>Required Action</u>	<u>Activity/ Project</u>	<u>Original Council District</u>	<u>Scope of Work</u>	<u>Cost</u>
Decrease	Single-Family/Down Payment Assistance – New (13-4M70)	All	Down Payment Assistance on new homes	(3,818,963)
Decrease	Single-Family/Down Payment Assistance – Used (13-4M80)	All	Down Payment Assistance on existing homes	(491,037)
Increase	Multi-Family Acquisition/Rehabilitation/New Construction (14B-4M10)	All	Acquisition rehabilitation and new construction of multi family residences	4,310,000

cell

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:
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The 2005 Consolidated Plan is amended as follows:

<u>Required Action</u>	<u>Activity/ Project</u>	<u>Original Council District</u>	<u>Scope of Work</u>	<u>Cost</u>
Delete	Single-Family Housing Repair Program (14A-5M20)	All	Single-Family repair of existing HOME properties	(1,250,000)
Increase	Multi-Family Acquisition/Rehabilitation/New Construction (14B-5M10)	All	Acquisition, rehabilitation and new construction of multi-family residences Areas	1,250,000

In accordance with HUD regulations, the City is required to amend components of the Grant Agreement, when (1) an activity is added; (2) an activity is deleted; (3) a change in the scope of an activity or reallocation of funds increases or decreases the budget of an activity by more than twenty-five (25%) of the original budget; or (4) when there is a change in the purpose, location or beneficiaries of an activity.

As such, in accordance with the federal regulations, HCDD has notified the public by placing an appropriate notice in the Houston Chronicle. The comment period ran from Friday June 8, 2007, through Monday, July 9, 2007. There were no public comments. The Housing and Development Committee recommended the project for City Council approval on Wednesday, June 13, 2007.

City Council approval is recommended.

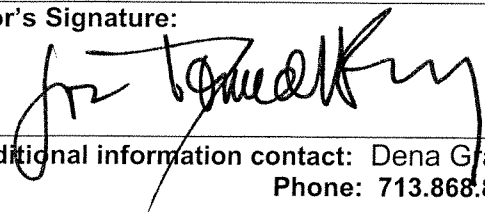

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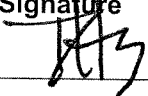
- c: City Secretary
- Legal Department
- Mayor's Office
- Finance and Administration

To: Mayor Via City Secretary

REQUEST FOR COUNCIL ACTION

HCD07-121

Subject: An Ordinance Authorizing the Execution of a Contract Between the City of Houston and Houston SRO Housing Corporation for a HOPWA Community Residence.		Category	Page 1 of 2	Agenda Item # 23
From (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department		Origination Date 6/25/07	Agenda Date AUG 01 2007	
Director's Signature: 		Council District affected: District I, CM Carol Alvarado		
For additional information contact: Dena Gray Phone: 713.868.8335		Date and Identification of prior authorizing Council action: NA		
Recommendation: (Summary) Approval of an ordinance authorizing the execution of a Contract between the City of Houston and the Houston SRO Housing Corporation to provide funding for the administration of a "SRO Community Residence " project under the Housing Opportunities for Persons with AIDS ("HOPWA") Program.				
Amount of Funding: \$78,728 HOPWA Grant			F & A Budget: 	
Source of Funding <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify) Grant Funds (5000)				
Specific Explanation: The Housing and Community Development Department ("HCDD") recommends approval of a Contract between the City of Houston and Houston SRO Housing Corporation ("Houston SRO") to finance Houston SRO's administrative, supportive services, and operating costs associated with its HIV/AIDS program. This project provides permanent housing under the Housing Opportunities for Persons with AIDS Program. Houston SRO's mission is to provide access to housing and supportive services for low-income individuals and families in the Greater Houston Area. Houston SRO is a subsidiary of The Housing Corporation of Greater Houston, Inc., which was formed in 1968 by then Mayor Louie Welch and the Chamber of Commerce. The Housing Corporation of Greater Houston has managed more than 1,400 apartment units and provided oversight of services at eight facilities housing low-income individuals. In 1998, Houston SRO Housing Corporation was created to meet the multiple, diverse needs of persons who are low-income or homeless. Houston SRO currently manages the San Jacinto Apartments. Funds from the HOPWA program rehabilitated this project in 1998 for homeless veterans with HIV/AIDS. Located in Midtown, this facility provides permanent housing in efficiency apartments to 33 individuals and couples with HIV/AIDS. All participants are required to have an HIV Case Manager to assist residents in obtaining mainstream benefits, maintaining a healthy lifestyle and remaining compliant with the housing program. Houston SRO is requesting funding to support the administrative functions, social services coordination and the housing operations at the project.				
Required Authorization				
F & A Director		Other Authorization		Other Authorization

Date: 6/25/07	Subject: An Ordinance Authorizing the Execution of a Contract Between the City of Houston and Houston SRO Housing Corporation for a HOPWA Community Residence.	Originator's Signature 	Page 2 of 2
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Total Funds and Sources: \$78,728 - HOPWA
Number of Persons to be Served: 33 participants
Number of Units Provided: 33 units
Category of Persons: HIV/AIDS/Low-income

This contract will provide funding for the following HOPWA activities during a 12-month period.

Administrative	\$2,277
Supportive Services	\$18,499
Operating Costs	\$57,952
Total	\$78,728

The project was reviewed by the Housing and Community Development Committee on May 10,2007, and was recommended for Council Action.

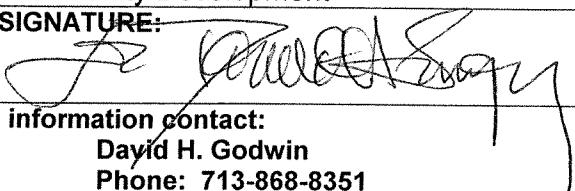
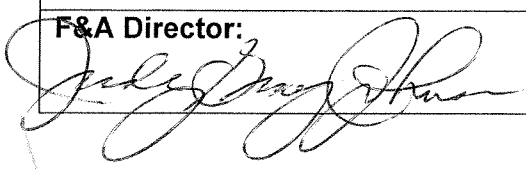
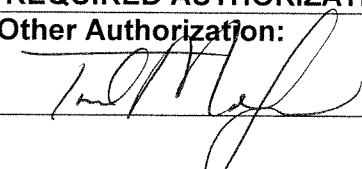
RC:ab

Cc: City Secretary
Finance and Administration
Legal Department
Mayor's Office

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

REVISED - HCD-07-162-A

SUBJECT: An Ordinance approving a contract between the City of Houston and Village Learning Center Inc., Stoney Glen facility, to fund renovations to comply with changes in the State Health and Safety Code, Chapter 247.		Category #	Page 1 of 1	Agenda Item # 24
FROM (Department or other point of origin): Richard S. Celli Housing and Community Development		Origination Date 06/21/07	Agenda Date AUG 0 1 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: Council Member Addie Wiseman "E"		
For additional information contact: David H. Godwin Phone: 713-868-8351		Date and identification of prior authorizing Council action: Ord. 2007-0434, April 4, 2007 Ord. 2006-0449, May 10, 2006		
RECOMMENDATION: (Summary) The Housing and Community Development Department (HCDD) requests approval of a Contract between the City of Houston and the Village Learning Center Inc. (Stoney Glen facility) to fund the State mandated renovations required to comply with changes in the State Health and Safety Code, Chapter 247.				
Amount of Funding: \$134,600.00			F&A Budget:	
SOURCE OF FUNDING <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> Other (Specify) TIRZ Affordable Housing Fund (2409)				
SPECIFIC EXPLANATION: The Village Learning Center Inc. is a 501c(3) non-profit corporation located at 23910 Eastex Freeway, Kingwood, Texas 77339, formed in September 2000. Due to a change in requirements at the end of last year, the Village at Stoney Glen Adult Residence Facility was cited for violation of Chapter 247 of the State Health and Safety Code. These renovations will allow Village Learning to license this ongoing operation. To insure that residential options continue to be available for adults with disabilities, the following renovations will need to be made to the Stoney Glen Housing Unit. Renovations will include a Fire Sprinkler System, reconstruction of one powder room and one restroom to be ADA compliant, and installation of a natural gas emergency back-up generator. Additional compliance requirements include exit lights, handrails, parking lot modifications, and replacement of door hardware. The Village Learning Center has been providing quality programs, services, training and low cost residential opportunities to the Kingwood area since 2000. The Housing and Community Development Committee reviewed this item on June 29, 2007 and voted to recommend it for favorable Council consideration.				
RSC:DHG:hb xc: City Attorney Mayor's Office City Secretary Finance and Administration				
REQUIRED AUTHORIZATION				
F&A Director: 		Other Authorization: 		Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HCD07-166

08-CCC

SUBJECT: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for continued funding of the Child Care Program.	Category # 1	Page 1 of 2	Agenda Item # 25
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FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development	Origination Date 07/11/07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Richard S. Celli</i>	Council District affected: ALL
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For additional information contact: Donald Sampley Phone: 713-868-8458	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Approval of an Ordinance authorizing the execution of a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for the implementation, oversight and deliver of the Community Development Block Grant funded Child Care Program for \$743,902.00, which amount includes a limitation on additional funding in the amount of \$493,902.00 funded under the 33rd Year Community Development Block Grant.

Amount of Funding: \$743,902.00 – 1 YEAR	F&A Budget: <i>[Signature]</i>
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund
 Other (Specify) **COMMUNITY DEVELOPMENT BLOCK GRANT FUND (5000)**

SPECIFIC EXPLANATION:

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

This Contract provides for the continued implementation, oversight and delivery of the Community Development Block Grant funded Child Care Program. The Contract will provide funding in the amount of \$250,000.00. These funds will allow Child Care Council to administer the program and service providers to provide day care services until the City receives its 33rd year allocation from the Department of Housing and Urban Development. Once the City receives its allocation, a Supplemental Allocation will provide the remainder of the allocation of \$493,902.00 for the remaining contract period. The annual contract amount will be \$743,902.00 for a one (1) year period beginning August 1, 2007 – July 31, 2008.

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

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization: <i>NOT</i>

Date: 07/11/07	Subject: An Ordinance authorizing the execution of a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for continued funding of the Child Care Program.	Originator's Initials <i>Rell</i>	Page 2 of 2
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The total funds and sources estimated and number of persons to be served and the category of persons for this proposed Contract are as follows:

Total funds and sources: \$743,902.00
Estimated number of unduplicated children to be served: 400
Category of persons: Child of low and moderate income families

The Housing and Community Development Department recommends approval of a Contract to provide funding for the period August 1, 2007 – July 31, 2008. This Contract provides \$743,902.00 (\$591,402.00 for service providers and \$152,500.00 for administrative costs) for twelve (12) months for child care services and related costs associated with the program. Eleven (11) non-profit agencies will provide day care services to low and moderate-income families.

This item was reviewed and recommended for council action by the Housing and Community Development Committee on June 29, 2007.

Approval of this Ordinance is recommended.

RSC:DG:DS:PAB:pab
cc: City Secretary
Legal Department
Finance & Administration
Mayor's Office

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

08-CCC-JD

HCD07-163

SUBJECT: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for continued funding of the Juvenile Delinquency Prevention Program.	Category # 1	Page 1 of 2	Agenda Item # 26
	FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development		Origination Date 07/11/07

DIRECTOR'S SIGNATURE: 	Agenda Date AUG 01 2007
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For additional information contact: Donald Sampley Phone: 713-868-8458	Council District affected: ALL
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Date and identification of prior authorizing Council action: N/A

RECOMMENDATION: (Summary)
Approval of an Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for the implementation, oversight and delivery of the Community Development Block Grant funded Juvenile Delinquency Prevention Program for \$809,904.72 which amount includes a limitation in additional funding in the amount \$509,902.00 funded under the 33rd Year Community Development Block Grant.

Amount of Funding: \$809,904.72 – 1 YEAR	F&A Budget: 
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

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

SPECIFIC EXPLANATION:

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

This Contract Amendment provides for the continued implementation, oversight and delivery of the Community Development Block Grant funded Juvenile Delinquency Prevention Program. The Contract will provide funding in the amount of \$300,002.72. These funds will allow Child Care Council to continue to administer the program until the City receives its 33rd year allocation from the Department of Housing and Urban Development. Once the City receives its allocation, a Supplemental Allocation will provide the remainder of the allocation of \$509,902.00 for the remaining contract period. The annual Contract amount will be \$809,904.72 for a one (1) year period beginning August 1, 2007 – July 31, 2008.

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

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:
		NDT

Date:
07/11/07

Subject: An Ordinance authorizing a Contract between the City of Houston and Child Care Council of Greater Houston, Inc. for continued funding of the Juvenile Delinquency Prevention Program.

**Originator's
Initials**
RSC

Page
2 of 2

The total funds and sources estimated and number of persons to be served and the category of persons for the proposed Contract are as follows:

Total funds and sources: \$809,904.72

Estimated number of unduplicated youth to be served: 2500

Category of persons: Youth ages 6 to 21 of low and moderate income families

The Housing and Community Development Department recommends approval of a Contract to provide funding for the period August 1, 2007 – July 31, 2008. This Contract provides \$809,904.72 (\$163,837.00 for administrative costs associated with the cost of the program and \$646,067.72 for service providers). Twenty (20) agencies will receive funds for this program.

On June 29, 2007, the Housing and Community Development Committee reviewed this item and recommended it for council action.

Approval of this Ordinance is recommended.

RSC:DG:DS:PAB:pab

cc: City Secretary

Legal Department

Finance & Administration

Mayor's Office

TO: Mayor via City Secretary


REQUEST FOR COUNCIL ACTION

HCD07-105

07- TemenosSRO

SUBJECT: An Ordinance authorizing an Agreement between the City of Houston and Temenos Community Development Corporation.	Category #	Page 1 of 2	Agenda Item # 27
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FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department	Origination Date: 07/19/07	Agenda Date: AUG 01 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: District "I" - Alvarado
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For additional information contact: Donald H. Sampley Phone: 713-868-8458	Date and identification of prior authorizing Council action: None
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RECOMMENDATION: (Summary)
The Department recommends approval of an Ordinance authorizing a \$2,655,645 Grant from the City of Houston to Temenos Community Development Corporation to assist in the development of Temenos Place, a proposed four-story permanent housing facility, which will contain 43 single residency occupancy (SRO) efficiency apartments.

Amount of Funding: _____ \$2,655,645	F&A Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) TIRZ Affordable Housing Fund 2409

SPECIFIC EXPLANATION:

Temenos Community Development Corporation (Temenos) is a non-profit, 501 c 3 corporation formed by members of St. John's United Methodist Church on March 27, 2006. Temenos was certified by HCDD as a Community Housing Development Organization on March 14, 2007.


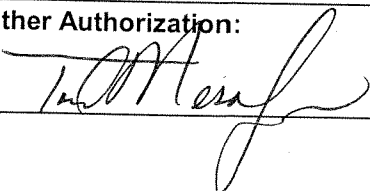
The Housing and Community Development Department proposes providing a \$2,655,645 Grant to assist in the development of Temenos Place, a four-story, 43-unit permanent SRO apartment facility for formally homeless single adults over the age of 18. This facility will be located in District "I" on a 5,000 square foot lot at 1719 Gray, south of I-45 and west of I-59 at the northwest corner of Gray and Chenevert. The dwelling units will be approximately 199 square feet and will have a private bathroom and kitchenette.

Temenos Place partners with Bread of Life, Inc, and other social service agencies to provide supportive services to residents including but not limited to case management, life skills training, pre-employment skills training, mental health assessment and job development. This program will serve as the next step for men and women emerging from emergency shelters and homeless scenarios.

This project is consistent with the City of Houston Consolidated Plan to provide affordable housing for low-income individuals. The City's participation in the project will contribute to the goal of increasing the number of affordable rental housing units for individuals with special needs.

Although this development will be funded with TIRZ Affordable Housing Funds, HCDD will restrict units based on HUD's HOME requirements. Approximately seventy-four percent (74%) or 32 units will be restricted as Affordable Floating Units for a period of twenty (20) years. The mix of the 32 units will be as follows: Twenty-five (25) units for families whose annual income does not exceed 60% of AMI, and seven (7) units for families whose annual income does not exceed 50% of AMI. The projected rent will be \$533 per month, including utilities.

REQUIRED AUTHORIZATION

F&A Director: 	Other Authorization: 	Other Authorization:
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Date
7/19/07

Subject: An Ordinance authorizing an Agreement between the City of Houston and Temenos Community Development Corporation.

Originator's
Initials
MS

Page
2 of 2

The Housing and Community Development Department (HCDD) has completed the required statutory noise assessment for the property to be located at 1719 Gray Street, Houston, Texas. Based on this assessment, HCDD has determined the exterior noise level to be 83 decibels, which is unacceptable. HCDD is requiring that the Owner incorporate into the project design the noise attenuation measures identified for this project by Collaboration in Science and Technology, Inc. in a report dated January 23, 2007; and on or before project completion noise levels shall qualify as acceptable pursuant to HUD standards for new residential construction. Failure to meet these requirements will result in an event of default under the Grant Agreement.

Terms of the City's Grant shall be:

- a. Amount: \$2,655,645
- b. Term shall commence upon the Effective Date of the Grant Agreement and shall terminate upon the expiration of the Affordability Period;
- c. The Grant shall be provided with no obligation for repayment provided the borrower fully and timely complies with all of its obligations under the grant documents and;
- d. The Grant shall not bear interest;

Sources of Funds:

City of Houston Grant (TIRZ Funds)	2,655,645
Survivor Foundation	1,000,000
Developer Equity	75,000
TOTAL SOURCE OF FUNDS:	<u>\$3,730,645</u>

Uses of Funds:

Land	75,000
Soft Costs	276,295
Rent-Up Reserves	300,000
Hard Costs (Construction)	3,027,750
FF & E	51,600
TOTAL USES OF FUNDS:	<u>\$3,730,645</u>

The Housing and Community Development Committee reviewed this item on June 29, 2007 and voted to forward it for full Council consideration with recommendation. The Department recommends approval of an ordinance approving and authorizing a \$2,655,645 Grant Agreement between the City of Houston and Temenos Community Development Corporation.

RC:DS:JR

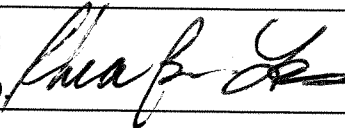
cc: Finance and Administration
Legal Department
City Secretary
Mayor's Office

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

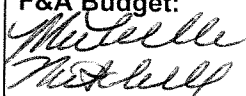
SUBJECT: Ordinance appropriating and approving contract with the University of Houston and Diagnostic Marketing Group for the Houston Oral History Project	Category	Page 1 of 2	Agenda Item 28
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FROM (Department or other point of origin): Library Department	Origination Date	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: Rhea Brown Lawson, Ph.D. 	Council District affected: All
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For additional information contact: Jill Jewett Phone: 713-247-1197	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Adopt ordinance appropriating and approving contract between the City of Houston, University of Houston and Diagnostic Marketing Group for the development and production of the Houston Oral History Project.

Amount and Source of Funding: Maximum contract amount (1 year) \$275,000 – Library Special Revenue Fund (2500)	F&A Budget: 
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SPECIFIC EXPLANATION:

The Houston Oral History Project is a collaborative effort between the Houston Public Library, the Convention and Entertainment Facilities Department, the Mayor's Office, and the University of Houston to collect, record and archive unique perspectives of Houston's history. The Project proposes to capture on video and audio interviews of interesting eyewitnesses and participants in Houston's history. The Project will bring to life those stories for the general public through an interactive web archive of every interview. The archive will serve as an informational tool on Houston's history for everyone from post-graduates doing original research to elementary students completing homework assignments.

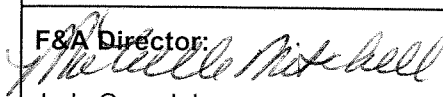
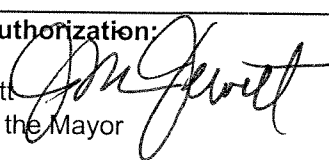

Dr. Joe Pratt, Director of Public History at the University of Houston, along with a panel of academics from the University of Houston, Rice University and Texas Southern University, have identified a list of 30 people to be interviewed immediately, with a goal of approximately 100 in the next year. This list includes both well-known Houstonians and those that have witnessed or participated in many of Houston's historical events.

Dr. Pratt will train a group of 15-20 interviewers, which will include active and retired scholars, journalists and community volunteers. Given that the success of the project depends upon the relationship between the interviewer and interviewee, special attention will be given to finding the right pairing to ensure the most genuine and informative interview. The University will also provide a graduate-level student to provide research and fact-finding services for the project as needed.

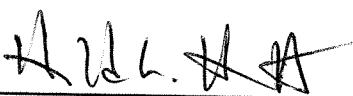
David Goldstein, of the Diagnostic Marketing Group, has been selected to provide all labor, material and supervision necessary to produce the videos and design, construct and oversee the operation of a dedicated website relating to the project. Mr. Goldstein brings a unique combination of technical production experience and large project management expertise to this project.

REQUIRED AUTHORIZATION


CUIC ID #

F&A Director:  Judy Gray Johnson Director	Other Authorization:  Jill Jewett Office of the Mayor	Other Authorization: 
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Date	Subject: Ordinance approving contract with the University of Houston and Diagnostic Marketing Group for the Houston Oral History Project	Originator's Initials GS	Page 2 of 2
<p>Payment for these services is as follows:</p>			
<ul style="list-style-type: none"> • University of Houston - \$20,000 lump sum payment for graduate student stipend • Diagnostic Marketing Group – Payment not to exceed \$255,000 <ul style="list-style-type: none"> ○ Administrative Fee - \$70,000 <ul style="list-style-type: none"> ▪ \$50,000 divided equally into 12 payments ▪ \$20,000 paid at delivery of final video ○ Production of Video Interviews - \$185,000 payable on the basis of monthly invoices 			
<p>The Houston Oral History Project builds upon an established tradition of archiving Houston's history by the Houston Public Library. This tradition was established throughout the 1970's when the City Archivist and HPL worked to conduct nearly 800 oral histories, which are now stored at the Houston Metropolitan Research Center in the Ideson Building.</p>			
<p>Funding for the project includes a \$75,000 inter-fund transfer from the Convention and Entertainment Facilities Department in support of cultural and heritage tourism.</p>			

SUBJECT: Broadway Crime Reduction Initiative		Category #	Page 1 of 1	Agenda Item # 29
FROM: (Department or other point of origin): Houston Police Department		Origination Date July 5, 2007		Agenda Date AUG 01 2007
DIRECTOR'S SIGNATURE: Harold L. Hurtt, Chief of Police 		Council Districts affected: I		
For additional information contact: Joseph A. Fenninger, Deputy Director Office # 713-308-1700 C. T. Davis, Sergeant 713-308-1972		Date and identification of prior authorizing Council Action:		

RECOMMENDATION: (Summary)
 Request Ordinance authorizing the Chief of Police to accept this award and any subsequent awards.

