

**CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY
AUGUST 12, 2008 - 2:00 P.M**

NON-AGENDA

3MIN

3MIN

3MIN

MR. ROY MILLORE – 5300 Hollister – 77040 – 713-895-8021 – Candlelight Trail

MR. MURICE DAVIS – 5410 Oak Cove – 77091 – 713-957-1627 – Candlelight Trail

MR. MIKE CARPENTER – 1431 Wirt Rd. – 77055 – 713-884-5070 – Candlelight Trail

MS. JUDITH ARNOLD – 6206 Ash Oak Dr. – 77091 – 713-682-5261 – Candlelight Trail and our
Neighborhood

MS. ELIZABETH DIAZ – 5300 W. Gulf Bank, No. 602 – 77088 – 281-999-0909 – Candlelight Trail

MR. TOM MILLER – 5555 Holly View Dr. – 77091 – 925-963-2431- Tear down Candlelight Trails – Reduce
Crime

MS. VERONICA NEWTON – 12723 Blue Cromis Ln. – 77045 – 832-788-9170 – HPD Pension

MS. JANETER LEWIS – 10615 Beechnut, No. 1801 – 77072 – 281-530-7607 – Centerpoint Energy turning off
Lights

MR/COACH R. J. BOBBY TAYLOR - 3107 Sumpter – 77026 – 202-FA3-4511 – Behavior, Coward,
Conspiracy Campo Sheet Metal, Workers using People Children

MR. STEVEN WILLIAMS – No address – No phone – Cardinal Dinando Referenced Collier Library murderer
of innocents

MR. JOHN JOHNSON – 7102 Windemere St. – 77088 – 832-443-1900 – Complaint against Fire Department

MS. MARJORIE HALLUM – 4002 Whitman – 77027 – 713-850-7969 - Pollution

MR. TRENT WINTERS – 7967 W. Airport – 77071 – 832-264-1816 – Immigration – Justice Department

MR. WILLIAM BEAL - 4718 Boicewood – 77016 – 713-633-0126 – Vincent Price: Reincarnated Alive

MR. JOE MAPLE – 6228 Hirsch Rd. - 77026 – 713-631-1555 – Fencing

MS. BRENDA PARISH – 4307 Brook Head Trail – 77066 – 832-249-9472 – Housing Problems

MS. RHONDA MAJOR – 17049 El Camino Real, Ste. 100 – 77058 – 832-864-1233 – Budget and HPD
concerns

MR. CARL TERRY – 302 14TH North – Texas City - TX – 77590 – 281-827-0754 – To be surprised

MR. SAMUEL KELLY – 8514 Prairie View – 77088 – 281-995-0241 – My taxes – Law Firm misrepresented
me trying to take property

MR. MICHAEL CARDWELL – 9743 Grenader – 77089 – 832-768-2029 - Converting power plants and City
to Hydrogen

MS. ANDREA SELUK – 5292 Memorial – 77007 – 713-426-3594 – Park Memorial Cond's

MS. EMILY TAYLOR – 5292 Memorial Dr., Unit 5 – 77007 – 713-880-5299 – Park Memorial Cond's

MR. SERGIO LOPEZ – 5292 Memorial Dr., Unit 5 – 77007 – 713-875-9659 – Park Memorial Cond's

MS. MONICA WALTON – 301 Wilcrest – 77042 – 832-387-7533 – Personal matter regarding City

MS. LIZZIE LOVELL – 7614 Dawn Ridge – 77071 – 713-721-5320 – Failure of Service AAA Program

PREVIOUS

1MIN.

1MIN.

1 MIN.

MR. LONN LEE VASQUEZ – 1704 Weber – 77007 – 713-864-5667 – Community and Suicide

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 12, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Noriega

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 13, 2008 - 9:00 A. M.

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

HEARINGS

1. **PUBLIC HEARING** to consider a Municipal Setting Designation ordinance (MSD) for the LUI Houston Studemont L.P. for the site located at 1200 Givens - **DISTRICT H - GARCIA**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 34

MISCELLANEOUS - NUMBERS 2 through 4

2. REQUEST from Mayor for confirmation of the appointment of **MR. HAROON R. SHAIKH**, to Position Three of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for a term to expire August 31, 2010

MISCELLANEOUS - continued

3. REQUEST from Mayor for confirmation of the reappointment of the following as **Full-Time Municipal Court Judges** for two year terms:
- | | |
|--------------------------------|-------------------------------|
| NANCY J. BAILEY | GORDON G. MARCUM II |
| GLADYS T. BRANSFORD | ESMERALDA PEÑA GARCIA |
| MARIA E. CASANOVA | IMELDA REYES-CASTILLO |
| GRANTHAM HARLAN COLEMAN | LEIGH F. SAINT-GERMAIN |
| HERBERT GEE | ADAM SILVERMAN |
| KATHY K. HAN | ELAINE M. TIMBERLAKE |
| MARIA T. JACKSON | FRANCELIA E. TOTTY |
| STEVEN E. KIRKLAND | |
4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following as **Part-Time Municipal Court Judges** for two year terms:
- | | |
|---|---|
| JOEL SALAZAR , reappointment | RAUL RODRIGUEZ , reappointment |
| WALTER SCHROEDER , reappointment | JACQUELINE MILLER , appointment |
| SCOTT K. BOATES , reappointment | JOELLEN SNOW , reappointment |
| SHERILYN EDWARDS , reappointment | NIKITA V. HARMON , reappointment |
| MARGARET MUNOZ-HARKINS , reappointment | ARTURO DELEON, JR. , reappointment |
| FAD WILSON, JR. , reappointment | BURHAN NOMANI , reappointment |
| CATHERINE N. WYLIE , appointment | STEPHAN HONORÉ , reappointment |
| DAVID QUAN , reappointment | TRI NGUYEN , reappointment |
| ANDREW MARTIN , reappointment | MARIO MADRID , appointment |
| ANGELA P. PHEA , reappointment | JOSEFINA M. RENDON , reappointment |
| URSULA HALL , reappointment | LYDIA JOHNSON , reappointment |
| JOHN CHASE, JR. , reappointment | WILLIAM A. ALLEN , reappointment |
| SHERRY APPLEWHITE , reappointment | MIN UN LEE , reappointment |
| KERRI J. DORMAN , appointment | BARBARA HARTLE , reappointment |
| OSWALD J. SCOTT, JR. , reappointment | AMPARO MONIQUE YAÑEZ , reappointment |
| JOSEFINA NELSON , reappointment | MIMI MALICK BERKOWITZ , appointment |
| ROBERT ROSENBERG , reappointment | HOWARD L. SPEIGHT , reappointment |

ACCEPT WORK - NUMBERS 5 through 8

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,521,789.00 and acceptance of work on contract with **MERIDIAN COMMERCIAL, L.P.** for Renovation of West End Health Center - Phase II, WBS H-000068-0002-4 - 9.75% over the original contract amount - **DISTRICT H - GARCIA**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,696,274.77 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Hermann Drive Relief Storm Sewer Project - Segment II from Main Street to 600 feet east of Jackson Street, WBS M-000260-0002-4 - 0.91% under the original contract amount - **DISTRICT D - ADAMS**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,488,207.69 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Water Distribution System Rehabilitation and Renewal, WBS S-000035-0V10-4 (WA 10855-03) - 0.99% over the original contract amount
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$14,741,025.00 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for East Water Purification Plant (EWPP) Upgrade and Optimization, WBS S-000056-0029-4 - 3.96% over the original contract amount - **DISTRICT E - SULLIVAN**

PROPERTY - NUMBERS 9 through 11

9. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and not file any objections to the award in connection with eminent domain proceeding styled City of Houston v. Brentwood Baptist Church, et al., Cause No. 908,756; for acquisition of Parcel AY5-190; for the **BUFFALO SPEEDWAY PAVING PROJECT from W. Orem - W. Airport**, WBS/CIP N-000619-0001-2-01-01 **DISTRICT D - ADAMS**
10. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and not file any objections to the award in connection with eminent domain proceeding styled City of Houston v. Autotronic Systems, Inc., et al., Cause No. 890,961; for acquisition of Parcel AY6-028; for the **LONG POINT @ BLALOCK INTERSECTION IMPROVEMENTS PROJECT (Oak Tree - Freedonia)**, WBS/CIP N-000674-0002-2-01-01 - **DISTRICT A - LAWRENCE**
11. RECOMMENDATION from Director General Services Department for condemnation of .229 acres of land located at 1204, 1206 and 1208 Victor Street and 1510-1512 Cushing Street, owned by Estrellita H. Redus, Trustee of the Redus Revocable Trust - **DISTRICT I - RODRIGUEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 14A

12. **FLEX-O-LITE DIVISION** for Spheres, Reflective Glass, Type III for the Houston Airport System \$1,575,575.00 - Enterprise Fund
13. **STAGE LIGHT, INC** for Lighting, Theatrical Replacement Parts and Repair Services for the Convention & Entertainment Facilities Department - \$1,130,000.00 - Enterprise Fund
14. ORDINANCE approving and authorizing Interlocal Cooperative Purchasing Program Agreement between the City of Houston and the **CITY OF DALLAS**
 - a. **INTEGRIAN, INC** for Digital Patroller In-Car-Video Cameras and Software for the Houston Police Department through the Interlocal Agreement for Cooperative Purchasing with the City of Dallas, Texas - \$1,090,125.00 - DARLEP Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 15 through 34

15. RESOLUTION approving an application requesting financial assistance from the Texas Water Development Board
16. ORDINANCE **AMENDING SECTION 47-164 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to developer participation contracts; containing findings and other provisions relating to the subject; providing for severability
17. ORDINANCE appropriating \$12,000,000.00 out of Water & Sewer System Consolidated Construction Fund, \$1,500,000.00 out of Drainage Improvement Commercial Paper Series F Fund, \$2,000,000.00 out of Homeless and Housing Consolidated Fund and \$2,000,000.00 out of Affordable Housing Uptown Series 2004 Fund for the City's Developer Participation Contract Program
18. ORDINANCE amending various provisions of the City of Houston Commercial Energy Conservation Code; containing findings and other provisions relating to the foregoing subject; providing for severability

RESOLUTIONS AND ORDINANCES - continued

19. ORDINANCE amending the City of Houston Construction Code by adopting a revised City of Houston Electrical Code; containing other provisions relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability
20. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Calumet Drive (Parcel SY7-064), from Fannin Street to San Jacinto Street, containing 0.4591 acres of land, more or less; vacating and abandoning said tract to St. Paul's United Methodist Church, abutting owner, in consideration of owner's conveyance to the City of a utility easement (Parcel VY7-033) and right-of-way to widen Binz Avenue (Parcels AY7-375A and AY7-375B), all located in the MacGregor and DeMeritt's Southmore Addition, Section 2, J. Christy Survey, A-212, Houston, Harris County, Texas, and owner's payment to the City of \$505,150.00 - **DISTRICT D - ADAMS**
21. ORDINANCE establishing the north and south sides of the 2000 block of West 14th Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT A - LAWRENCE**
22. ORDINANCE establishing the north and south sides of the 2000 block of West 14th Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT A - LAWRENCE**
23. ORDINANCE amending Ordinance 2007-255 and Ordinance 2003-1259 to substitute a first amended and restated declaration of land-use restrictions (restrictive covenants); and approving and authorizing second amendment to loan agreement with **PRIMROSE HOUSTON 7 HOUSING, L.P.**, all to change the affordability, rent, lease, and tenant occupancy requirements in connection with the City's loan for the construction of an apartment complex in the 5000 and 5100 blocks of Airline Drive, Houston, Texas; and authorizing the City's consent to a first amended and restated declaration of land-use restrictions (restrictive covenants) - **DISTRICT H - GARCIA**
24. ORDINANCE amending Ordinance 2007-256 and Ordinance 2004-0562 to substitute a second amended and restated declaration of land-use restrictions (restrictive covenants); approving and authorizing second amendment to loan agreement with **TX ALDINE-BENDER HOUSING, L.P.**, all to change the affordability, rent, lease, and tenant occupancy requirements in connection with the City's loan for the construction of an apartment complex in the 100 block of Aldine-Bender Road, Houston, Texas, and authorizing the City's consent to a second amended and restated declaration of land-use restrictions (restrictive covenants) - **DISTRICT B - JOHNSON**
25. ORDINANCE approving and authorizing contract between the City and **UNITY NATIONAL BANK, HOUSTON, TEXAS**, for a Deposit Placement and Certificate of Deposit Account Registry Service Deposit Placement Agreement
26. ORDINANCE approving and authorizing agreement for Professional Services by and between the City of Houston and the **GREATER HOUSTON PARTNERSHIP** for Economic Development Services for the Houston Airport System and the Convention and Entertainment Facilities Department - \$885,000.00 - Enterprise Funds
27. ORDINANCE approving and authorizing contract between the City of Houston and the **ACTIVE NETWORK, INC** for an On-Line Registration and Fee Collection System for Adult Sports for City Recreation Facilities for the Parks & Recreation Department; providing a maximum contract amount - \$24,500.00 - General Fund

RESOLUTIONS AND ORDINANCES - continued

28. ORDINANCE awarding contract to **EMR ELEVATOR, INC** for Elevator, Escalator, Booklifts and Manlifts Maintenance for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$4,440,392.30 - General, Fleet Management, Building Inspection and Enterprise Funds
29. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for Professional Civic Art and Conservation Administration Services on behalf of the Houston Airport System; providing a maximum contract amount - \$310,850.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
30. ORDINANCE appropriating \$450,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **AMANI ENGINEERING, INC** for Professional Engineering Services at George Bush Intercontinental Airport/Houston (Project No. 638); WBS A-000561-0001-3-01 - **DISTRICT B - JOHNSON**
31. ORDINANCE appropriating \$3,062,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Water Line Grid Extensions at various locations, WBS S-000700-0063-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - ADAMS; G - HOLM; H - GARCIA and I - RODRIGUEZ**
32. ORDINANCE appropriating \$2,816,045.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **UNDERGROUND TECHNOLOGIES, INC** for Wastewater Collection System Rehabilitation and Renewal, WBS R-000266-0117-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed out of the Water & Sewer System Consolidated Construction Fund
33. ORDINANCE appropriating \$3,598,980.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-0120-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
34. ORDINANCE No. 2008-702, passed first reading August 6, 2008
ORDINANCE granting to **AROUND THE CLOCK TRASH HAULING, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions
SECOND READING

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 35 through 39

35. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,436,500.02 and acceptance of work on contract with **MCKINNEY CONSTRUCTION, INC** for Water Line Replacement in Clinton Park, Settegast, and Sunnyside Areas, WBS S-000036-0009-4 - 3.60% under the original contract amount - **DISTRICTS B - JOHNSON; D - ADAMS and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER BROWN**
This was Item 9 on Agenda of August 6, 2008
36. ORDINANCE approving and authorizing contract between the City and **CAMBRIDGE INTEGRATED SERVICES GROUP, INC** for Third Party Administration of the City's Workers' Compensation Program and related services; providing a maximum contract amount - 3 Years with 2 two-year options - \$19,897,025.00 - Workers' Compensation Fund
TAGGED BY COUNCIL MEMBER CLUTTERBUCK
This was Item 14 on Agenda of August 6, 2008
37. ORDINANCE approving the closings to vehicular traffic of railroad crossings of Canal Street, Delmar Street, Edgewood Street and Manchester Street; vacating and abandoning those tracts of land to Union Pacific Railroad Company, the abutting owner, while reserving and retaining utility easements in the underlying property - **DISTRICT I - RODRIGUEZ**
TAGGED BY COUNCIL MEMBER RODRIGUEZ
This was Item 15 on Agenda of August 6, 2008
38. ORDINANCE appropriating \$2,100,000.00 out of Metro Project Commercial Paper Series E Fund, WBS N-000662-0032-4 and \$1,401,000.00 out of Street & Bridge Consolidated Construction Fund, WBS N-000817-0001-4; awarding construction contract to **TEXAS STERLING CONSTRUCTION COMPANY** for Intersection Construction Contract (Work Order Project) City wide, and Railroad Crossing Quiet Zone Improvement Program; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing services, project management, and contingencies relating to construction of facilities financed by the Metro Project Commercial Paper Series E Fund, and Street & Bridge Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER SULLIVAN**
This was Item 30 on Agenda of August 6, 2008
39. RECOMMENDATION from Director Department of Public Works & Engineering for approval of annual payment for participation in the Galveston Bay Estuary Program projects through the Houston-Galveston Area Council - \$100,000.00 - Enterprise Fund
TAGGED BY COUNCIL MEMBER ADAMS
This was Item 39 on Agenda of August 6, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Johnson 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

AUG 13 2008

MOTION NO. 2008 0550

MOTION by Council Member Garcia that the recommendation of the Department of Public Works and Engineering, to reschedule the public hearing dates to consider a Municipal Setting Designation ordinance (MSD), be adopted, and the following dates for the hearings listed below are hereby approved by the City Council:



LUI Houston Studemont L.P., for the site located at 1200 Givens
Hearing Date – 9:00 AM - Wednesday, August 13, 2008;

Randall's Center/West Bellfort site located at 8671 West Bellfort
Hearing Date – 9:00 AM - Wednesday, August 20, 2008; and

Fondren Road Plaza, Ltd., for the site located at 7042 Bissonnet
Hearing Date – 9:00 AM - Wednesday, August 20, 2008.

Seconded by Council Member Khan and carried.

Mayor White, Council Members Lawrence, Johnson,
Clutterbuck, Adams, Sullivan, Khan, Holm, Garcia,
Rodriguez, Brown, Lovell and Jones voting aye
Nays none
Council Member Green absent

Council Member Noriega out of the City on personal business

PASSED AND ADOPTED this 1st day of July, 2008.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is July 7, 2008.


City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Motion establishing a public hearing date to consider adopting a Municipal Setting Designation ordinance (MSD) for LUI Houston Studemont, L.P. for the Site located at 1200 Givens.	Category #	Page 1 of 1	Agenda Item # 35
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5-9-08	Agenda Date MAY 14 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: H
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For additional information contact: Carol A. Ellinger, P.E. Phone: (713) 837-7658 Senior Assistant Director	Date and identification of prior authorizing Council action: 8/22/2007 – 2007-0959
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RECOMMENDATION: (Summary)
Establish a public hearing date to consider adopting a Municipal Setting Designation ordinance (MSD) for LUI Houston Studemont, L.P. for a property located at 1200 Givens.

Amount and Source of Funding: N/A	F&A Budget:
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BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support. The public meeting is scheduled to occur at 6:30 pm on May 20, 2008 at the United Way Center, 50 Waugh Drive.

LUI HOUSTON STUEMONT, L/P. APPLICATION: LUI Houston Studemont (LUI) is seeking an MSD for 1.36-acres of land located at 1200 Givens Street (the Site). The Site has had various commercial/industrial operations on the site since 1949. The most recent use was a bumper repair service shop. LUI acquired this site in August 2006. Environmental investigations activities have identified chemicals of concern in groundwater and soil. The Site is participating in TCEQ's Voluntary Cleanup Program. Through this effort, soil remediation occurred in December 2007 and no contaminants remain in the soil above action levels. There have been nine contaminants identified in groundwater. This groundwater plume is stable.

LUI is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminated groundwater. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.

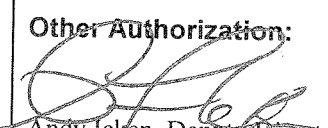
RECOMMENDATIONS: City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation ordinance. The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than five weeks from passage of the motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date.