Amount of Funding: <u>Bureau of Justice Assistance</u> \$808,800	F & A Budget: 
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other

SPECIFIC EXPLANATION:

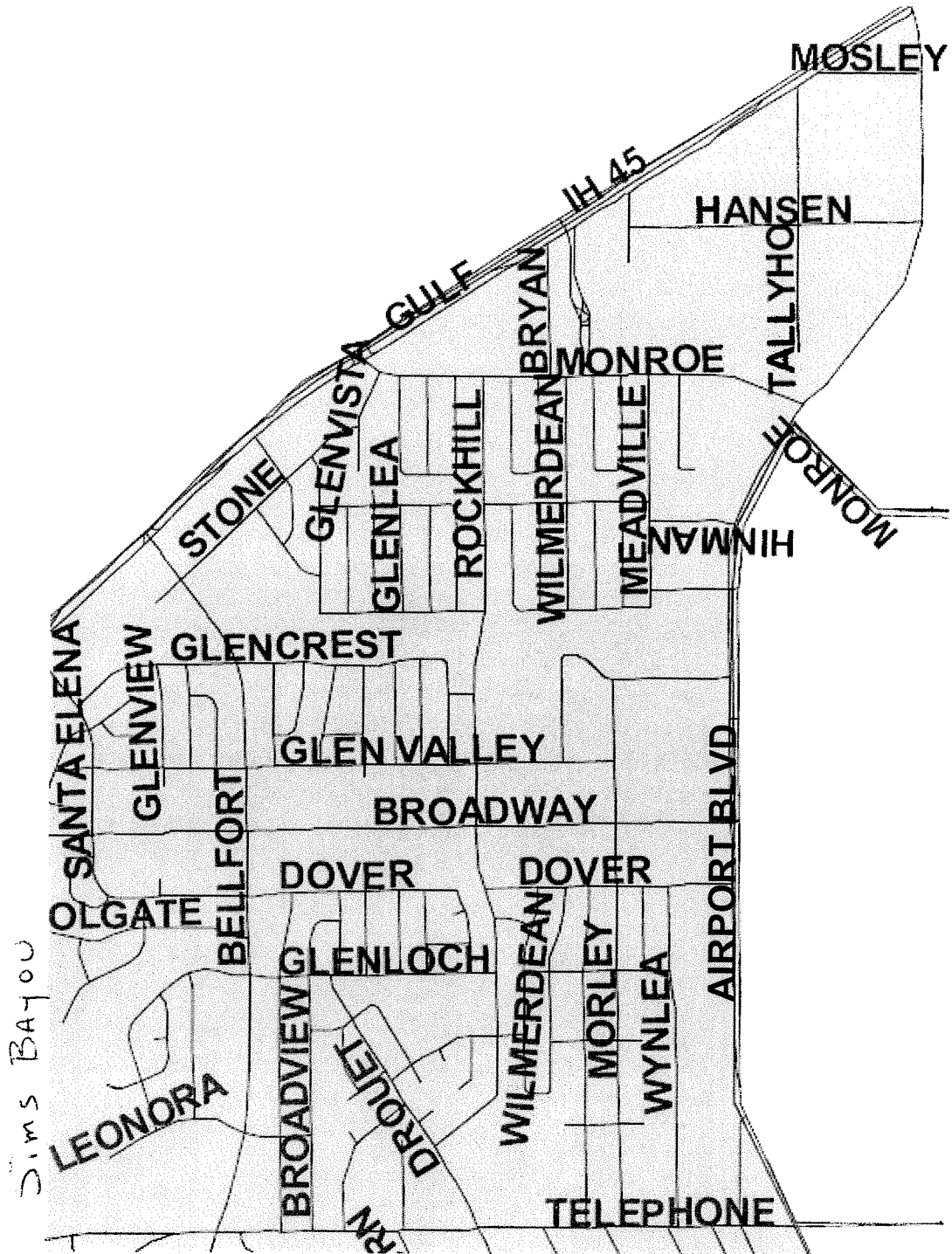
Broadway Crime Reduction Initiative

This grant is intended to remove the criminal element that is currently operating in the numerous apartment complexes along the Broadway corridor. It will focus on the densely populated area in southeast Houston, which is comprised of low-income apartments, surrounded by middle income private residences. The grant will involve manpower from several divisions of the Houston Police Department; agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives; and numerous apartment complex managers. The initiative will take place over a span of five months. Awarded funds will be used to provide additional manpower and shifts to supplement on-duty personnel. **This grant does not require a cash match or hiring additional personnel.**

cc: Arturo Michel, City Attorney
 Mary Stein, Agenda Director
 Anna Russell, City Secretary

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

Broadway Crime Reduction Initiative Grant

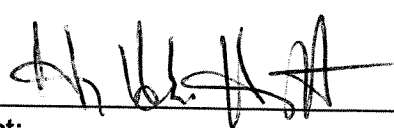


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION


SUBJECT: Targeting Violent Crime Grant Program	Category	Page	Agenda Item
	#	1 of 1	# 30

FROM: (Department or other point of origin): Houston Police Department	Origination Date July 5, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: Harold L. Hurtt, Chief of Police 	Council Districts affected: G, F, C
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For additional information contact: Joseph A. Fenninger, Deputy Director Office # 713-308-1700 C. T. Davis, Sergeant 713-308-1972	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
Recommend Ordinance authorizing the Chief of Police to accept this award and any subsequent awards.

Amount of Funding: <p style="text-align: center;">Bureau of <u>Justice Assistance</u> \$1,381,319.68</p>	F & A Budget: 
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify)

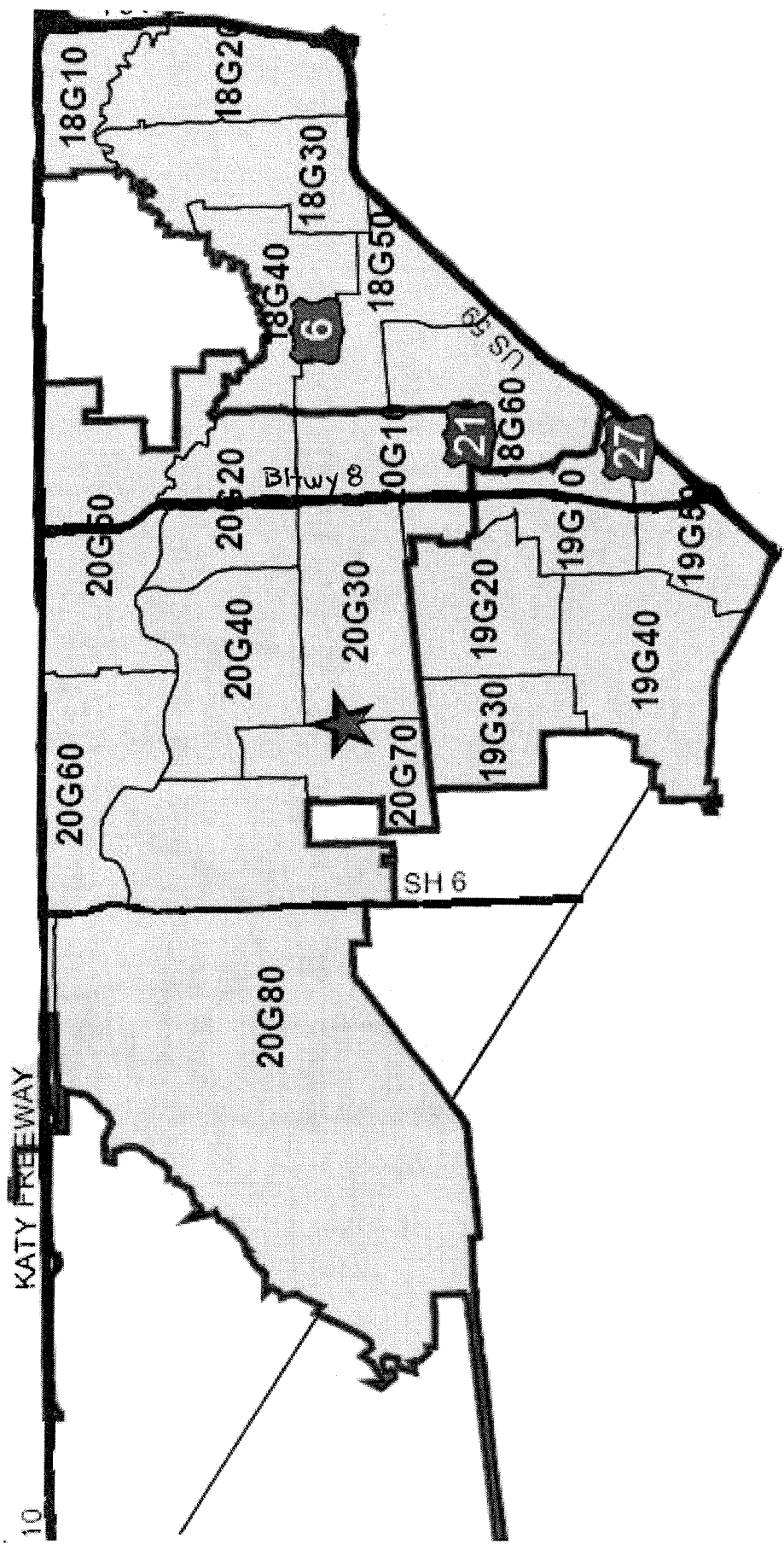
SPECIFIC EXPLANATION:

Targeting Violent Crime

The grant's primary goal is to reduce Violent Part 1 crimes in the Westside area. Funding shall provide overtime for officers from the Westside Division and the major investigative divisions to conduct reactive and proactive criminal investigations in order to reduce the number of Violent Part 1 Crimes in the target area. **This grant does not require hiring of personnel or a cash match.**

cc: Arturo Michel, City Attorney
Mary Stein, Agenda Director
Anna Russell, City Secretary

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION


SUBJECT: Houston Crime Free Zone Grant Program	Category	Page	Agenda Item
	#	1 of 1	# 31

FROM: (Department or other point of origin): Houston Police Department	Origination Date July 5, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: Harold L. Hurtt, Chief of Police 	Council Districts affected: All
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For additional information contact: Joseph A. Fenninger, Deputy Director Office # 713-308-1700	C. T. Davis, Sergeant 713-308-1972	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
Recommend Ordinance authorizing the Chief of Police to accept this award and any subsequent awards.

Amount of Funding: Bureau of <u>Justice Assistance</u> \$766,870.00	F & A Budget: 
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

Houston Crime Free Zone

The primary goal of this initiative is to prevent crime by informing and educating citizens on crime prevention and personal safety. A subsequent goal is to increase the clearance rates for property crimes. The initiative will provide basic crime prevention and personal safety information to as many citizens as possible. **This grant does not require a cash match or hiring additional personnel.**

cc: Arturo Michel, City Attorney
Mary Stein, Agenda Director
Anna Russell, City Secretary

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: FY 2007 Justice Assistance Grant	Category	Page	Agenda Item
	#	1 of 1	# 32

FROM: (Department or other point of origin): Houston Police Department	Origination Date July 2, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Harold L. Hurtt</i> Harold L. Hurtt, Chief of Police	Council Districts affected: All
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For additional information contact: Joseph A. Fenninger, Deputy Director Office # 713-308-1700	C. T. Davis, Sergeant 713-308-1972	Date and identification of prior authorizing Council Action: February 15, 2006 – 2006-158
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RECOMMENDATION: (Summary)
Recommend Ordinance authorizing the Chief of Police to accept this award and any subsequent awards.

Amount of Funding: \$1,669,972 for Houston; \$1,669,971 for Harris County	F & A Budget:
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SOURCE OF FUNDING: Grant Award: \$3,339,943 FY2007 Justice Assistance Grant, US Department of Justice
Local Match: \$0

SPECIFIC EXPLANATION:

The City of Houston and Harris County are eligible to submit a joint application to the US Department of Justice for \$3,339,943 through the FY2007 Byrne Memorial Justice Assistance Grant (JAG) Program.

Background

This is a continuation grant. The Houston Police Department received grant funds for Justice Assistance Grant (JAG) FY2005 and FY2006. Allocations are computed by formulas that include population and Part 1 violent crime statistics. The director of the Bureau of Justice Assistance certified that the calculated allocations for Houston and Harris County are disparate; this decision was reached because Houston's allocation exceeded Harris County's by more than one and one-half times, and because Harris County bears more than 50% of the cost of prosecution and incarceration of Houston violent criminals. This disparate funding certification requires that the allocations for Houston and Harris County be combined. One of the two jurisdictions must apply for the funds, and must pass a negotiated percentage of the funds on to the other. Harris County has agreed that Houston will be the lead applicant and fiscal agent; a 50/50 split of the funding is proposed.

Planned Expenditures

The Harris County Sheriff's Office intends to use their share on a joint law enforcement/prosecution program that involves the use of new technology and a law enforcement overtime program. HPD's planned expenditures include:

- **Salaries and fringe benefits** (associated with ten positions that have been funded by the JAG). These positions are primarily technical in nature.
- **Specialized supplies/equipment** (computer crimes and bicycle patrol).
- **Overtime** for Patrol, Anti-Gang, Court, Investigators/Narcotics, Neighborhood Protection (graffiti), Computer Crimes, Rat on a Rat and the Asian Task Force.



Requested Action

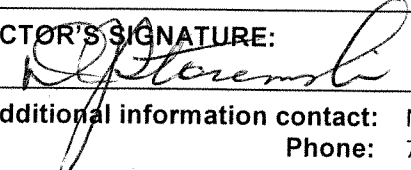
The requested Council action authorizes the Chief of Police to accept this award and any subsequent awards; and approve an Interlocal with Harris County.

cc: Arturo Michel, City Attorney
Mary Stein, Agenda Director
Anna Russell, City Secretary

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:
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SUBJECT: Juvenile Accountability Block Grant		Category	Page 1 of 1	Agenda Item # 33
FROM (Department or other point of origin): Dennis J. Storemski, Director Office of Public Safety and Homeland Security		Origination Date: 7/09/2007		Agenda Date AUG 01 2007
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Patricia Harrington 247-1441		Date and Identification of prior authorizing Council action: 06-08-05 2005 - 733 04-18-06 2006 - 367		
RECOMMENDATION: (Summary) Approval of an ordinance authorizing application and acceptance of subsequent Juvenile Accountability Block Grant funding from the Governor's Criminal Justice Division for the continued implementation of the Juvenile Accountability Court Program.				
Amount of Funding:		\$131,397 Grant funds \$26,327 Match (General Fund)		F & A Budget: 
SOURCE OF FUNDING:				
<input checked="" type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund: Governor's Criminal Justice Division – JABG Funds <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other:				
SPECIFIC EXPLANATION:				
Background				
<p>The U.S. Department of Justice provides a Juvenile Accountability Block Grant (JABG) to the Governor's Criminal Justice Division (CJD) to address juvenile offenses through accountability-based programs. These are non-competitive allocations based on an annual calculation of juvenile crime data from the Houston area. The funding supports the continued implementation of the Juvenile Accountability Court Program (JACP); an enhanced accountability system for juvenile offenders in the Municipal Courts through a graduated sanctions model for juvenile Class C offenders and their parents/guardians. Program services include:</p> <ul style="list-style-type: none"> • Progressive Sanctions: JACP assists judges in creating guidelines for juvenile offenders and their parents/guardians, and increases supervision over juveniles receiving alternative sentences in lieu of fines. • Enhanced Court Services: Through in-take and assessment, youth offenders and their parents/guardians receive intervention through case management, and prevention and education workshops in areas such as truancy awareness, gang awareness, conflict resolution, making good choices, and parenting skills. • Enhanced Community Service: The JACP provides direct supervision and scheduled community service projects for juvenile offenders, improving compliance rates and accountability for hours of service. • Improved Coordination: JACP provides Municipal Court judges with assessments of juvenile offenders to help them determine appropriate sanctions, identify offenders who need enhanced social services, and notify other agencies such as juvenile probation and parole of possible violators. 				
Request for Council Action				
Applicants must submit a resolution from their governing entities authorizing submission of the application, committing the cash match, designating an authorized official to apply for, accept, reject, alter or terminate the grant; and assuring that all funds will be returned to CJD in the event of loss or misuse of awarded funds.				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

SUBJECT: Public Safety Video Initiative - Subject Matter Expert Services		Category	Page 1 of 2	Agenda Item # 34
FROM (Department or other point of origin): Dennis Storemski, Mayor's Office of Public Safety and Homeland Security		Origination Date: 7/3/2007	Agenda Date AUG 01 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Matt Hyde Phone: 713/884-4587		Date and Identification of prior authorizing Council action:		

RECOMMENDATION: (Summary)

Approval of an Ordinance approving and authorizing a contract with **VidSys, Inc.** to provide professional consulting services for public safety video subject matter expertise, systems engineering, and computer aided design/documentation to assist in the design and implementation of the City's Public Safety Video Initiative; and approving and authorizing the City to spend up to \$375,000 in fees with **VidSys, Inc.**, with an initial contract ~~allocation~~ for the current scope of work of at \$201,400.

Amount of Funding:	Initial allocation : \$201,400	F & A Budget:
	Council Authorization: \$375,000	

SOURCE OF FUNDING:

Grant Fund: \$375,000 FY2006 Urban Area Security Initiative (Homeland Security)

SPECIFIC EXPLANATION:

BACKGROUND

The Mayor's Office of Public Safety and Homeland Security has received grant funds from the U.S. Department of Homeland Security (DHS) to support a pilot **Public Safety Video Initiative**.

During the FY2006 Urban Area Security Initiative (UASI) grant process, each UASI region could submit as many as 15 proposals for consideration by a team of peer reviewers. Of the eleven proposals submitted by the City of behalf of the Houston Urban Area, seven were regarded by DHS as exceptional, having ranked in the top 15% of all projects submitted nationally. The Public Safety Video Initiative was Houston's second highest scoring proposal behind the HPD Intelligence Fusion Center.

PROJECT COMPONENTS

The pilot phase of the Initiative will involve the installation of the technological infrastructure needed route to the Houston Emergency Center (HEC) video feeds from existing public sector sources, such as Public Works, TxDOT, Transtar, METRO, and the Port of Houston, as well as any that the private sector might make available.

With subsequent grant funding, later phases of the Initiative may involve the installation of video cameras in selected public venues to enhance homeland security and protect critical infrastructure.

THE PROPOSED CONTRACT


The HEC IT Division conducted an RFQ process to procure the services of a qualified vendor to work as a Video Subject Matter Expert (SME) - in conjunction with a COH Project Manager - to develop the Public Safety Video Initiative's implementation plan. The requirements gathered by the SME will lead to the City's development of an RFP to procure products and services associated with the project.

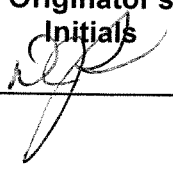
Under the contract, **VidSys, Inc.** will provide services to help the City's Project Manager develop:

- Technical Requirements and a Business Needs Analysis;
- A Project Implementation Plan;

(continued)

REQUIRED AUTHORIZATION

OPSHS Director:	Other Authorization: 	Other Authorization:
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DATE: 7/3/2007	Subject: Public Safety Video Initiative - Subject Matter Expert Services	Originator's Initials 	Page 2 of 2
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- One or more RFPs in support of the Implementation Plan; and
- A Notional Equipment List (not necessarily vendor specific).

VidSys, Inc. has provided an estimate of hours and associated rates to accomplish these deliverables. The use of those hours will be closely monitored by the City's Project Manager to ensure that hours are managed to achieve desired goals. Additional hours and rates are provided so that the subject matter can conduct administrative duties at a lower rate, and can utilize the services of engineering specialists where needed. Dollars within the contract may be used for any of these roles as long as they do not exceed the overall appropriated amount, as approved by the City's Project Manager.

Although the initial ~~allocation~~ amount requested for this contract is \$201,400, staff recommends City Council authorization of a contract total of up to \$375,000. The additional amount will be used if the City's project team determines it prudent to ask **VidSys** to provide quality assurance services or additional subject matter expertise as the project progresses.

MWBE PARTICIPATION

Access Data Supply will provide documentation and graphics support representing an estimated 8% of the contract amount.

DJS:CFM:JS

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7481

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Vehicle Towing and Storage (Boot Program) for the Convention & Entertainment Facilities Department
S28-T22301

Category #
4

Page 1 of 2

Agenda Item

35

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 17, 2007

Agenda Date

AUG 01 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

1

For additional information contact:

Stephen Lewis Phone: (713) 853-8888
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Milam Street Auto Storage, Inc. for vehicle towing and storage (Boot Program) for the Convention & Entertainment Facilities Department.

None Required

F & A Budget

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year revenue/concession contract, with two one-year options to extend, for a total five-year term, to the best respondent, Milam Street Auto Storage, Inc. for the Convention & Entertainment Facilities Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, materials, equipment, storage facility(s), transportation and supervision necessary to provide towing and storage services for the Boot Program by transporting delinquent vehicles located within the contract service area to a storage lot that is operated and maintained by the contractor. The contractor is required to have, and must keep current, a vehicle storage facility license that is issued by the Texas Department of Transportation's Motor Carrier Division and/or authorization from the Houston Police Department, as applicable.

This Request for Proposal was advertised and evaluated in accordance with the requirements of the State of Texas bid laws, and as a result, one proposal was received from Milam Street Auto Storage, Inc. Additionally, the Strategic Purchasing Division performed research by contacting other local companies in the towing industry, and was informed by the companies that they could not meet the minimum requirements outlined in the scope of work; therefore they chose not to submit proposals. The evaluation committee consisted of three Convention & Entertainment Facilities Department employees. The proposal was evaluated based on the following criteria:

1. Conformance to Scope of Work
2. Total Service and Support Commitment
3. Experience and Reputation
4. Reasonableness of Fees
5. Financial Strength

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Date: 7/17/2007	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Vehicle Towing and Storage (Boot Program) for the Convention & Entertainment Facilities Department S28-T22301	Originator's Initials DM	Page 2 of 2
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M/WBE Subcontracting:

This Request for Proposal was issued as a goal-oriented contract with an 11% M/WBE participation level. Milam Street Auto Storage, Inc. has designated the below-named company as its certified M/WBE subcontractor.