MSM:AFI:CAE

Z:\MSD\UNION PACIFIC RAILROAD\2008-01-31 RCA - PUBLIC HEARING UPRR.DOC

C: Marty Stein, Waynette Chan, Gary Norman, Ceil Price

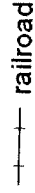
REQUIRED AUTHORIZATION **CUIC ID# 20CAE17**

Other Authorization:	Other Authorization:	Other Authorization:  Andy Icken, Deputy Director Planning & Development Services Division
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Municipal Settings Designation Application

2007-002-LUIHS
Vicinity Map

Legend



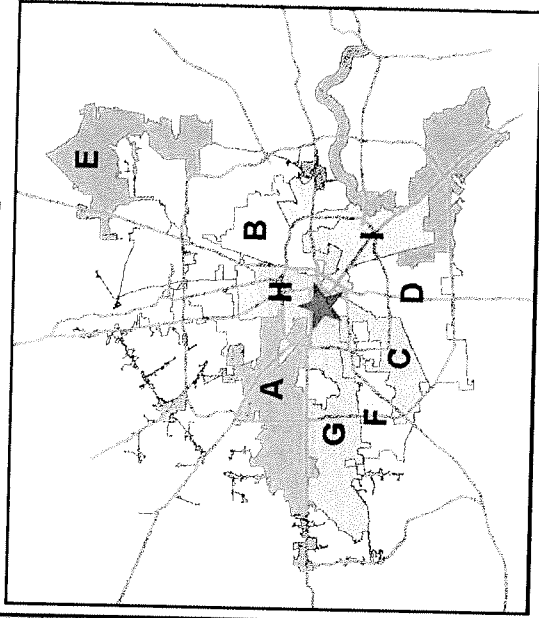
railroad

Waterways

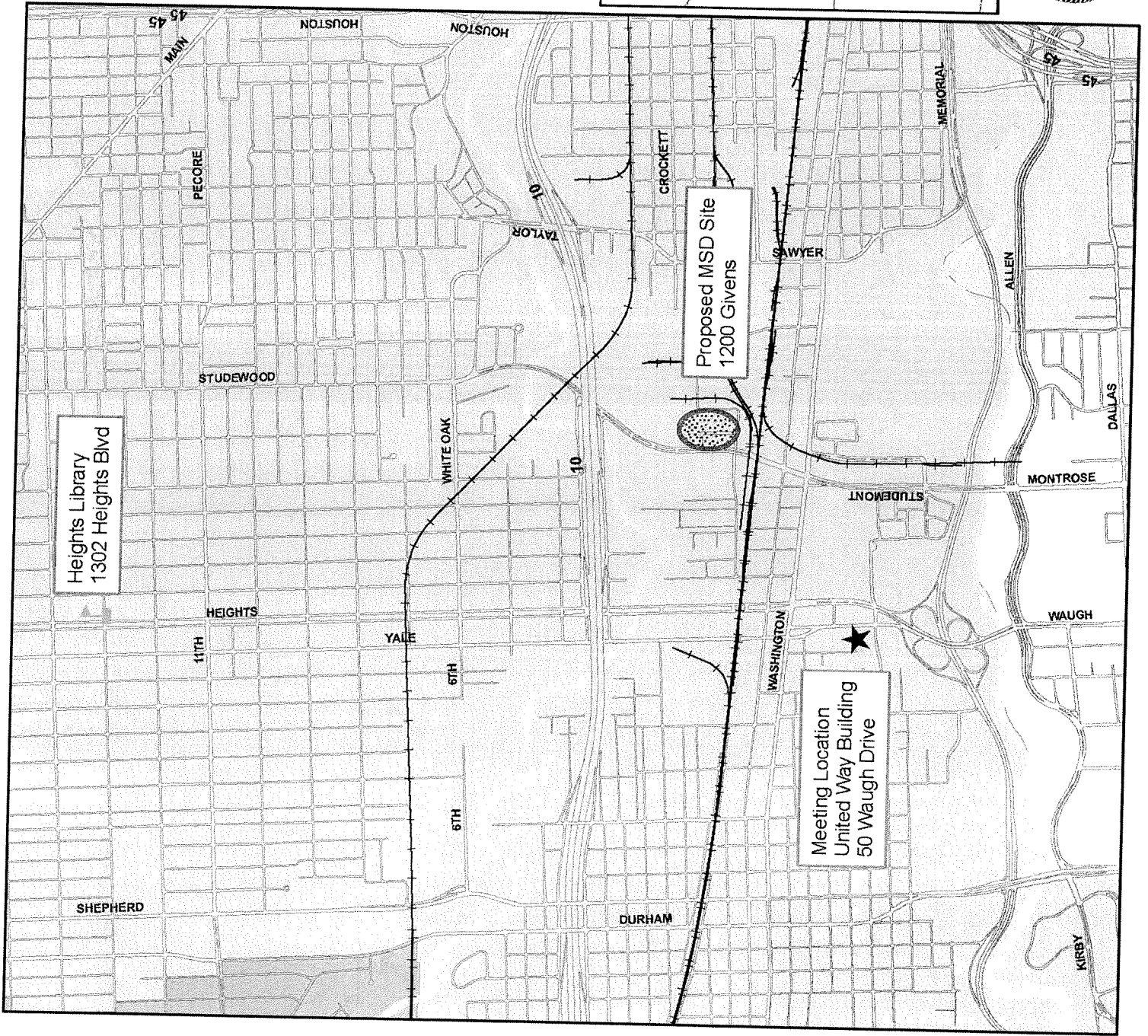


Application Site Location

Locational Map



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



Heights Library
1302 Heights Blvd

Proposed MSD Site
1200 Givens

Meeting Location
United Way Building
50 Waugh Drive



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
AUG 13 2008

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: 7-9-08
DATE
COUNCIL MEMBER: _____

July 8, 2008

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Section 335.035 of the Texas Local Government Code, I am appointing the following individual to the Harris County-Houston Sports Authority Board of Directors, subject to City Council confirmation:

Mr. Haroon R. Shaikh, appointment to Position Three, for a term to expire August 31, 2010.

The résumé of the appointee is attached for your review.

Sincerely,

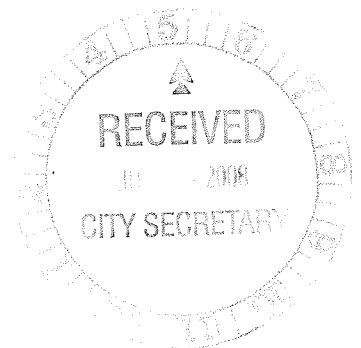
Bill White

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Harris County Judge Ed Emmett
Mr. J. Kent Friedman chair, Harris County-Houston Sports Authority
Ms. Janis Schmees, executive director, Harris County-Houston Sports Authority



Sincerely,

Bill White

Bill White
Mayor

BW:CC:jsk

cc: Christina J. Cabral, director, Boards and Commissions

RECEIVED
JUL 18 2008
SECRETARY



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

4
AUG 13 2008

July 18, 2008

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: 7-18-08

DATE

COUNCIL MEMBER: _____

Members of City Council
Chief Judge Berta Mejia

Re: Appointments to City of Houston Part-Time Municipal Court Judge

Dear Council Members and Judge Mejia:

By this letter, I am appointing the following individuals to serve as part-time Municipal Court Judges, subject to Council confirmation. The newly appointed Judges shall serve two-year term beginning immediately upon approval by Council.

Names	Position	Reappointed/Newly Appointed
Joel Salazar	01	Reappointed
Walter Schroeder	02	Reappointed
Scott Boates	03	Reappointed
Sherilyn Edwards	04	Reappointed
Margaret Munoz-Harkins	06	Reappointed
Fad Wilson, Jr.	07	Reappointed
Catherine N. Wylie	08	Newly Appointed
David Quan	09	Reappointed
Andrew Martin	10	Reappointed
Angela P. Phea	11	Reappointed
Ursula Hall	14	Reappointed
John Chase, Jr.	15	Reappointed
Sherry Applewhite	16	Reappointed
Kerri J. Dorman	17	Newly Appointed
Oswald J. Scott, Jr.	18	Reappointed
Josefina Nelson	19	Reappointed
Robert Rosenberg	20	Reappointed
Raul Rodriguez	21	Reappointed
Jacqueline Miller	22	Newly Appointed

Joellen Snow	23	Reappointed
Nikita V. Harmon	24	Reappointed
Arturo Deleon, Jr.	26	Reappointed
Burhan Nomani	27	Reappointed
Stephan Honore	28	Reappointed
Tri Nguyen	29	Reappointed
Mario Madrid	31	Newly Appointed
Josefina M. Rendon	32	Reappointed
Lydia Johnson	33	Reappointed
William A. Allen	35	Reappointed
Min Un Lee	36	Reappointed
Barbara Hartle	37	Reappointed
Amparo Yanez – Guerra	39	Reappointed
Mimi Malick Berkowitz	40	Newly Appointed
Howard Speight	41	Reappointed

The résumés of the new nominees are attached for your review. The résumés of the reappointed nominees are on file in the Office of the City Secretary.

Sincerely,

Bill White

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Christina J. Cabral, director, Boards and Commissions


RECEIVED
 JUL 18 2008
 CITY SECRETARY

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work Meridian Commercial, L.P. Renovation of West End Health Center – Phase II WBS No. H-000068-0002-4	Page 1 of 1	Agenda Item 5
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FROM (Department or other point of origin): General Services Department	Origination Date 08/06/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P. E. <i>Issa Z. Dadoush 8/23/08</i>	Council District affected: H
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832.393.8023	Date and identification of prior authorizing Council action: Ordinance No. 2007-0561; Dated May 9, 2007
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RECOMMENDATION: Pass a motion approving the final contract amount of \$1,521,789.00, accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required	Finance Budget:
Previous Funding: \$1,598,000.00 – Public Health Consolidated Construction Fund (4508)	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$1,521,789.00 or 9.75% over the original contract amount, accept the work and authorize final payment to Meridian Commercial, L.P. for construction services for Phase II of the renovation of the West End Health Center for the Houston Department of Health and Human Services (HDHHS).

PROJECT LOCATION: 190 Heights Blvd. (493E)

PROJECT DESCRIPTION: This project was the final phase of a plan by the HDHHS to renovate the West End Health Center and West End Multi-Service Center to expand services for the community. HDHHS had contracted with the Good Neighbor Healthcare Organization to manage the dentistry, obstetrics, optometry, and pediatric clinics within the Center. This project built-out these areas to be managed by the Good Neighbor Healthcare Organization. The scope of work included space for additional dentist chairs, optometry services, and additional examination rooms.

CONTRACT COMPLETION AND COST: Due to the age of the facilities, the contract included a 10% contingency for unforeseen conditions. The contractor completed the project within the contract time, plus an additional 87 days approved by Change Orders. The final cost of the project, including Change Orders is \$1,521,789.00, an increase of \$135,250.00 over the original contract amount.

The project design consultant and construction manager was NATEX Corporation.

PREVIOUS CHANGE ORDERS: Change Orders 1-3 involved revisions to millwork, additional water and vacuum lines, circuits, light fixture and electrical junction box in Dental area, additional walls, doors and sinks in WIC area, additional drywall & air monitoring system in TB area, additional doors and hardware throughout facility, and additional supervision charges due to time extension.

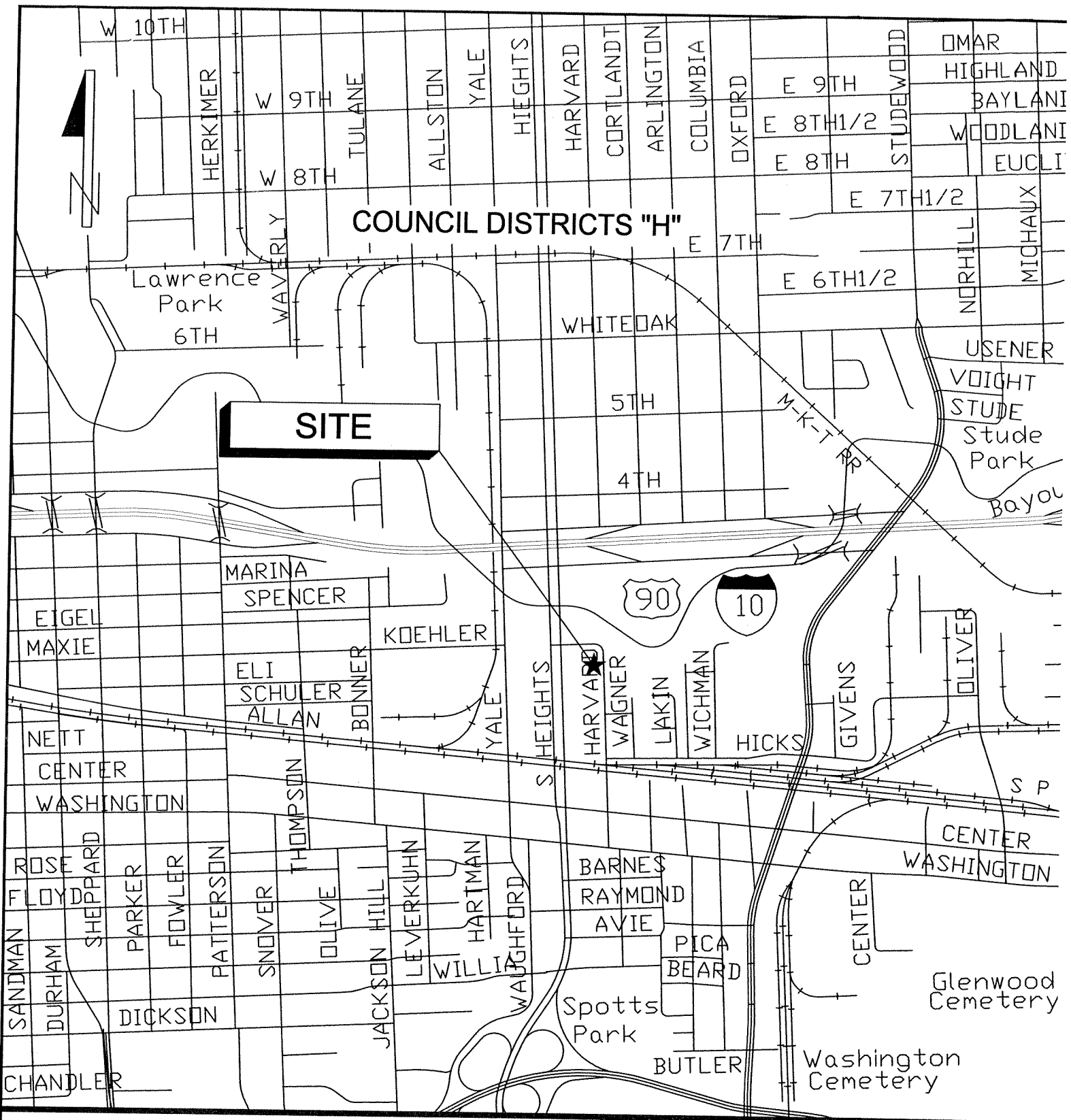
M/WBE/SBE PARTICIPATION: The contract contained a 15% M/WBE goal and 5% SBE goal. According to Affirmative Action, the contractor achieved 18.77% M/WBE participation and 7.07% SBE participation and was assigned an outstanding rating.

IZD:PJG:JLN:MCP:EWR:ps

c: Marty Stein, Webb Mitchell, Jacquelyn L. Nisby, Velma Laws, Kim Ngyuen, Fred Maier, Claudette Manning, File

REQUIRED AUTHORIZATION CUIC ID# 25CONS51 NDT

General Services Department: <i>Phil Golembewski</i> Phil Golembewski, P.E. Chief of Design & Construction Division	Department of Health and Human Services: <i>Stephen L. Williams</i> Stephen L. Williams, M.ED, MPA Director 8/6/08
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WEST END HEALTH CENTER--PHASE II
 190 HEIGHTS BOULEVARD
 HOUSTON, TX

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Hermann Drive Relief Storm Sewer Project – Segment II from Main Street to 600 feet East of Jackson Street, WBS No. M-000260-0002-4.	Category #1, 7	Page 1 of 2	Agenda Item # 6
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/7/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE., Director	Council District affected: D
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For additional information contact: <i>J. Timothy Lincoln</i> J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074	Date and identification of prior authorizing Council action: Ord. # 2005-790 dated 6/22/2005
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$8,696,274.77 or 0.91% under the original Contract Amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required; Total Original appropriation of \$9,575,000.00 from the Drainage Improvements Commercial Paper Series F, Fund No. 49R to be reimbursed up to 75% by the Federal Emergency Management Agency (FEMA).	Finance Department:
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SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the Storm Drainage Capital Improvement Plan (CIP) and was required to provide drainage improvements within the Harris Gully watershed and to reduce the flood potential to the Texas Medical Center, Rice University, Hermann Park and surrounding areas. The total funding appropriation for this project includes \$2,000,000.00 cost participation by the Texas Medical Center.

DESCRIPTION/SCOPE: This project consisted of approximately 3,000 linear feet of 12-ft X 10-ft pre-cast reinforced concrete box storm sewer, 1,260 linear feet of 24-inch and 48-inch storm sewer concrete pipe, 1,300 linear feet of water line and concrete curb and gutter roadway reconstruction. PGAL designed the project with 375 calendar days allowed for construction. The project was awarded to Texas Sterling Construction, L.P. with an original Contract Amount of \$8,775,788.20.

LOCATION: The project area was generally bounded by Ewing Street on the north, Houston Museum of Natural Science on the south, Alameda Road on the east and Main Street on the west. The project is located in Key Map Grids 533-A and B.

CONTRACT COMPLETION AND COST: The Contractor, Texas Sterling Construction, L.P. has completed the work under subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 and 2 is \$8,696,274.77, a decrease of \$79,513.43 or 0.91% under the original Contract Amount.

The decrease cost is a result of Change Order No. 2 and the difference between planned and measured quantities. This decrease is primarily of an underrun in Bid Item No. 30 – Street Lighting Conduit, 2-inch, Bid Item No. 31 – 8” Temporary Asphalt Pavement, Bid Item No. 99 – Remove 15” storm sewer, all depths, Bid Item No.100 – Remove 18” storm sewer, all depths, Bid Item No. 157 – 8” Wet Connection, and Extra Unit Price Items, which were not necessary to complete the work.

REQUIRED AUTHORIZATION

20HA31

Finance Department:	Other Authorization:	Other Authorization: not
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Date	SUBJECT: Accept Work for Hermann Drive Relief Storm Sewer Project – Segment II from Main Street to 600 feet East of Jackson Street, WBS No. M-000260-0002-4.	Originator's Initials	Page 2 of 2
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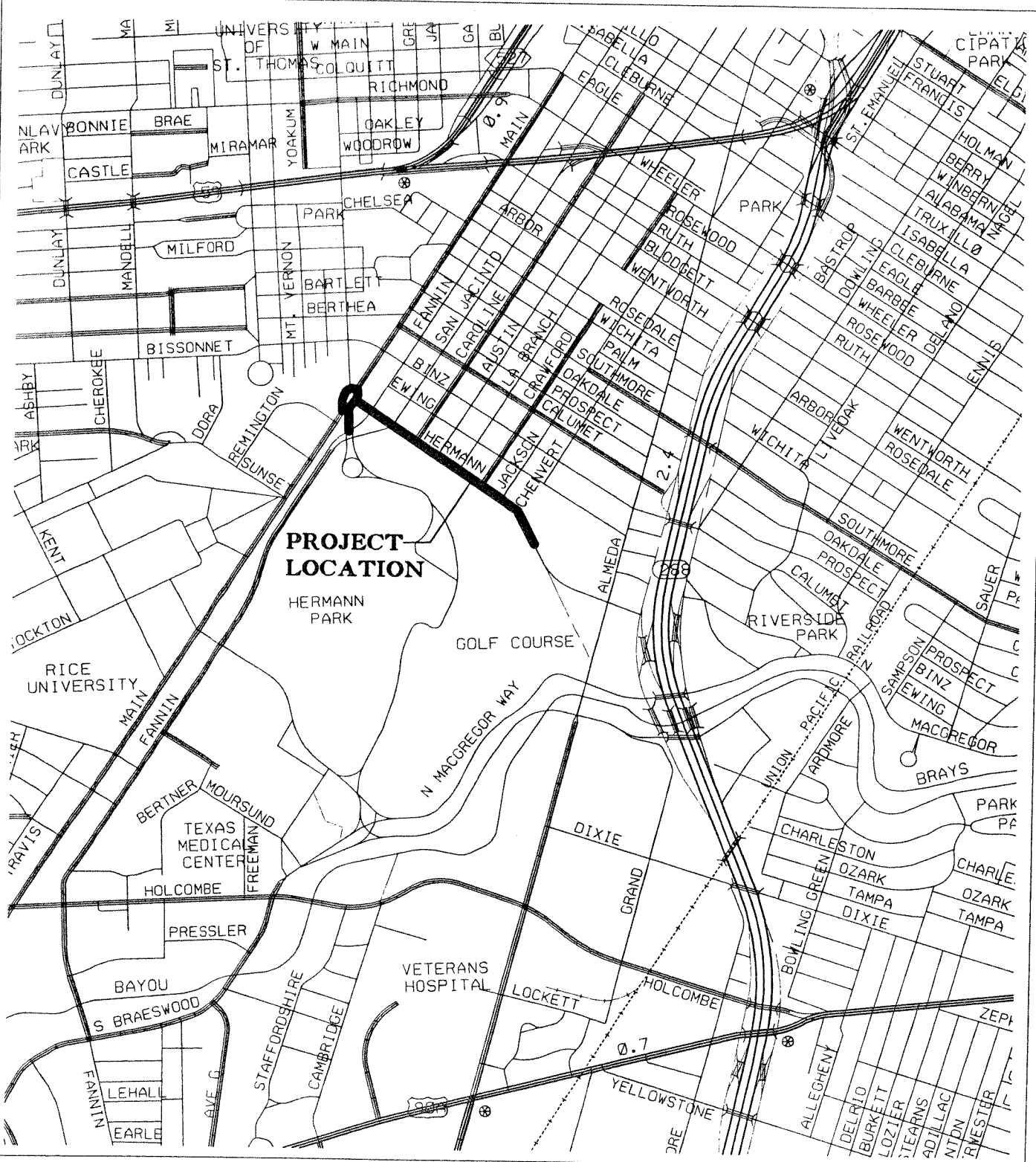
M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 18.43%. Contractor M/WBE performance evaluation was rated outstanding.

MSM:JTL:JAK:AH:ha

ls *AH*

S:\E&C Construction\South Sector\PROJECT FOLDER\M-0260-02-3\RCA\RCA - Closeout.doc

c: Michael Ho, P.E Velma Laws Craig Foster Waynette Chan Marty Stein File No.: SM5043-02/21.0



HERMANN DRIVE SEGMENT 2
 GFS NO. M-0260-02-3
 KEY MAP NOS. 533 A & 533 B
 COUNCIL DISTRICTS C & D

SUBJECT: Accept Work for Water Distribution System Rehabilitation and Renewal WBS No. S-000035-0V10-4, File No. WA 10855-03	Category	Page 1 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 8/7/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., DEE <i>Eric Danga</i>	Council District affected: ALL
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For additional information contact: A. James Millage Senior Assistant Director Phone: (713) 641-9566	Date and identification of prior authorizing Council action: 07/03/07, Ordinance No. 2007-791
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RECOMMENDATION: (Summary)
 Pass a motion to approve the final contract amount of \$1,488,207.69 or 0.99% over the original contract amount, accept the work, and authorize final payment.

Amount and Source of Funding: No additional funding is required. Original appropriation of \$1,607,326.77 from the Water and Sewer System Consolidated Construction Fund No. 8500.

PROJECT NOTICE/JUSTIFICATION: This project was necessary to provide for on-call water line replacements on an as-needed basis throughout the City.

DESCRIPTION/SCOPE: This project consisted of the replacement of main water lines up to 16-inches in diameter and service lines from 3/4-inch to 2-inches in diameter. The project was awarded to Troy Construction, L.L.P. with an original contract amount of \$1,473,644.54. The Notice to Proceed date was 08/14/07 and the project had 365 calendar days for completion.

LOCATION: The project was located at various locations within all Council Districts.

CONTRACT COMPLETION AND COST: The contractor, Troy Construction, L.L.P., has completed the work under the contract within the contract time. The final cost of the project, including overrun and underrun of estimated bid quantities, will be \$1,488,207.69, an increase of \$14,563.15 or 0.99% over the original contract amount.