Name

Dave's Wrecker Service, Inc.

Type of Work

Towing Services

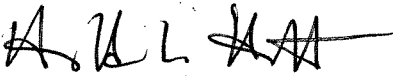
Buyer: Douglas Moore

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve An Amending Ordinance to Increase the Maximum Contract Amount for Major Freeway Tow Agreements for the Safe Clear Major Freeway Towing Program	Category # 4	Page 1 of 2	Agenda Item # 36
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FROM (Department or other point of origin): Harold L. Hurtt, Chief of Police Houston Police Department	Origination Date June 27, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: 	Council District affected: All
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Requested by: Byron Cleggett, Division Manager For additional information contact: Byron Cleggett, Division Manager Phone: 713-308-1738 Approved by: Joseph A. Fenninger, Deputy Director Phone: 713-308-1708	Date and identification of prior authorizing Council action: Ord. No. 2006-0973, 9/20/06
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RECOMMENDATION: (Summary)
Approve an amending ordinance to increase the maximum contract amount for Major Freeway Tow Agreements for the Safe Clear Major Freeway Towing Program.

Amount and Source of Funding: \$1,869,474.00 (FY08) Police Special Services Fund 2201 (From METRO Mobility Fund)	F & A Budget:
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SPECIFIC EXPLANATION:
The Chief of Police recommends that City Council approve an amending ordinance to increase the spending authority for Major Freeway Tow Agreements for the Safe Clear Major Freeway Towing Program by \$1,869,474.00 for fiscal year 2008. The amending ordinance would increase the maximum contract amount from \$1,882,414.00 to \$3,751,888.00. The City currently contracts with eleven operators to perform the obligations and services related to this program.

In June, 2005, City Council approved the current eleven amended contracts for the Safe Clear Major Freeway Towing program, which expires in 2010. City Council is required to approve subsequent annual allocations for each fiscal year in order to facilitate payments to the participating operators. The \$1,869,474.00 requested for the FY08 allocation is established by the formula outlined in the agreements passed. This formula is based on the actual number of tows and service calls during the period of March 1, 2006 - February 28, 2007, plus a CPI decrease adjustment.

Funding was approved and appropriated during the FY08 budget process. The actual funds will come from METRO, under the City's ongoing mobility funding agreement.

HLH:JAF:tkc
CC Marty Stein, Agenda Director Mary McKerall, Legal Department

REQUIRED AUTHORIZATION

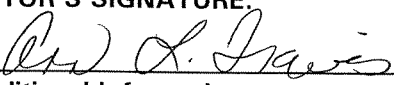


F&A Director:	Other Authorization:	Other Authorization:
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SUBJECT: Approve An Amending Ordinance to Increase the Maximum Contract Amount for Major Freeway Tow Agreements for the Safe Clear Major Freeway Towing Program	Category # 4	Page 2 of 2	Agenda Item #
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SPECIFIC EXPLANATION: (Continued)

<u>OPERATOR</u>	<u>SEGMENTS</u>	
North Houston Motors, Inc.	#1	Eastex FW (59) outside 610
	#2	Beltway 8 between Hardy Toll Road and Eastex FW (59)
	#6	East FW (I-10) outside 610
Unified Auto Works	#3	Eastex FW (59) inside 610
	#4	East FW (I-10) inside 610
T & T Motors	#5	N Loop E between Eastex FW (59) & East FW (I-10)
	#7	E Loop N between East FW (I-10) & LaPorte FW (225)
Cannino West, Inc.	#8	Gulf FW (I-45) inside 610
Fiesta Wrecker Service	#9	E Loop S between LaPorte FW (225) & Gulf FW (I-45), and LaPorte FW (225)
	#11	Gulf FW (I-45) outside 610
National Auto Collision, Inc.	#10	S Loop E between S FW (288) and Gulf FW (I-45)
	#12	S FW (288) inside 610 to SW FW (59)
	#16	S Loop to W Loop between W Loop S @ Beechnut & S FW (288)
	#17	S FW (288) outside 610
Milam Street Auto Storage, Inc.	#13	South FW (288) between SW FW (59) and I-45
	#14	Spur 527
	#15	SW FW (59) inside 610 to S FW (288)
	#28	Downtown Inner Loop
Allied Collision Center	#18	SW FW (59) outside 610
	#19	W Loop between Katy FW (I-10) & Westpark
KTL Enterprises, Inc.	#20	Katy FW (I-10) between Wirt Rd & N FW (I-45)
	#27	Katy FW (I-10) outside Sam Houston
	#29	Katy FW (I-10) between Blalock & Sam Houston
Westside Wrecker Service, Inc.	#21	N FW (I-45) between 610 and Katy FW (I-10), N Loop E between N FW (I-45) and Hardy Toll Road, N Loop E between Hardy Toll Road and Eastex FW (59)
	#22	N FW (I-45) between 610 & Sam Houston
	#23	N FW (I-45) outside Sam Houston
	#24	Beltway 8 between Hardy Toll Road and Ella
Corporate Auto Services, Inc	#25	N Loop W between NW FW (290) & N FW (I-45), W Loop N between NW FW (290) and Katy FW (I-10)
	#26	NW FW (290) outside 610

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving contract with eCivis for grants technology services		Category #	Page 1 of 1	Agenda Item # 37
FROM (Department or other point of origin): Ann Travis, Director Mayor's Office of Government Affairs		Origination Date July 19, 2007	Agenda Date AUG 01 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Ann Travis, Director Government Affairs Phone: (713) 247-1520		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Adopt ordinance authorizing contract with eCivis for grants technology services				
Amount of Funding: Maximum Contract Amount: \$227,042 (3 years) (FY 08 \$72,042)		F & A Budget: 		
SOURCE OF FUNDING: <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: eCivis is a company that helps cities and counties improve grant performance through the use of its grants technology service, onsite training, and its research team. The City of Houston currently uses eCivis' software/service called "Grants Network: Research 4.0," which is a searchable web-based system that includes federal, state, and foundation grants specifically geared for local governments. Grants Network converts grant program information (sometimes hundreds of pages) into original 4-6 page summaries of need-to-know information. These summaries give City departments the facts they need to decide whether grants are appropriate for their projects. Grants Network gathers more than 40,000 hours of research each year, with hourly updates to the Federal, State of Texas, and foundation grant programs that include Program Officer Notes. The service also includes search agent email alerts, as well as routing and reporting tools that make it easier for users to do their jobs and collaborate. Grant seeking processes increasingly are being conducted on-line, and it is crucial to have access to real-time information in order to successfully acquire and manage grant funding. The proposed contract will provide the City with an eCivis Client Service Associate assigned to the account who performs onsite training of grant best practices twice per year, instruction on how to use the system, and assistance in setting grant goals and evaluating performance. In 2006, 124 City staff members took part in the two hour training sessions. In addition to these sessions, the eCivis associate met with Police and Fire Department staff to discuss priority projects and strategies for utilizing Grants Locator to identify funding. Currently the City has 207 active users of the system. eCivis is utilized by other large governmental entities, including Chicago, San Antonio, both the City and County of Los Angeles and Orange County, California. The City has been able to utilize eCivis' services for the past three years at a special rate as a shared user with the Texas Medical Center. The joint account is no longer an option, and the City must obtain its own agreement. The proposed contract has a 2-year term with one 1-year option to renew and a maximum contract amount of \$227,042 for the entire 3-year period.				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization: 

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7535

Subject: Approve an Ordinance Authorizing a First Amendment to Contract No. C54118 for Defibrillator Maintenance and Repair Services for Various Departments
LC-N-0734-039-13278-A1

Category #
4

Page 1 of 2

Agenda Item

38

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 26, 2007

Agenda Date

AUG 01 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Karen Dupont Phone: (713) 859-4934
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ordinance No. 2002-695; Passed July 31, 2002

RECOMMENDATION: (Summary)

Approve an ordinance authorizing a first amendment to the contract between the City of Houston and Physio-Control, Inc. (formerly known as Medtronic Physio-Control Corporation), to increase the spending authority from \$1,472,043.00 to \$2,998,318.00, and extend the term from August 8, 2007 to August 7, 2012 for defibrillator maintenance and repair services for various departments.

Spending Authority Increase: \$1,526,275.00

F & A Budget

\$1,526,275.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing a first amendment to the contract between the City of Houston and Physio-Control, Inc. (formerly known as Medtronic Physio-Control Corporation) to increase the spending authority from \$1,472,043.00 to \$2,998,318.00, and extend the term from August 8, 2007 to August 7, 2012 for defibrillator maintenance and repair services for various departments. Under this contract, the contractor is required to maintain and service Lifepak® CR+, Lifepak® 12, Lifepak® 500 and Lifepak® 1000 automated external defibrillators in strict accordance with the manufacturer's standards and FDA requirements.

This contract was awarded on July 31, 2002 by Ordinance No. 2002-695 for a five-year term in the original amount of \$1,472,043.00. Expenditures as of July 10, 2007 totaled \$1,049,548.77. Physio-Control, Inc. has agreed to extend the term with amended indemnification language. The Legal Department agreed to the change. Additionally, the amendment replaces the 2002 price lists with the current September 2006 version of the lists. The discount off the price lists and the prices for the annual inspection and repair services remain unchanged. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, materials, tools, supervision, replacement parts, supplies, and expendable items necessary to provide annual inspection, maintenance, remedial repair, and calibration services for automated external defibrillators. These portable, self-contained, battery-operated defibrillators are designed for use by first responders in cardiac emergencies. The existing inventory of 20 Lifepak® CR+, 84 Lifepak® 12, 462 Lifepak® 500 and 12 Lifepak® 1000 units are placed in ambulances, engine and ladder trucks, and have been placed strategically throughout City facilities in high-traffic public access areas.

Buyer: Wanda Gale

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

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Date:
7/26/2007

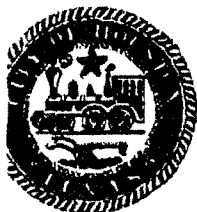
Subject: Approve an Ordinance Authorizing a First Amendment to
Contract No. C54118 for Defibrillator Maintenance and Repair
Services for Various Departments
LC-N-0734-039-13278-A1

Originator's
Initials
WG

Page 2 of 2

ESTIMATED SPENDING AUTHORITY

<u>DEPARTMENT</u>	<u>FY08</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
Fire Department	\$250,000.00	\$1,276,275.00	\$1,526,275.00



CITY OF HOUSTON

Finance & Administration Department

Interoffice

Correspondence

To: Calvin D. Wells – City Purchasing Agent

From: Teresa Clark – Specification Analyst

Date: May 22, 2002

Subject: M/WBE 0% Goal Request

Is this to establish a goal for advertisement? NO

Bid Number: LC-N-0734-039-13278

Advertisement schedule Date: N/A

Bids Due Date: N/A

Items or Scope of Bid: The Contractor shall supply all superintendence, labor, materials, tools, replacement parts (when mutually agreed), supplies, expendable items, and equipment necessary, to provide annual maintenance and remedial repair services for Medtronic Physio-Control Lifepak 12 and Lifepak 500 defibrillators citywide.

The total dollar value is approximately \$1,000,000.00

I am requesting approval of 0 % goal.

Justification:

This is a sole source contractor that provides their own technicians to perform the services. There is no subcontracting potential. We are purchasing the defibrillators from this vendor and if someone else works on the equipment it voids the warranties.

Concur:

Deputy Assistant Director

Approved:

Contract Compliance Officer

Approved:

Calvin D. Wells
City Purchasing Agent

Approved:

John DeLeon
Director - Affirmative Action

5/29/02

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7524

Subject: Approve an Ordinance Awarding a Contract for Telecommunication Services for Various Departments

Category #
4 & 5

Page 1 of 1

Agenda Item

39

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

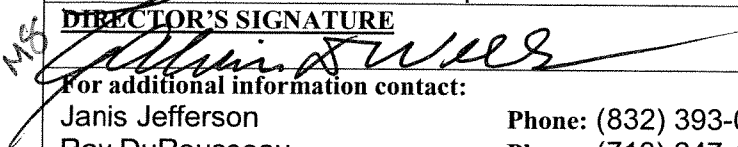
Origination Date

July 12, 2007

Agenda Date

AUG 01 2007

DIRECTOR'S SIGNATURE

MS


Council District(s) affected
All

For additional information contact:

Janis Jefferson Phone: (832) 393-0004
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to the Texas Department of Information Resources in the amount not to exceed \$653,200.00 for telecommunication services for various departments.

Estimated Spending Authority: \$653,200.00

F & A Budget

\$653,200.00 Central Services Revolving Fund (1002)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total term of five years to the Texas Department of Information Resources (DIR) in the amount not to exceed \$653,200.00 for telecommunication services for various departments.

The scope of work requires DIR to provide connectivity services through the TEX-AN network for long distance, 1-800 services, Internet service, language line, and calling cards. Texas Department of Information Resources will continue to provide internet access for the City during the transition to a new contract for Internet services. The contract not-to-exceed amount does not include Internet service usage beyond May of 2008.

The contract authority is provided by the Texas Government Code, Chapter 791, Interlocal Cooperation Act as applicable, and Title 10, Subtitle D, Chapter 2170, Telecommunications Services. Participation in the State programs has enabled the City to take advantage of the volume discounts extended to the State.

Buyer: Frank Rodriguez

Estimated Spending Authority:

DEPARTMENT	FY2008	OUT YEARS	TOTAL
Information Technology	\$242,000.00	\$411,200.00	\$653,200.00

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MS

01

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriate Funds Charter Roofing Company, Inc. Fire Station No. 69 WBS No. C-000090-0001-4	Page 1 of 1	Agenda Item 40
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FROM (Department or other point of origin): Building Services Department	Origination Date 7-5-07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.	Council District(s) affected: G
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For additional information contact: Jacquelyn L. Nisby Phone: 713 247-1814	Date and identification of prior authorizing Council action: Ordinance No. 2002-1174 dated 12/18/2002 Ordinance No. 2007-0426 dated 03/28/2007
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RECOMMENDATION: Appropriate funds for construction services for Houston Fire Department.

Amount and Source of Funding: \$67,023.70 Fire Consolidated Construction Fund (4500)	F&A Budget:
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SPECIFIC EXPLANATION: The Building Services Department recommends that City Council appropriate \$67,023.70 to the existing citywide contract with Charter Roofing Company, Inc. for roof repair services at Fire Station No.69.

PROJECT LOCATION: Fire Station No. 69
 1102 West Belt (489R)

PROJECT DESCRIPTION: This project is part of the Houston Fire Department's ongoing renovation program to extend the useful life of its facilities. The scope of work consists of repairs to a modified bitumen roofing system to the north and south lower roofs. The roofs are approximately 14 years old and have developed multiple leaks over the living quarters.

PREVIOUS HISTORY AND SCOPE: On December 18, 2002, City Council awarded a one-year contract with four one-year options to Charter Roofing Company for roof repair services for various departments. The contract is funded through various appropriations for roofing services. To date, \$3,018,938.88 has been expended on the contract.

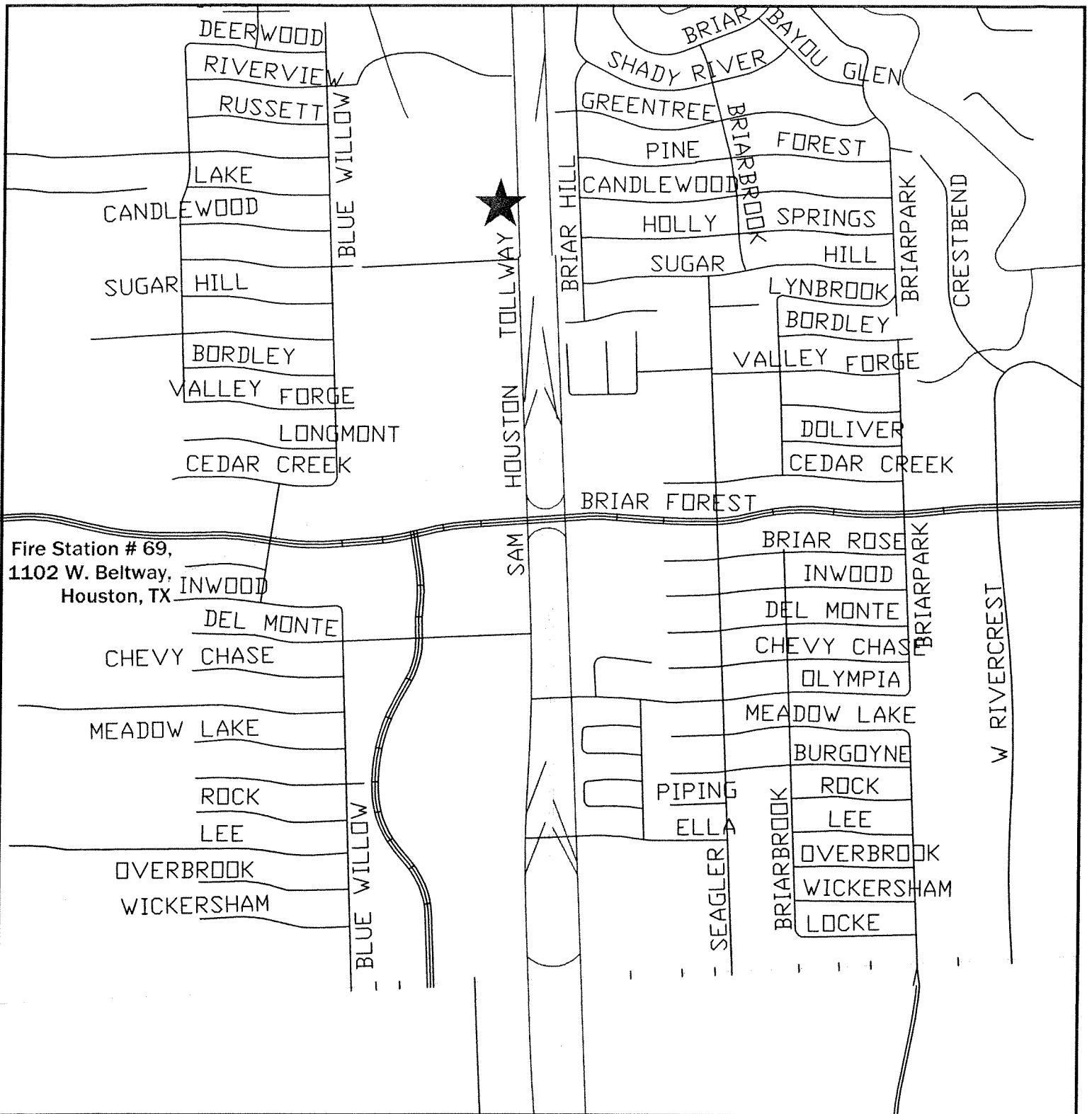
M/WBE INFORMATION: The M/WBE goal for this contract is 17%. Currently, Charter Roofing has achieved 14.5% M/WBE participation.

IZD:JLN:WTH:RAV:RV:ps

c: Marty Stein; Jacquelyn L Nisby; Joseph Kurian; Kim Nguyen; James Tillman IV; File 813

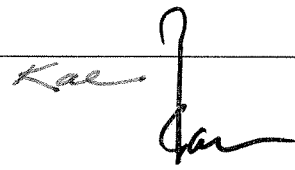

REQUIRED AUTHORIZATION CUIC ID # 25RAV165

Building Services Department: Wendy Teas Heger, AIA Chief of the Design & Construction Division	Other Authorization:	Houston Fire Department: Phil Boriskie Chief
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Fire Station # 69,
1102 W. Beltway,
Houston, TX

FIRE STATION # 69
1102 W. BELTWAY, Houston, TX

SUBJECT: Federal Aviation Administration (FAA) Lease Agreement – George Bush Intercontinental Airport/Houston (IAH).		Category #	Page 1 of 2	Agenda Item # 41
FROM (Department or other point of origin): Houston Airport System		Origination Date July 5, 2007	Agenda Date AUG 01 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: "B"		
For additional information contact: Janet Schafer  Phone: 281-233-1796 David Mendoza 281-233-1821		Date and identification of prior authorizing Council action: N/A		
AMOUNT & SOURCE OF FUNDING: Revenue - \$31,516.00 per year/ \$7,879.00 per fiscal quarter in arrears.		Prior appropriations: N/A		

RECOMMENDATION: (Summary)

Enact an ordinance approving and authorizing a Lease Agreement with the Federal Aviation Administration (FAA) for office/warehouse space in connection with its Environmental Support Unit, at George Bush Intercontinental Airport/Houston (IAH).

SPECIFIC EXPLANATION:

The Federal Aviation Administration (FAA) has determined that it is in the public interest to continue the use of space for its Environmental Support Unit (ESU) at George Bush Intercontinental Airport/Houston (IAH). To accommodate this, the Federal Aviation Administration (FAA) is requesting a lease agreement for office/warehouse space at IAH.

The pertinent terms and conditions of this lease agreement are as follows:

1. Premises: Approximately 2,946 square feet of office/ warehouse space and 37,620 square feet of fenced yard at 18825 Colonel Fisher Drive, at IAH. The FAA may request a change in the amount of space, provided the City consents to the change.
2. Term: Effective date until September 30, 2015. The Federal Aviation Administration may terminate this lease at any time by giving at least 30 days notice in writing. The City may terminate this lease for airport development with 180 days written notice to the Federal Aviation Administration.

REQUIRED AUTHORIZATION

F&A Budget:	Other Authorization:	Other Authorization:
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Date July 5, 2007	Subject: Federal Aviation Administration (FAA) Lease Agreement – George Bush Intercontinental Airport/Houston (IAH).	Originator's Initials	Page 2 of 2
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- 3. Rental: Approximately \$31,516.00 per year (\$7,879.00 per fiscal quarter in arrears, pursuant to Federal payment guidelines).
- 4. Use: The space is for office and warehouse use associated with FAA's Environmental Support Unit.
- 5. Utilities: The FAA shall pay for all utilities or service.

RMV:dm

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo Michel
Mr. Richard M. Vacar, A.A.E.
Ms. Sara Culbreth
Mr. Dave Arthur
Ms. Janet Schafer
Mr. Carlos Ortiz
Mr. Charles Wall
Ms. Mary Case
Mr. Brian Rinehart
Mr. Randy Rivin
Ms. Kathy Elek

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Additional Funding for Contract with 4B Technology Group, LLC, for Information Technology and Telecommunications Infrastructure Field Inspection Services at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU), and Ellington Field (EFD). WBS #A-000138-0006-3-01, Project 577.	Category #	Page 1 of 1	Agenda Item # 42
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FROM (Department or other point of origin): Houston Airport System	Origination Date June 27, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Kay</i> <i>Th. B. Bartlett for RMV</i>	Council District affected: All
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For additional information contact: Mark V. Mancuso Phone: 281/233-7329 Frank Haley Phone: 281/233-1835	Date and identification of prior authorizing Council action: 6/2/04 (O) 2004-0533 12/14/05 (O) 2005-1353
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AMOUNT & SOURCE OF FUNDING: CIP #A-0138.69 \$2,500,000.00 Airports Improvement Fund (8011)	Prior appropriations: CIP #A-0138 \$3,000,000.00 AIF
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RECOMMENDATION: (Summary)
Enact an Ordinance appropriating \$2,500,000.00 as an additional appropriation for Information Technology and Telecommunications Infrastructure Field Inspection Services at IAH, HOU, and EFD.

SPECIFIC EXPLANATION:

On June 15, 2004, the City entered into Contract No. 55990 with 4B Technology Group, LLC for Information Technology and Telecommunications Infrastructure Field Inspection Services in the amount of \$3,000,000. This contract provides IT and telecom services at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD) in support of the upcoming \$1.9 billion 2008-2013 Capital Improvement Program (CIP) and numerous airport operations and maintenance projects. The original funding was for the initial three-year period of the contract.

On December 14, 2005, City Council approved Amendment No. 1 to enable HAS to achieve greater flexibility in some types of inspection and documentation tasks where Registered Communications Distribution Designer (RCDD) certification is not required. In addition, Amendment No. 1 enabled HAS to negotiate unspecified labor rates not to exceed billing rates defined by the contract.

HAS now requests additional funding in the amount of \$2,500,000.00 to cover the two option years available in this agreement.

Currently, 4B Technology Group, LLC is achieving 22.97% M/WBE participation on a 24% goal.

The IT Steering Committee was briefed and has approved this matter.

RMV: FH
Attachments

cc: Ms. Marty Stein Ms. Velma Laws Ms. Sara S. Culbreth
 Mr. Anthony W. Hall Jr. Mr. Richard M. Vacar Ms. Kathy Elek
 Mr. Arturo G. Michel Mr. Mark Mancuso

REQUIRED AUTHORIZATION

F&A Budget: <i>[Signature]</i>	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 1 to a Construction contract with EAS Contracting, LP for Miscellaneous Airfield Lighting Improvements, Generators & Generator Buildings at Ellington Field; Project 588, WBS # A-000428-0001-4-01.	Category #	Page 1 of 2	Agenda Item # 43
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FROM (Department or other point of origin): Houston Airport System	Origination Date June 18, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Kael</i> <i>[Signature]</i>	Council District affected: E
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For additional information contact: Eric R. Potts <i>[Signature]</i> Phone: 281/233-1999 John S. Kahl <i>[Signature]</i> 281/233-1941	Date and identification of prior authorizing Council action: 11/30/05 (O) 2005-1310
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AMOUNT & SOURCE OF FUNDING: CIP A-0428.04.3 \$200,000.00 Airports Improvement Fund (8011) <i>(EE)</i>	Prior appropriations: \$6,998,468.00 CIP #A-0428 AIF
---	--

RECOMMENDATION: (Summary)
Enact an Ordinance to appropriate \$200,000.00 to supplement project contingency and approve contract Amendment No. 1 to increase the Director's authority to approve change orders up to 8.04% of the original contract amount.

SPECIFIC EXPLANATION:

PROJECT LOCATION: Ellington Field

PROJECT SUMMARY: Contract No. 60904 was awarded to EAS Contracting, LP on November 30, 2005 in the amount of \$6,569,969.15 for Miscellaneous Airfield Lighting Improvements, Generators & Generator Buildings at Ellington Field. The project included the following:

- New airfield lighting control system (ALRCS).
- Two new generator buildings and generators
- Replacement of airfield direction signs
- Significant replacement of the airfield lighting, power distribution wiring and communications cabling.

Construction began on February 20, 2006. In addition, Change Order No. 1 in the amount of \$272,710.47 nearly exhausted the originally appropriated 5% contingency of \$328,498.45. Change Order No. 1 included an upgrade to the generator to meet EPA requirements and numerous electrical changes.

The Department is requesting that Council approve a supplemental appropriation of \$200,000.00 to pay for overruns of existing line items to enable the completion of the project as awarded. The Department is also requesting to increase the Director's authority to approve Change Orders from 5% to 8.04% of the original contract amount.

REQUIRED AUTHORIZATION

F&A Budget: <i>[Signature]</i>	Other Authorization:	Other Authorization: <i>[Signature]</i>
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Date June 18, 2007	Subject: Amendment No. 1 to a Construction contract with EAS Contracting, LP for Miscellaneous Airfield Lighting Improvements, Generators & Generator Buildings at Ellington Field; Project 588, WBS # A-000428-0001-4-01.	Originator's Initials JSK	Page 2 of 2
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DBE PARTICIPATION: The original participation goal for this project was based on 20.1% of the contract amount. To date the contractor has committed 18.42% towards the DBE goal. Affirmative Action and Contract Compliance has stated that a "Good Faith Effort" to meet the goal is being made.

This project is eligible for federal funding through the FAA's AIP Program. Appropriate fund source adjustments will be made in the future if additional AIP funding becomes available.

RMV:ERP:JSK

Attachments

cc: Ms. Marty Stein	Mr. Richard M. Vacar	Dr. Kent R. McLemore	Mr. Dara N. Umrigar
Mr. Anthony W. Hall, Jr.	Ms. Sara S. Culbreth	Mr. Frank D. Crouch	Ms. Janice D. Woods
Mr. Arturo G. Michel	Mr. Eric R. Potts	Mr. John S. Kahl	Mr. Richard Fernandez
Ms. Velma Laws	Ms. Kathy Elek	Mr. Adil Godiwalla	Mr. J. Goodwille Pierre



CITY OF HOUSTON

Bill White

Mayor



HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Field

Richard M. Vaar, A.A.E.
Director of Aviation

May 16, 2007

Mr. Subhas Bhagwandin
EAS Contracting, LP
12400 Brantley Ave.
Houston, Texas 77034

**Re: Good Faith Effort Documentation on Aviation Project #588 Miscellaneous Airfield
Lighting Improvements Generators and Generator Buildings/Contract # 460004570**

Dear Mr. Bhagwandin:

We have received your letter dated April 30, 2007 documenting the numerous challenges that affected the utilization of MWBE subcontractors on the above referenced project. Our office has confirmed the documentation with the Houston Airport Systems' Planning, Design, & Construction Division. We have also verified the information with your MWBE subcontractors DC Services and Rozco Contracting.

The request to accept the explanation in your April 30, 2007 letter as a "Good Faith Effort" has been approved by the Director of Affirmative Action & Contract Compliance.

We understand that EAS Contracting, LP has stated the final amount to MWBE subcontractors will be \$1,270,608.95, which will result in a total MWBE utilization of 18.42% of the 20.1% MWBE goal for the entire contract.

We appreciate your efforts to meet the MWBE participation goal on this project.

If you have any questions, please contact Janice Ruley at (281) 233-7853.

Sincerely,

J. Goodwille Pierre, Manager
Small Business Development
& Contract Compliance

JGP/am
(05/07:060)

READ AND APPROVED:

Velma Laws, Director
Affirmative Action & Contract
Compliance

(05/07:40)

Council Members: Carol Alvarado Michael Berry Peter Brown Anne Clutterbuck Ada Edwards Adrian Garcia "Vacant" - At Large Position 3
Ronald Green Pam Holm Jarvis Johnson M.J. Khan, P.E. Toni Lawrence Sue Lovell Addie Wiseman Controller: Annise D. Parker

George Bush Intercontinental PO Box 60106 Houston, Texas 77205-0106 ~ Phone: 281-233-3100 ~ Fax: 281 230-3108
www.Fly2Houston.com, ~ www.houstontx.gov

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Construction contract with EAS Contracting, LP for Rehabilitation of Runway 12R-30L and Miscellaneous Electrical Work at William P. Hobby Airport; Project No. 619; WBS #A-000438-0002-4-01.	Category #7	Page 1 of 2	Agenda Item # 44
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 5, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Kae Jan</i>	Council District affected: I
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For additional information contact: Eric R. Potts <i>ERP</i> Phone: 281-233-1999 Adil Godiwalla 281-233-1934	Date and identification of prior authorizing Council action: N/A
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0438.02/04/06.3 \$17,392,667.00 HAS Consd 2004 NAMT <i>ERP</i> Con Fund (8204)	Prior appropriations: N/A
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RECOMMENDATION: (Summary)

Enact an ordinance to award a construction contract to EAS Contracting, LP in the amount of \$15,669,069.00 and appropriate the necessary funds to finance this project.

SPECIFIC EXPLANATION:

PROJECT LOCATION: William P. Hobby Airport

PROJECT SUMMARY: Project No. 619 consists of the milling and paving of portions of Runway 12R-30L and all associated electrical work. Additional electrical work includes upgrades to signage, new power circuits, runway guard lights and the Airfield Lighting Remote Control System. Also included in the Project is rework of all drainage piping in the safety area of runways 12R-30L and 12L-30R, and the East Ramp area. The perimeter road will be relocated in the Northwest corner of the airport and resurfaced on the Southeast corner of the airport.

The full contract term is 330 days. Design and contract document preparation was conducted by DMJM Aviation.

BIDS DATE: Bids were received on April 26, 2007, as follows:

(1) EAS Contracting, LP	\$15,669,069.00
(2) W. W. Webber, LLC	\$15,867,841.00

REQUIRED AUTHORIZATION		
F&A Budget: <i>Michael JL</i>	Other Authorization:	Other Authorization: N/DI

Date July 5, 2007	Subject: Construction contract with EAS Contracting, LP for Rehabilitation of Runway 12R-30L and Miscellaneous Electrical Work at William P. Hobby Airport; Project No. 619; WBS #A-000438-0002-4-01.	Originator's Initials DW	Page 2 of 2
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ENGINEERING SERVICES TESTING CONTRACT: Engineering Testing Services will be provided by Fugro Consultants, LP under Contract No. 53707 for \$313,381.50 and by HTS, Inc. Consultants under Contract No. 53720 for \$313,381.50 for a total cost of \$626,763.00.

Project Cost: The total cost to be appropriated is as follows:

\$15,669,069.00	Construction Contract Services
\$ 783,453.00	5% Construction Contingency
\$ 626,763.00	4% Engineering and Testing Services
\$ 313,382.00	<u>2% Overhead and Salary Recovery for City Department</u>
\$17,392,667.00	Total Cost

DBE PARTICIPATION: The following certified firms have been submitted to fulfill the 20.08% DBE goal for this project.

Firm	Type of Work	Amount	% of Bid
Rozco Contracting, Inc.	Drainage, Civil, Concrete Paving	\$ 2,140,499.00	13.66 %
Environmental Allies, L.P.	Erosion Control, Seeding	\$ 64,474.00	0.41 %
Airport Lighting Systems, Inc.	Material Supplier	\$ 1,021,315.00	6.52 %
	Total	\$ <u>3,226,288.00</u>	<u>20.59 %</u>

This project is eligible for federal funding through the FAA's AIP Program and is also eligible for Passenger Facility Charge reimbursement. Appropriate adjustments to the Commercial Paper Fund will be made in the future reflecting funds received from these sources.

RMV:ERP:AG:DW

Attachments

cc: Ms. Marty Stein	Mr. Richard M. Vacar	Dr. Kent R. McLemore	Mr. Dara N. Umrigar
Mr. Anthony W. Hall, Jr.	Ms. Sara S. Culbreth	Mr. Frank D. Crouch	Ms. Janice D. Woods
Mr. Arturo G. Michel	Mr. Eric R. Potts	Mr. John S. Kahl	Mr. Richard Fernandez
Ms. Velma Laws	Ms. Kathy Elek	Mr. Adil Godiwalla	Mr. J. Goodwille Pierre

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. for Job Order Contracting Services with the Houston Airport System; Project 516; WBS # A- 000348-0001-4-01.	Category # 9	Page 1 of 2	Agenda Item # <i>45</i>
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 9, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Kae Jan</i>	Council District affected: B, E, I
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For additional information contact: Eric R. Potts <i>ERP</i> Phone: 281-233-1999 Lawrence Sturm <i>LS</i> Phone: 281-233-1967	Date and identification of prior authorizing Council action: 12/10/2003 (O) 2003-1254
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0348.06.2 \$2,500,000.00 Airports Improvement Fund (8011) <i>CP</i>	Prior appropriations: CIP No. A-0348.5.3.... \$8,000,000.00 Airports Improvement Fund (561) CIP No. A-0422.02.5.....\$140,000.00 Airports Improvement Fund (561) Total.....\$8,140,000.00
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RECOMMENDATION: (Summary)
Enact an ordinance to approve Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION:
On December 10, 2003, the City entered into contract #~~55521~~ in the amount of \$8,140,000.00 with Kellogg Brown & Root (KBR) Services, Inc. for Job Order Contracting (JOC) Services with the Houston Airport System (HAS). The JOC delivery method provides the best value for certain HAS projects meeting the requirements set forth in Section 271.120(a) of the Local Government Code. Under the JOC contract, work orders up to \$200,000.00 are priced in accordance with approximately 60,000 pre-approved costs. By contracting with a single entity to expedite minor construction, repair, rehabilitation or alteration of facilities at the three airports (George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field), routine projects are performed in a more efficient and timely manner.

It is requested that Council approve Amendment No. 1 in the amount of \$2,500,000.00 to continue the JOC program.

In addition, experience over the term of the JOC contract has shown that the current \$200,000.00 maximum per project does not cover enough routine projects and limits the department's ability to fully utilize JOC as intended and designed. A less restrictive maximum per project would enable JOC to be more effectively utilized for tenants and air carriers' space configuration needs. These needs are often unanticipated and include security-related items and complex IT installations which increase the costs of the space build-outs. Therefore, it is also requested that Council approve Amendment No. 1 in order to increase the maximum per project from \$200,000.00 to \$500,000.00.

REQUIRED AUTHORIZATION		
F&A Budget: <i>Paul SO</i>	Other Authorization:	Other Authorization: <i>NOT</i>

Date July 9, 2007	Subject: Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. for Job Order Contracting Services with the Houston Airport System; Project 516; WBS # A- 000348-0001-4-01.	Originator's Initials LS	Page 2 of 2
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KBR is currently achieving 13.6% M/WBE participation on their 30% goal. According to the Office of Affirmative Action and Contract Compliance, KBR is making a "Good Faith Effort" in meeting the goal.

RMV: ERP: LS: LG: JDW

Attachments

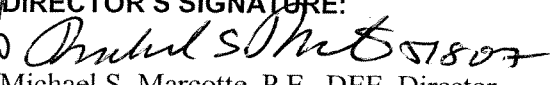

- cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo G. Michel
Ms. Velma Laws
Mr. Richard M. Vacar
Ms. Sara S. Culbreth
Mr. Dave Arthur
Ms. Ellen Erenbaum
Ms. Kathy Elek
Mr. Eric R. Potts
Mr. Carlos Ortiz
Mr. Frank D Crouch
Mr. John S. Kahl
Mr. Adil Godiwalla
Mr. Dara N. Umrigar
Ms. Janice D. Woods
Mr. Richard Fernandez
Mr. J. Goodwille Pierre


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Interlocal Agreement between the City of Houston and Harris County for Tanner Road Paving from Triway Road to Beltway 8; WBS No. N-000589-0001-3.	Page 1 of 2	Agenda Item # 46
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/29/07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: A 
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For additional information contact:  Reid K. Mrsny, P.E. Senior Assistant Director Phone: (713) 837-0452	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Adopt an ordinance approving and authorizing an Interlocal Agreement between the City of Houston and Harris County for Tanner Road Paving from Triway Road to Beltway 8.

Amount and Source of Funding:
N/A

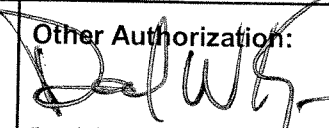
PROJECT NOTICE/JUSTIFICATION: The City of Houston has included Tanner Road from west of Triway Road to Hempstead Highway in the City's Capital Improvement Program. This project is currently a joint project between the City of Houston and Texas Department of Transportation. Harris County has recently completed sections of Tanner Road on the west side of Beltway 8 in an effort to improve mobility in the northwest side of Harris County. Texas Department of Transportation (TxDOT) and Harris County are interested in extending the City's Tanner Road project to Beltway 8 to complete this section of the roadway to a logical terminus. The portion of Tanner Road between Triway Road and Beltway 8 is referred as the County Segment.

DESCRIPTION/SCOPE: The City's project will improve Tanner Road from a two-lane asphalt road to four-lane concrete boulevard with curbs, gutters, street lighting, signals, storm sewers and other necessary underground utilities. The County Segment will provide a four-lane concrete boulevard with curbs, gutters, signals and storm sewers within a 100 foot right-of-way.

LOCATION: The complete project is located on Tanner Road from Hempstead Highway to Beltway 8. However, County Segment is only from Triway Road to Beltway 8 and is located on Key Map Nos. 449 C & D and 450 A.

SCOPE OF THIS AGREEMENT: Under the terms of the Agreement, the City of Houston will provide and pay for the engineering design and surveying services to establish the right-of-way requirements for the entire project length from Hempstead Highway to Beltway 8, including the County Segment. The City will prepare parcel maps and provide necessary documentation to the County for any required acquisition for the County Segment. The County will acquire the property required for the County Segment of the project in accordance with TxDOT criteria. The City will complete the engineering design to the satisfaction of TxDOT and the County by January 1, 2011. By March 1st of 2011, if there is no Agreement by either TxDOT and the County regarding the funding for the construction of the County Segment or the County decides to terminate this Agreement prior this date, then the County will agree to reimburse the City for all the City's cost associated with the design of the County Segment.

REQUIRED AUTHORIZATION CUIC ID # 20MLL48

F&A Director:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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Date

SUBJECT: Interlocal Agreement between the City of Houston and Harris County for Tanner Road Paving from Triway Road to Beltway 8;
WBS No. N-000589-0001-3.

Originator's
Initials
MLL

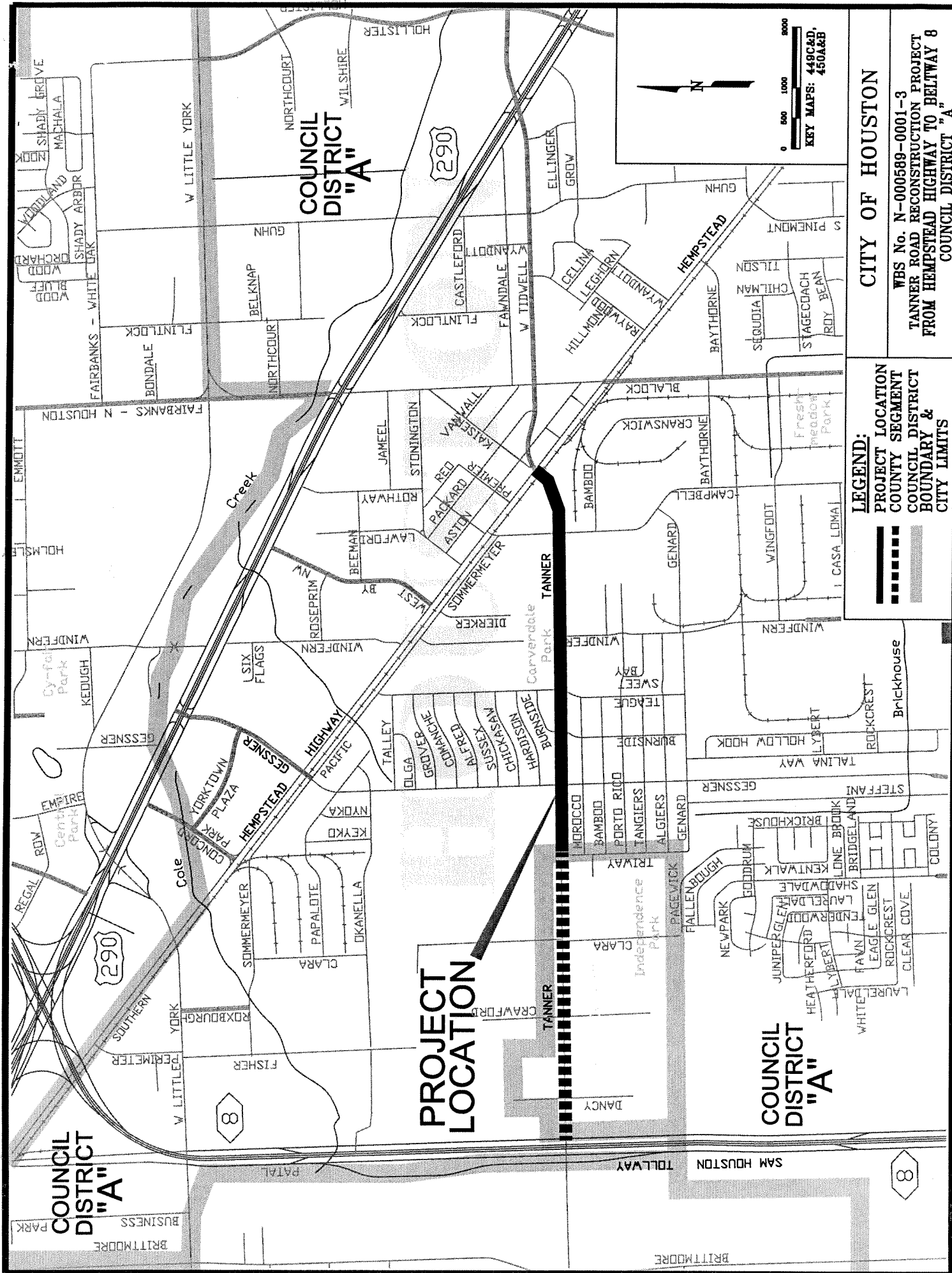
Page
2 of 2

ACTION RECOMMENDED: It is recommended that the City Council adopt an ordinance approving and authorizing an Interlocal Agreement between the City of Houston and Harris County for the Tanner Road Paving Project.