M/WBE PARTICIPATION: The M/WBE goal for this project was 20%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 17.84%. The contractor was awarded a "Satisfactory" rating from the Affirmative Action and Contract Compliance Division.

MSM:JT:AJM:OS:TC:tc
 Attachments
 cc: Marty Stein Velma Laws Craig Foster Orin Smith, P.E.
 Waynette Chan Gary Norman A. James Millage Carol Ellinger, P.E.
 Mark Loethen, P.E. Michael Ho, P.E. File No. WA 10855-03

REQUIRED AUTHORIZATION CUIC ID# 20AJM201

Finance Department:	Other Authorization: <i>A. James Millage</i> 07/16/08	Other Authorization: <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division
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O: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for East Water Purification Plant (EWPP) Upgrade and Optimization. WBS. No. S-000056-0029-4. Page 1 of 1 Agenda Item # 8

FROM (Department or other point of origin): Department of Public Works and Engineering **Origination Date** 8/7/08 **Agenda Date** AUG 13 2008

DIRECTOR'S SIGNATURE:  **Council Districts affected:** E SKF

Michael S. Marcotte, P.E., DEE, Director **Date and Identification of prior authorizing Council Action:** Ord. #2001-588 Dated 06/20/2001

For additional information contact:  **Phone:** (713) 837-7074

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

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$14,741,025.00 which is 3.96% over the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required. Original appropriation of \$17,035,000.00 from Water and Sewer System Consolidated Construction Fund, Fund No. 755. **Finance Department:**

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's programs for upgrades, optimization and rehabilitation of surface water facilities. It is required to increase water production, improve operability, maintainability, reliability, and to ensure compliance with the Texas Commission on Environmental Quality's (TCEQ) regulations.



DESCRIPTION/SCOPE: The project consisted of the construction of high service pump station's suction and distribution headers, replacement and/or repair of pumps at Pump Station Nos. 1 and 2, rehabilitation and painting of seven (7) water storage tanks with related piping, construction of one (1) new storage tank, yard piping and underground electrical power supply for cathodic protection system. Thompson Professional Group, Inc. designed the project with 780 calendar days allowed for construction. The project was awarded to Pepper-Lawson Construction, L.P. with an original Contract Amount of \$14,180,000.00.

LOCATION: The Project is located at 2300 Federal Road in Key Map grid 496-U & Y.

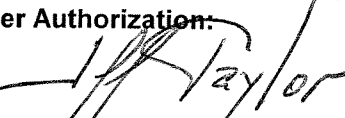

CONTRACT COMPLETION AND COST: The Contractor, Pepper-Lawson Construction, L.P. has completed the Work under the subject contract. The project was completed within the Contract Time with 561 additional days allowed by Change Order Nos. 2, 4, 7, and 9. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Order Nos. 1 through 10 is \$14,741,025.00, an increase of \$561,025.00 or 3.96% over the original Contract Amount.

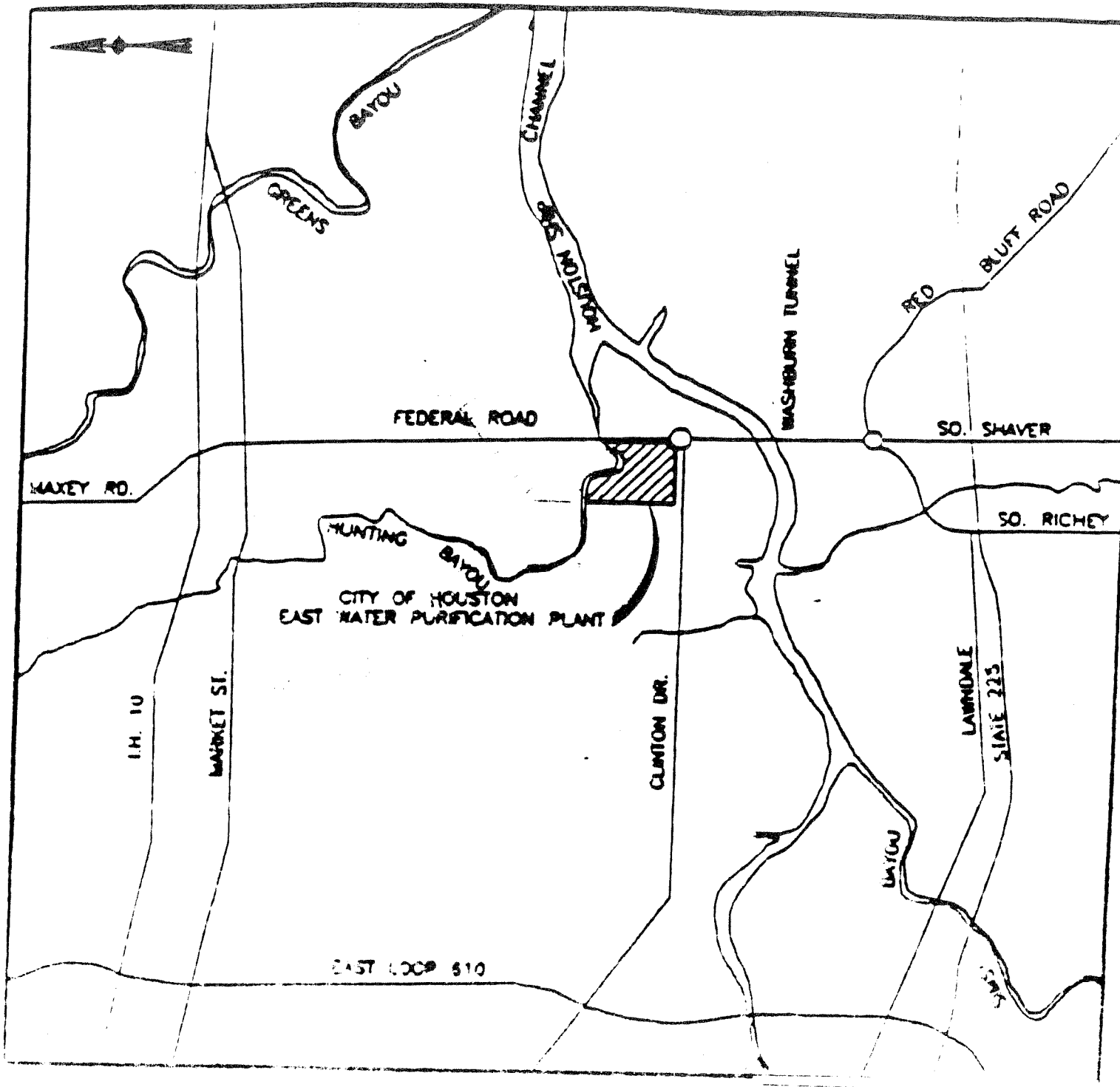
The cost overrun is primarily due to the modification of the interior coating system for the tanks in Change Order No. 2, the remediation of contaminated soil in Change Order No. 3, the increase in Extra Unit Price items quantities in Change Order No. 4, and the removal of underground obstructions in Change Order No. 10.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 16.39%. The Contractor achieved a "Satisfactory" rating for M/WBE Compliance.

MSM:JTL:   :mqs
S:\E&C Construction\Facilities\Projects\S-0056-29-3 E Water Purification\Closeout\RCA\RCA_CL~3.DOC

c: Velma Laws Michael Ho, P.E. File No. S-000056-0029-4 - Closeout

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ056
F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization: 



VICINITY MAP
N.T.S.

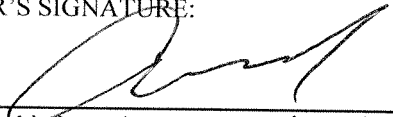
KEY MAP:

East Water Purification Plant
 Rehabilitation of HSPS, Pump Station Nos. 1 & 2
 Ground Storage Tanks, Yard Piping, and
 Construction of 5.0 MG Tank
 GPS No. S-0056-029-3, File No. 10594-1

REQUEST FOR COUNCIL ACTION

SUBJECT: Parcel AY5-190; City of Houston v. Brentwood Baptist Church, et al., Cause No. 908,756; Buffalo Speedway Paving Project (W. Orem - W. Airport) WBS/CIP No. N-000619-0001-2-01-01; Legal Department File No. 052-0400034-010;		Page 1 of 1	Agenda Item # 9
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FROM (Department or other point of origin): Legal Department - Real Estate Division Arturo Michel, City Attorney	Origination Date June 3, 2008	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: 	Council District affected: "D" Wanda Adams; Key Map #572K
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For additional information contact: Joseph N. Quintal Phone: 832.393.6286 (alternatively Russell G. Richardson 832.393.6285)	Date and identification of prior authorizing Council action: Authorizing Ord. # 2006-942, psd. 9/13/06; BAO# 2005-397, psd. 4/20/05
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RECOMMENDATION: (Summary)
That the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay all costs of court and not file any objections to the Award. Funding will be provided by a previously approved blanket Appropriation Ordinance.

Amount and Source of Funding:
\$60,152.00; No appropriation needed as funding will be provided by a previously approved Appropriation Ordinance No. 2005-397, psd. 4/20/05. Street & Bridge Consolidated Construction Fund No. 437; SAP Fund No. 4506

SPECIFIC EXPLANATION:

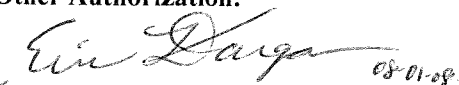
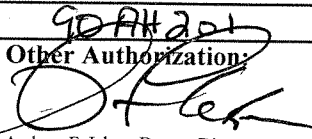
The Buffalo Speedway Paving Project (W. Orem - W. Airport) will provide for right-of-way acquisition, engineering and construction of two 24 foot-wide concrete roads with curbs, sidewalks and the necessary underground utilities. The project will upgrade the existing roadway to major thoroughfare standards. This eminent domain proceeding involves the fee simple acquisition of 1.8282 acres (79,635 s.f.) of land. The property is owned by Brentwood Baptist Church. This matter was referred to the Legal Department to commence eminent domain proceeding due to unresolved title issues.

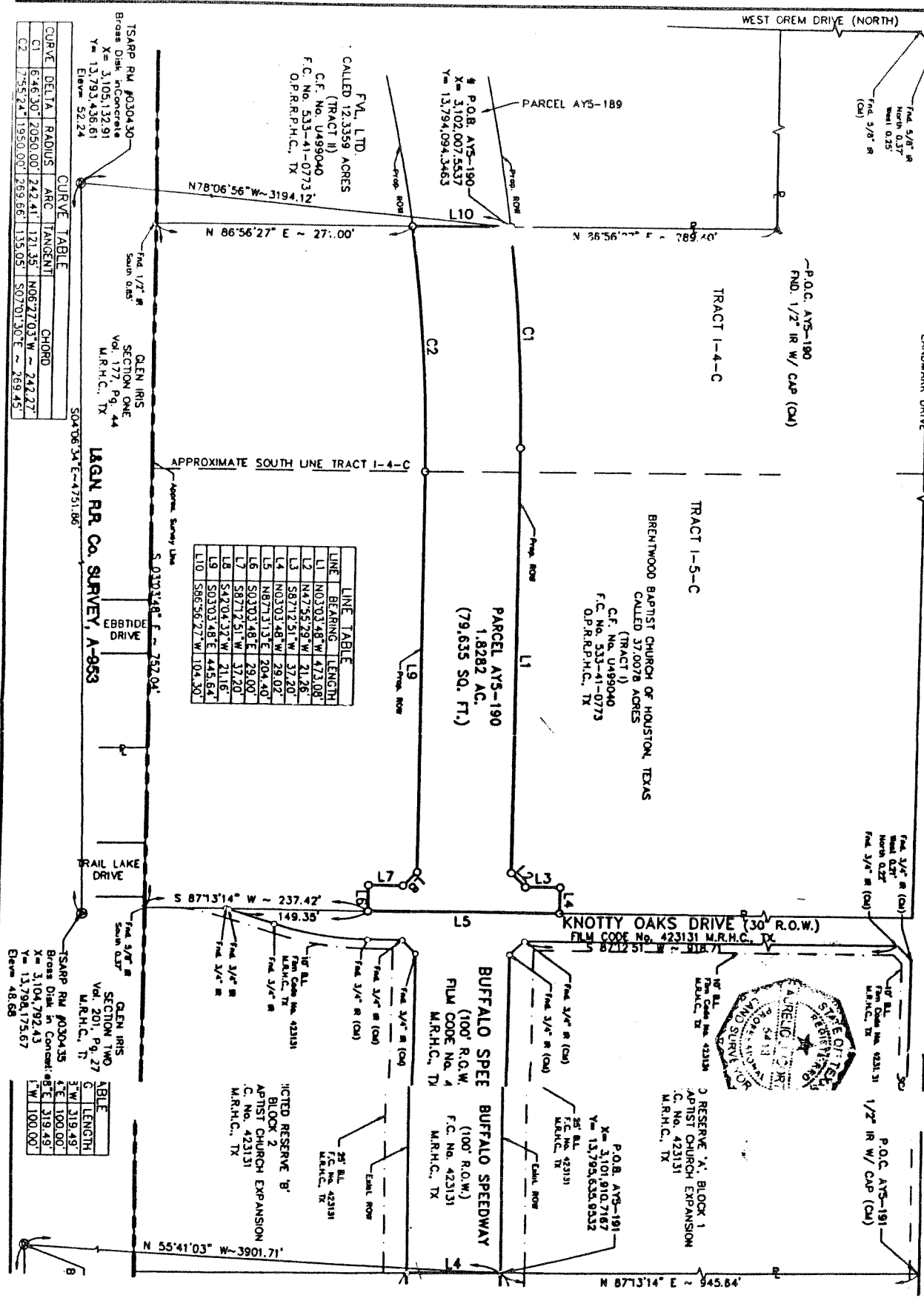
City's Testimony Before the Special Commissioners: \$55,745.00 (i.e. \$0.70 psf for the land being acquired; no value for the improvements thereon and no damage to the remainder)

Award of Special Commissioners: \$55,745.00 or the same as the City's testimony

The "**Costs of Court**" are as follows, to wit: \$167.00 filing fee; \$540.00 Service of process fee; \$1,200 Special Commissioners' fees (i.e. \$400.00 x 3); \$2,500 Appraiser's fee; **Total:** \$4,407.00. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed.

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay all costs of court and not file any objections to the Award. Funding will be provided by a previously approved blanket Appropriation Ordinance.

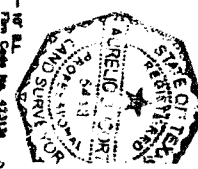
REQUIRED AUTHORIZATION		
Other Authorization:	Other Authorization:  Erin Dayer 08-01-08	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division



LINE	BEARING	LENGTH
L1	N03°03'48" W	473.08
L2	N47°52'28" W	21.26
L3	S87°12'51" W	37.20
L4	N03°03'48" W	29.02
L5	N87°31'33" E	204.40
L6	S03°03'48" E	29.00
L7	S87°12'51" W	37.20
L8	S47°04'32" W	21.16
L9	S03°03'48" E	445.64
L10	S86°56'27" W	104.30

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD
C1	6°46'30"	2050.00'	124.24'	121.35'	N06°27'03" W ~ 242.27'
C2	7°55'24"	1950.00'	126.66'	135.05'	S07°01'30" E ~ 269.45'

LINE	BEARING	LENGTH
L1	N03°03'48" W	473.08
L2	N47°52'28" W	21.26
L3	S87°12'51" W	37.20
L4	N03°03'48" W	29.02
L5	N87°31'33" E	204.40
L6	S03°03'48" E	29.00
L7	S87°12'51" W	37.20
L8	S47°04'32" W	21.16
L9	S03°03'48" E	445.64
L10	S86°56'27" W	104.30



REQUEST FOR COUNCIL ACTION

SUBJECT: Parcel AY6-028; City of Houston v. Autotronic Systems Inc., et al., Cause No. 890,961; Long Point @ Blalock Intersection Improvements Project (Oak Tree - Freedonia) WBS/CIP No. N-000674-0002-2-01-01; Legal Department File No. 052-9500007-067;	Page 1 of 2	Agenda Item # 10
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FROM (Department or other point of origin): Legal Department - Real Estate Division Arturo Michel, City Attorney	Origination Date June 6, 2008	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE:	Council District affected: "A" Toni Lawrence; Key Map #450X
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For additional information contact: Joseph N. Quintal Phone: 832.393.6286 (alternatively Russell G. Richardson 832.393.6285)	Date and identification of prior authorizing Council action: Authorizing Ord. # 2006-600, psd. 6/14/06;
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RECOMMENDATION: (Summary)
 That the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay all costs of court and not file any objections to the Award. Funding will be provided by a previously approved blanket Appropriation Ordinance.

Amount and Source of Funding:
 \$245,477.00; No appropriation needed as funding will be provided by a previously approved Appropriation Ordinance No. 2005-397, psd. 4/20/05. Street & Bridge Consolidated Construction Fund No. 437; SAP Fund No. 4506

SPECIFIC EXPLANATION:
 The Long Point at Blalock Intersection Improvements Project (Oak Tree - Freedonia) will improve access and traffic flow. The project will provide for the reconstruction of Long Point Road in multiple phases. The initial phases will include redesign of the intersections at Blalock, Antoine, Wirt and Bingle.

This eminent domain proceeding involves the acquisition of a permanent easement containing 1,825 square feet (0.0419 acre) of land located at the northeast corner of Long Point and Blalock. The property is owned by Valero Energy Corporation and is being utilized as a self service gasoline station and convenience store. This matter was referred to the Legal Department to commence eminent domain proceeding after efforts to purchase the property failed for monetary reasons.

City's Testimony Before the Special Commissioners: \$156,430.00 (i.e. \$16.00 psf for the land being acquired; \$28,204.00 for the improvements thereon; \$99,026.00 as damage to the remainder)

Landowner's Testimony Before the Special Commissioners: \$407,275.00 (i.e. \$18.00 psf for the land being acquired; \$22,985.00 for the improvements thereon; \$351,440.00 as damages to the remainder)

Award of Special Commissioners: \$235,000.00. The landowner's attorney filed Objections to the Award of Special Commissioners and the matter is now on the Court's trial docket.

The "**Costs of Court**" are as follows, to wit: \$167.00 filing fee; \$260.00 Service of process fee; \$3,150 Special Commissioners' fees (i.e. \$1,050.00 x 3); \$6,900 Appraiser's fee; **Total:** \$10,477.00. These "costs of court" account for the monetary difference between the amount of the Award of Special Commissioners and the total amount of funds needed.

REQUIRED AUTHORIZATION 90AH200		
Other Authorization:	Other Authorization: 	Other Authorization: Andrew F. Icken, Deputy Director Planning and Development Services Division

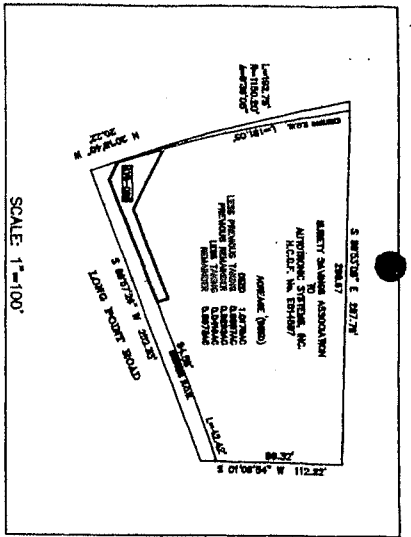
Date
June 6, 2008

SUBJECT: Parcel AY5-028; Autotronic Systems Inc.,
Long Point @ Blalock Intersection Improvements
Project; L.D. File No. 052-9500007-067;

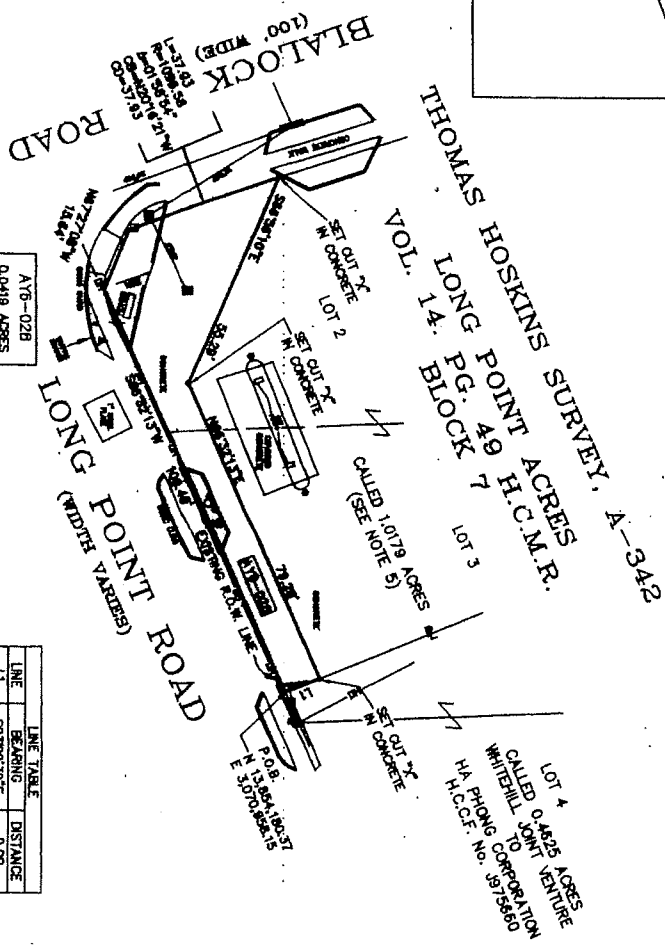
Originator's
Initials
JNQ/RGR

Page
__2__ of __2__

We recommend that the City Attorney be authorized, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay all costs of court and not file any objections to the Award. Funding will be provided by a previously approved blanket Appropriation Ordinance.