MSM:DWK *[Handwritten Signature]* MLL:KDT

S:\constr\A-SB-DIV\Design\County\Tanner\RCA - Tanner Road.DOC

C: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File -- Harris County -- Tanner Road Paving from Triway to Beltway 8



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Interlocal Agreement between the City of Houston and Port of Houston Authority for the Reconstruction of the Storm Sewer Outfall at Wharf No. 1 East at the Turning Basin of the Houston Ship Channel; WBS No. M-000126-00S7-4.	Page 1 of 2	Agenda Item # 47
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 4-19-07	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: I <i>John</i>
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For additional information contact: <i>Reid K. Mrsny</i> Reid K. Mrsny, P.E. Senior Assistant Director Phone: (713) 837-0452	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Adopt an ordinance approving and authorizing an Interlocal Agreement between the City and Port of Houston Authority and allocate funds. AT 4/12/07

Amount and Source of Funding:
\$246,162.00 from Storm Water Utility Fund No. 2302

PROJECT NOTICE/JUSTIFICATION: This project is required by the Port of Houston Authority (PHA) to repair damage caused by erosion at Wharf No. 1 East at the Turning Basin of the Houston Ship Channel.

DESCRIPTION/SCOPE: The project consists of the repair of the embankment and storm sewer outfall and building of a new bulkhead. During construction, PHA plans to inspect a T-head dock, four mooring dolphins and four breasting dolphins at the site for repair.

LOCATION: The project is generally bounded by J.W. Peavey on the south, S. Harbor Drive on the north, and S. 75TH Street on the west. It is located in Key Map Grid Nos. 495 S & T.

SCOPE OF AGREEMENT AND FEE: Under the terms of the Agreement, the City will participate in funding repairs to the storm sewer outfall only. PHA will be responsible for the engineering design, advertisement, bid and award of the construction contract including the storm sewer outfall repairs. The City shall deliver to the Authority a check in the amount of \$234,440.00 within 30 days of the Authority's request. The City will assume full ownership and maintenance of the storm sewer outfall upon acceptance by the City. The total allocation request is \$246,162.00 which includes \$11,722.00 for the City's salary recovery costs.

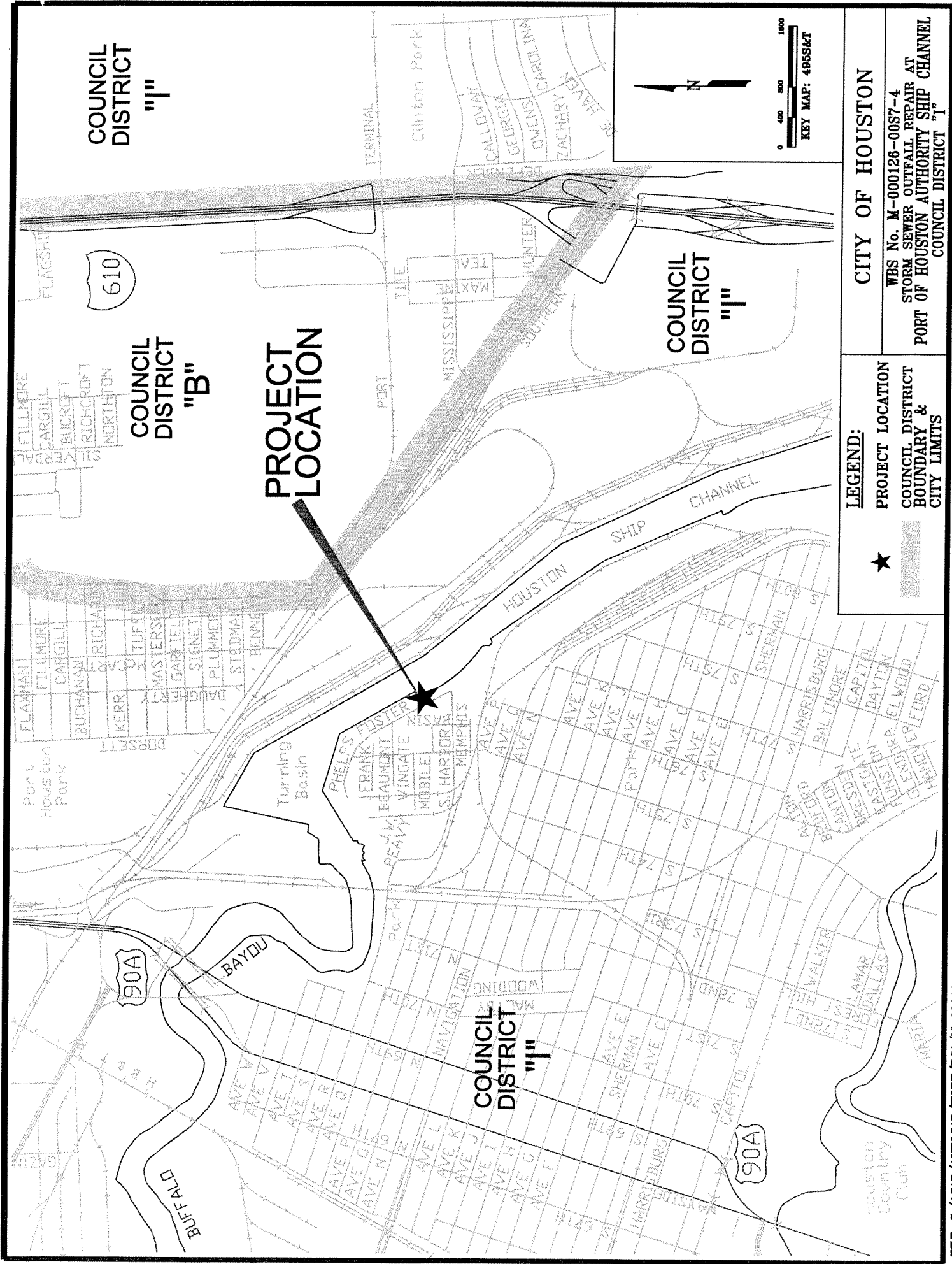
ACTION RECOMMENDED: It is recommended that City Council adopt an ordinance approving and authorizing an Interlocal Agreement between the City of Houston and Port of Houston Authority and allocate \$246,162.00 for the City's cost participation.

RKM
MSM:DWK:RKM:MLL:JAK:KDT
S:\constr\A-SB-DIV\Design\Misc\Port of Houston\RCA\RCA.DOC

c: Marty Stein Craig Foster File: Port of Houston-Storm Sewer Outfall Repair
Susan Bandy Velma Laws

REQUIRED AUTHORIZATION **CUIC ID #20JAK590**

F&A Director:	Other Authorization: <i>Eric K. Dargan</i> Eric K. Dargan, Deputy Director R.O.W and Fleet Maintenance Division	Other Authorization: <i>Daniel W. Krueger</i> Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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LEGEND: ★ PROJECT LOCATION █ COUNCIL DISTRICT BOUNDARY & CITY LIMITS	CITY OF HOUSTON WBS No. M-000126-00S7-4 STORM SEWER OUTFALL REPAIR AT PORT OF HOUSTON AUTHORITY SHIP CHANNEL COUNCIL DISTRICT "I"
	Drawn By: A. Watts

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation that an ordinance for the BROAD OAKS WATERLINE REPLACEMENT PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. C.I.P. S-000035-00L5-2-01	Category #7	Page 1 of 1	Agenda Item # 48
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7/11/07	Agenda Date
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: G Key Map 491K,L
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director 	Date and identification of prior authorizing Council Action: Ordinance 2005-1102, passed September 21, 2005
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RECOMMENDATION: (Summary)
An ordinance for the BROAD OAKS WATERLINE REPLACEMENT PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source of Funding: No additional funding required (covered under Blanket Appropriation Ordinance 2005-1102 S-00019A-00RE-2-01 Water and Sewer System Consolidated Construction Fund 755)	F&A Budget:
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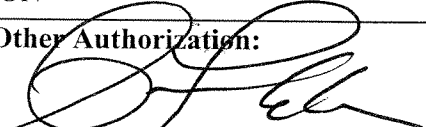
SPECIFIC EXPLANATION:
The Department of Public Works and Engineering is requesting that an ordinance for the BROAD OAKS WATERLINE REPLACEMENT PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. This project is part of the City's Water Line Replacement Program and is required to replace and upgrade water lines within the City to increase circulation and availability of water. This project consists of the design of approximately 429 linear feet of water lines.

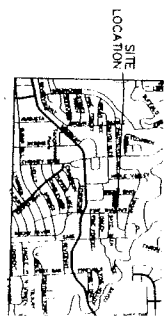
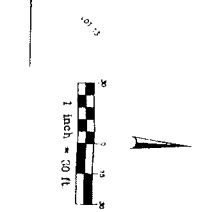
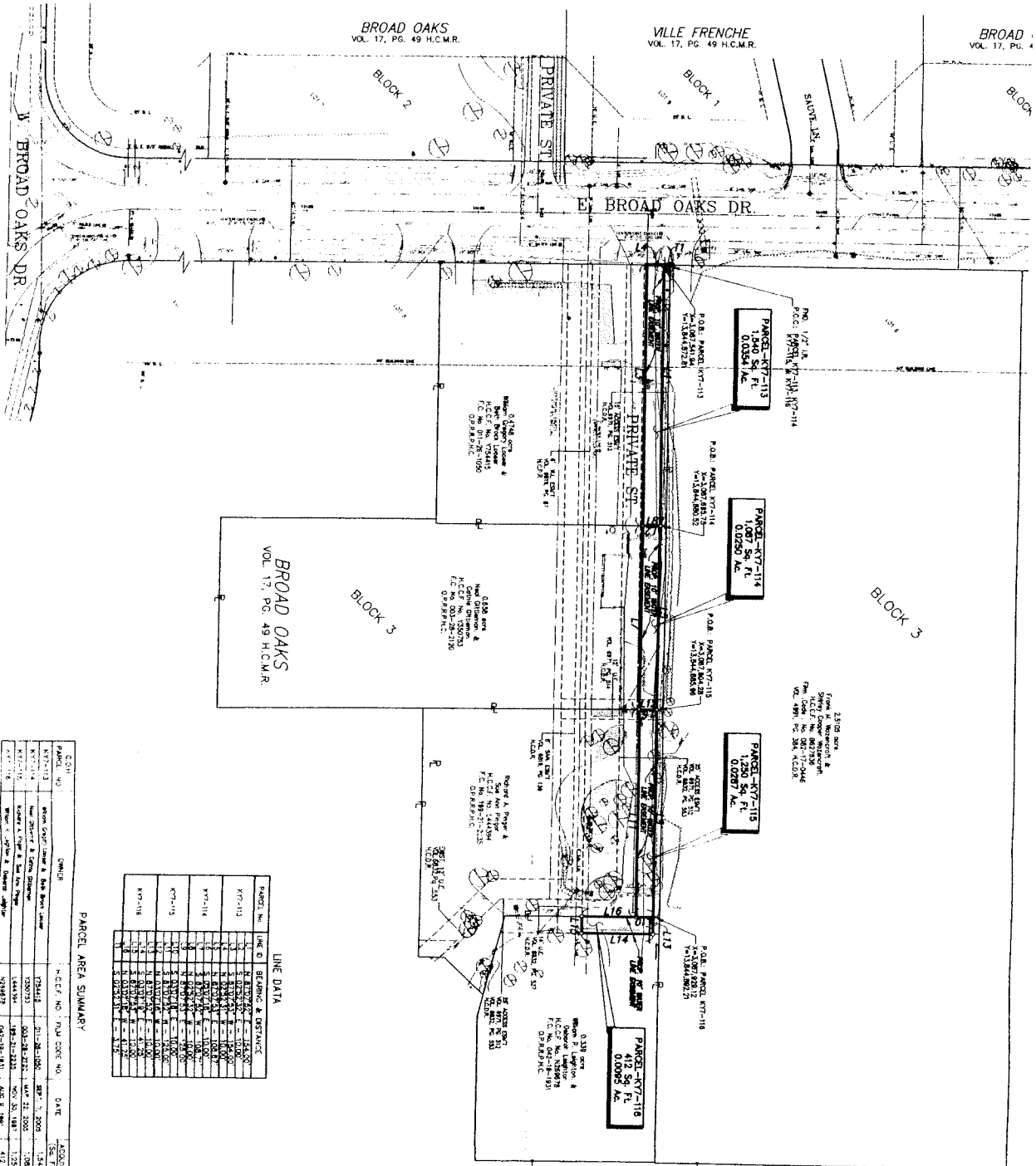
This action authorizes payment for costs of land purchases/condemnations, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause to be filed proceedings in Eminent Domain and acquire rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase considerations in an amount of \$25,000.00 or greater will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the BROAD OAKS WATERLINE REPLACEMENT PROJECT.

MSM: NPC: mp
S:\reales\phelps\Broad Oaks\RCA Blanket Condemnation
cc: Marty Stein

CUIC #20MTP70

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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NOTES:

- The bearing and coordinate shown are based on the Texas State Plane Coordinate System, Zone 14N, NAD 83. All distances shown are in feet.
- Aerial and boundary field notes description has been prepared in accordance with the Texas Surveying Act.

SURVEYOR'S CERTIFICATE:

I, Charles S. Saffery, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was conducted under my supervision and in accordance with the laws of the State of Texas, and that the same is a true and correct representation of the ground as shown on the ground at the time of survey. The map or plat of this survey is subject to the provisions of the laws of the State of Texas relating to the practice of land surveying in Texas as provided by the Texas Surveying Act (English Edition).

Date: _____

Signature: _____
 Charles S. Saffery
 Registered Professional Land Surveyor
 State of Texas, No. 5000



LINE DATA

PARCEL NO.	LINE ID	BEARING & DISTANCE
K77-113	1	N 89° 52' 30" E 100.00
	2	S 89° 52' 30" W 100.00
K77-114	1	N 89° 52' 30" E 100.00
	2	S 89° 52' 30" W 100.00
K77-115	1	N 89° 52' 30" E 100.00
	2	S 89° 52' 30" W 100.00
K77-116	1	N 89° 52' 30" E 100.00
	2	S 89° 52' 30" W 100.00
K77-117	1	N 89° 52' 30" E 100.00
	2	S 89° 52' 30" W 100.00
K77-118	1	N 89° 52' 30" E 100.00
	2	S 89° 52' 30" W 100.00

PARCEL AREA SUMMARY

PARCEL NO.	AREA (AC)	DATE	ACQUISITION DATE
K77-113	0.0250	08/11/2008	08/11/2008
K77-114	0.0250	08/11/2008	08/11/2008
K77-115	0.0250	08/11/2008	08/11/2008
K77-116	0.0250	08/11/2008	08/11/2008
K77-117	0.0250	08/11/2008	08/11/2008
K77-118	0.0250	08/11/2008	08/11/2008

LEGEND:

- BOUNDARY LINE
- EASEMENT
- RIGHT-OF-WAY
- UTILITY
- FENCE
- CONCRETE
- ASPHALT
- GRAVEL
- SAND
- CLAY
- SILT
- ROCK
- VEGETATION
- WATER
- ROAD
- RAILROAD
- AIRWAY
- CANAL
- DRAINAGE
- FLOODPLAIN
- ZONING
- DISTRICT
- COUNTY
- STATE
- FEDERAL

WATER LINE REPLACEMENT IN BROAD OAKS
 WMS NO. S-00003-001-5, REE NO. WA 108

EASEMENT ACQUISITION
 PARCEL NO. K77-113, PARCEL NO. K
 PARCEL NO. K77-115 & PARCEL NO.
 OUT OF

CHARLES SAFFERY, A-697
 HARRIS COUNTY, TEXAS

Kuo & Associates, Inc.
 Consulting Engineers & Surveyors
 2000 West Loop West, Suite 100, Houston, Texas 77056
 Phone: (713) 865-1111 Fax: (713) 865-1112

CITY OF HOUSTON
 PUBLIC WORKS AND
 ENGINEERING DEPARTMENT

ASSIGNED SURVEYOR: _____
 DATE: _____

PROJECT: WATER REPLACEMENT
 DATE: _____


PARCEL NO.: K77-113, K77-115 & K77-116
 FIELD BOOK NO.: _____
 C.E. NO.: S-00003-001-5

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

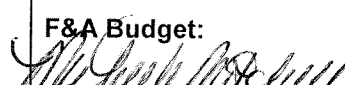
SUBJECT: Professional Services Contract between the City and TSC Surveying Company for On-Call Professional Surveying Services.	Category #1,9	Page 1 of 2	Agenda Item # 49
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date February 28, 2007	Agenda Date AUG 01 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: All
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For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074	Date and identification of prior authorizing Council action: N/A
--	---

RECOMMENDATION: (Summary) Approve and Authorize Professional Services Contract with TSC Surveying Company and allocate funds.

Amount and Source of Funding: \$150,000.00 from General Fund No. 1000. <i>PIR 6/1/07</i>	F&A Budget: 
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SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This survey services contract will provide on-call professional surveying services for Non-Capital Improvement Plan General Fund projects.

DESCRIPTION/SCOPE: The Public Works Department has determined a need for on-call professional surveying services to supplement and assist staff for varied surveying tasks, including boundary, topographic, route, utility, right-of-way, elevation certifications and any other type or style of surveying as needs may arise. The terms of the contract are for a three (3) year period or limit of appropriation, whichever lapses first. Termination can be at the City's or contractor's prerogative with formal written notification to the other.

LOCATION: The contract will cover miscellaneous locations throughout the city.

SCOPE OF CONTRACT AND FEE: Under the terms of the contract, the survey company will perform surveying services as needed. The contractors will be paid for the survey work performed for each site/project based upon a negotiated fee schedule.

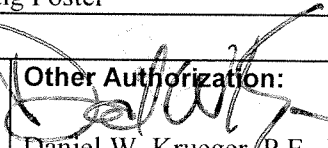
The total of the contract is \$150,000.00.

M/WBE INFORMATION: The M/WBE goal established for the project is 24%.

Name of Firms	Work Description	Amount	% of Total Contract
Rahaman and Associates, Inc., DBA Western Group Consultants	Surveying	\$36,000.00	24%

MSM:DWK:JTL:RDT
G:\Survey\RCA\RODS\Additional App RCA1.doc

cc: Marty Stein Daniel W. Krueger, P.E. Velma Laws Gary Norman Craig Foster

REQUIRED AUTHORIZATION		CUIC ID #20RT08
F&A Director:	Other Authorization:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering, & Construction Division

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:
Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

Agenda Item#

1st Reading

50

FROM: (Department or other point of origin):

Judy Gray Johnson, Director
Finance and Administration

Origination Date
7/19/07

Agenda Date
AUG 01 2007

DIRECTOR'S SIGNATURE:

Judy Gray Johnson

Council Districts affected:

ALL

For additional information contact:

Wendy E. Thomas Phone: (713) 837- 9623
Tina Paez Phone: (713) 837- 9630

Date and identification of prior authorizing Council Action: Ord. # 2002-526 – June 19, 2002;
Ord. # 2002-1166-December 18, 2002.

RECOMMENDATION: (Summary)

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

Amount of Funding:
NA

F & A Budget:

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

SPECIFIC EXPLANATION:

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

1. Designing Techniques, L.L.C. d/b/a Duran's Your Dumpster.Com

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

REQUIRED AUTHORIZATION

F&A Director:

44

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA #	
SUBJECT: Ordinances granting Commercial Solid Waste Operator Franchises		Category # 51 #53	Page 1 of 1 36 to 38
FROM: (Department or other point of origin): Judy Gray Johnson, Director Finance and Administration		Origination Date 7-13-07	Agenda Date JUL 18 2007 AUG 01 2007
DIRECTOR'S SIGNATURE: <i>Judy Gray Johnson</i>		Council Districts affected: 2nd Reading ALL	
For additional information contact: Wendy E. Thomas Phone: (713) 837- 9623 Tina Paez Phone: (713) 837- 9630		Date and identification of prior authorizing Council Action: Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.	

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding: NA	F & A Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund Other (Specify)

SPECIFIC EXPLANATION:

It is recommended that City Council approve three ordinances granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

1. Eagle Prentice
2. HazWaste Environmental
3. Specialized Maintenance Services, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, 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 terms expire on December 31, 2013.

It is recommended that City Council approve the three proposed ordinances granting Commercial Solid Waste Operator franchises to the Franchisees.

REQUIRED AUTHORIZATION

F&A Director:



CITY OF HOUSTON

Legal Department

Interoffice

Correspondence

54 ~~43~~

58

To: Anna Russell
City Secretary

~~AUG 01 2007~~ ~~APR 04 2007~~

From: Arturo G. Michel
City Attorney

~~MAR 21 2007~~

Date: January 19, 2007

26 #5

~~JUL 11 2007~~ ~~JUN 06 2007~~

Subject: Teresa Argueta's Appeal to City Council from a Decision of the General Appeals Board
District I

By the attached memorandum dated January 5, 2007, you have requested advice as to whether an appeal filed by Teresa Argueta, regarding the denial of a manufactured home hardship extension by the General Appeals Board ("Board") is timely and may be granted.

The Board denied the extension of Teresa Argueta's manufactured home hardship permit following a hearing held December 21, 2006. Section 112.3 of the Houston Building Code provides that an appeal from a decision of the Board may be perfected by filing a written request with the city secretary within ten days after the date that the written decision of the Board is mailed to the appellant by the Board secretary. Since the Board's written decision was mailed on January 9, 2007, and your date stamp on the request shows filing on January 3, 2007, the appeal is timely. Please note that pursuant to Rule 12, City Council Rules, this matter may only be considered on the basis of the written record of the proceeding before the board. Thus, it may not be placed on the City Council Agenda until the written record is received by your office.

If you have any questions concerning this memorandum, please advise.