SCALE: 1"=100'



AVB-02B
0.0419 ACRES
1485 SQUARE
FEET

LINE	BEARING	DISTANCE
L1	S23°07'39"E	9.00

BOUNDARY SURVEY
OF A 0.0419 ACRE TRACT OF LAND
IN THE THOMAS HOSKINS SURVEY, ABSTRACT NO. 324
HARRIS COUNTY, TEXAS



I HEREBY CERTIFY THAT THIS PLAN OF SURVEY REPRESENTS THE FACTS AS FOUND FROM AN ON-THE-GROUND SURVEY PERFORMED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS ESTABLISHED BY THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS FOR A CATEGORY 1B, CONVEYANCE SURVEY.

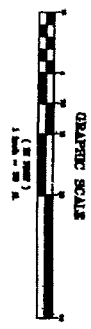
Richard A. Nunez
Richard A. Nunez
P.L.S. NO. 48902
DATE: *Dec 21 2005*

THOMAS HOSKINS SURVEY, A-342
VOL. 14. LONG POINT ACRES
BLOCK 49 H.C.M.R.
LOT 1
LOT 2
LOT 3
LOT 4

LOT 4
0.4635 ACRES
CALLED JOINT VENTURE
WHITFIELD CORPORATION
H.C.C. NO. 3515660

SYMBOL LEGEND

+	PIVOT POINT
⊕	ELECTRIC METER
⊖	WATER METER
⊗	TYPE 'X' MILET
⊙	TYPE 'Y' MILET
⊘	ROLLING
⊚	LIGHT POLE
⊛	LIGHT STANDOFF
⊜	WETTED SIGN
⊝	TELEPHONE PEDIestal



NOTE:
1. THE TRACT LIES IN ZONE 'X' FOR FLOOD PLAIN MAP PANEL NO. 48200004D UNDE
NOVEMBER 8, 1988. ZONE 'X' IS SHOWN IN THE ABOVE SURVEY. THE 500'-1000' FLOOD PLANE
2. A CURRENT FLOOD MAP IS NOT AVAILABLE AT THE TIME OF THIS SURVEY, AND, THEREFORE,
3. ALL MEASUREMENTS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL,
ZONE 16N, 5000 (NAD83).
4. THIS SURVEY WAS PERFORMED IN CONSULTATION WITH A LICENSED SURVEYOR REGISTERED WITH
THE STATE OF TEXAS.
5. THE LATEST DEED THE SURVEYOR CANNOT FIND FOR THIS TRACT WAS SURVEY NUMBER
6. THIS SURVEY WAS PERFORMED FOR THE PURPOSE OF THE SURVEYOR'S CLIENT'S FILE NO.
7. A COPY OF THE ORIGINAL SURVEY MAP, AS RECORDED UNDER TRACTOR COUNTY CLIENT'S FILE NO.
8. A COPY OF THE ORIGINAL SURVEY MAP, AS RECORDED UNDER TRACTOR COUNTY CLIENT'S FILE NO.
9. A COPY OF THE ORIGINAL SURVEY MAP, AS RECORDED UNDER TRACTOR COUNTY CLIENT'S FILE NO.
10. A COPY OF THE ORIGINAL SURVEY MAP, AS RECORDED UNDER TRACTOR COUNTY CLIENT'S FILE NO.

CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

DATE: *01/11/06*
Richard A. Nunez
RIGHT OF WAY SECTION

KEY MAP NO. 450-Y
PARCEL NO. AVB-02B
GINS MAP NO. 5039C

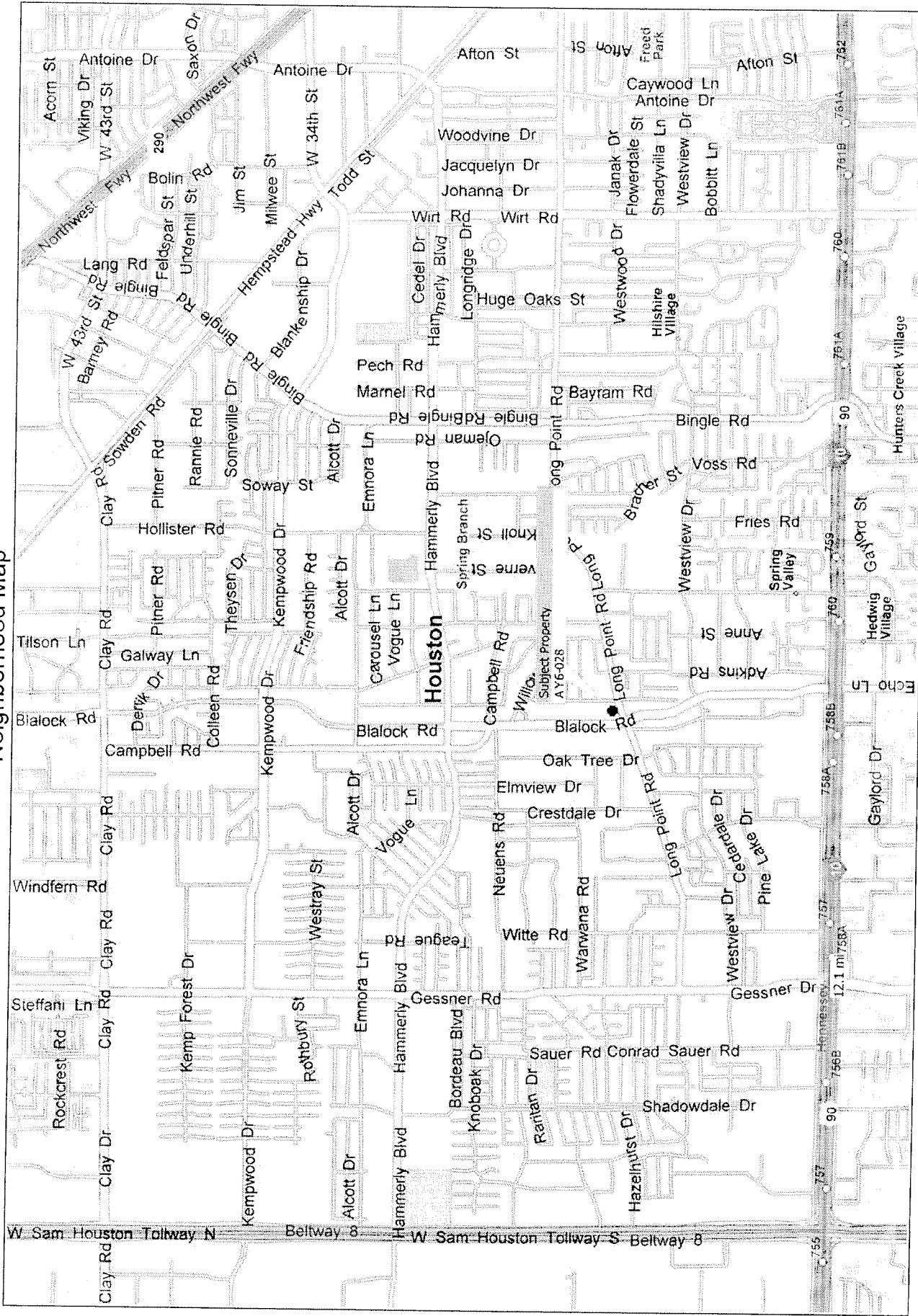
CIP NO. _____
GFS NO. *N-06144012*
C.M. NO. _____

9487R
CITY DRAWING NUMBER
HOUSTON, TEXAS

12-21-05 ADDED DATA MAP, AND ADDED NOTE #
11-29-05 ADDED TOPOGRAPHIC FEATURES

Richard A. Nunez
Professional Land Surveying License
No. 48902
Date: *Dec 21 2005*

Neighborhood Map



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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Condemnation of .229 acres of land located at 1204, 1206 and 1208 Victor Street and 1510-1512 Cushing Street.

Page
1 of 1

Agenda Item

11

WBS No. E-000144-0001-2

Owner: Estrellita H. Redus, Trustee of the Redus Revocable Trust

FROM (Department or other point of origin):

General Services Department

Origination Date

7-24-08

Agenda Date

AUG 13 2008

DIRECTOR'S SIGNATURE:

Issa Z. Dadoush, P.E.

Issa Z. Dadoush
7/24/08

Council District affected: |

For additional information contact:

Jacquelyn L. Nisby 832-393-8023

Date and identification of prior authorizing council action:

RECOMMENDATION: Authorize by Council Motion the condemnation of .229 acres of land located at 1204, 1206 and 1208 Victor Street and 1510-1512 Cushing Street.

Amount Of Funding: To be determined by condemnation proceeding.

Source Of Funding: Reimbursement of Equipment/Projects Fund (1850)

Finance Budget:

SPECIFIC EXPLANATION: The historic Gregory School is located in Houston's Fourth Ward. The building is being renovated and restored to transform the school into an African American Library and Archival Center that will tell the history of African Americans in Houston through photographs, letters, documents and oral histories.

The City desires to acquire .229 acres of land to provide additional parking for the Gregory School, and to purchase from Estrellita H. Redus, Trustee of the Redus Revocable Trust, all of that certain tract of land consisting of Lots Nine (9) and Ten (10), Block Sixty-One (61) of the Baker Addition, a subdivision of the City of Houston, Harris County, Texas, more commonly known as 1204, 1206 and 1208 Victor Street and 1510-1512 Cushing Street, for a purchase price of \$400,000.00. It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed through future agreements with the Fourth Ward TIRZ No. 14. In the event an agreement is not reached, Public Improvement Bonds will be used to fund the purchase.

CONDEMNATION: Condemnation is being recommended to acquire this parcel due to the owner's inability to sell the land to the City, since there is a prior prospective purchaser who is alleging a right to purchase the land. The City's offer was based on recent sales in the neighborhood and was accepted by the Seller. The breakdown is as follows:

10,000 square feet (unencumbered) @ \$40.00 PSF.....\$400,000.00

Therefore, the General Services Department recommends that authority be given through Council Motion to condemn .229 acres of land consisting of Lots Nine (9) and Ten (10), Block Sixty-One (61) of the Baker Addition, a subdivision of the City of Houston, Harris County, Texas, more commonly known as 1204, 1206 and 1208 Victor Street and 1510-1512 Cushing Street, Harris County, Texas.

IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Wendy Heger

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 29

General Services Department:

Forest R. Christy, Jr.
Forest R. Christy, Jr., Director
Real Estate Division

Houston Public Library:

Rhea Brown Lawson
Rhea Brown Lawson, Ph.D.
Director

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7981

Subject: Formal Bids Received for Spheres, Reflective Glass, Type III for the Houston Airport System
S36-S22693

Category #
4

Page 1 of 1

Agenda Item

12

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

Origination Date
July 28, 2008

Agenda Date
AUG 13 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
B, E, I

For additional information contact:
Dallas Evans Phone: (281) 230-8001
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve an award to Flex-O-Lite Division on its low bid in an amount not to exceed \$1,575,575.00 for Type III reflective glass spheres for the Houston Airport System.

Estimated Spending Authority: \$1,575,575.00

Finance Budget

\$1,575,575.00 HAS - Revenue Fund (8001)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Flex-O-Lite Division on its low bid in an amount not to exceed \$1,575,575.00 for Type III reflective glass spheres for the Houston Airport System. It is further requested that authorization be given to make purchases, as needed, for a six-month period, with two one-year options to extend, for a total 30-month term. This award consists of Type III reflective glass spheres to be used by the Houston Airport System for reflective marking of runways and taxiways to provide Federal Aviation Administration mandated guideline reflectivity at the three airports.

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

<u>Company</u>	<u>Total Amount</u>
1. Flex-O-Lite Division	\$1,575,575.00
2. Swarco	\$2,135,125.00

The disparity between the bids exists primarily because Flex-O-Lite is a leading manufacturer and distributor of the Type III reflective glass spheres, and manufactures the spheres exclusively in its plant, located in Paris, Texas. Because Flex-O-Lite is the leading manufacturer and the largest provider of the Type III reflective glass spheres, it was able to provide a more competitive bid price. Based on the aforementioned, Strategic Purchasing and the Department are confident that the recommended company can provide the specified item for the price bid.

Buyer: Valerie Player-Kaufman

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

Estimated Spending Authority

DEPARTMENT	FY 2009	OUT YEARS	TOTAL
Houston Airport System	\$630,300.00	\$945,275.00	\$1,575,575.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NDT

2009



CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Valerie Player-Kaufman

Date: April 14, 2008

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: _____ New Goal: _____

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

Solicitation Number: S36-S22693 Estimated Dollar Amount: \$1,693,375.00

Anticipated Advertisement Date: 4/25/2008 Solicitation Due Date: 5/15/2008

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 is a renewal of spheres, reflective glass, type III.

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

This is a renewal of a spheres, reflective glass, type III award that will be used by the Houston Airport System for reflective marking of runways and taxiways at George Bush Intercontinental, William P. Hobby and Ellington Field airports. There are only three manufacturers of this material nationwide, and each manufacturer ships directly from their manufacturing plant to the end-users. There are no M/WBE subcontractors available for nationwide pick-up and delivery. Consequently, there is no opportunity for M/WBE participation; therefore, we request that a zero percentage goal be approved on this award. The current award has a zero goal approval.

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, Deputy Assistant 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.

RECEIVED

APR 21 2008

CITY OF HOUSTON REVISED: 03/20/2008
AFFIRMATIVE ACTION

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7952

Subject: Formal Bids Received for Lighting, Theatrical Replacement Parts and Repair Services for the Convention & Entertainment Facilities Department
S06-S22849

Category #
4

Page 1 of 2

Agenda Item

13

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

Origination Date
July 24, 2008

Agenda Date
AUG 13 2008

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
D, I

For additional information contact:
Dawn Ullrich Phone: (713) 853-8083
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve an award to Stage Light, Inc. on its low overall bid in an amount not to exceed \$1,130,000.00, for theatrical lighting replacement parts and repair services for the Convention & Entertainment Facilities Department.

Estimated Spending Authority: \$1,130,000.00

Finance Budget

\$1,130,000.00 C&E Civic Center Facility Revenue Fund (8601)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Stage Light, Inc. on its low overall bid in an amount not to exceed \$1,130,000.00 for theatrical lighting replacement parts and repair services for the Convention & Entertainment Facilities Department. It is further requested that authorization be given to make purchases as needed for a 60-month term. This award consists of various price lists for theatrical lighting equipment replacements parts, which include but are not limited to, synthetic rope, clouds, projector dowsers, lighting packs, fluorescent sleeves, quick rolls, and aspheric lens. This award also includes a \$138,500.00 labor component for repairs that cannot be performed by City personnel.

This is a price list solicitation. 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 to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period 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. Seven prospective bidders viewed the solicitation document from SPD's e-bidding website and only two bids were received as outlined below. Stage Light, Inc. is the only authorized distributor for theatrical lighting replacement parts and repair services in the greater Houston area and surrounding counties for the stage light equipment.

- COMPANY**
- Specialty Optical
 - Stage Light, Inc.

SAMPLE PRICING PLUS LABOR
\$ 126.83 (Partial Bid)
\$19,379.65

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

NDT

13 sep

Date: 7/24/2008	Subject: Formal Bids Received for Lighting, Theatrical Replacement Parts and Repair Services for the Convention & Entertainment Facilities Department S06-S22849	Originator's Initials TR	Page 2 of 2
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Buyer: Tywana L. Rhone

MWBE Subcontracting

This bid was advertised with a 5% goal for M/WBE participation. **Stage Light, Inc.** has designated the below-named company as its certified M/WBE subcontractor.

<u>NAME</u>	<u>TYPE OF WORK</u>	<u>AMOUNT</u>
Aus-Tex Electric, Ltd.	Provide Lamps & Electrical Supplies	\$56,500.00

Estimated Spending Authority

<u>DEPARTMENT</u>	<u>FY2009</u>	<u>OUT YEARS</u>	<u>TOTAL</u>
Convention & Entertainment Facilities	\$190,000.00	\$940,000.00	\$1,130,000.00



CITY OF HOUSTON

Interoffice

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Correspondence

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

From: Tywana Rhone

Date: July 1, 2008

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: 11 New Goal: 5

If requesting a revision, how many solicitations were received: 2

Solicitation Number: S06-S22849 Estimated Dollar Amount: \$1,130,000.00

Anticipated Advertisement Date: 5/2/2008 Solicitation Due Date: 5/22/2008

Goal On Last Contract: 3 Was Goal met: Yes No

If goal was not met, what did the vendor achieve: 2

Name and Intent of this Solicitation:

Renewal of theatrical lighting parts and service for Convention & Entertainment.

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

The is a renewal requested by the Convention & Entertainment Facilities. The Supplier, Stage Light, Inc. is the only distributor authorized to provide service for the theatrical lighting system. There is limited opportunity for MWBE participation because the subcontractors on the approved M/WBE list are not distributors for the manufacturers except Osram an Ushio. Based on historical data lamps purchased over 5 years will not satisfy a 11% goal; therefore, a 5% goal is being requested. See attached

Concurrence:

Tywana Rhone
SPD Initiator

Deborah Heath
Division Manager

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

Kevin M. Coleman
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.

Rhone
JUL 07 2008

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7667

Subject: Approve an Ordinance Authorizing the Execution of an Interlocal Agreement with the City of Dallas and Approve the Purchase of Digital Patroller In-Car Video Cameras and Software for the Houston Police Department S17-H22898

Category #
4 & 5

Page 1 of 2

Agenda Item

14-14A

FROM (Department or other point of origin):

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

Origination Date

August 06, 2008

Agenda Date

AUG 13 2008

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the execution of an interlocal agreement between the City of Houston and the City of Dallas, Texas and approve the purchase of digital patroller in-car video cameras and software in an amount not to exceed \$1,090,125.00 for the Houston Police Department.

Maximum Amount: \$1,090,125.00

Finance Budget

\$1,090,125.00 - DARLEP Fund (Fund 2212)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the execution of an Interlocal Agreement for Cooperative Purchasing between the City of Houston and the City of Dallas, Texas. It is further recommended that City Council approve the purchase of digital patroller in-car video cameras and software for the Police Department through the Interlocal Agreement for Cooperative Purchasing with the City of Dallas, Texas in an amount not to exceed \$1,090,125.00 and that authorization be given to issue purchase orders to the City of Dallas' vendor, Integrian, Inc.

This ordinance authorizes the City of Houston to participate in a cooperative purchasing program with the City of Dallas, Texas as stated in Section 271.102 of the Texas Local Government Code. The Texas Local Government Code enables local governments to participate in cooperative purchasing programs with other local governments to purchase goods or services utilizing contracts currently existing between another local government and its vendor. This process satisfies the states competitive bid law requirements. The City of Houston will utilize contracts between the City of Dallas and various vendors under the same terms and conditions. Under this agreement, goods or services purchased in excess of \$50,000.00 must be appropriated and approved by Houston City Council. The City Purchasing Agent may terminate this agreement at any time upon 30-days written notice to the City of Dallas.

The total spending authority allows for the purchase of 225 digital patroller in-car video cameras and software. The new digital patroller in-car video cameras and software will replace the existing in-car video cameras that record on VHS tapes. The new cameras will come with a one-year warranty and the life expectancy is ten years.

The digital patroller in-car video camera is a video management system installed in police cars that will allow the police officers to upload recorded videos to a server. The server will save the police car number, the officer's name, the type of incident, the arrest number, and other configurable data. The software allows the server to be networked to workstations at the Police Department allowing officers to retrieve, play and create copies from a workstation. The video management system will also create an evidence chain that will maintain a record of individuals that viewed or made copies of videos.

REQUIRED AUTHORIZATION

NDT

Finance Department:

Other Authorization:

Other Authorization:

Calvin D. Wells 8/6/08

14A

Date: 8/6/2008	Subject: Approve an Ordinance Authorizing the Execution of an Interlocal Agreement with the City of Dallas and Approve the Purchase of Digital Patroller In-Car Video Cameras and Software for the Houston Police Department S17-H22898	Originator's Initials MS	Page 2 of 2
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The digital patroller in-car video cameras will be utilized in 15 traffic enforcement units that include Traffic, Westside, Central, Southeast, North and the Vehicular Crime Divisions for recording events occurring during traffic stops and other traffic enforcement activities. The digital patroller in-car video cameras will benefit the Department by providing appropriate evidence for prosecution by the District Attorney as well as an excellent tool for evaluating officer job performance.

Existing cameras that are operational or functional will be installed in police cars that have cameras that are not operational. Cameras that are not in operational or functional condition will be sent to the Property Disposal Management Office for disposition.

Buyer: Murdock Smith

SUBJECT: City Council Resolution authorizing the City to make application with the Texas Water Development Board, to access the Tier II, Clean Water State Revolving Fund program.	Category #	Page	Agenda Item #
		1 of 1	

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/7/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., DEE, Director <i>Michael S. Marcotte</i>	Council District affected: All
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For additional information contact: Susan Bandy Phone: (713) 837-0282	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

Pass a Resolution authorizing the City to make application with the Texas Water Development Board, to access the Tier II, Clean Water State Revolving Fund program.

Amount of Funding: No funds are required at this time.	F & A Budget:
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SOURCE OF FUNDING: [] General Fund [] Grant Fund [] Enterprise Fund [] Other (Specify)

SPECIFIC EXPLANATION:

The Department of Public Works & Engineering wishes to apply for a low interest rate loan from the Texas Water Development Board (TWDB) under the Clean Water State Revolving Fund (CWSRF), Tier II program, to improve the wastewater system. The interest rates available on this program are 80 basis points below the current bond market rates.

The TWDB administers loan programs to eligible municipalities and agencies through the purchase of bonds issued by the loan recipients. In 1998, the TWDB began using a priority rating process to determine the amount of funding participants could receive from the State Revolving Fund. Municipalities are annually requested to submit an Intended Use Plan providing information on projects to be considered for TWDB funding. After the projects are prioritized and the amount of available funds determined, applicants are invited to apply for SRF loans. These wastewater projects are included in the FY2009 Adopted Capital Improvement Plan (CIP).

The City of Houston has benefited from the lower interest rates offered by the SRF program since 1988 and wishes to continue its participation in the program. This resolution will authorize the City to make application with the TWDB to receive a \$58.245 million loan commitment based on the City's FY2008 Intended Use Plan. The loan commitment from the TWDB is for a two year period. Within that period, City Council approval will be requested to authorize the issuance of bonds to the TWDB. The \$58.245 million SRF bond issuance is anticipated in August 2010.

It is requested that City Council approve the resolution authorizing the City to make application with the Texas Water Development Board for the Clean Water State Revolving Fund.

cc: Marty Stein
Legal
Waynette Chan
Gary Norman
Andy Icken

REQUIRED AUTHORIZATION CUIC# 20SB18		
F & A Director:	Other Authorization:	Other Authorization:

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

R

SUBJECT: Ordinance amending Chapter 47 of the Code of Ordinances relating to Developer Participation Contracts		Page 1 of 1	Agenda Item # 16
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 8/7/08	Agenda Date AUG 13 2008
DIRECTOR'S SIGNATURE <i>MS Marcotte</i> Michael S. Marcotte, P.E., DEE, Director		Council District affected: All	
For additional information contact: Jun Chang, P.E. <i>JK</i> Phone: (713) 837-0433		Date and identification of prior authorizing Council action 4/9/2008 Ord 2008-0307	
RECOMMENDATION: (Summary) Adopt an ordinance to delegate to the Director of Public Works and Engineering the authority to extend Developer Participation Contracts executed prior to April 9, 2008			
Amount and Source of Funding: N/A			
SPECIFIC EXPLANATION: The recent changes to the Developer Participation Program outlined in Chapter 47 Article IV Section 47-164 allow for the Director of Public Works and Engineering to both approve and extend Developer Participation Contracts. However, Developer Participation Contracts approved by the City prior to April 9, 2008 must still go through Council for an extension. A developer may need extensions for two different deadlines. The first deadline requires a Developer to initiate a Notice to Proceed to the contractor within 18 months after the date of the countersignature of the City Controller. The second deadline is that reimbursements must take place within 3 years of the date of Notice to Proceed. If either deadline is not met, the contract terminates. Due to the current market conditions, there are numerous requests for extensions to Developer Participation Contracts. For the Director to approve an extension, PWE will adopt a policy requiring that the extension must be received within 6 months of the expiration under the Notice to Proceed and 12 months of the expiration of the reimbursement. Additionally, per the Ordinance the Director may not extend either of the time periods to begin or complete construction by more than one year. Council will given 10 days notice prior to the approval of the extension and the applicant must not owe City tax. Council is therefore requested to delegate to the Director of the Department of Public Works and Engineering the authority to extend the Developer Participation Contracts that have been approved by Council prior to the passing of Ordinance 2008-0307 on April 9, 2008.			
F & A Director		QUIC# 20JZC450 A	
		Other Authorization: <i>AF Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services	Other Authorization:

City of Houston, Texas, Ordinance No. _____

AN ORDINANCE AMENDING SECTION 47-164 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO DEVELOPER PARTICIPATION CONTRACTS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING FOR SEVERABILITY, AND DECLARING AN EMERGENCY.

* * * *

WHEREAS, development in the City of Houston has been slowed by the current condition of the market real estate market; and

WHEREAS, developers who have executed developer participation contracts are requesting that the terms of their contracts be extended so that they have time to complete the requirements of the contracts; and

WHEREAS, the City Council desires to amend Section 47-164 of the Code of Ordinances to allow the Director of Public Works and Engineering to extend developer participation contracts, including contracts executed prior to the effective date of this 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 part of this ordinance.

Section 2. That Subsection 47-164(4) of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“(4) A developer shall not be reimbursed for any eligible costs, including interest, and shall waive any right to claim such reimbursement if the developer fails to:

- a. Obtain a fully executed developer contract prior to beginning construction of the facilities;

- b. Begin actual construction of the facilities described in the developer contract within 18 months after the date of countersignature of the developer contract by the city controller; or
- c. Complete construction of 100 percent of the facilities described in the developer contract (and 25 percent of the number of housing units required by a 70 percent developer reimbursement contract) within three years of the date the developer commences construction.

The director may extend the contract term, including the time limits set out in (b) and (c) if the developer can show good cause for its delay. Provided, however, the director may not extend either of the time periods described in items (b) and (c). by more than one year.

In no case shall the city reimburse the contractor for an amount in excess of the amount set out in the developer contract, which must not ever exceed \$1,000,000.00 per contract.”

Section 2. This ordinance shall be given both prospective and retroactive effect.

Section 3. All ordinances in conflict herewith are hereby repealed to the extent of conflict only.

Section 4. If any portion of this Ordinance, or the application thereof to any person or set or circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or their application shall not be affected thereby.

Section 5. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this

Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

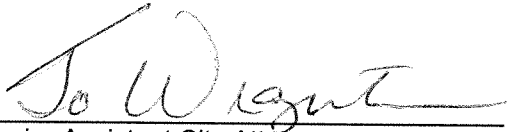
PASSED AND ADOPTED this ____ day of _____, 20____.

APPROVED this ____ day of _____, 20____.

Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

Prepared by Legal Dept. 

EWB:jdw

Senior Assistant City Attorney

Requested by Michael S. Marcotte, P.E., Director, Public Works and Engineering Department

L.D. File No.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance appropriating FY09 funding for the Developer Participation Contracts	Page 1 of 1	Agenda Item # 17
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S-000800-DPC1-4/R-000800-DPC1-4/M-000800-DPC1-4

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/7/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE <i>Eric Dugan</i> 07/29/08 Michael S. Marcotte, P.E., DEE, Director	Council District affected: All
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For additional information contact: <i>dm5</i> Jun Chang, P.E. Phone: (713) 837-0433	Date and identification of prior authorizing Council action 4/9/2008 Ord 2008-0307
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RECOMMENDATION: (Summary)
Adopt an ordinance appropriating funding for Developer Participation Contracts for FY09

FY09 \$17,500,000
\$12,000,000 from the Water and Sewer System Consolidated Construction Fund 8500
\$1,500,000 from the Drainage Improvement Commercial Paper Series F Fund 4030
\$2,000,000 from the Homeless and Housing Consolidated Fund 4501
\$2,000,000 from the Affordable Housing Uptown Series 2004 Fund 2417

3
Payroll
07/28/08

SPECIFIC EXPLANATION:

In accordance with the changes to Chapter 47 regarding the Developer Participation Program passed April 9, 2008 by Ordinance Number 2008-0307, The Director of the Public Works and Engineering Department requests Council approval of the Appropriations necessary to fund Developer Participation Contracts for FY09. When a DPC application is administratively complete, but at least 10 days prior to approval by the Director, the Department shall provide the members of the City Council notice of the scope and location of the proposed development as well as contact information for the developer. The funding requested for FY09 is the amount as approved in the 5 Year Housing Plan. The Public Works and Engineering Department will make available a quarterly report detailing specific expenditures.

cut

Finance Department Director <i>Michelle Mitchell</i>	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services	Other Authorization:
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CUIO# 20JZC447

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance to adopt amendments to the Commercial Energy Conservation Code	Category #	Page 1 of 1	Agenda Item # 18
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE:  Michael Marcotte, Director	Council District affected: All
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For additional information contact: Gary Bridges Building Official Phone: (713) 535-7575	Date and identification of prior authorizing Council action: None
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RECOMMENDATION: (Summary) Approve an ordinance to update selected sections of the Commercial Energy Conservation Code

Amount and Source of Funding: N/A	F&A Budget:
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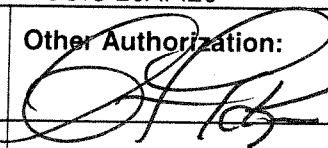
SPECIFIC EXPLANATION:
PROJECT: I NOTICE/JUSTIFICATION

The Commercial Energy Conservation Code was adopted April 30th, 2008 and took effect August 1st, 2008. As part of the education process for implementation, comments and feedback were received that resulted in the code modifications included in this ordinance. These include:

- Moving cool roof provisions into the mandatory section of the code to ensure that when applicable they are included in the base building comparison for a computer modeling method allowed in the code.
- Changing terminology for pipe insulation from "inside diameter" to "nominal pipe diameter".
- Modifying duct insulation tables to distinguish conditioned areas from unconditioned areas.
- Adding a new reference as an alternative for building envelope commissioning.

The proposed modifications were submitted to Texas A&M Energy Systems Lab as required by state law and reviewed by the Construction Industry Council Energy Committee Chair for clarification.

REQUIRED AUTHORIZATION CUIC 20AFI20

F&A Director:	Other Authorization:	Other Authorization: 

City of Houston, Texas, Ordinance No. 2008-_____

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE CITY OF HOUSTON COMMERCIAL ENERGY CONSERVATION CODE; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

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

Section 1. That the City of Houston Commercial Energy Conservation Code (the "HCEC") is hereby amended by adding a new Section 5.4.3.5 that reads as follows:

"5.4.3.5 Cool roofs. Low slope roofs up to 2:12 shall be provided with a roof covering where the exterior surface has:

- (a) A minimum total solar reflectance of 0.70 when tested in accordance with one of the solar reflectance test methods listed below, and
- (b) A minimum thermal emittance of 0.75 when tested in accordance with one of the thermal emittance test methods listed below.

Solar Reflectance Test Methods: ASTM C1549, ASTM E903, ASTM E1175, or ASTM E1918.

Thermal Emittance Test Methods: ASTM C835, ASTM C1371, or ASTM E408.

Exceptions to 5.5.3.1.1:

- (a) The portion of the roof that is covered by a rooftop deck covering 1/3 or less of the aggregate area of the roof, or a rooftop garden, or a green roof, is exempted from the requirements of this section.
- (b) An area including and adjacent to rooftop photovoltaic and solar thermal equipment, totaling not more than three times the area that is covered with such equipment, is exempt from the requirements of this section."

Section 2. That the HCEC is hereby amended by deleting Section 5.5.3.1.1 in its entirety, including the "Exceptions to 5.5.3.1.1."

Section 3. That Table 6.4.4.1.1 of the HCEC is hereby amended to read as provided in Exhibit A, which attached hereto and incorporated herein.

Section 4. That Footnote d of Table 6.8.3 of the HCEC is hereby amended to read as follows:

^d Inside pipe diameter."

Section 5. That Item No. 5 of Table 11.3.1 of the HCEC is hereby amended to read as provided in Exhibit B, which attached hereto and incorporated herein.

Section 6. That Section 5.9 of Appendix E of the HCEC is hereby amended to read as follows:

"5.9	ASHRAE Guideline 0 – 2005 National Institute for Building Standards Guideline 3	The Commissioning Process Exterior Enclosure Technical Requirements For the Commissioning Process"
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Section 7. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 8. 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 at 12:01 a.m. on August 1, 2008, or the date of its passage and approval by the Mayor, whichever is later.

PASSED AND APPROVED this ____ day of _____, 2008.

Mayor of the City of Houston

EXHIBIT A

TABLE 6.4.4.1.1 Insulation of Ducts^{a, b}

Duct Location	Insulation Types Mechanically Cooled and Outside Air	Insulation Types Heating Only
1. On roof <u>or</u> exterior of building	<u>C</u> <u>R-8, V, W</u>	<u>A</u> <u>R-8, W</u>
<u>2.</u> Attics, garages, <u>inside walls, floor-ceiling spaces and crawl spaces</u> (located inside the building envelope)	<u>C</u> <u>R-6, V</u>	<u>A</u> <u>R-6</u>
<u>3.</u> Attics, garages, <u>outside walls, and crawl spaces</u> (located outside the building envelope)	<u>R-8, V</u>	<u>R-8</u>
In walls and within floor-ceiling spaces	A, V	A
Supply ducts located within the conditioned space or semi-conditioned space or in basements; return ducts in air plenums when the temperature difference between the interior and exterior of the duct does not exceed 15°F (8°C).	None required	None
Ducts where the temperature difference between the interior and exterior of the duct exceeds 15°F (8°C).	A, V	A
Cement slab or within ground	None required	None

Note:

- a. When the temperature difference between the interior and the exterior of the duct does not exceed 15° F (8° C) duct insulation is not required.
- b. Where ducts are used for both heating and cooling, the insulation requirements shall comply with the most restrictive condition.

1. Vapor retarders shall be installed on supply ducts in spaces vented to the outside in geographic areas where the average summer dew point temperature based on the 2-1/2 percent column of dry-bulb and mean coincident wet-bulb temperature exceeds 60°F (16°C).

INSULATION TYPES:

A. A material with an installed conductance of 0.48 [2.72 W/(m·K)] or the equivalent thermal resistance of R-5.6.

C. A material with an installed conductance of 0.16 [0.9 W/(m·K)] or the equivalent thermal resistance of R-8.

NOTES:

V. Vapor retarders: Material with a perm rating not exceeding 0.5 perm (29 ng/Pa•s•m²). Vapor retarders shall be installed on cooling supply ducts in spaces vented to the outside in geographic areas where the summer dew point temperature exceeds 60°F (16°C) at the 2 ½ percent summer design dry-bulb with mean coincident wet-bulb temperature. All joints to be sealed.

W. Approved weatherproof barrier.

EXHIBIT B

Table 11.3.1 (continued) Modeling Requirements for Calculating Design Energy Cost and Energy Cost Budget

No.	Proposed Building Design (Column A) Design Energy Cost (DEC)	Budget Building Design (Column B) Energy Cost Budget (ECB)
5. Building Envelope	<p>All components of the building envelope in the <i>proposed design</i> shall be modeled as shown on architectural drawings or as installed for <i>existing building</i> envelopes.</p> <p><i>Exceptions:</i> The following building elements are permitted to differ from architectural drawings.</p> <p>(a) Any envelope assembly that covers less than 5% of the total area of that assembly type (e.g., exterior walls) need not be separately described. If not separately described, the area of an envelope assembly must be added to the area of the adjacent assembly of that same type.</p> <p>(b) Exterior surfaces whose azimuth orientation and tilt differ by no more than 45 degrees and are otherwise the same may be described as either a single surface or by using multipliers.</p> <p>(c) For exterior roofs other than roofs with ventilated attics, the roof surface may be modeled with a reflectance of 0.45 if the reflectance of the proposed design roof is greater than 0.70 and its emittance is greater than 0.75. The reflectance and emittance shall be tested in accordance with 5.4.3.5—the Exception to 5.5.3.1. All other roof surfaces shall be modeled with a reflectance of 0.3. Manually operated fenestration shading devices such as blinds or shades shall not be modeled. Permanent shading devices Such as fins, overhangs, and light shelves shall be modeled.</p> <p>(d) Manually operated fenestration shading devices such as blinds or shades shall not be modeled. Permanent shading devices such as fins, overhangs, and lightshelves shall be modeled.</p>	<p>The <i>budget building design</i> shall have <i>identical conditioned floor area</i> and identical exterior dimensions and orientations as the <i>proposed design</i>, except as noted in (a), (b), and (c) in this clause.</p> <p>(a) Opaque assemblies such as roof, floors, doors, and walls shall be modeled as having the same heat capacity as the <i>proposed design</i> but with the minimum U-factor required in 5.5 for new buildings or <i>additions</i> and 5.1.3 for <i>alterations</i>.</p> <p>(b) Roof albedo— Low slope roofs shall be modeled using section 5.4.3.5 All other roof surfaces shall be modeled with a reflectivity of 0.3.</p> <p>(c) Fenestration—No shading projections are to be modeled; fenestration shall be assumed to be flush with the exterior wall or roof. If the fenestration area for new buildings or <i>additions</i> exceeds the maximum allowed by 5.5.4.2, the area shall be reduced proportionally along each exposure until the limit set in 5.5.4.2 is met. Fenestration U-factor shall be the minimum required for the climate, and the solar heat gain coefficient shall be the maximum allowed for the climate and orientation. The fenestration model for envelope <i>alterations</i> shall reflect the limitations on area, U-factor, and solar heat gain coefficient as described in 5.1.3.</p> <p><i>Exception:</i> When trade-offs are made between an <i>addition</i> and an <i>existing building</i> as described in Exception to 4.2.1.2, the envelope assumptions for the <i>existing building</i> in the <i>budget building design</i> shall reflect existing conditions prior to any revisions that are part of this permit.</p>

5.4.3.5 Cool roofs. Low slope *roofs* up to 2:12 shall be provided with a roof covering where the exterior surface has:

- (a) A minimum total solar reflectance of 0.70 when tested in accordance with one of the solar reflectance test methods listed below, and
- (b) A minimum thermal emittance of 0.75 when tested in accordance with one of the thermal emittance test methods listed below.

Solar Reflectance Test Methods: ASTM C1549, ASTM E903, ASTM E1175, or ASTM E1918.

Thermal Emittance Test Methods: ASTM C835, ASTM C1371, or ASTM E408.

Exceptions to 5.4.3.5:

- (a) The portion of the roof that is covered by a rooftop deck covering 1/3 or less of the aggregate area of the roof, or a rooftop garden, or a green roof, is exempted from the requirements of this section.
- (b) An area including and adjacent to rooftop photovoltaic and solar thermal equipment, totaling not more than three times the area that is covered with such equipment, is exempt from the requirements of this section.

~~**5.5.3.1.1 Cool roofs.** Low slope *roofs* up to 2:12 shall be provided with a roof covering where the exterior surface has:~~

- ~~(a) a minimum total solar reflectance of 0.70 when tested in accordance with one of the solar reflectance test methods listed below, and~~
- ~~(b) a minimum thermal emittance of 0.75 when tested in accordance with one of the thermal emittance test methods listed below.~~

~~Solar Reflectance Test Methods: ASTM C1549, ASTM E903, ASTM E1175, or ASTM E1918.~~

~~Thermal Emittance Test Methods: ASTM C835, ASTM C1371, or ASTM E408.~~

~~**Exceptions to 5.5.3.1.1:**~~

- ~~(a) The portion of the roof that is covered by a rooftop deck covering 1/3 or less of the aggregate area of the roof, or a rooftop garden, or a green roof, is exempted from the requirements of this section.~~
- ~~(b) An area including and adjacent to rooftop photovoltaic and solar thermal equipment, totaling not more than three times the area that is covered with such equipment, is exempt from the requirements of this section.~~

This change is recommended to mandate that cool roofs are required for low-slope roofs. This language was previously added in the prescriptive method only; but should be required for all compliance paths.

TABLE 6.4.4.1.1 Insulation of Ducts^{a, b}

Duct Location	Insulation Types Mechanically Cooled and Outside Air	Insulation Types Heating Only
1. On roof or exterior of building	<u>C</u> R-8, V, W	<u>A</u> R-8, W
2. Attics, garages, inside walls, floor-ceiling spaces and crawl spaces (located inside the building envelope)	<u>C</u> R-6, V	<u>A</u> R-6
3. Attics, garages, outside walls, and crawl spaces (located outside the building envelope)	<u>R-8, V</u>	<u>R-8</u>
In walls and within floor-ceiling spaces	A, V	A
Supply ducts located within the conditioned space or semi-conditioned space or in basements; return ducts in air plenums when the temperature difference between the interior and exterior of the duct does not exceed 15°F (8°C).	None required	None
Ducts where the temperature difference between the interior and exterior of the duct exceeds 15°F (8°C).	A, V	A
Cement slab or within ground	None required	None

Note:

- a. When the temperature difference between the interior and the exterior of the duct does not exceed 15° F (8° C) duct insulation is not required.
- b. Where ducts are used for both heating and cooling, the insulation requirements shall comply with the most restrictive condition.

1. Vapor retarders shall be installed on supply ducts in spaces vented to the outside in geographic areas where the average summer dew point temperature based on the 2-1/2 percent column of dry-bulb and mean coincident wet-bulb temperature exceeds 60°F (16°C).

INSULATION TYPES:

- A. A material with an installed conductance of 0.48 [2.72 W/(m·K)] or the equivalent thermal resistance of R-5.6.
- C. A material with an installed conductance of 0.16 [0.9 W/(m·K)] or the equivalent thermal resistance of R-8.

NOTES:

V. Vapor retarders: Material with a perm rating not exceeding 0.5 perm (29 ng/Pa•s•m²). Vapor retarders shall be installed on cooling supply ducts in spaces vented to the outside in geographic areas where the summer dew point temperature exceeds 60°F (16°C) at the 2 ½ percent summer design dry-bulb with mean coincident wet-bulb temperature. All joints to be sealed.

W. Approved weatherproof barrier.

This change is recommended to utilize consistent language in the mechanical and building envelope provisions. This table was used to coordinate with the mechanical code, that required insulation for condensation. This language is needed clarify the intent of the code.

TABLE 6.8.3 Minimum Pipe Insulation^a

Fluid	≤1.5"	>1.5"- 4" ^d	>4" ^d
Steam	1 ½	3	4
Service Hot Water	1	2	2
Chilled Water, Brine or Refrigerant	1	1 ½	2

^a Based on insulation having a conductivity (k) not exceeding 0.27 Btu per in./h·ft²·°F.

^b These thicknesses are based on energy efficiency considerations only. Additional insulation is sometimes required relative to safety issues/surface temperature.

^c These thickness are based on energy efficiency considerations only. Issues such as water vapor permeability or surface condensation sometimes require vapor retarders or additional insulation.


^d ~~Inside pipe diameter.~~ Nominal pipe size.

After meeting with industry and stakeholders it was pointed out that pipe is typically spec'd by industry on this nominal pipe size in lieu of inside pipe diameter.