AGM:MNA *me*

Attachment

cc: Gary Bridges, PWE
Richard Torres, PWE

H:\MNA\GENAPP\APPMEMO\ARGUETA.WPD

NOTE: TRANSCRIPT SENT WITH AGENDA ITEM 58 3/28/07

RECEIVED
JAN 22 2007
CITY SECRETARY

55
AUG 01 2007

MOTION NO. 2007

MOTION by Council Member Khan that the recommendation of the Finance and Administration Department, on bids received for Mountain Bicycles for the Police Department, S08-S22358, be adopted, and authority is hereby given to issue purchase orders, as needed, for a 60-month period to Bowling Bicycles, Inc., on their low overall bid for line Item Nos. 1, 3, 5, 7, 9, 10, 11, 13, 15, 17 and 19 (various sizes of mountain bicycles) and Price List Nos. 1 and 2, (Hans Johnson Bicycle and Giant Bicycle Tools Price Lists) which includes but are not limited to brake pads, brake cables, tires, handle bar chains, spokes and repair tools in an amount not to exceed \$239,746.20.

Seconded by Council Member Alvarado

Council Members Johnson and Holm absent on personal business

On 07/18/2007 the above motion was tagged by Council Member Clutterbuck.

mla

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7428

Subject: Formal Bids Received for Mountain Bicycles for the Police Department
S08-S22358

Category #
4

Page 1 of 2 Agenda Item

55 #0

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

May 25, 2007

Agenda Date

AUG 01 2007
~~JUL 18 2007~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Bowling Bicycles, Inc. on its low overall bid in an amount not to exceed \$239,746.20 for mountain bicycles for the Police Department.

Estimated Spending Authority \$239,746.20

F & A Budget

\$239,746.20 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Bowling Bicycles, Inc. on its low overall bid in an amount not to exceed \$239,746.20 for mountain bicycles and replacement parts for the Police Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This award consists of two price lists for bicycle parts and line items for mountain bicycles of various sizes. These bicycles will be used by the Department's Bicycle Patrol Division to patrol various locations within the City.

This is a price list and line item contract. Relative to a price list contract, the best discount, which determines the low bid for a price list, is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for sample pricing items does not represent the total amount estimated to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the life of the contract based on the low bid submitted for the representative samples.

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

Bowling Bicycles, Inc.: Award on its low overall bid for line Item Nos. 1 3, 5, 7, 9, 10, 11, 13, 15, 17, and 19 (various sizes of mountain bicycles) and Price List Nos. 1 and 2, (Hans Johnson Bicycle and Giant Bicycle Tools Price Lists) which includes but are not limited to brake pads, brake cables, tires, handle bar chains, spokes and repair tools in an amount not to exceed \$239,746.20.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MD

M 08/01/07

Date:
5/19/2007

Subject: Formal Bids Received for Mountain Bicycles for the Police
Department
S08-S22358

Originator's
Initials
AD

Page 2 of 2

COMPANY

SAMPLE PRICING & LINE ITEM TOTAL

- | | | |
|----|--------------------------------|--|
| 1. | Patrol Bike Systems, Inc. | \$126,849.00 (Partial Bid/Higher Unit Price) |
| 2. | Leonard Consulting Group, Inc. | \$159,897.00 (Partial Bid/Higher Unit Price) |
| 3. | Bowling Bicycles, Inc. | \$239,746.20 |

Buyer: Angela Dunn

Attachment: MWBE zero-percentage goal document approved by the Affirmative Action Division

Estimated Spending Authority:

DEPARTMENT	FY08	OUTYEARS	TOTAL
POLICE	\$47,949.24	\$191,796.96	\$239,746.20



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Angela Dunn

Date: November 10, 2006

Subject: MWBE Participation Form

I am requesting a **waiver** of the MWBE Goal: Yes No Type of Solicitation: Bid Proposal

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes No

I am requesting a **revision** of the MWBE Goal: Yes No Original Goal: 0% New Goal: 0%

If requesting a revision, how many solicitations were received: 0

Solicitation Number: S08-22111 (RE BID-522358) #2 Estimated Dollar Amount: \$326,928.00

Anticipated Advertisement Date: 11/26/2006 Solicitation Due Date: 1/4/2007

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

If goal was not met, what did the vendor achieve: 0%

Name and Intent of this Solicitation:
Mountain Bicycles for The Houston Police Department.

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

The mountain bikes will be shipped directly from the manufacturer professionally assembled and tuned with wheels properly tensioned to the City's dock. As such, there is no opportunity for M/WBE subcontracting.

Concurrence:

SPD Initiator

Division Manager


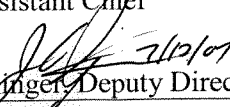
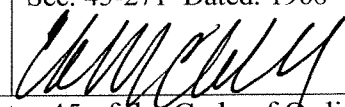
Velma Laws, Director
*Affirmative Action

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

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

File location: <http://choice.net/spd/forms.html>

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance amending Chapter 45 of the Code of Ordinances, Houston, Texas, relating to Commercial Vehicle Weight, Width, Length and Height; Declaring Certain Conduct to be Unlawful and Providing a Penalty		Category #	Page 1 of 1	Agenda Item # 56 75
FROM (Department or other point of origin): Harold L. Hurtt, Chief Of Police Houston Police Department		Origination Date 7/09/07		Agenda Date AUG 01 2007 JUL 18 2007
DIRECTOR'S SIGNATURE:  C. A. McClelland Acting Chief of Police		Council District affected: All		
Requested by: Teresa Curry, Sergeant Phone: 713-247-4034 For additional information contact: Vicki King, Assistant Chief Phone: 713-308-1560 Approved by:  7/12/07 Joseph A. Fenninger, Deputy Director Phone: 713-308-1708		Date and identification of prior authorizing Council action: Sec. 45-271 Dated: 1968 		
RECOMMENDATION: Approve an ordinance amending Chapter 45 of the Code of Ordinances, relating to Vehicle weight, width, length, and height; Declaring Certain Conduct to be Unlawful and Providing a Penalty				
Amount and Source of Funding: None			F & A Budget:	
SPECIFIC EXPLANATION:				
<p>The Chief of Police recommends that City Council approve an ordinance modifying Chapter 45 of the Code of Ordinances to include restrictions for Weight, Width, Length and Height, issuance of permits, route designation, and peace officer escorts for movement of commercial vehicle loads over the maximum limits.</p> <p>Modifications to the ordinance are as follows:</p> <p>PERMITS REQUIRED for any person desiring to operate a commercial vehicle on city streets carrying a load in excess of the weight, width, length or height limits. It sets out the application process, the contents of each permit (including a description of the load to be carried), and the permit fee structure for each type of permit, as well as establishing a review of the permit fee structure on an annual basis.</p> <p>It further provides that F & A, in consultation with the Chief of Police (or his designee) and the Director of Public Works and Engineering (or his designee), shall promulgate application and permit forms and develop written rules and regulations for the administration of the article.</p> <p>PERMIT FEE DISTRIBUTION between Houston Police Department (for truck enforcement), Public Works and Engineering (for street and infrastructure maintenance) and Finance and Administration (for permit issuance and administrative services associated with permit issuance).</p> <p>Said permits will be issued through Finance and Administration, upon approval by HPD and PWE.</p>				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

REDLINE

ARTICLE VII. RESERVED VEHICLE DIMENSIONS

DIVISION 1. GENERALLY

Sec. 45-161. Definitions.

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

Axle load means the total load transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart, extending across the full width of the vehicle.

Enforcement tolerance means an allowance of up to five percent of the maximum gross weight allowed under section 45-163 of this article.

Motorcycle escort means a full-time peace officer who has completed the appropriate training to perform motorcycle escort services under this article, as provided in rules promulgated by the chief of police.

Police official means the chief of police or such other person as he may designate to act as the official primarily responsible for the administration of this article or the said official's designees.

Ready-mixed concrete truck means a concrete pump truck or a vehicle designed exclusively to transport or manufacture ready-mixed concrete, which is a perishable product, and includes a vehicle designed exclusively to transport and manufacture ready-mixed concrete.

Tandem axles means two or more axles spaced 40 inches or more apart from center to center having at least one common point of weight suspension.

Towing device means a device used to tow a vehicle behind a motor vehicle by supporting one end of the towed vehicle above the surface of the road and permitting the wheels at the other end of the towed vehicle to remain in contact with the road.

Truck-tractor means a motor vehicle designed or used primarily for drawing another vehicle and that is not constructed to carry a load other than a part of the weight of the vehicle and load being drawn; or that is engaged with a semitrailer in

the transportation of automobiles or boats and that transports the automobiles or boats on part of the truck-tractor.

Truck-trailer means a combination of a truck or commercial vehicle and trailer, as defined in article I of this chapter.

Sec. 45-272: 162. Weight, width, length, and height limits on specific streets.

(a) When signs are erected giving notice thereof, no person shall operate any vehicle with a gross weight in excess of the amounts specified on such signs at any time upon any of the streets or parts of streets so signed. Under this section, as vehicle weight is indicated by the number of axles supporting such vehicles, signs limiting the number of axles on through vehicles shall be official.

(b) ~~When~~ Notwithstanding any of the foregoing provisions regarding maximum weight, width, length, or height, when signs are erected stating "No Through Trucks," no person shall operate any commercial vehicle exceeding 3,000 pounds gross weight or posted width, length, or height, determined upon the basis of an engineering and traffic investigation conducted by the department, at any time upon any of the streets or parts of streets so signed, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise or for vehicle storage and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter.

Sec. 45-274: Generally: 163. Maximum weight.

~~(a) Except as otherwise provided by law, no person shall operate a commercial motor vehicle, truck-tractor, truck-trailer, trailer or semitrailer, nor or combination of such vehicles, shall be operated over, on, or upon the public streets and highways within the corporate limits of the city, having a weight carrying a load or equipment and weighing in excess of one or more of the following limitations:~~

- (1) ~~No such vehicle nor or combination of vehicles shall have a greater weight than 20,000 pounds load or equipment consisting of a weight greater than 16,000 pounds on high-pressure tires on any one axle; or 20,000 pounds on low-pressure tires~~ carried on any one axle, including all enforcement tolerances; or within a tandem axle weight in excess of 34,000 pounds, including all enforcement tolerances; or with an overall gross weight on a group of two or more consecutive axles ~~produced by application of heavier than the weight computed using the following formula and rounding the result to the nearest 500 pounds:~~

$$W = 500 \frac{LN}{N-1} + 12N + 36$$

Where:

W = Overall gross weight on any group of 2 or more consecutive axles to the nearest 500 pounds;

L = Distance in feet between the extreme of any group of 2 or more axles; and

N = The number of axles in the group under consideration.

Notwithstanding the above, two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is 36 feet or more; provided, that such overall gross weight may not exceed 80,000 pounds, including all enforcement tolerances.

Also notwithstanding the provisions above, a ready-mixed concrete truck may be operated over, on, or upon the public streets within the corporate limits of the city if the tandem axle weight is 46,000 pounds or less and the single axle weight is 23,000 pounds or less.

- (2) No such ~~vehicles~~ vehicle nor combination of vehicles shall have a load weight greater ~~weight~~ than 600 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway and using high-pressure tires, and a greater weight than 650 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway and using low-pressure tires, and no wheel shall carry a load in excess of 8,000 pounds on high-pressure tires and 10,000 pounds on low-pressure tires, nor any axle a load in excess of 16,000 pounds on high pressure tires, and 20,000 pounds on low-pressure tires.
- (3) ~~Nothing in this section shall be construed as permitting size or weight limits on the national system of interstate and defense highways within the corporate limits of the city in excess of those permitted under 23 U.S.C. section 127. If the federal government prescribes or adopts vehicle size or weight limits greater than those prescribed by 23 U.S.C. section 127 for the national system of interstate and defense highways, the increased limits shall become effective on the national system of interstate and defense highways within the corporate limits of the city.~~

Notwithstanding item (1) of this section relating to overall gross weight on a group of two or more consecutive axles, two consecutive sets of tandem axles may carry a gross load of not more than 34,000 pounds each if the overall distance between the first and last axles of the consecutive sets is 36 feet or more. The overall gross weight on a group of two or more consecutive axles may not be heavier than 80,000 pounds, including all enforcement

tolerances, regardless of tire ratings, axle spacing (bridge), and number of axles.

(4) Nothing in this section shall be construed to deny the operation of any vehicle or combination of vehicles that could be lawfully operated on a highway or road of this state upon the highways and roads within the corporate limits of the city on December 16, 1974, or vehicles operated exclusively at a private port of entry, on a private road associated with a port of entry, and across a public highway between private roads associated with the port of entry under a contract under Section 623.052 of the Texas Transportation Code.

~~(5) In this section, an axle load is defined as the total load transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart, extending across the full width of the vehicle. Tandem axle group is defined as two or more axles spaced 40 inches or more apart from center to center having at least one common point of weight suspension.~~

~~(b) [The first paragraph of this subsection moved to Sec. 45-170 and revised as shown below.]~~

~~[The second paragraph of this subsection moved to Sec. 45-171(a) and revised as shown below.]~~

~~[The third paragraph of this subsection moved to Sec. 45-171(b) and revised as shown below.]~~

~~(c) [This subsection moved to Sec. 45-167 and revised as shown below.]~~

~~(d) [This subsection moved to Sec. 45-168© and revised as shown below.]~~

~~(e) [This subsection moved to Sec. 45-203 and revised as shown below.]~~

~~(f) [This subsection moved to Sec. 45-204 and revised as shown below.]~~

~~(g) The driver, owner, operator, or other person operating or driving any commercial motor vehicle, truck, tractor, trailer or semitrailer or combination of such vehicles, over, on, or upon city streets or public highways within the limits of the city, who fails to comply with the provisions of this section, shall be guilty of a misdemeanor which shall be punishable, upon conviction, by a fine of not less than \$100.00 and not more than \$200.00.~~

~~(h) All persons have the affirmative duty to comply with all provisions of this article, and it shall not be a defense to prosecution of such persons that they were acting without a culpable mental state.~~

Sec. 45-164. **Maximum width.**

Except as otherwise provided by law, no person shall operate a commercial vehicle, truck-tractor, truck-trailer, trailer or semitrailer, nor combination of such vehicles, having a width greater than 102 inches, including a load on the vehicle but excluding any safety device determined by the United States Department of Transportation or the Texas Department of Public Safety to be necessary for the safe and efficient operation of motor vehicles of that type, over, on, or upon the public streets within the corporate limits of the city.

Sec. 45-165. **Maximum length.**

(a) Except as otherwise provided by law, including Section 622.902 of the Texas Transportation Code or its successor pertaining to length exceptions, no person shall operate a semitrailer in a truck-tractor and semitrailer combination, other than a truck-tractor combination, having a length in excess of 65 feet, excluding the length of the towing device or safety device determined by regulation of the United States Department of Transportation or rule of the Texas Department of Public Safety for the safe and efficient operation of motor vehicles, over, on, or upon the public streets within the corporate limits of the city. Nothing in this subsection shall be construed to deny the operation of any vehicle or combination of vehicles that could be lawfully operated in this state on December 1, 1982.

(b) Except as otherwise provided by law, no person may operate a commercial vehicle or combination of commercial vehicles carrying a load that extends more than three feet beyond its front or more than four feet beyond its rear over, on, or upon the public streets within the corporate limits of the city unless:

- (1) It is a commercial vehicle actively engaged in collecting garbage, rubbish, refuse, or recyclable materials; or
- (2) The load extends four feet beyond the rear of the trailer and consists of a motor vehicle that:
 - a. Is designed or intended to be carried at the rear of the trailer;
 - b. Is used or intended to be used to load or unload goods or equipment on or off the trailer;
 - c. Does not extend more than seven feet beyond the rear of the trailer; and
 - d. Complies with each applicable federal motor vehicle carrier safety regulation.

Sec. 45-166. **Maximum height.**

Except as otherwise provided by law, no commercial motor vehicle, truck-tractor, truck-trailer, trailer or semitrailer, nor combination of such vehicles, having a height in excess of 14 feet, shall be operated over, on, or upon the public streets within the corporate limits of the city. An operator of a vehicle that is higher than 13 feet 6 inches shall ensure that the vehicle will pass through each vertical clearance of a structure in its path without touching the structure. Any damage to a bridge, underpass, or similar structure that is caused by the height of a vehicle is the responsibility of the owner of the vehicle.

Sec. 45-167. **Permits required.**

~~© Any person desiring to operate a vehicle on city streets in excess of the limits set out herein shall first obtain a special permit from the finance and administration department. It shall be unlawful for any person to operate or direct another to operate a vehicle on city streets carrying a load that cannot be reasonably dismantled and transported separately, in excess of the weight, width, length, or height limits set out in this article without first obtaining a permit. A permit issued under this article may not be transferred.~~

Sec. 45-168. **Exceptions.**

(a) **House moving.** The limitation as to weight, width, length or height prescribed by this article shall not apply to moving of houses pursuant to article III of chapter 10 of this Code.

(b) **Commercial solid waste franchises.** The limitations as to weight, width, length or height prescribed by this article shall not apply to the collection, hauling or transportation of solid waste or industrial waste pursuant to article VI of chapter 39 of this Code.

~~(d)~~ (c) **Road making and road repairing machinery operated by a governmental entity.** The limitation as to weight, width, length, or height prescribed by this ~~section~~ article shall not apply to road rollers or other road making or road repairing machinery being moved or used on a street by the United States, the state, any political subdivision of the state, the city, or any contractor moving or using such road machinery in the performance of or preparatory to the performance of a contract with any one of the United States, the state, any political subdivision of the state, or the city, but in the event of any such road making or road repairing machinery of a weight in excess of the limit set out herein being moved or used over the streets or bridges in the city, the person in charge thereof shall first obtain from the ~~city engineer~~ director a permit for such movement, which permit shall designate the route or streets and also the bridges over which such movement shall take

place, and such machinery may then be moved, but not elsewhere than over such designated routes, except as provided in subsection (b) of section 45-202 of this Code.

Sec. 45-169. Rules; forms.

The director of finance and administration, in consultation with police official and the director, may issue rules and regulations for the operation of this article and shall promulgate application and permit forms.

Sec. 45-170. Authority to weigh or measure vehicle.

~~(b) ¶11~~ Any police officer having reason to believe that operation of a motor vehicle within the city is unlawful by virtue of the gross weight or axle load of the loaded motor vehicle or the width, length or height of the vehicle is authorized to weigh or measure the same by means of portable or stationary scales or other devices approved by the police department of the city for such use, or the police officer may cause the loaded motor vehicle to be weighed or measured by any public weigher or measurer and may require such vehicle to be driven to the nearest available scales for the purpose of weighing or measuring.

Sec. 45-171. Unloading vehicle if axle load exceeded; exceptions.

~~(b) ¶12~~ (a) If, upon weighing or measuring of the vehicle, a police officer determines that the gross weight, width, length or height of a motor vehicle or an axle load exceeds the maximum permitted by law plus an enforcement tolerance allowance of five percent of the gross weight authorized by law, such police officer may require the operator to unload or rearrange the load to conform to law without proceeding if the police officer determines that such work may be safely accomplished at the site where the vehicle was weighed or measured or may require the operator to proceed to a location where the cargo can be unloaded or rearranged safely without causing disruption to traffic. Such location shall be the nearest such place on authorized city property, on property under the control of the driver or his principal, or on property where consent has been given for such loading and where it is feasible to unload or rearrange such cargo.

~~(b) ¶13~~ (b) Notwithstanding the other provisions of this article, the operator or owner of a vehicle is not required to unload any part of the vehicle's load under this section if the vehicle is loaded with: If the load of a motor vehicle

- (1) consists of Livestock, in which case the operator shall be permitted to proceed to his destination without unloading;
- (2) Raw wood, timber, or pulp wood in their natural state being transported from the place of production to the place of marketing or first processing;

- (3) Agricultural products in their natural state being transported from the place of production to the place of marketing or first processing;
- (4) Ready-mixed concrete;
- (5) Milk;
- (6) Groceries; or
- (7) Any other perishable good or product.

Sec. 45-172. Duty to comply.

All persons have the affirmative duty to comply with all provisions of this article, and it shall not be a defense to prosecution of such persons that they were acting without a culpable mental state.

Sec. 45-173. Penalty for violation.

The driver, owner, operator, or other person operating or driving any commercial vehicle, truck, tractor, trailer or semitrailer or combination of such vehicles, over, on, or upon public streets within the limits of the city, who fails to comply with the provisions of this article, shall be guilty of a misdemeanor which shall be punishable, upon conviction, by a fine of not less than \$200 and not more than \$500.

Secs. 45-174--45-180. Reserved.

DIVISION 2. PERMITS

Sec. 45-181. Display of permits.

(a) A permittee shall display his permits in accordance with rules promulgated by the director of finance and administration or his designee for inspection by any peace officer. Failure to comply with this subsection is unlawful.

(b) **Contents of permit.** A permit under this section shall include:

- a. The name of the applicant;
- b. The date of issuance;
- c. The signature of the director of finance and administration or his designee;

- d. A statement of the kind of equipment to be transported over the street, the weight and dimensions of the equipment, and a description and weight of the commodity or load to be transported; and
- e. A statement of any condition on which the permit is issued.

Sec. 45-182. **Application.**

Each permit application shall be in writing, filed with the director of finance and administration, and include the following information:

- (1) The kind of equipment to be operated;
- (2) Description of the equipment;
- (3) The weight and dimensions of the equipment;
- (4) The width, height, and length of the equipment;
- (5) A description of goods or equipment to be transported and the weight of the total load;
- (6) Date and signature of the applicant;
- (7) The address of the final destination of the goods or equipment;
- (8) A proposed trip route over which the load or equipment is to be carried, if the application is for a single trip permit, or the region or area which the load or equipment is to be carried, if the application is for other than a single trip permit;
- (9) An approximate date and time of travel;
- (10) Proof of valid insurance in the amount required under regulations established by the director; and
- (11) A statement regarding whether the goods or equipment can be reasonably dismantled to facilitate transport.