Table 11.3.1 (continued) Modeling Requirements for Calculating Design Energy Cost and Energy Cost Budget

No.	Proposed Building Design (Column A) Design Energy Cost (DEC)	Budget Building Design (Column B) Energy Cost Budget (ECB)
5. Building Envelope	<p>All components of the building envelope in the <i>proposed design</i> shall be modeled as shown on architectural drawings or as installed for <i>existing building</i> envelopes.</p> <p><i>Exceptions:</i> The following building elements are permitted to differ from architectural drawings.</p> <p>(a) Any envelope assembly that covers less than 5% of the total area of that assembly type (e.g., exterior walls) need not be separately described. If not separately described, the area of an envelope assembly must be added to the area of the adjacent assembly of that same type.</p> <p>(b) Exterior surfaces whose azimuth orientation and tilt differ by no more than 45 degrees and are otherwise the same may be described as either a single surface or by using multipliers.</p> <p>(c) For exterior roofs other than roofs with ventilated attics, the roof surface may be modeled with a reflectance of 0.45 if the reflectance of the proposed design roof is greater than 0.70 and its emittance is greater than 0.75. The reflectance and emittance shall be tested in accordance with <u>5.4.3.5</u>—the Exception to 5.5.3.1. All other roof surfaces shall be modeled with a reflectance of 0.3. Manually operated fenestration shading devices such as blinds or shades shall not be modeled. Permanent shading devices Such as fins, overhangs, and light shelves shall be modeled.</p> <p>(d) Manually operated fenestration shading devices such as blinds or shades shall not be modeled. Permanent shading devices such as fins, overhangs, and lightshelves shall be modeled.</p>	<p>The <i>budget building design</i> shall have <i>identical conditioned floor area</i> and identical exterior dimensions and orientations as the <i>proposed design</i>, except as noted in (a), (b), and (c) in this clause.</p> <p>(a) Opaque assemblies such as roof, floors, doors, and walls shall be modeled as having the same heat capacity as the <i>proposed design</i> but with the minimum U-factor required in 5.5 for new buildings or <i>additions</i> and 5.1.3 for <i>alterations</i>.</p> <p>(b) Roof albedo— <u>Low slope roofs shall be modeled using section 5.4.3.5</u> All <u>other</u> roof surfaces shall be modeled with a reflectivity of 0.3.</p> <p>(c) Fenestration—No shading projections are to be modeled; fenestration shall be assumed to be flush with the exterior wall or roof. If the fenestration area for new buildings or <i>additions</i> exceeds the maximum allowed by 5.5.4.2, the area shall be reduced proportionally along each exposure until the limit set in 5.5.4.2 is met. Fenestration U-factor shall be the minimum required for the climate, and the solar heat gain coefficient shall be the maximum allowed for the climate and orientation. The fenestration model for envelope <i>alterations</i> shall reflect the limitations on area, U-factor, and solar heat gain coefficient as described in 5.1.3.</p> <p><i>Exception:</i> When trade-offs are made between an <i>addition</i> and an <i>existing building</i> as described in Exception to 4.2.1.2, the envelope assumptions for the <i>existing building</i> in the <i>budget building design</i> shall reflect existing conditions prior to any revisions that are part of this permit.</p>

This provision is needed to clarify that when utilizing the Cost Budget Method, the cool roof requirements apply.

SUBJECT: Ordinance to Adopt the latest edition of the National Electrical Code and the local amendments.		Category #	Page 1 of 1	Agenda Item # 19
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date May 7, 2008		Agenda Date AUG 13 2008
DIRECTOR'S SIGNATURE:  Michael Marcotte, P.E., Director		Council District affected: All		
For additional information contact: Gary Bridges Building Official Phone: (713) 535-7575		Date and identification of prior authorizing Council action: None		
RECOMMENDATION: (Summary) Approve an ordinance to adopt and modify the 2008 electrical code for new construction of single family homes and commercial buildings to include local administrative provisions.				
Amount and Source of Funding: N/A				F&A Budget:

SPECIFIC EXPLANATION:
PROJECT: I NOTICE/JUSTIFICATION

The adoption of the *2008 National Electrical Code (NEC)* along with proposed amendments is to continue setting the minimum standards for the installation of electrical work in residential and commercial buildings and structures.

The NEC is published by the National Fire Protection Association, the national standard for the Electrical industry. This code is the Electrical Code that is also adopted by State Law, Chapter 1305 - Title 8 of the Texas Occupations Code for the installation, maintenance and repair of electrical work.

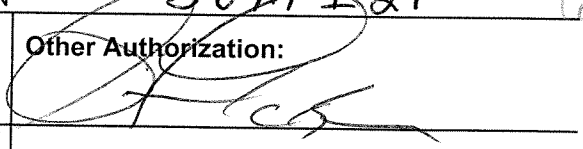
The proposed amendments were reviewed by the Electrical Committee of the Construction Industry Council during a series of meetings. The amendments establish the administrative procedures for the permitting, inspection, licensing and registration of local electricians.

The adoption of this code would ensure compliance with the State law and continue to establish local administrative rules. This code is being presented separately from the other construction codes because the rules of the Texas Department of Licensing and Regulation will adopt this code for the State September 1, 2008.

Highlights of the changes include the following:

- Incorporating new State requirements for Residential Appliance Installers and Contractors
- Clarifying the definition of a building for purposes of installing a meter
- Exempting proton therapy equipment
- Incorporating state rulings that an electrical master may sign plans
- Requiring contractors to re-permit all outstanding permits after terminating a master electrician
- Allowing specified residential wiring to remain in place when converting portion of a residence to office or retail
- Clarifying that an electrical system may cross a property line only in an easement

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:		Other Authorization:
			

City of Houston, Texas, Ordinance No. 2008-_____

AN ORDINANCE AMENDING THE CITY OF HOUSTON CONSTRUCTION CODE BY ADOPTING A REVISED CITY OF HOUSTON ELECTRICAL CODE; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; CONTAINING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

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

Section 1. That the City of Houston Construction Code, adopted by Ordinance 2002-399, as amended is hereby amended as follows:

Exhibit G. The document attached hereto and incorporated herein as **Exhibit G-Fifth Revised**, which is the City of Houston Electrical Code, inclusive of any codes, pamphlets, specifications or other documents to the extent that they are adopted by reference therein, and collectively referred to as the City of Houston Electrical Code, is hereby adopted in replacement of **Exhibit G-Fourth Revised** to Ordinance 2005-943.

Section 2. The City Council hereby authenticates the copies of the following codes or pamphlets that are adopted by reference and have been placed on file in the Office of the City Secretary pursuant to Section 502 of the City of Houston Electrical Code (**Exhibit G-Fifth Revised**), to wit:

1. **Exhibit J-Fourth Revised.** *National Fire Protection Association Pamphlet No. 70, National Electrical Code, 2008 Edition* (approved as an American National Standard on August 15, 2007).
2. **Exhibit K-Third Revised.** *National Electrical Safety Code, 2007 Edition* (approved as an American National Standard on June 16, 2006).

Section 3. The adoption of this amendment to the City of Houston Construction Code shall not be construed to remove from office any member of the Electrical Board created under the provisions of Ordinance No. 96-1249, as amended by Ordinances Nos.

2000-33, 2002-399, and 2004-884, or any other applicable amendment. Each member of the Electrical Board created under Ordinance No. 96-1249, as amended, shall continue to serve for the duration of his or her term of office in the corresponding position on the Board as recreated in the City of Houston Electrical Code, as adopted by this Ordinance.

Section 4. The provisions of the former City of Houston Electrical Code, as adopted pursuant to Ordinance No. 2005-943, as previously amended, shall remain in full force and effect for the trial and punishment of all criminal violations thereof occurring before the effective date of this Ordinance and for the recovery of penalties and forfeitures incurred thereunder, and for the preservation of rights, privileges, obligations, liabilities and remedies established, accrued, accorded or incurred thereunder before the effective date of this Ordinance. All technical provisions thereof relating to the manner and methods of design, equipment and construction of any building or structure for which a completed building permit application is received in the Building Official's Office before the effective date of this Ordinance shall continue to apply to the construction work performed pursuant to the building permit, regardless of whether the building permit is issued before or after the effective date of this Ordinance.

Section 5. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or

fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on September 1, 2008.

PASSED AND APPROVED this ___ day of _____, 2008.

Mayor of the City of Houston

Signature

Prepared by Legal Dept.
KJO:asw 07/29/2008

Signature

Assistant City Attorney

Requested by Michael S. Marcotte, P.E., Director, Public Works and Engineering Department
L.D. File No. _____

CITY OF HOUSTON
ELECTRICAL CODE



THE ADMINISTRATIVE
CODE PROVISIONS
for the
NATIONAL ELECTRICAL CODE

Effective 08/03/2005

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Chapter 1 TITLE AND GENERAL

SECTION 101—TITLE

These regulations shall be known as the *City of Houston Electrical Code*, may be cited as such and will be referred to herein as "this code." This code shall be considered as a part of the *City of Houston Construction Code*.

The *City of Houston Construction Code* collectively includes this volume and certain other codes, pamphlets, specifications and documents that are adopted in or by reference through the Adopting Ordinance, which appears in the preamble of the *Building Code*.

All electrical licensing requirements shall be in accordance with this code or the Texas Electrical Safety and Licensing Act (*Texas Occupations Code*, Chapter 1305) and the Administrative Rules of the Texas Department of Licensing and Regulation, 16 *Texas Administrative Code*, Chapter 73.

SECTION 102—APPLICATION TO EXISTING ELECTRICAL SYSTEMS AND EQUIPMENT

102.1 Additions, Alterations or Repairs. Additions, alterations or repairs may be made to any electrical system and equipment without requiring the existing electrical system and equipment to comply with all the requirements of this code, provided the additions, alterations or repairs conform to that required for a new electrical system and equipment and provided further that no hazard to life, health or safety will be created by the additions, alterations or repairs.

Minor additions, alterations and repairs to existing electrical systems and equipment may be made in accordance with the law in effect at the time the original installation was made, when approved by the building official, if it is found that no hazard to life, health or safety will be created by the additions, alterations or repairs.

102.2 Existing Installations. Electrical systems and equipment lawfully in existence at the time of the adoption of this code may have their use, maintenance and repair continued if the use, maintenance and repair is in accordance with the original design and no hazard to life, health or property has been created by the electrical system and equipment.

102.3 Changes in Building Occupancy. Electrical systems and equipment that are part of any building or structure undergoing a change in use or occupancy, as defined in the *Building Code*, shall comply with all requirements of this code that may be applicable to the new use or occupancy.

102.4 Maintenance. All electrical systems and equipment, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards that are required by this code shall be maintained in conformance with this code. The owner shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the building official may cause any electrical system to be reinspected whenever there is reason to believe that the system is not being maintained in accordance with this section.

102.5 Moved Building. Electrical systems and equipment that are a part of buildings or structures moved into or within the city shall comply with the provisions of this code for new installations.

SECTION 103—DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context in which they are used. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

APPRENTICE ELECTRICIAN is a person undertaking "electrical work," as defined in this code, under the direct, personal supervision and control of either a licensed master electrician, line master electrician, sign master electrician, journeyman electrician, journeyman lineman, sign journeyman electrician, residential journeyman electrician or maintenance electrician.

APPROVED, as to materials, equipment and method of construction, refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities or technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official after he or she finds that the agency provides reliable testing or inspection services.

BUILDING is a structure that stands alone or is cut off from adjoining structures by fire walls or two-hour fire barriers with all openings therein protected by approved fire doors.

BUILDING CODE is the *City of Houston Building Code*.

BUILDING OFFICIAL is the city's Director of Public Works and Engineering, or a duly authorized representative.

CITY is the City of Houston, being the jurisdiction that has adopted this code.

CITY CODE is the *Code of Ordinances, Houston, Texas*.

CONTRACTOR is a person, firm or corporation engaged in the business of performing electrical maintenance work, electrical work, outside electrical work, residential electrical work or sign electrical work.

ELECTRICAL DIVISION is the Electrical Division of the city's Public Works and Engineering Department.

ELECTRICAL DIVISION MANAGER is the person designated by the building official to be the Electrical Division Manager.

ELECTRICAL MAINTENANCE WORK is the keeping in safe repair of electrical installations, apparatus and equipment. The term "electrical maintenance work" shall include the repair or replacement of fixed motors, transformers or fixed appliances of the same type and rating in the same location. The term does not include the installation of additional electrical work, electrical equipment or electrical apparatus.

EXISTING PERMIT is a current and valid permit (1) that has not lapsed or expired pursuant to Section 303.4 of this code, or (2) under which all work has not been completed, inspected and approved.

ELECTRICAL WORK is the installing, maintaining, altering, repairing or erecting of any wiring apparatus, devices, appliances, fixtures or equipment under the terms and provisions of this code, except poles and guy anchors installed by a telephone, telegraph, signal and/or electric utility company as a part of its distribution system.

~~**FIREWALL** is the same as a firewall. for the purposes of this code, shall mean a minimum two hour fire barrier as used defined in the *Building Code*.~~

JOURNEYMAN ELECTRICIAN is a person undertaking "electrical work," as defined in this code, under the supervision, direction and control of a licensed master electrician.

JOURNEYMAN LINEMAN is a person undertaking "outside electrical work," as defined in this code, under the supervision, direction and control of a licensed master or line master electrician.

LINE MASTER ELECTRICIAN is a person who is the holder of a line master electrician license issued under Chapter 4 of this code.

LINE MASTER ELECTRICIAN OF RECORD is a line master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

LISTED and **LISTING** are terms referring to equipment and materials that are shown in a list published by an approved agency, which listing states that the equipment complies with recognized safety standards.

MAINTENANCE ELECTRICIAN is a person who is the holder of a maintenance electrician license issued under Chapter 4 of this code.

MASTER ELECTRICIAN is a person who is the holder of a master electrician license.

MASTER ELECTRICIAN OF RECORD is a master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

MULTIPLE OCCUPANCY BUILDING is a building that has more than one tenant regardless of whether the tenants' uses are of the same or different occupancy classifications or use groups as classified by the *Building Code*.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

OUTSIDE ELECTRICAL WORK is the assembly, maintenance, installation and erection of all electrical equipment and appurtenances that are part of an outside distribution system generally located outside of any building. Work performed under this term shall include, but not be limited to, the installation, repair or maintenance of substations, street lighting, pole lines, underground duct banks, electrical decorations, traffic signals and parking lot lighting.

PERSON is an individual, partnership, corporation or other legal entity.

~~**RESIDENTIAL APPLIANCE** is equipment that is installed as a unit in a single family or multifamily dwelling that does not exceed four stories, is directly connected to an electrical circuit, and performs a specific function.~~

~~**RESIDENTIAL APPLIANCE INSTALLATION** is electrical work that is limited to the connection or disconnection of a residential appliance to an existing electrical circuit other than by inserting or removing a plug from an electrical outlet.~~

~~**RESIDENTIAL APPLIANCE INSTALLATION CONTRACTING** is the business of residential appliance installation.~~

~~**RESIDENTIAL APPLIANCE INSTALLATION CONTRACTOR** is a business entity, other than an electrical contractor or electrical sign contractor, that is engaged in residential appliance installation contracting.~~

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RESIDENTIAL APPLIANCE INSTALLER is a person, other than a licensed electrician, who is licensed to perform residential appliance installation.

RESIDENTIAL ELECTRICAL WORK is the installation, maintenance, alteration, repair or erection of any wiring apparatus, devices, appliances, fixtures or equipment that by ordinance can be wired with nonmetallic sheathed cable. This work will be limited to single family or multifamily dwellings (and their accessory structures) of wood frame construction not exceeding four stories.

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RESIDENTIAL WIREMAN (RESIDENTIAL JOURNEYMAN ELECTRICIAN) is a person undertaking "residential electrical work" as defined in this code, under the supervision, direction and control of a licensed master electrician.

SIGN ELECTRICAL WORK is the manufacture or installation, or both, of electric signs, conductors and equipment for signs, outline lighting, and inside lighting with high-voltage gas tubes as defined in the *National Electrical Code*.

SIGN JOURNEYMAN ELECTRICIAN is a person undertaking "sign electrical work," as defined in this code, under the supervision, direction and control of a licensed master or sign master electrician.

SIGN MASTER ELECTRICIAN is a person who is the holder of a sign master electrician license issued under Chapter 4 of this code.

SIGN MASTER ELECTRICIAN OF RECORD is a sign master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

STATE ELECTRICAL LICENSE is a license issued or recognized by the Texas Electrical Safety and Licensing Act (*Texas Occupations Code*, Chapter 1305).

TDLR is the Texas Department of Licensing and Regulation.

SECTION 104—CONFLICTING PROVISIONS

Where, in any specific case, different sections of the *City Code*, the *Building Code*, the *City of Houston Mechanical Code*, the *City of Houston Plumbing Code*, the *Residential Code for One- and Two-Family Dwellings of the City of Houston*, the *City of Houston Commercial Energy Conservation Code*, the *City of Houston Residential Energy Conservation Code*, the *City of Houston Fire Code* and this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

SECTION 105—ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION

The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided an alternate has been approved and its use authorized by the building official. The building official shall approve an alternate, provided he or she finds that the proposed design is satisfactory and complies with the provisions of this code and that the materials, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability and safety.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the use of alternates. The details of any action granting approval of an alternate shall be recorded and entered in the files of the building official.

SECTION 106—MODIFICATIONS

Whenever there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases upon determining that: (1) a special individual reason makes the strict letter of this code technically impractical; (2) the modification is in conformity with the intent and purpose of this code; and (3) the modification does not lessen health, life safety and fire safety requirements. The details of actions granting modifications shall be recorded and entered in the files of the building official.

SECTION 107—TESTS

Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that materials or construction do not conform to the requirements of this code, the building official may require tests as evidence of compliance to be made at no expense to the city.

Test methods shall be as specified by this code or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures that are reasonably reliable and designate the use thereof.

All tests shall be made by an approved agency. Reports of tests shall be retained by the building official for the period required for the retention of public records.

SECTION 108—HEARING PROCEDURES

108.1 Hearing Notices. Whenever notice is to be given to any person concerning the right to a hearing, the notice may be given by personal delivery or by certified mail, return receipt requested.

If the notice relates to work being performed under a permit issued under this code, then the notice shall be given to the master electrician, line master electrician or sign master electrician who obtained the permit, as well as the contractor and the owner of the building.

If notice is being given to a building owner or to a tenant therein, and the building official is unable to determine the name or address of the person after checking the building and the applicable records of the Public Works and Engineering Department, the records of the County Appraisal District, and the records of the electrical utility company, notice shall be mailed to the billing address of the building as shown on the records of the electrical utility company and shall be posted on or in view of each entrance to the building. Additionally, if any notice is mailed to a building owner or a building tenant and is returned without delivery, notice shall be effective if posted on or in view of each entrance to the building.

108.2 Hearings. Except where otherwise specifically provided, all hearings held pursuant to this code shall be conducted by the director of Public Works and Engineering or a representative, who shall hereinafter be referred to as the hearing official. The director shall not designate any person to be a hearing official under this code who has taken any part in the investigation of the matter that is the subject of the hearing, nor any person who directly supervised the investigation. The hearing official shall consider only the evidence presented at the hearing in rendering a decision. The decision of the hearing official shall be set forth in writing and shall be served on each party in the same manner as a notice of a right to a hearing.

SECTION 109—PENALTIES

Any person who violates or causes a violation of any provision of this code shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$2,000.00 nor less than \$400.00 unless otherwise specified herein; provided, however, if a person is convicted of any offense under this code that is also a violation of the penal laws of the State of Texas, the person shall be subject to the penalties set out in the penal laws of Texas for the offense. Each day that any violation continues shall constitute and be punishable as a separate offense.

Chapter 2 ORGANIZATION AND ENFORCEMENT

SECTION 201—POWERS AND DUTIES

201.1 General. The building official is hereby authorized and directed to enforce all provisions of this code.

201.2 Deputies. In accordance with procedures prescribed by law, the building official may appoint technical officers and inspectors and such other employees as shall be authorized from time to time.

201.3 Right of Entry. When it is necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this code that makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at all reasonable times to inspect the same or to perform any duty imposed on the building official by this code, provided that if the building or premises is occupied, the building official shall first present proper credentials and request entry. If entry is refused, the building official or an authorized representative shall have recourse to every remedy provided by law to secure entry.

When, due to emergency, immediate entry is necessary to protect life or property, or when the building official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

201.4 Stop Order. Whenever any work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing the work to be done, and the persons shall forthwith stop the work until authorized by the building official to proceed with the work. At the time a stop order is issued, the person doing the work and the permit holder shall be given notice of a right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be held within three business days unless the permit holder or the person doing the work requests an extension of time.

A stop order shall remain in effect pending any hearing that has been requested, unless the stop order is withdrawn by the building official.

201.5 Authority to Disconnect Utilities in Emergencies. The building official shall have the authority to have the utility company disconnect any electric power or energy service supplied to a building or any electrical system or equipment regulated by this code in case of emergency when necessary to eliminate an immediate hazard to life or property. The building official shall, whenever possible, notify the serving utility and the owner and occupant of the building (or user of the electrical system or equipment if the owner is not located in a building) of the decision prior to the disconnection and shall notify those persons in writing of the disconnection immediately thereafter. The notice shall also inform the owner and occupant of the building (or the user if the electrical system or equipment is not within a building) of a right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be conducted within three business days unless the owner requests an extension of time.

201.6 Authority to Condemn Electrical System and Equipment. Whenever the building official ascertains that any electrical system or equipment regulated by this code has become hazardous to life,

health or property, the building official shall order in writing that the electrical system or equipment be either removed or restored to a safe condition, as appropriate. The written notice itself shall fix a time limit for compliance with the order and shall inform the owner and the occupant of the right to a hearing pursuant to Section 108 of this code. No person shall use or maintain any defective electrical system or equipment after receiving a notice.

When equipment or installation is to be disconnected, a written notice of the disconnection and causes therefor shall be given within 24 hours to the serving utility and to the owner and occupant of the building, structure or premises. The notice shall inform the owner and occupant of the right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be conducted within three business days unless the owner requests an extension.

When any electrical system or equipment is maintained in violation of this code, and in violation of a notice issued pursuant to this section, the building official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

201.7 Connection after Order to Disconnect. No person shall either make connections from any energy source or power supply or supply power to any electrical system or equipment that has been disconnected or ordered to be discontinued by the building official, until the building official authorizes the reconnection and use of the electrical system or equipment.

201.8 Liability. Except as otherwise provided by law, the building official shall not personally be liable in damages for any act or omission arising out of any official action taken to implement and enforce the provisions of this code. Additionally, except as otherwise provided by law, the building official shall not personally be liable in damages for any action or omission taken in the course and scope of employment. Where and to the extent consistent with the provisions of Article X of Chapter 2 of the *City Code*, the city shall provide legal representation and indemnification for any suit brought against the building official or other employees because of acts or omissions performed in the enforcement of this code.

201.9 Cooperation of Other Officials and Officers. The building official may request, and shall receive so far as is required in the discharge of their duties, the assistance and cooperation of other officials of the city.

SECTION 202—UNSAFE ELECTRICAL SYSTEMS OR EQUIPMENT

All electrical systems or equipment regulated by this code that are unsafe, or that constitute a fire hazard, have sustained disaster damage or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of electrical systems or equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment is, for the purpose of this section, an unsafe use.

All unsafe electrical systems or equipment shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth by law for the abatement of dangerous buildings. As an alternative, the building official or another employee or official of the city as designated by the governing body may institute any other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 203—ELECTRICAL BOARD

203.1 Electrical Board Composition. There is hereby created an Electrical Board consisting of 11 members. Position Nos. 1 through 10 shall be filled by persons appointed by the mayor and confirmed

by the City Council. Each of the 11 positions of the board shall be numbered. The mayor shall designate a member to be chairman.

Position Nos. 1, 2, 3 and 4 shall be filled by duly licensed master electricians.

Position No. 5 shall be filled by an electrical engineer in the employ of an electric utility company operating under a city franchise.

Position Nos. 6 and 7 shall be filled by consulting or practicing engineers who are directly connected with the electrical construction industry and are licensed professional engineers of the State of Texas.

Position Nos. 8, 9 and 10 shall be filled by representatives from the city at large.

Position No. 11 shall be filled by the Electrical Division Manager, who shall serve as secretary of the Electrical Board. The Electrical Division Manager, from time to time, may designate, in writing, a member of the city's Electrical Inspection Section to act as his or her duly authorized representative. The representative shall be entitled to all rights and privileges of the position. A copy of the designation, specifying the dates the person shall act as representative of the Electrical Division Manager shall be filed with the minutes of the Board.

203.2 Eligibility of Board Members. A person who meets the qualifications for the positions set forth in Section 203.1 shall not be disqualified from serving on the Board or from performing any duties of board membership because the person is employed by the IBEW, IEC, NECA or any other labor or trade organization that provides or sponsors electrician training. The provisions of this section shall be regarded as an exception to Section 18-3 of the *City Code*.

203.3 Compensation and Terms. Each member of the Board shall receive \$50 per diem for services while attending meetings of the Board. A member of the board who is employed by the city shall be paid only for those meetings he or she attends that are neither held during, nor continue beyond, regular working hours.

The terms of office for appointees to Position Nos. 1, 3, 5, 7 and 9 shall expire on the 2nd day of January of odd-numbered years, and the terms of office for appointees to Position Nos. 2, 4, 6, 8 and 10 shall expire on the 2nd day of January of even-numbered years. However, each member shall continue in office until a successor has been appointed and qualified. The adoption of this code shall not terminate the term of office of any person currently serving on the Board. Any person who is currently serving on the Board shall continue to serve in the position for which he or she was appointed and confirmed until a successor is appointed and qualified.

203.4 Methods of Transacting Business. Half of the members then serving on the Board present at any meeting shall constitute a quorum for the transaction of any business of the Board. A majority vote of the members present at any meeting at which a quorum is present shall prevail.

203.5 Legal Counsel. Any board meeting and hearing shall be attended by an attorney from the city's legal staff when requested by the Board. The attorney's sole duty shall be to advise the Board members of legal matters that may arise.

203.6 Duties of the Board. The duties and responsibilities of the Board shall include the following:

1. Hear all cases involving revocation of a license or registration.
2. Conduct those hearings and appeals that are provided in this code to be conducted by the Electrical Board.

3. Hear appeals from decisions of the building official concerning interpretation of this code and the use of alternate materials and wiring methods; provided, however, the Board shall not have jurisdiction to hear any matter that is the subject of any case pending before the municipal courts.

203.7 Appeals to Electrical Board. Any interested person dissatisfied with a decision of the building official concerning interpretations of this code or the use of alternate materials and wiring methods shall have the right to appeal to the Board pursuant to the following procedures. Petitions for hearings before the Board shall be in writing and filed with the secretary of the Board. A hearing on the matter shall be held by the Board within 30 calendar days of the date the petition was filed. The Board shall affirm, modify or reverse the action or decision of the building official and shall render all decisions and findings in writing to the building official who shall cause a duplicate copy to be mailed to the appellant.

Any interested person aggrieved and affected by a decision of the Board may appeal to the City Council by delivering a written notice of appeal to the City Secretary within 10 calendar days from the date of deposit of the decision of the Board in the mail. Appeals are subject to and shall be made as provided by City Council Rule 12. See Section 2-2 of the *City Code*.

SECTION 204—FAILURE TO CORRECT WORK

If any electrical contractor, master electrician, line master electrician or sign master electrician fails to correct any defect, error or deficiency in any of his or her work installed under the authority of an electrical permit within 10 calendar days after written notification thereof, the building official may serve the master and contractor with notice that a hearing will be held by the Electrical Board at which time the building official will seek either the suspension or revocation of the contractor's and master's licenses. In the notice, the building official shall specify the grounds on which he or she will rely in seeking the suspension or revocation of the licenses. This section shall be cumulative of all other remedies provided for under the laws of the State of Texas and ordinances of the city and may be applied in addition to prosecution for any applicable crimes committed.

SECTION 205—TAMPERING

It shall be unlawful for any person to bridge, tamper with or change from its original installation, any fuse of any type installed in any panelboard, main switch or switchboard, or to alter or change any circuit breaker so that the fuse or circuit breaker will not function properly. It is a defense to prosecution under this section that the work was done upon previous approval of the building official.

SECTION 206—DISPLAY OF LICENSE

A contractor shall display the contractor's business name and the number of the license issued by the state or the city on each vehicle owned or operated by the contractor.

The information required to be displayed must be:

1. Printed in letters and numbers that are at least two inches high and 3/8 inches in width and in a color that contrasts with the color of the background surface; and
2. Permanently affixed in conspicuous places on both sides of the vehicle.

Chapter 3
PERMITS AND INSPECTIONS

SECTION 301—PERMITS

301.1 Permits Required. It shall be unlawful for any person to install, alter, repair, replace or remodel any electrical system or equipment regulated by this code, except as specified in Section 301.2, or cause the same to be done, unless the person has a current permit for the work or is working under the supervision of a person who has a permit.

301.2 Exempt Work. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances.

An electrical permit shall not be required for the following:

1. Motors, office furnishings (as defined by NFPA 70, Article 605) or other appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when the cord or cable is permitted by this code. Note: This exception does not apply to manufactured wiring systems as defined in NFPA 70, Article 604.
2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
3. Temporary decorative lighting, which shall not be in place more than 90 calendar days.
4. Repair or replacement of current-carrying parts of a switch, contactor or control device.
5. Reinstallation of attachment plug receptacles, but not the outlets therefor.
6. Repair or replacement of any overcurrent device of the same capacity in the same location.
7. Installation of temporary wiring, apparatus, devices, appliances or equipment used by a recognized electrical training school or college for the purpose of training, which installation shall not be in place more than 90 calendar days.
8. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 50 volts and not capable of supplying or controlling more than 50 watts of power.
9. Sound equipment, private or public telephone system, thermostat wiring or burglar alarm system, provided, however, a permit shall be required to wire any such system to the source of electricity.
10. Installation and maintenance of railway crossing signal devices, when performed by due authority of the railroad in accordance with the standards of the American Railroad Association, and in collaboration with and with the approval of the Director of the Department of Public Works and Engineering of the city.
11. The installation, maintenance or alteration of electrical wiring, apparatus, devices, appliances or equipment to be installed by an electric utility company for its own use in the generation, transmission, distribution, sale or utilization of electrical energy. However, no electric utility company shall do any wiring on a customer's premises other than wiring that is a part of the company's distribution system, which shall be construed to include metering equipment, wherever located, and transformer vaults in

which the company's transformers are located; nor shall any of its employees do any work other than that done for said company as provided for herein by virtue of this exception.

12. Erection, assembly, installation, repair, maintenance or servicing of elevator equipment, X-ray equipment, proton therapy equipment, and medical electronic equipment, other than for the power wiring connection of the first component, provided that the components of the equipment can be rendered safe from fire and shock hazards during operation by disconnection from electrical power sources.

13. Removal of electrical wiring.

301.3 Franchised Work. Except as otherwise provided by law, no person or electric utility company that does not operate under a franchise granted by the city shall have the right to install any electrical conduit, wires, ducts, poles or equipment of any character for the transmission, distribution or utilization of electric energy, or for the operation of signals or the transmission of intelligence on, over or under the streets in the city, without first obtaining from the City Council a franchise right or grant for the particular installation so desired to be made, and any installation so made under a franchise or grant shall be in strict conformity with all rules, regulations and ordinances of the city pertaining thereto. Compliance with this provision shall not be construed to excuse compliance with any other provision of the ordinances of the city.

301.4 Annual Maintenance Permit. Upon making written application and payment of all applicable fees, a person having ownership or control over property may obtain an annual permit for the keeping in safe repair of any and all electrical installations, apparatus and equipment in the building and on the property on which the building is located if he or she employs a person as a full-time employee who will actually perform the electrical maintenance work. A "full-time employee" shall mean an employee who works for the maintenance permit holder at least 36 hours per week. A permit for maintenance electrical work shall be valid for only one premises.

The fee for an annual maintenance permit shall be \$200.00 and shall be paid to the building official. An annual maintenance permit shall expire on September 30th of each year.

301.5 Permits Issued to Licensed Contractor. No permit shall be issued under any master electrician license or registration unless the master electrician is in compliance with the requirements of Section 403 of this code or is employed by an electrical contractor who is in compliance with that section.

SECTION 302—ELECTRICAL PERMITS

302.1 Application. To obtain an electrical permit, the applicant shall first file an application on a form furnished by the Building Inspection Division for that purpose. Each application shall:

1. Identify and describe the work to be covered by the permit for which the application is made.
2. Describe the land on which the proposed work is to be done by the legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and other data as required in Section 302.2.
5. Be signed or authorized electronically by the properly licensed master electrician, line master electrician or sign master electrician, as applicable.
6. Give such other data and information as may be required by the building official.

7. Identify the name of the electrical contractor who has contracted for the work.

A master electrician may apply for a permit for any electrical work. A line master electrician may apply only for a permit relating to outside electrical work. A sign master electrician may apply only for a permit relating to sign electrical work.

302.2 Plans and Specifications. Plans, ~~engineering~~ calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The building official may require all plans, computations and specifications to be prepared by a master electrician of record and/or prepared and sealed by a professional engineer licensed in the State of Texas in compliance with The Texas Engineering Practice Act (*Texas Occupations Code*, Chapter 1001). ~~The building official may require plans, computations, and specifications to be prepared by persons licensed or registered by the city for work exempted from The Texas Engineering Practice Act (*Texas Occupations Code*, Chapter 1001).~~

EXCEPTION: The building official may waive the submission of plans, calculations, etc., if he determines that the nature of the work is such that review of plans is not necessary to obtain compliance with this code.

302.3 Information on Plans. Plans shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

SECTION 303—PERMIT ISSUANCE

303.1 Issuance. The application, plans and specifications and other data filed by an applicant for a permit shall be reviewed by the building official. The plans may be reviewed by other departments of the city to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that all applicable fees have been paid, the building official shall issue a permit therefor to the applicant.

When the building official issues a permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications "APPROVED." Approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the approved plans.

The building official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of the permit shall proceed at his or her own risk without assurance that the permit for the entire building, structure or building service will be granted.

303.2 Retention of Plans. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized by the permit is in progress. One set of approved plans, specifications and computations shall be retained by the building official until final approval of the work.

303.3 Validity of Permit. The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other applicable law. No permit presuming to give authority to violate or cancel the provisions of law shall be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in the plans, specifications and other data, or

from preventing building operations being carried on thereunder when in violation of this code or of any other applicable law.

303.4 Expiration. For purposes of this subsection, the determination of whether work has commenced under a permit or whether work has been abandoned under a permit shall be based upon whether the permit holder requests an inspection of the work performed under the permit by the building official. If work is not commenced under a permit within 180 days of the date of issuance or is abandoned at any time for a period of 180 consecutive days, the permit shall lapse. An elapsed permit shall expire 180 days following the date that it lapsed unless, before the 180th day following the date that the permit lapsed, the permit holder obtains reactivation of the permit by:

1. Requesting reactivation of the permit by the building official and
2. Requesting an inspection of work performed under the permit by the building official.

A permit may only be reactivated one time, and it shall expire if the work is again abandoned for a period of 180 consecutive days. In order to recommence work under an expired permit, the permit holder shall pay the full permit fee applicable and submit plans that comply with this code for the previously uninspected portion of the work.

EXCEPTION: The building official may, upon request, perform a final inspection of work for which the permit has expired or reactivate a permit for the purpose of issuing a certificate of occupancy or a certificate of compliance.

303.5 Validity. A permit shall be valid only for work done under the supervision of the master electrician, line master electrician or sign master electrician who signed the application. A new permit must be obtained if the person who signed the application ceases to supervise the work. The cost of the new permit shall be 50 percent of the original fee. In the case of the death of the master, the permits will be transferred to the new master at a fee of 50 percent of the original fees, up to a maximum fee of \$50.00 per permit.

303.6 Suspension or Revocation. The building official may, in writing, suspend or revoke a permit and may revoke approval of any plans issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or law. Any suspension or revocation shall be accompanied by notice of a right to a hearing as provided in Section 108 of this code. Upon written request, the hearing shall be afforded within three business days from receipt of the request.

SECTION 304—FEES

304.1 Permit Fees. The fee for each permit shall be as set forth in Section 117 of the *Building Code*.

Additions to existing work shall be charged for at the same rate as for new work. The moving and relocating of electrical equipment for which a permit inspection fee is not otherwise provided for in Section 117 of the *Building Code*, will be charged at the minimum fee.

304.2 Plan Review Fees. Where plans are lost or changed so as to require an additional plan review or when a plan review is required and there is no building permit is required, a plan review fee shall be charged at the rate shown in Section 117 of the *Building Code*.

304.3 Expiration of Plan Review. Applications for which no permit is issued within 180 calendar days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 calendar days on request

by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans.

304.4 Investigation Fees: Work without a Permit.

1. **Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work.

2. **Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee, which is intended to cover additional costs associated with inspection of work commenced without a permit, shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of an investigation fee shall not exempt any person from compliance with all other provisions of this code or from any criminal penalty prescribed by law.

304.5 Fee Refunds.

1. The building official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected if the fee has been paid or collected because of an error made by one or more city employees. This provision shall not be applicable if the error was caused by incorrect information provided by the applicant.

2. The building official may authorize the refunding of not more than 90 percent of the amount in excess of \$25.00 of the permit fee paid when no work has been done under a permit issued in accordance with this code. If work has been done under the permit, no refund may be authorized.

3. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee no later than 180 calendar days after payment of the fee.

304.6 Registration Fees. The fee for each registration shall be as set forth in Section 414 of this code.

304.7 License or Registration Suspension. When the building official has authorized work to begin prior to the issuance of a permit due to an emergency situation, any failure on the part of the contractor to pay all applicable permit fees within 20 calendar days of the date the building official has authorized the work to begin shall be grounds for the suspension of the contractor's and master's licenses or registrations. At least 10 calendar days prior to the suspension, the building official shall give the contractor and master notice of the date the licenses will be suspended if the fees are not paid and inform the contractor and master that they may have a hearing before the Electrical Board if either or both of them submit a written request therefor to the secretary of the Board at least three business days prior to the date the suspension will become effective. If the contractor and/or master timely requests a hearing, the suspension shall not become effective until the Board has heard the matter and rendered its decision as to whether all applicable permit fees have been paid. If the board finds that all applicable permit fees have not been paid, the contractor's and master's licenses or registrations shall be suspended until they have been paid. If the contractors's and master's licenses or registrations remain suspended for six months, the licenses or registrations shall automatically be revoked.

SECTION 305—INSPECTIONS

305.1 General. All electrical systems and equipment installed under provisions of this code shall be subject to inspection by the building official. No portion of any electrical system intended to be concealed shall be concealed until inspected and approved. Neither the building official nor the city shall

be liable for expenses entailed in the removal or replacement of any material required to allow inspection. When the installation of the electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the building official.

305.2 Operation of Electrical Equipment. The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The Building Inspection Division shall endeavor to inspect work within three working days following the receipt of a request. In any instance in which the inspection is not made within three working days, the requestor may submit a written notice of inspection request to the Electrical Division Manager who shall ensure that the inspection is completed by the end of the next city work day following receipt of the written request.

305.3 Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the building official that the work is ready for inspection.

305.4 Other Inspections. In addition to the called inspections required by this code, the building official may make or require other inspections of any work to ascertain compliance with the provisions of this code and other applicable laws. If a permit has not been issued for the work and city inspectors are refused permission to inspect, they may obtain a search warrant as authorized by law to make the inspections.

305.5 Moving and Relocating of Work. The moving and relocating of electrical equipment for which a permit inspection fee is not otherwise provided for in Section 117 of the *Building Code* will be charged at the minimum fee.

305.6 Reinspections. A reinspection fee in the amount specified in Section 117 of the *Building Code* shall be assessed for each inspection or reinspection when the portion of work for which inspection is called is not complete or when corrections called for are not made.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

SECTION 306—CONNECTION APPROVAL

306.1 Energy Connections. Any electrical system or equipment regulated by this code shall not be connected to a source of energy or power until approved by the building official.

306.2 Temporary Connections. The building official may authorize the temporary connection, with proper permits, of electrical systems or equipment to a source of energy or power for the purpose of testing the equipment, or for use under a temporary certificate of occupancy.

EXCEPTION: In an emergency situation where power is inadvertently interrupted, the Building Official may authorize a temporary connection, subject to later permitting and inspection.

No permit for temporary use shall be valid for a period longer than 90 calendar days. Except as otherwise provided below, at expiration of the authorized period, the building official shall issue written instructions to the electric utility company or other person having control of the supply of energy to the installation to disconnect service to the temporary installation, unless he or she has granted a permanent approval or an additional temporary approval. At least 10 calendar days prior to the proposed date of disconnection, the building official shall give written notice to the electric utility company or other person having control of the supply of power to the temporary installation and to the owner of the

building, setting forth the date that the electricity will be disconnected unless permanent approval of the connection has been obtained or an additional permit for temporary use has been issued. The notice shall be posted on or in view of each principal entrance to the building for the information of all persons who occupy the building. Any person affected by the proposed disconnection of electricity may request a hearing on the matter. The request shall be in writing and delivered to the office of the Electrical Division Manager at least three city work days prior to the proposed date of disconnection. If a hearing is requested, a hearing date shall be set by the building official, and the hearing shall be held prior to the disconnection of the electricity, unless the person asking for the hearing requests a delay in that hearing.

Chapter 4
LICENSING AND REGISTRATION REQUIREMENTS

SECTION 401—LICENSE OR REGISTRATION REQUIRED

401.1 General. There is hereby established a city licensing or registration requirement for contractors and for persons performing electrical maintenance work, electrical work, outside electrical work, residential electrical work and sign electrical work.

401.2 Required. It shall be unlawful for any person who does not hold a current and valid applicable city license or registration issued under this chapter or an applicable state electrical license to perform electrical work, electrical maintenance work, outside electrical work, residential electrical work or sign electrical work.

It shall be unlawful for any person to employ or utilize any person who does not hold a current and valid applicable city license or registration issued under this chapter or an applicable state electrical license to perform electrical work, electrical maintenance work, outside electrical work, residential electrical work or sign electrical work.

The city shall not issue new electrical licenses other than contractor licenses. A person who holds a current and valid city electrical license may renew such license as provided in this code.

A person who holds a current valid state electrical license is not *required* to hold a city registration, provided that a holder of a state electrical contractor license or a state electrical sign contractor license must hold a city registration to perform work as a contractor.

401.3 Contractors. Any licensed or registered electrical contractor may contract with another licensed or registered electrical contractor for electrical work. A licensed or registered electrician employed by the prime electrical contractor may have direct, personal supervision and control of the project.

401.4 Documentation. A holder of a state electrical license, a city license, or a city registration must carry such documentation on his or her person at all times while performing the work for which he or she is licensed or registered.

SECTION 402—LICENSES AND REGISTRATIONS

402.1 Applications. Applications for all licenses and registrations shall be made in writing to the Electrical Division, stating the name and address of the applicant, the applicant's appropriate state electrical license, if applicable, and such other relevant information as may be required by the Electrical Division.

Before a license or registration is issued under this code, the applicant must pay the fee required for the license or registration as set forth in Sections 414 and 415 of this code.

402.2 Duration of City License or Registration. Any city license issued under previous versions of the *City of Houston Electrical Code* prior to September 1, 2004, and valid as of such date, shall remain in effect until September 1, 2006, unless renewed for successive one-year terms. Any registration issued under this chapter shall expire on the expiration date of the registrant's state electrical license or upon suspension of such license.

402.3 License or Registration Issuance. Upon determining that an applicant meets all of this chapter's requirements for a license or registration, the Electrical Division shall issue the license or registration. No license or registration issued in accordance with the provisions of this chapter shall be assignable or transferable. Any registration issued under this chapter shall expire on the expiration date of the registrant's state license or upon suspension of such license.