Sec. 45-183. **Fees.**

(a) Upon approval of the application the director of finance and administration or his designee shall prescribe the appropriate fees based on the following fee schedules:

<u>Type of Permit/Term</u>	<u>Permit Fee</u>	<u>Roadway Maintenance Fee</u>	<u>Processing/Administrative Fee</u>	<u>Total</u>
<u>Overweight - Single Trip</u>	<u>\$25.00</u>	<u>\$110.00</u>	<u>\$10.00</u>	<u>\$145.00</u>
<u>Overweight - 30 Day</u>	<u>\$25.00</u>	<u>\$140.00</u>	<u>\$10.00</u>	<u>\$175.00</u>
<u>Overweight - 60 Day</u>	<u>\$25.00</u>	<u>\$315.00</u>	<u>\$10.00</u>	<u>\$350.00</u>
<u>Overweight - 90 Day</u>	<u>\$25.00</u>	<u>\$490.00</u>	<u>\$10.00</u>	<u>\$525.00</u>
<u>Overweight - Super Heavy</u>	<u>\$25.00</u>	<u>\$795.00</u>	<u>\$10.00</u>	<u>\$830.00</u>
<u>Overweight - Annual</u>	<u>\$25.00</u>	<u>\$1,840.00</u>	<u>\$10.00</u>	<u>\$1875.00</u>
<u>Mobile Crane - Single Trip</u>	<u>\$25.00</u>	<u>\$110.00</u>	<u>\$10.00</u>	<u>\$145.00</u>
<u>Mobile Crane - 30 Day</u>	<u>\$25.00</u>	<u>\$155.00</u>	<u>\$10.00</u>	<u>\$190.00</u>
<u>Mobile Crane - 60 Day</u>	<u>\$25.00</u>	<u>\$285.00</u>	<u>\$10.00</u>	<u>\$320.00</u>
<u>Mobile Crane - 90 Day</u>	<u>\$25.00</u>	<u>\$335.00</u>	<u>\$10.00</u>	<u>\$470.00</u>
<u>Mobile Crane - Annual</u>	<u>\$25.00</u>	<u>\$915.00</u>	<u>\$10.00</u>	<u>\$950.00</u>
<u>Overlength or overwidth - Single Trip</u>	<u>\$25.00</u>	<u>\$60.00</u>	<u>\$10.00</u>	<u>\$95.00</u>
<u>Overlength or overwidth - 30 Day</u>	<u>\$25.00</u>	<u>\$100.00</u>	<u>\$10.00</u>	<u>\$135.00</u>
<u>Overlength or overwidth - 60 Day</u>	<u>\$25.00</u>	<u>\$235.00</u>	<u>\$10.00</u>	<u>\$270.00</u>
<u>Overlength or overwidth - 90 Day</u>	<u>\$25.00</u>	<u>\$370.00</u>	<u>\$10.00</u>	<u>\$405.00</u>
<u>Overlength or overwidth - Annual</u>	<u>\$25.00</u>	<u>\$1,465.00</u>	<u>\$10.00</u>	<u>\$1500.00</u>
<u>Overheight - Single Trip</u>	<u>\$25.00</u>	<u>\$150.00</u>	<u>\$10.00</u>	<u>\$185.00</u>
<u>Annual Package Permit</u>	<u>\$25.00</u>	<u>\$2,000.00</u>	<u>\$10.00</u>	<u>\$2,035.00</u>
<u>Semi-Annual Package Permit</u>	<u>\$25.00</u>	<u>\$1,200.00</u>	<u>\$10.00</u>	<u>\$1,235.00</u>

The director of finance and administration or his designee shall not issue a permit until the fee for that permit has been paid in full to the director of finance and administration or his designee. A permittee who has paid the requisite fees is not entitled to a refund of those fees.

(b) The fee schedule shall be reviewed and approved by the director of finance and administration on an annual basis and adjusted to fully recover the city's costs, taking into account permit issuance and renewal costs, inspection and oversight services that may be required, and equipment and resource utilization, provided that no fee increase in excess of 15 percent shall be implemented without prior approval of the city council.

(c) The director may also establish fees for road maintenance for overweight, overlength, and overwidth trucks, tractors, trailers or semitrailers or combination of such vehicles, under this section, which fees shall be reviewed and adjusted on an annual basis in the manner established in the preceding subsection.

(d) All fees charged pursuant to this article shall be set out in a fee schedule approved by the director and the police official, and a copy of which shall be kept in the offices of the police official, the director, the director of finance and administration and the city secretary for public inspection. The police official shall consider the actual and direct costs of services provided in determining amounts to be charged pursuant to this article. In accordance with the fee schedule set forth in subsection (a) of this section, all fees collected under this article shall be allocated as follows:

- (1) All permit fees shall be distributed to the police department for truck enforcement;
- (2) All roadway maintenance fees shall be distributed to the department of public works and engineering for right-of-way, street and infrastructure maintenance and repair; and
- (3) All administrative/processing fees shall be directed to the department of finance and administration for administrative and processing fees associated with administration of this article.

Sec. 45-184. Rejection or revocation.

The director of finance and administration or his designee may reject an original application or revoke an existing permit, if, as a result of consideration of the information in the application by the finance and administration department, the police official, or the director it is determined that:

- (1) The application does not meet the requirements of this article;
- (2) The overall weight, length, width, or height of the trucks, tractors, trailers or semitrailers or combination of such vehicles, exceeds the weight capacity or permissible length, width, or height of a street, bridge, culvert or other infrastructure of the city within the proposed route and the director is unable to designate an alternate route over which such vehicle may travel; or
- (3) The permittee violates a requirement of his permit.

Sec. 45-185. Notice.

If the director of finance and administration or his designee rejects an application or revokes an existing permit, the director of finance and administration or his designee

shall give written notice to the applicant in the same manner in which the application was received. The notice shall specifically set forth the reasons for the rejection or revocation.

Sec. 45-186. **Appeal.**

The applicant shall have 10 days from the date of the receipt of the notice of rejection or revocation to appeal the rejection to the director of finance and administration or his designee. Upon receipt of such notice, the director or finance or administration shall notify the applicant of the date and time of the hearing, to be held at the earliest time practicable.

Sec. 45-187. **Hearing.**

(a) All hearings shall be held before a hearing officer appointed by the director of finance and administration who shall not designate any person to perform the duties of hearing officer under this section who has prior knowledge of the circumstances regarding the rejection, refusal, or revocation of the license. The hearing officer may, prior to the hearing, receive a copy of the notice given to the applicant.

(b) An assistant city attorney may be present at the hearing to advise the hearing officer as to procedural matters; however, the attorney shall not participate in any determination of the facts.

(c) All hearings shall be conducted under rules established by the director of finance and administration that are consistent with the informal nature of the proceedings; provided, however, the following rules shall apply to all hearings:

- (1) All parties shall have the right to representation by an attorney licensed to practice in Texas though an attorney is not required.
- (2) Each party may present witnesses in his own behalf.
- (3) Each party has the right to cross-examine all witnesses.
- (4) Only evidence presented before the hearing officer at the hearing shall be considered in rendering the decision.

(d) The hearing officer may affirm or reverse a permit rejection, refusal or revocation. The decision of the hearing officer shall be final and shall be delivered in writing to the applicant or license holder in the same manner as a notice under section 45-278 of this Code.

Secs. 45-188--45-200. **Reserved.**

Sec. 45-201. Motorcycle escort required.

(a) If upon review of the permit application and any rules and regulations established under section 45-169, the police official determines that the capacity or contour of the road, street or bridge, or the load or equipment to be transported, requires one or more motorcycle escorts then the permittee shall, before carrying a load or equipment over the roads, streets or bridges of the city, engage at the permittee's own expense, the services of the number of required motorcycle escorts.

(b) If the permittee engages an off-duty peace officer of the city as a motorcycle escort such off-duty peace officer shall not use city-owned vehicles or equipment while engaged in the service of such permittee.

(c) The motorcycle escort is hereby empowered to stop a permitted vehicle which is being moved at any time for the purpose of inspecting the rigging, trucks, and lighting in order to ensure the safety of the move with a minimum of exposure to danger or damage to property.

(d) The motorcycle escort is required to report any damage to persons or property caused by the permittee's vehicle or operation thereof to the director as soon as practicable in a manner approved by the director.

Sec. 45-202. Truck route established.

(a) Prior to issuance of the permit, the police official will approve or deny the prospective trip route over which the load or equipment is to be carried after consultation with the director, if necessary.

(b) If the proposed route is approved, it shall be unlawful for the operator of the commercial vehicle, truck-tractor, truck-trailer, trailer or semitrailer, or combination of such vehicles, to operate such vehicle over, on, or upon any public streets within the corporate limits of the city street not designated as part of the approved route, unless:

- (1) The applicant receives prior written approval from the police official; or
- (2) The operator of the truck is directed to travel on an alternate route by the police official, another peace officer of the State of Texas, a peace officer escort, by signage indicating a detour from the approved route or a closed street or road on the approved route.

(c) If the proposed route is denied, the police official shall provide the applicant with an alternate route, and it shall be unlawful for the operator of the commercial vehicle, truck-tractor, truck-trailer, trailer or semitrailer, or combination of such vehicles, to operate such vehicle over, on, or upon any public streets within the corporate limits of the city street not designated as part of the approved route, unless:

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance consenting to the creation of the Harris County Road Improvement District #1		Category #	Page 1 of 2	Agenda Item 57 21
FROM (Department or other point of origin): Planning and Development		Origination Date June 22, 2007	Agenda Date JUL 18 2007	
DIRECTOR'S SIGNATURE: <i>Marene R. Stapuch</i>		Council District affected: E AUG 01 2007		
For additional information contact: Gavin Dillingham Phone: 713-837-7879		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approve ordinance consenting to the creation of the Harris County Road Improvement District #1.				
Amount and Source of Funding: N/A			F & A Budget:	

SPECIFIC EXPLANATION:

Road improvement districts are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce transportation, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, road improvement districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the District to provide improvements and services. Districts may levy a tax only after holding an election within the district.

The Planning and Development Department recommends City Council consent to the creation of the following district.

Harris County Road Improvement District #1: Authorized by the 78th Legislature in 2003, this district is located entirely in District E. This district will be created in an area that was annexed into the city for limited purposes in conjunction with a strategic partnership agreement with the Clearbrook City Municipal Utility District. Following city consent to the creation of the district, the District's Board of Directors will adopt a service plan that is expected to focus on providing road projects and other improvements to underserved areas in the district.

For this district, the City provides its consent under the following conditions:

1. Bonds will be issued by the District only for the purposes provided in the legislation creating the District. The District must obtain the approval of the City Council of the City of Houston for the issuance of bonds for any improvement project. In lieu of approval of an individual bond issue by the City Council of the City of Houston, the district may obtain approval from the governing body of the City of Houston of a capital improvements budget for a period not to exceed five years setting forth the projects for which the District proposes to issue its bonds. The District shall submit a description of proposed projects and proposed budget to the Director of the Department of Public Works and Engineering of the City of Houston for coordination with the City's capital improvement program and approval by the Director. In the event the District obtains approval of a capital improvements budget, it may issue bonds to finance any capital improvements specified in the approved budget without further approval from the City of Houston.
2. No land will be added or annexed to the district until the City of Houston has given its written consent by Ordinance of the City council to such addition or annexation.
3. Before any construction begins within the district, the district must submit to the Director of the Department of Public Works and Engineering of the City of Houston all plans and specifications for the construction of road facilities to serve the District. Further, they must obtain the approval of such plans and specifications from the City of Houston. All roads and facilities constructed by the district must comply with the City of Houston's standard plans and specifications. Finally, prior to construction of such facilities, the District must give written notice to the director of Public Works and Engineering.

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4. The City Council of the City of Houston may, by a vote of no less than two-thirds (2/3rds) of the entire membership, adopt an ordinance dissolving the District. Upon the adoption of such an ordinance, the District shall be dissolved, and, in accordance with Sections 375.263 and 43.075, Local Government Code, the City of Houston shall (1) succeed to the property and assets of the District and (2) assume all debts, obligations and liabilities of the district.

CC: Marty Stein, Agenda Director Judy Gray Johnson, Director, Finance and Admin.
Arturo Michel, City Attorney Michael Marcotte, Director, PWE


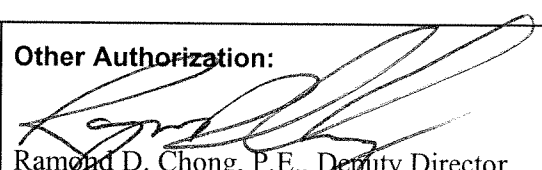
REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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SUBJECT: Contract with Tutor.com, Inc., for the provision of live homework help services.		Category	Page of 1 58	Agenda Item 27
FROM (Department or other point of origin): Library Department		Origination Date 6-22-07		Agenda Date JUL 18 2007 AUG 01 2007
MS DIRECTOR'S SIGNATURE: <i>Rhea Brown Lawson</i> Rhea Brown Lawson, Ph.D., Director	Council District affected: All			
	For additional information contact: Greg Simpson Phone: 832-393-1333		Date and identification of prior authorizing Council action: n/a	
RECOMMENDATION: Adopt an ordinance approving a contract with Tutor.com, Inc., for the provision of online, live homework help for students in grades 4 through 12.				
Amount and Source of Funding: General Fund (1000)			Maximum contract amount (5 years): \$994,615	
F&A Budget:				
SPECIFIC EXPLANATION: It is recommended that Council approve a contract authorizing a one year contract with four one year renewals with Tutor.com, Inc., for the provision of online, live homework help to students who have a Houston Public Library card (Power Card). Tutor.com provides live homework help to students in grades 4 – 12, Sunday through Thursday, from 3 p.m. to 9 p.m. Sessions are one-to-one with no time constraints. Help is available in math, science, social studies and English, including AP material. Tutoring is available in Spanish for math and science. The service is free for all Houston Public Library Power Card holders. It can be accessed in the Library as well as from home. The tutors are certified teachers, university professors, graduate school students, students at accredited four-year colleges and professionals who are experts in their fields. All of the Live Homework Help tutors have received a 7-year criminal background check and reference check from General Information Services (GIS), a third-party background check company (students' credentials are confirmed by their university) and have been certified through the Tutor.com Training Program. The Library has used this service for three years, paid for with private funds and other funding sources. Due to the limitations of those funds, our agreements had restrictions, such as 20 minute limits on the length of a single tutoring session. The success of the service has led us to include this in our operating budget, so that we can fund the service fully and on a regular basis. Last year, over 13,000 students used the service, with positive feedback from students, parents and teachers.				
REQUIRED AUTHORIZATION				
F&A Director:			CUIC ID #	
Other Authorization:		Other Authorization:		

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract with Houston-Galveston Area Council for Public Information Program for Hurricane Evacuation Education Program.		Category	Page 1 of 2	Agenda Item # 59-29
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 6-14-07		Agenda Date JUL 18 2007 AUG 01 2007
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: All		
For additional information contact: John R. Whaley, P.E. Phone: (713) 881-3000 Assistant Director		Date and identification of prior authorizing Council action: None		
RECOMMENDATION: (Summary) Adopt an ordinance approving an agreement between the City of Houston and the Houston-Galveston Area Council (H-GAC) and approving the allocation of funds to create an information campaign to inform the public about hurricane evacuation procedures and plans.				
Amount and Source of Funding: \$34,855.00 from the Greater Houston Transportation and Emergency Center Fund No. 2402.			F&A Budget:	
SPECIFIC EXPLANATION: Many new plans and procedures have been developed to improve evacuation during a hurricane threat to the region since the Hurricane Rita evacuation occurred. There is a need to inform the public on the procedures and resources that are now available to aid in evacuation from the Houston region. The Houston-Galveston Area Council has identified \$224,275.00 of federal funding to create a media public outreach campaign that will inform the public about the plans that have been set in place for evacuating the region and the actions they should take as a hurricane approaches the south Texas coast. This federal funding requires a local match of \$44,855.00. The members of the Houston TranStar consortium, the City of Houston, Harris County, METRO and TxDOT, have each provided 25% of the \$34,855.00 designated by this agreement from the funds they issue to the City for the operation of the Houston TranStar program. The remaining \$10,000.00 of the matching funds is being funded under a separate agreement between Harris County and H-GAC.				
REQUIRED AUTHORIZATION		CUIC ID #20 JRW 09		
F&A Director:	City Attorney's Office:	Other Authorization:  Ramond D. Chong, P.E., Deputy Director Traffic and Transportation Division JRW		

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract with Houston-Galveston Area Council for Public Information Program for Hurricane Evacuation Education Program.	Category	Page 2 of 2	Agenda Item #
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SPECIFIC EXPLANATION: (Continued)

This media information campaign will include the following:

- A marketing consultant will be procured by H-GAC to develop the Hurricane Evacuation Outreach Effort (HEOE), a communications plan that can be utilized by local governments to disseminate information to special needs groups including the elderly, disabled, and non-English speaking persons, along with the public at large.
- The consultant will develop a marketing tool kit for local governments that will consist of flexibly-designed, customizable pieces which can be utilized by governmental agencies, community leaders, media, and other civic organization as part of the HEOE. Each printed collateral piece in the tool kit will be provided as a PDF master, which can be customized and produced at the discretion of each partner helping to promote the outreach effort. These PDFs will be provided on master CDs and made available for download through a section/page on the H-GAC web site. Broadcast mediums such as radio or TV Public Service Announcements (PSAs) will be provided on CD and DVD. The tool kit may contain executions for the following items: posters, door hangers, flyers, stuffers, postcards, ads, and other educational and outreach items. The consultant will also develop training sessions for local governments as necessary to facilitate utilization of the tool kit.
- In addition to the development of the tool kit, the consultant will develop a media plan identifying the most appropriate methods to communicate the importance of awareness of the storm season. This plan will target media with the greatest impact on the under-served audience. PSAs as well as paid advertising will be placed with the appropriate media in the designated target area based on the media plan.

This Council action will authorize the execution of the agreement with H-GAC and the payment of \$34,855 to H-GAC for partial funding of the Federal funding match required to execute this project.

CC: Ray Chong, P. E., Jack Whaley, P.E., Marty Stein, Pat Waskowiak.

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc., for the construction of water, sanitary sewer and storm sewer lines.		Page 1 of 2	Agenda Item # 60 30
S-000800-00M4-4/ R-000800-00M4-4/ M-000800-00M4-4		Origination Date 6/28/07	Agenda Date AUG 01 2007 JUL 18 2007
FROM (Department or other point of origin): Department of Public Works and Engineering		Council District affected: E	
DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director		Date and identification of prior authorizing Council action:	
For additional information contact: Jun Chang, P.E. ^{dc} Phone: (713) 837-0433			
Recommendation: (Summary) Approve a Developer Participation Contract between the City and Obra Homes, Inc., for the City to pay 70% of the cost to construct approximately 4,801 linear feet of water line, 3,981 linear feet of sanitary sewer line and 100% of the cost to construct 2,050 linear feet of storm sewer line to serve the 142-lot subdivision, Lake Way Village Section 1, and appropriate funds.			
Amount & Source of Funding: \$422,583.49 Water & Sewer System Consolidated Construction Fund No. 8500 \$426,000.00 Homeless & Housing Consolidated Fund 4501 \$848,583.49 Total Appropriation			
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences. Obra Homes, Inc. proposes to construct approximately 4,801 linear feet of water line, 3,981 linear feet of sanitary sewer line and 2,050 linear feet of storm sewer line to serve the 142-lot subdivision, Lake Way Village Section 1. The maximum amounts to be reimbursed are as follows:			
Required Authorization:		CUIC# 20JZC155 NDT	
F & A Budget: <i>Michael S. Marcotte</i>	Other Authorization:	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning & Development Services	

Date:

Subject: Developer Participation Contract between City of Houston and Obra Homes, Inc., for the construction of water, sanitary sewer and storm sewer lines.

**Originator's
Initials**

**Page
2 of 2**

Water

70% of construction cost (including interest & 5% contingency):	\$134,647.43
design cost:	<u>\$24,185.25</u>
total:	\$158,832.68

Wastewater

70% of construction cost (including interest & 5% contingency):	\$223,589.81
design cost:	<u>\$40,161.00</u>
total:	\$263,750.81

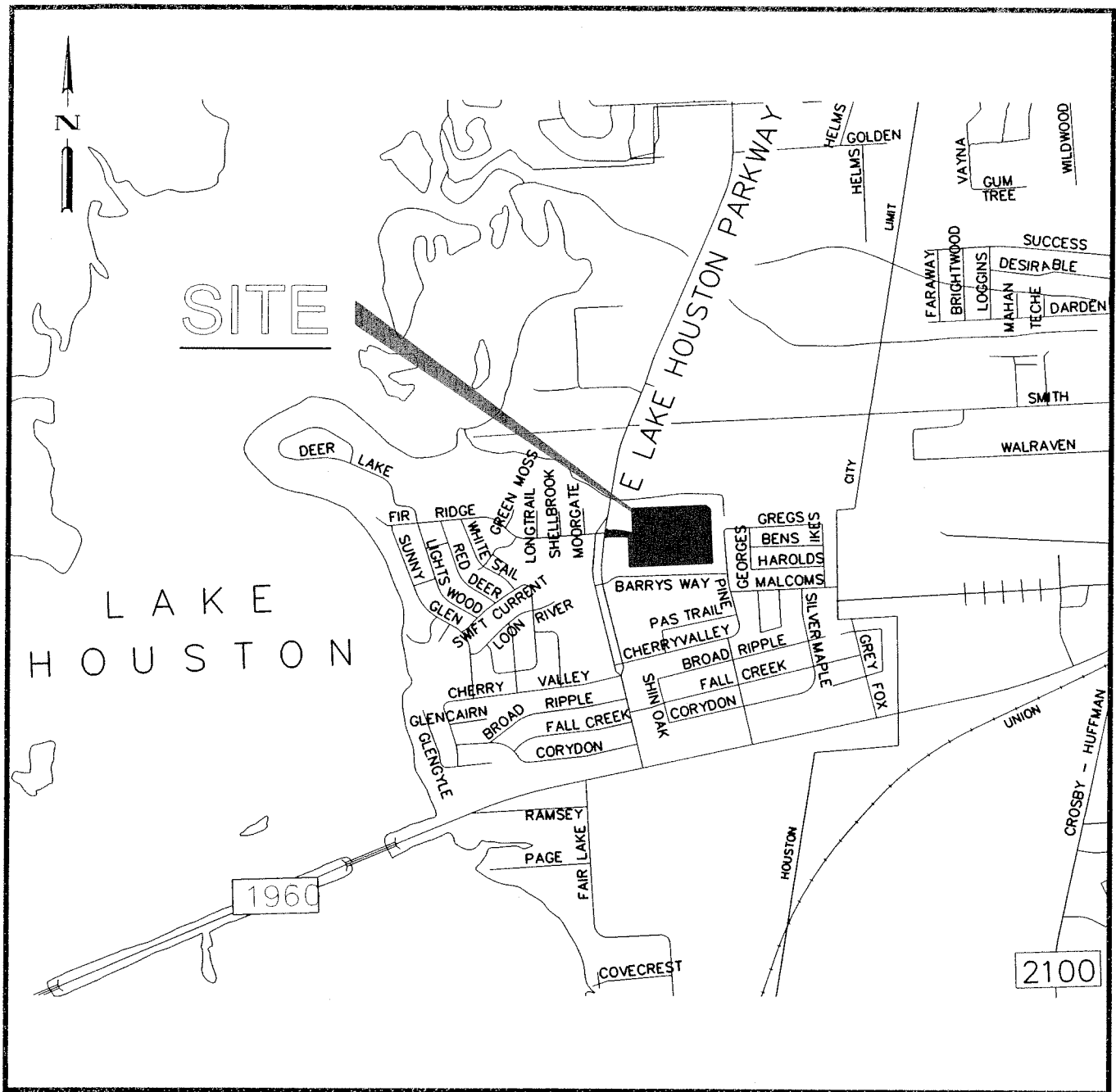
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$362,100.00
design cost:	<u>\$63,900.00</u>
total:	\$426,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky





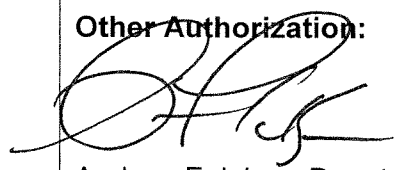
LAKE WAY VILLAGE, SECTION 1

VICINITY MAP

HARRIS COUNTY KEY MAP # 338 M

GIMS MAP # 5969 D & 6069 C

ZIP CODE 77336

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc. for the construction of water, sanitary sewer and storm sewer lines. S-000800-00M2-4/ R-000800-00M2-4/ M-000800-00M2-4		Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 61 37 </div>
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 6/28/07	Agenda Date: JUL 18 2007 AUG 01 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: B		
For additional information contact: Jun Chang, P.E. (713) 837-0433	Date and identification of prior authorizing Council action:		
Recommendation: (Summary) Approve a Developer Participation Contract between the City and Obra Homes, Inc. and appropriate funds.			
Amount & Source of Funding:			
	\$275,828.34	Water & Sewer Consolidated Construction Fund No. 8500	
	\$225,000.00	Drainage Improvement CPaper Series F Fund No. 4030	
	\$500,828.34	Total Appropriation	
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences. Obra Homes, Inc. proposes to construct approximately 2,267 linear feet of water line, 1,771 linear feet of sanitary sewer line and 2,084 linear feet of storm sewer line to serve the 75-lot subdivision, Riverbend Village Section 1. The maximum amounts to be reimbursed are as follows:			
REQUIRED AUTHORIZATION: 20JZC146 NDT			
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

Water

70% of construction cost (including interest & 5% contingency):	\$87,412.09
design cost:	<u>\$16,056.90</u>
total:	\$103,468.99

Wastewater

70% of construction cost (including interest & 5% contingency):	\$145,611.66
design cost:	<u>\$26,747.69</u>
total:	\$172,359.35

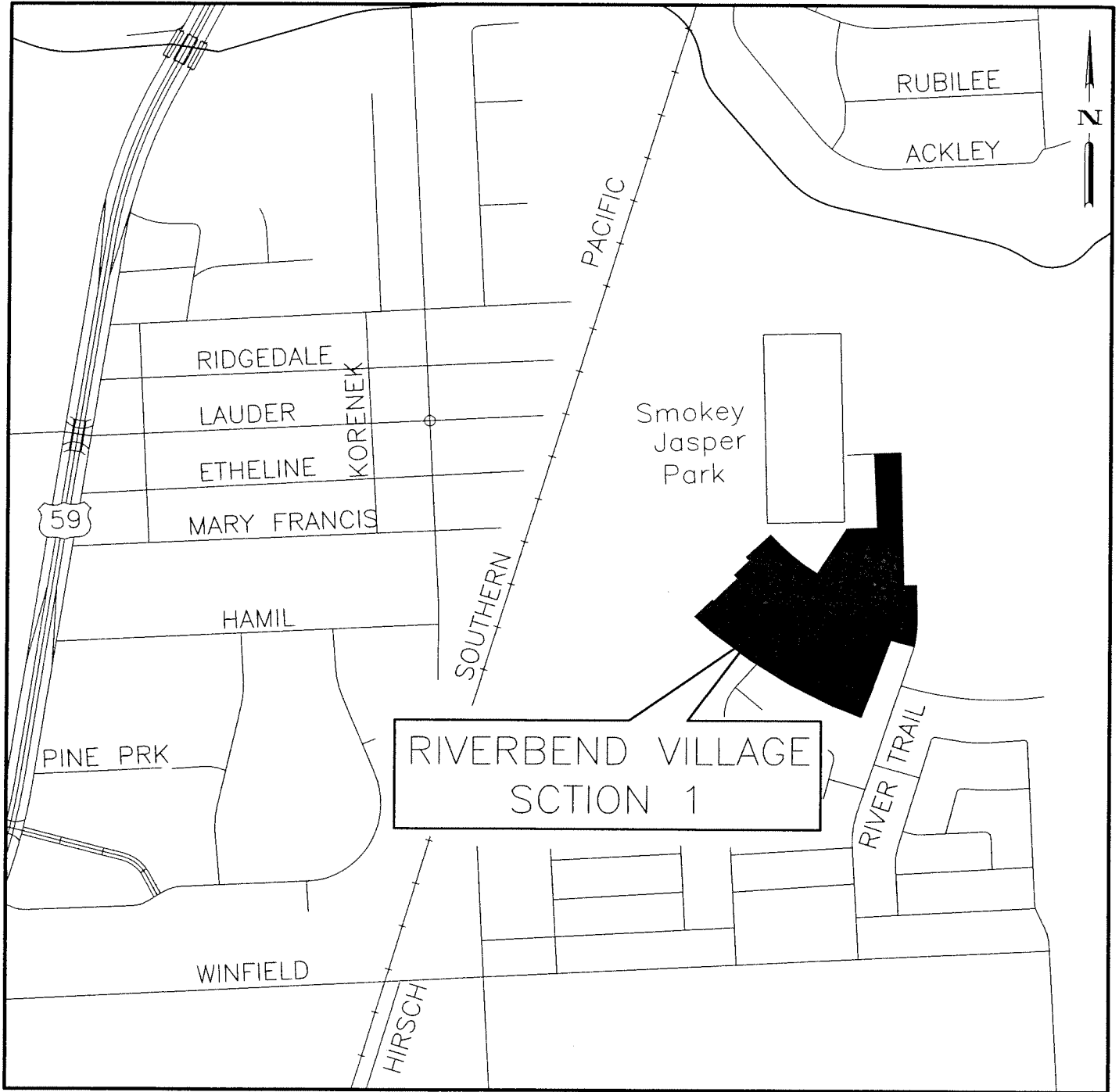
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$192,250.00
design cost:	<u>\$32,750.00</u>
total:	\$225,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.


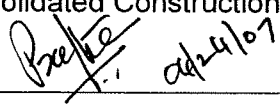
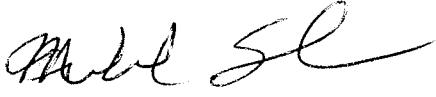
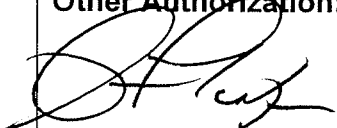
AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

HARRIS COUNTY KEY MAP # 415 E
GIMS MAP 5563 B
ZIP CODE 77050

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc. for the construction of water and sanitary sewer. S-000800-00M5-4/ R-000800-00M5-4		Page 1 of 2	Agenda Item # 62 32
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 6/28/07	Agenda Date: JUL 18 2007 AUG 01 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: E		
For additional information contact: Jun Chang, P.E. (713) 837-0433	Date and identification of prior authorizing Council action:		
Recommendation: (Summary) Approve a Developer Participation Contract between the City and Obra Homes, Inc. for the City to pay 70% of the cost to construct approximately 2,720 linear feet of water line and 2,137 linear feet of sanitary sewer line in South Meadow Place Section One, and appropriate funds.			
Amount & Source of Funding: \$420,496.01 Water & Sewer System Consolidated Construction Fund No. 8500 			
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences. Obra Homes, Inc. proposes to construct approximately 2,720 linear feet of water line and 2,137 linear feet of sanitary sewer line to serve the 102-lot subdivision, South Meadow Place Section One. The maximum amounts to be reimbursed are as follows:			
REQUIRED AUTHORIZATION:		20JZC156 NDT	
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

Water

70% of construction cost (including interest & 5% contingency):	\$79,588.06
design cost:	<u>\$14,797.86</u>
total:	\$94,385.92

Wastewater

70% of construction cost (including interest & 5% contingency):	\$274,982.42
design cost:	<u>\$51,127.67</u>
total:	\$326,110.09

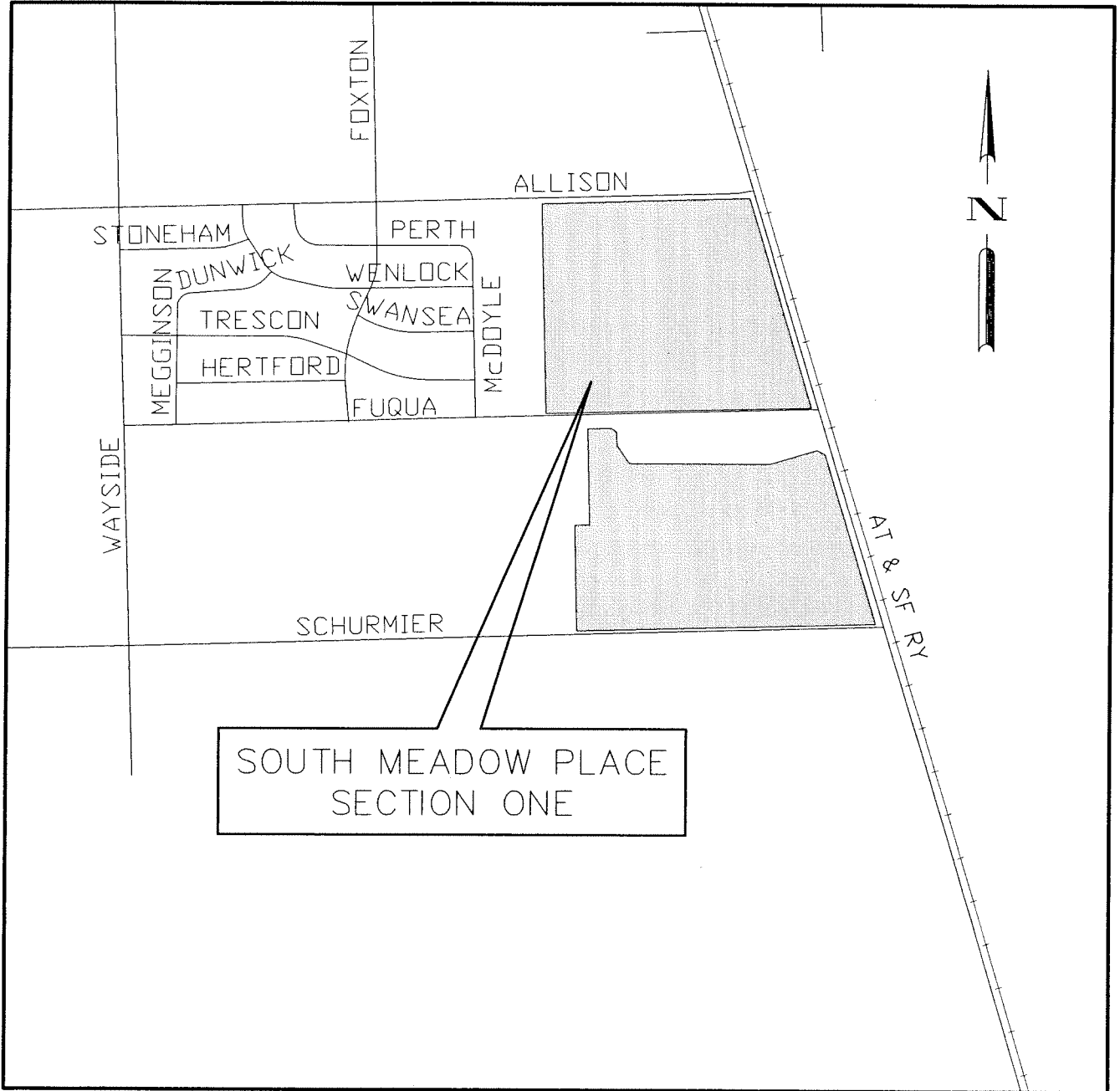
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	N/A
design cost	N/A
total:	N/A

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp




c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

KEY MAP 574-V

N.T.S.

SUBJECT: Developer Participation Contract between City of Houston and FAFB LLC. for the construction of water and sanitary sewer. S-000800-0104-4/ R-000800-0104-4		Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 63 33 </div>
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 5-30-07	Agenda Date: JUL 18 2007 AUG 01 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: E		
For additional information contact: Jun Chang, P.E. (713) 837-0433 <i>JC</i>	Date and identification of prior authorizing Council action:		
Recommendation: (Summary) Approve a Developer Participation Contract between the City and FAFB LLC. for the City to pay 70% of the cost to construct approximately 640 linear feet of water line and 905 linear feet of sanitary sewer line in Red Robin Square subdivision, and appropriate funds.			
Amount & Source of Funding: \$101,975.60 Water & Sewer System Consolidated Construction Fund No. 8500 <div style="text-align: right;"><i>Pa/ke 04/24/07</i></div>			
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences. FAFB LLC. proposes to construct approximately 640 linear feet of water line and 905 linear feet of sanitary sewer line to serve the 20-lot subdivision, Red Robin Square. The maximum amounts to be reimbursed are as follows:			
REQUIRED AUTHORIZATION: 20JZC266 <i>MDT</i>			
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

Water

70% of construction cost (including interest & 5% contingency):	\$22,258.95
design cost:	<u>\$3,045.30</u>
total:	\$25,304.25

Wastewater

70% of construction cost(including interest & 5% contingency):	\$67,414.10
design cost:	<u>\$9,257.25</u>
total:	\$76,671.35

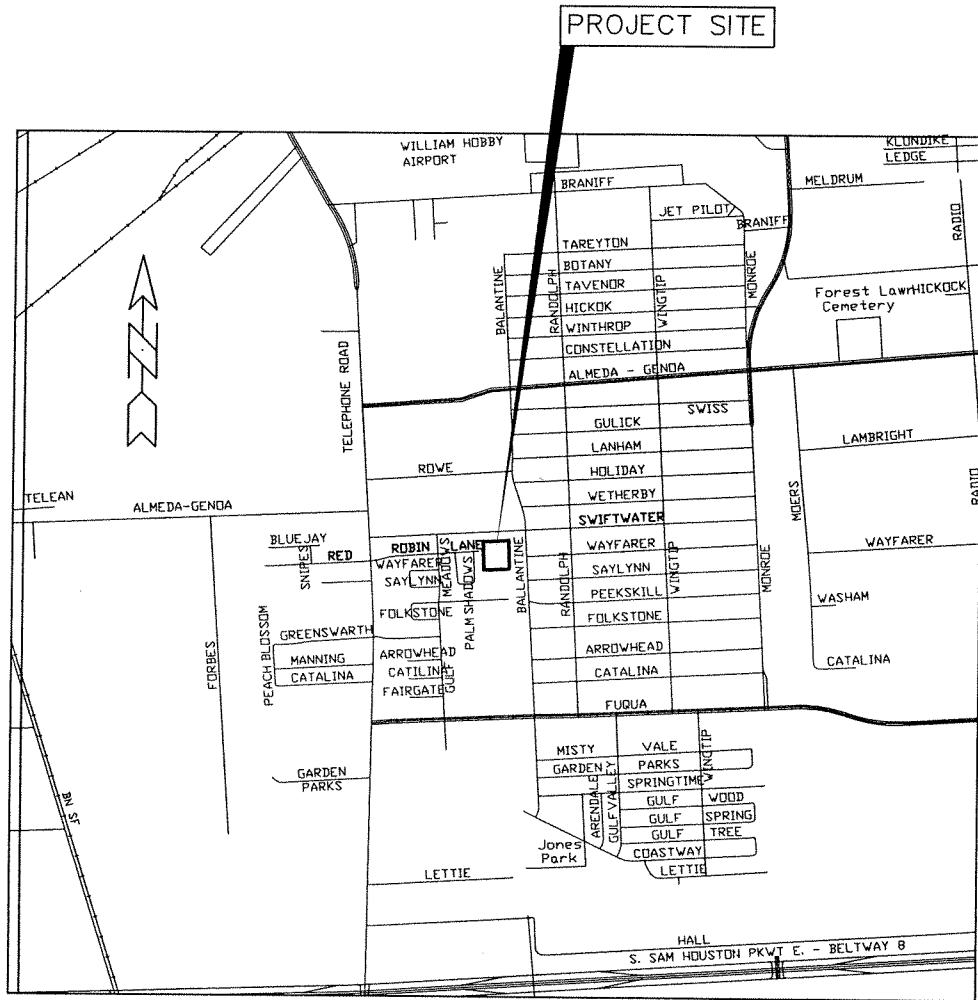
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	N/A
design cost	N/A
total:	N/A

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

HARRIS COUNTY KEY MAP # 575P

GIMS MAP # 5651a

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7420

Subject: Approve an Ordinance Awarding a Pre-Positioned Contract to the Best Respondent for Disaster Management Recovery and Consulting Services for the Solid Waste Management Department S29-T22221

Category #
4

Page 1 of 2 Agenda Item

64 ~~34~~

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

June 07, 2007

Agenda Date

AUG 01 2007
~~JUL 18 2007~~

DIRECTOR'S SIGNATURE

Council District(s) affected
All

For additional information contact:

Dan Gutierrez Phone: (713) 837-9214
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a pre-positioned contract to the best respondent, Beck Disaster Recovery, Inc., for disaster management recovery and consulting services for the Solid Waste Management Department.

No funding required at this time.

F & A Budget

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a pre-positioned five-year contract, with two one-year options to extend, for a total seven-year term to the best respondent, Beck Disaster Recovery, Inc., for disaster management recovery and consulting services for the Solid Waste Management Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. **This contract will be activated upon approval of funding by City Council.**

The scope of work requires the contractor to provide all labor, materials, equipment and supervision necessary to manage, monitor and certify all disaster management recovery and consulting services in the event of a natural or man-made disaster. The contractor will be required to manage and monitor all City of Houston debris hauler contractors to ensure they are in compliance with the Federal Emergency Management Agency (FEMA) reimbursement guidelines. Which includes, measuring and certifying all debris hauler contractors vehicles certification for load volume of eligible debris, monitoring loading of vehicles in disaster area and unloading of vehicles at designated landfills and preparation and issuance of certified load tickets. Further, the contractor may be required to facilitate communication with the City's debris manager, FEMA, City officials, the State of Texas and other State and Federal agencies. In addition, the contractor may be required to coordinate pre-event planning, post-event reconstruction and reimbursement services.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws, and as a result, proposals were received from Beck Disaster Recovery, Inc., Post, Buckley, Schuh & Jernigan, Inc., Camp, Dresser & McKee Inc., Healthy Resources Enterprise, Inc., and the Sunland Group. The evaluation committee consisted of four Solid Waste Management Department employees. The proposals were evaluated based on the following criteria:

1. Customer Satisfaction Survey
2. Expertise, Experience and Reliability
3. Conformance to all other RFP Requirements and Conditions
4. Financial Strength

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MDT

mgf

25

Date:
6/7/2007

Subject: Approve an Ordinance Awarding a Pre-Positioned Contract to the Best Respondent for Disaster Management Recovery and Consulting Services for the Solid Waste Management Department S29-T22221

Originator's
Initials
DM

Page 2 of 2

Beck Disaster Recovery, Inc. received the highest overall score.

M/WBE Subcontracting

This Request for Proposal (RFP) was issued as a goal-oriented contract with an 11% M/WBE participation level. Beck Disaster Recovery, Inc. has designated the below-named company as its certified M/WBE subcontractor.

Name

TLC Engineering, Inc.

Type of Work

Debris Monitoring Services

Dollar Amount

40% of the Contract
Spending amount at
the Time of Contract
Activation

Buyer: Douglas Moore

#34
7/18/07**Stein, Marty - MYR**

From: Buchanan, Thomas - SWD
Sent: Friday, July 13, 2007 10:53 AM
To: Stein, Marty - MYR
Cc: Hayes, Harry - SWD; Gutierrez, Daniel - SWD; Chen, Edward - SWD
Subject: Additional Information - Agenda Item - Beck Disaster Services

Marty – please distribute this additional information pertaining to the contingency contract on next week’s agenda.

The Solid Waste Management department managed the debris removal effort after Tropical Storm Allison. We were assisted by Neighborhood Protection who provided monitors in the affected areas to comply with FEMA requirements. It took ALL of our available resources and pretty much shut down the Neighborhood Protection mission during the recovery period.

As devastating as Allison was, it really affected only a very small portion of the city insofar as the debris removal mission was concerned. As I recall, some 50,000 homes were affected and virtually all of the debris that was removed resulted from flooding and consisted of the contents of flooded homes and businesses. Virtually none of the debris branches and tree trunks which make up the majority of the debris associated with a hurricane.

During and since the Katrina and Rita disasters, FEMA has incorporated a significant number of changes to the documentation that we now have to provide concerning debris removal. Just for example, they now require that the GPS coordinates of each pile of debris be recorded by the client (that would be the city – not the hauling contractor) and that the diameter of each tree or limb removed be measured and recorded for retention. All documents showing the removal, processing, and final disposal of each load must now be collated and available electronically so that FEMA inspectors can verify exactly what was removed, how it was processed, and how the remaining portions were disposed of – up to 5 years after the event. In short, the administrative management of debris removal has become a resource intensive nightmare.

Last year, realizing that neither this department nor our traditional “assistants” in other departments had the resources necessary to do this work to the new FEMA standard (let alone resuming the non-emergency mission of garbage and trash collection) we developed an RFP to acquire the services of one of the firms that had experience in managing the entire debris removal process according to that standard. The best respondent is Beck and we have a contingency contract on the agenda to hire them.

Just as is the case for the contingency debris removal contracts we have in place (and used during Allison), there is no up-front funding requirement for this contract. We will need to come to council for an allocation of funds should we experience a disaster requiring their assistance. They will participate with the department in all disaster exercises or drills we hold, at no expense to the city.

Please get in touch with me at ext 7-9103 if you have any questions about this contingency contract, or about our debris removal plan in general.