402.4 Revoked License or Registration. City licenses issued under previous versions of the *City of Houston Electrical Code* and licenses and registrations issued under this chapter may be revoked for any reason defined in this code, provided, however, if the Electrical Board finds that the public interest will be adequately protected by the issuance of a warning or by a suspension of the license or registration for a definite period of time not exceeding one year, it shall issue a warning or order a suspension. If a registration is revoked, the Electrical Board shall not accept an application from that person for a new registration for one year following the date of revocation. Notice shall be sent to TDLR of any disciplinary action taken by the Electrical Board against any master or contractor.

402.5 Revocation Reasons. Following 10 calendar days' notice by personal delivery or certified mail and after a hearing before the Electrical Board, at which the person may be accompanied by an attorney at law of their choice, the Electrical Board may revoke or suspend that person's license or registration for any of the following reasons:

1. Fraud or misrepresentation in obtaining a city license, registration, or permit.
2. Violating on more than one occasion, either willfully or maliciously, or by reason of incompetence, any provision of this code.
3. Defrauding of any person for whom a service has been rendered, or contracted to be rendered.
4. Securing a permit for electrical work not actually performed by the master electrician, line master electrician, or sign master electrician ("master") or by licensed employees under the master's control, supervision, direction and responsibility. (This is intended to prevent a master from securing a permit for the purpose of evading the spirit and intent of this code by entering into any simulated scheme, transaction or device whereby electrical work will be done by persons who are not employees of the master or employees of the master's employer.)
5. Securing a permit under any pretext for an installation concerning which the applicant has no valid contract. (This is intended to prevent a master electrician, line master electrician or sign master electrician from securing a permit for the purpose of evading the spirit and intent of this code by any simulated scheme, transaction or device, or performing electrical work without a valid permit.)
6. Performing any electrical work as defined herein for which no electrical permit has been obtained.
7. For failure of any master electrician, line master electrician or sign master electrician to provide full-time active participation and day-to-day management of all electricians performing work under all permits issued under his or her signature.
8. Acting as a master electrician, line master electrician or sign master electrician for more than one electrical contractor (including him- or herself if self employed) at one time, unless the master owns more than 50 percent of the electrical contracting business.

The Electrical Division may withhold the issuance of a registration to an applicant by the same process used for revocation or suspension as described above. In addition to constituting grounds for revocation or suspension of a license or registration, violation of any of Items 1-8 are declared to be unlawful. Criminal prosecution shall not preclude administrative action by the Electrical Division or Electrical Board and vice versa.

402.6 License or Registration Transfer. No master electrician, line master electrician or sign master electrician shall assign or in any way convey his or her city license or registration, use thereof or any rights thereunder to anyone by power of attorney or any other process or become involved in any type of agreement, assignment or use whereby he or she will not have supervision, direction, control or responsibility for the electrical work for which an electrical permit has been obtained under his or her city license or registration.

402.7 City License. A person who holds a license issued pursuant to this code may renew his or her city license by paying the annual renewal fee provided in Section 415.

SECTION 403—CONTRACTOR REGISTRATION OR LICENSE

403.1 General. No person shall undertake any work as a contractor unless that person has been registered with the city as a contractor or unless that person holds a current and valid city license as a contractor.

An applicant for a contractor registration must have a valid state license as an electrical contractor, ~~or an electrical sign contractor, or a residential appliance installation contractor.~~

403.2 Contractor's Responsibility. The licensed or registered contractor will be responsible for ensuring that all work performed under his or her license or registration is properly permitted, that all personnel working under his or her license are properly licensed or registered, and that all work is performed in accordance with this code.

403.3 Scope of License or Registration. In the event that the applicant is or has employed a line master electrician or a sign master electrician in lieu of a master electrician, the scope of the contractor license or registration will be restricted to that work for which the applicant or the master is licensed.

403.4 Contractor's Records. For purpose of enforcing this section, the building official may, during normal working hours, examine and make copies of contracts, employment records, and payroll records for the preceding 24 months. Should the contractor fail or refuse to make a full, true and accurate disclosure of these records, the building official may, after written notification by certified mail, withhold the issuance of electrical permits to that contractor and master electrician until there has been a full and accurate disclosure of the records. This provision shall be cumulative of all other remedies provided herein.

403.5 Termination of Master-Contractor Relationship. Upon the death or termination of the designated master electrician, sign master electrician or line master electrician, the contractor shall be permitted to continue operating under the master's license or registration for a period not to exceed 30 calendar days from the date of the termination of the relationship. Upon the death of the master electricians listed above, no additional permits will be granted until a new master is employed and all existing active permits under the old deceased master are repermited. Upon the termination of the master electricians listed above, no additional permits will be granted until a new master is employed and all existing permits under the former master are repermited.

403.6 Master-Contractor Relationship. The master and the contractor shall register with the Electrical Division. Upon termination of the master-contractor relationship, notice shall be given by the master or the contractor to the building official within five city work days. The termination of the master shall cause all ~~active~~ permits taken out under the terminated master's license to be voided 30 calendar days after the date of termination. No additional permits will be granted until a new master is employed and all ~~existing active permits~~ under the previous master are repermited. The master must play an active role

in the business for which he or she is the registered master. This section in no way shall be construed as preventing the master from having other sources of income.

403.7 Contractor Business Location. To apply for a registration, an applicant must provide to the city a physical address (not a post office box).

403.8 Insurance. To apply for a city contractor's license, an applicant must provide evidence of the following to the Electrical ~~Division~~ Board:

1. That the applicant is a city licensed master electrician, line master electrician or sign master electrician or has such a person in his or her employment as a full-time employee.

2. ~~That applicant is in compliance with Section 1305.159(a)(3) of the Texas Occupations Code regarding workers' compensation coverage. That the applicant holds a commercial general liability insurance policy (including products liability and completions operations coverage) with minimum limits of \$300,000 for death or bodily injury and \$300,000 for property damage, per occurrence. This policy must be issued by a carrier with a rating of B+ or better in the last published edition of *Best's Insurance Reports Property Casualty Volume* (published by A.M. Best Company, Oldwiche, New Jersey 08858). Proof of coverage shall be provided in the form of a certificate issued by an authorized agent or employee of the company issuing the policy, that specifies the coverage and identifies the insured. Each certificate shall provide that not less than 10 calendar days' written notice shall be given to the building official in the event of reduction or cancellation of the policy prior to the expiration date specified on the certificate or lapse of the policy by nonrenewal.~~

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SECTION 404—MASTER ELECTRICIAN

A master electrician may:

1. Perform all electrical work, including electrical work performed by a sign master electrician and a line master electrician.
2. Supervise an electrician.
3. Serve as a master electrician of record for a contractor.

SECTION 405—LINE MASTER ELECTRICIAN

405.1 A line master electrician may:

1. Perform outside electrical work as defined in this code.
2. Supervise an electrician performing outside electrical work.
3. Serve as a line master electrician of record for a contractor.

405.2 License. A line master electrician license shall authorize only outside electrical work. The line master electrician will otherwise be under the same rules, regulations, rights, privileges and duties imposed on or enjoyed by a master electrician.

SECTION 406—SIGN MASTER ELECTRICIAN

406.1 General. A sign master electrician may:

1. Perform sign electrical work.

2. Supervise an electrician performing sign electrical work.
3. Serve as a sign master electrician of record for a contractor.

406.2 License or Registration. Sign master electricians shall also comply with requirements as set out in the Sign Code, Chapter 46 of the *Building Code*. The sign master electrician license shall authorize only electrical sign work. The sign master electrician will otherwise be under the same rules, regulations, rights, privileges and duties imposed on or enjoyed by a master electrician.

406.3 Scope of Work. A sign master electrician shall be permitted to manufacture, install and do wiring that is required to connect the sign, outline lighting or inside lighting to an existing circuit or circuits that have been approved by the building official for connection of the specific load covered by the permit issued. Should the available circuit or circuits not be adequate for the specific sign and outline lighting load to be connected, then a contractor shall be employed by the owner or the owner's agent to install the necessary wiring required to provide the required capacity and circuits for the proposed signs and outline lighting. However, a sign master electrician shall be permitted to install the necessary service and circuits for an isolated sign and/or outline lighting installation.

406.4 Isolated Sign. For the purposes of this section, an isolated sign and/or outline lighting installation shall be defined as an installation in which neither the meter nor service supplying the installation or any of the signs or outline lighting are mounted on or in any building or structure that is not a part of the signs or outline lighting.

406.5 Circuits. As applied in this section, signs or outline lighting on the exterior of a building must have the circuit or circuits available on the exterior of the building. Nothing herein is intended to limit or repeal the effect of the Sign Code, but shall be cumulative thereof.

406.6 Shop Inspection. All work performed and materials, apparatus, devices, appliances, fixtures or equipment used shall conform with the full requirements of this chapter. Any electric sign built within the city, that is not listed and labeled, for installation within the city shall have a shop inspection by the building official before the sign is shipped out of the shop. The shop inspection fee shall be separate from and shall be double that required for signs as specified in the *Building Code*. After approval by the building official, an inspector shall attach an approval label or stamp to the sign. Signs constructed outside the city, but erected within the city, shall be subject to the same rules and regulations as apply to signs constructed within the city, except that inspections shall be performed by an approved agency.

SECTION 407—JOURNEYMAN ELECTRICIAN

No person shall undertake any work as a journeyman electrician unless the person has received a city or state electrical license as a journeyman electrician.

SECTION 408—JOURNEYMAN LINEMAN

No person shall undertake any work as a journeyman lineman unless the person has received a state or city electrical license as a journeyman electrician or a journeyman lineman.

SECTION 409—SIGN JOURNEYMAN ELECTRICIAN

No person shall undertake any work as a sign journeyman electrician unless the person has received a state or city electrical license as a sign journeyman electrician or a journeyman electrician.

SECTION 410—RESIDENTIAL WIREMAN (RESIDENTIAL JOURNEYMAN ELECTRICIAN)

No person shall undertake any work as a residential wireman (residential journeyman electrician) unless the person has received a state or city electrical license as a residential wireman or a journeyman electrician.

SECTION 411—APPRENTICE ELECTRICIAN

411.1 General. No person shall undertake any work as an apprentice electrician unless the person has received a state or city electrical license as an apprentice electrician.

411.2 Work Performed. An apprentice electrician licensed under this section shall be permitted to perform work as an apprentice, an apprentice lineman, a sign apprentice electrician, residential apprentice and an apprentice maintenance electrician under the supervision of a master electrician, journeyman electrician, maintenance electrician, or a residential wireman.

SECTION 412—MAINTENANCE ELECTRICIAN

412.1 General. No person shall undertake work as a maintenance electrician unless the person has received a state or city electrical license as a maintenance electrician or a journeyman electrician.

412.2 Work Performed. A maintenance electrician licensed under this section shall be permitted to perform electrical maintenance work under the general supervision of a master electrician, on behalf of an electrical contractor.

412.3 Exempt work. A maintenance electrician license is not required if:

1. The work is performed by a person who does not engage in electrical work for the public;
2. The work is performed by a person regularly employed as a maintenance person or maintenance electrician for a business; and
3. The electrical work does not involve the installation of electrical equipment during new construction as defined by rules adopted under Chapter 151 of the *Texas Tax Code*.

SECTION 413—RESIDENTIAL APPLIANCE INSTALLER

413.1 General. No person shall undertake work as a residential appliance installer unless the person has received a state electrical license as a residential appliance installer, unless otherwise recognized in this code.

413.2 Work Performed. A residential appliance installer listed under this section shall be permitted to perform work defined as residential appliance installation.

SECTION 414—APPEALS FROM LICENSING DECISIONS OF ELECTRICAL BOARD

Any holder of a license or registration whose license or registration has been revoked, placed on probation, or suspended shall have the right of appeal to City Council as provided in Section 203.7 of this code. The City Council shall affirm, modify or reverse the action and/or decision of the Electrical Board. The action of the City Council shall be final. If no appeal is taken within the time and in the manner herein above provided, the ruling of the Electrical Board shall be final. The action of the Electrical

Board shall be in effect during the appeal process before City Council and will remain in effect until modified or reversed by action of City Council on the appeal. The action of the Electrical Board shall remain in effect unless and/or until reversed or modified as provided for herein. In the event of suspension or revocation of licenses or registrations, the effective date will be 10 calendar days immediately following the action of the Electrical Board. A master whose license or registration has been suspended or revoked will not be issued any new permits after the action of the Electrical Board or during the 10 calendar day period following the action of the Electrical Board. All licenses and registrations shall be submitted to the secretary of the Electrical Board within 10 calendar days after the date of revocation or suspension.

SECTION 415—REGISTRATION FEES

To obtain a registration, an applicant shall pay the applicable registration fee as follows:

TYPE	REGISTRATION
Contractor	\$150
Master Electrician of Record	\$150
Sign Master Electrician of Record	\$150
<u>Residential Appliance Installation Contractor</u>	<u>\$150</u>

All fees shall be prorated for each month the license is to be in effect based on a 12 month period.

An administrative fee of ~~\$5.00~~ as set forth in Section 117 of the Building Code shall be charged upon the preparation of each fee or deposit receipt issued by the building official. This fee shall apply regardless of whether the fee or deposit is payable pursuant to this code or the City Code. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit.

SECTION 416—LICENSE AND RENEWAL FEES

To obtain a contractor license or renew an existing city license the applicant shall pay the applicable city license fee as follows:

LICENSE TYPE	LICENSE FEE	RENEWAL FEE
Contractor	\$150	\$150
Master Electrician of Record	N/A	\$150
Sign Master Electrician of Record	N/A	\$150
Line Master Electrician of Record	N/A	\$150
Master Electrician	N/A	\$75
Sign Master Electrician	N/A	\$75

Line Master Electrician	N/A	\$75
Journeyman Electrician	N/A	\$40
Journeyman Lineman	N/A	\$40
Sign Journeyman	N/A	\$40
Residential Wireman	N/A	\$25
Maintenance Electrician	N/A	\$25
Apprentice	N/A	\$15

All fees shall be prorated for each month the license is to be in effect based on a 12 month period.

An administrative fee of ~~\$5.00~~ as set forth in Section 117 of the Building Code shall be charged upon the preparation of each fee or deposit receipt issued by the building official. This fee shall apply regardless of whether the fee or deposit is payable pursuant to this code or the *City Code*. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit.

SECTION 417—CONTINUING EDUCATION FOR CITY LICENSE RENEWAL

417.1 General. Master electricians and journeyman electricians shall annually complete a four hour code review course, approved by the city or state, based on the *National Electrical Code*.

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Chapter 5 BUILDING STANDARDS

SECTION 501—WIRING SYSTEMS

501.1 General. Any type of wiring or wiring systems may be used in the city as approved in the *National Electrical Code* adopted in Section 502, except where specifically provided herein.

Refer to Section 403 of the *Building Code* for high-rise building requirements and to Chapter 46 of the *Building Code* for the Sign Code.

501.2 Electric Utility Company. All changes in the service standards and area practices that are promulgated by the electric utility company shall be submitted to the Electrical Board for review and comment at least 30 calendar days prior to enactment.

For the purposes of this code, the distribution system of any electric, telephone, telegraph, signal and/or electric utility company shall not extend to any electrical apparatus or equipment that the company does not own or control.

If a licensed or registered contractor needs access to metering and service equipment under control of an electric utility company to perform certain electrical work, the electric utility company must unlock and/or make accessible all metering and service equipment within four hours of the time the contractor requests the action, if possible. Licensed or registered contractors may access metering and service equipment.

SECTION 502—ADOPTED STANDARDS

The following codes, pamphlets and specifications are hereby adopted, authentic copies of which are filed with the City Secretary as part of this code, and shall govern and be observed and followed in all electrical wiring and in the construction, installation, repair, alteration, operation and maintenance of electrical wiring apparatus or fixtures:

(1) The *National Fire Protection Association Pamphlet No. 70, National Electrical Code, 2008 Edition*.

(2) The *2007 National Electrical Safety Code*. When the provisions of the *National Electrical Safety Code* and the *National Electrical Code* are in conflict, the *National Electrical Code* shall prevail.

In case of conflict between the provisions of the standards listed in the above paragraphs and the provisions of this code, the provisions of this code shall prevail.

SECTION 503—METERS

503.1 General. The meter cabinets and electrical metering equipment through which service is rendered by the electric utility company to domestic establishments and buildings combining domestic establishments with commercial or industrial usage shall be installed where readily accessible on the exterior of the building. Fireproof meter cabinets or meters sockets shall be approved by the electric utility company and installed by the master electrician performing the work, said meter cabinets to be located so the center of the opening of the meter dial shall not be less than 5 feet (1524 mm) nor more than 6 feet (1829 mm) above mean ground level so that the cabinet is readily accessible to the electric

utility company for service. On apartment buildings, where space limitations will not permit placing all meters at the same height, they may be arranged in two tiers, with the openings for the meter dials in lower tiers as near as practicable to 5 feet (1524 mm) above the mean ground level and second tier placed as near as practicable above the first. Where space limitations will not permit placing of meter cabinets as outlined above, the electric utility company, subject to the approval of the building official, may determine the arrangement to be used. All service outlets shall be located so as to permit placing the electric utility company's service wires on the wall of the building next to the supply. Locations may also be modified with the approval of the building official for occupancies intended primarily for handicapped persons.

503.2 Location of Meters. Meters will be located on a building so as to be accessible as determined by the electric utility company and may only be placed on the front or street side of the building with the written consent of the owners filed with the building official.

503.3 Relocation of Meters. Where meters are installed in inaccessible places in houses or buildings and the electric utility company desires to relocate said meter loops for convenience in the rendering of its service, it may, upon request to the building official, have a licensed or registered contractor reinstall meter loops to a point where the same would be located if the house or building were having a new system of wiring installed, and all the work done at the request of the electric utility company shall be performed without cost to the owner unless the location is the result of the wiring having been condemned by the building official for practices in violation of the provisions of this code or any applicable city ordinance.

503.4 Separate Meters. No permit, certificate or other authorization issued by the city under the provisions of this code for the construction or occupancy of a new apartment house or conversion to a condominium shall be issued unless the construction plan submitted by the applicant as part of the process for the approval of the permit, certificate or other authorization provides for individual electric metering by the utility company or submetering by the owner of each dwelling unit for the measurement of the quantity of electricity, if any, consumed by the occupants within that dwelling unit in accordance with the provisions of Chapter 184 of the *Texas Utilities Code* and regulations issued thereunder.

SECTION 504 – SERVICES AND FEEDERS

504.1 General. All services, feeders, and underground branch circuits shall be installed in raceways, bus-ways, or metal sheath cables approved by this code.

EXCEPTIONS:

1. Type SE multi-conductor cable having a bond wire and an insulated neutral wire will be permitted for feeders on wood-frame residential occupancies, provided the conductors have a disconnecting means and are protected by an approved current-limiting device. Each feeder shall be installed only in a location or in a manner that is not subject to mechanical damage and shall also be installed in accordance with other sections of this code and the *National Electrical Code*.

2. Aerial feeders.

3. Feeders in cable trays.

504.2 Service Disconnect. Service disconnecting means shall be located so that the height to the center of the operating handle shall not be less than 4 feet (1219 mm) and not more than 6 feet 7 inches (2.0 m) above the floor of finish grade, except as installed in freestanding or building-type switchgear built to the National Electrical Manufacturers Association's specifications. When necessary to install tiered metering

on multifamily dwellings, it shall be permissible to vary the heights of the disconnecting means within 2 feet 6 inches to 6 feet 6 inches (762 mm to 2.0 m) above finished grade.

504.3 Grounding Electrode System. All grounding electrodes as described in the *National Electrical Code, 2005-2008* Edition, Section 250.52(A) (1) through (A) (6), that are present at each building or structure served shall be bonded together to form the grounding electrode system. Grounding electrodes as described in the *National Electrical Code, 2005-2008* Edition, Sections 250.52 (A) (1), (A) (2), (A) (3), and (A) (7), shall be supplemented with a rod electrode as described in Section 250.52 (A) (5) (b). Where no other grounding electrode is present a rod electrode shall be permitted to be the sole grounding electrode.

EXCEPTION: Concrete-encased electrodes of existing buildings or structures shall not be required to be part of the grounding electrode system where the steel reinforcing bars or rods are not accessible for use without disturbing the concrete.

504.4 Metal wireways. All metal wireways with parallel conductors with an ampacity over 800 amperes shall have insulated step bus conductors.

SECTION 505—NONMETALLIC SHEATHED CABLE

505.1 Residential structures. Nonmetallic sheathed cable shall be allowed in R-2 (apartments only), R-3, and R-4 occupancies (and their accessory structures), none of which may exceed four (4) stories. When the residential occupancy is allowed to be constructed above another occupancy, in accordance with the Building Code; the use of the nonmetallic sheathed cable shall be limited to four (4) stories of the residential occupancy, in buildings not to exceed five (5) stories.

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

1. The resident who occupies the R-3 dwelling operates the business.
2. The office or retail use is limited to 40 percent of the building.
3. Limited to wood construction.
4. Both the R-3 and the business are on the same meter.
5. It will not cause an unsafe condition.

505.3 Temporary installations. Nonmetallic sheathed cable shall be permitted for temporary installations.

SECTION 506—CONDUIT

Electrical metallic tubing (EMT) shall not be buried in ground or embedded in concrete supported by earth. Flexible or pliable raceways shall be used only for temporary work, branch circuits, and for permanent connections to vibrating, rotating and movable equipment and fixtures.

SECTION 507—TEMPORARY SAW POLES

Temporary saw poles shall be constructed of weatherproof electrical materials consisting of a minimum of 60-ampere switch or circuit breaker panel and grounded receptacle mounted on at least a solid 4-inch

by 4-inch (102 mm by 102 mm) timber or equivalent wood structure. Service conductors shall be 6 AWG or larger installed in conduit.

SECTION 508—ELECTRICAL MATERIAL AND EQUIPMENT

No electrical materials, apparatus, devices, appliances, fixtures, or equipment shall be sold or installed in the city unless they are in conformance with the provisions of this code, the laws of the State of Texas and any applicable rules and regulations issued under the authority of the state statutes.

The maker's name, trademark, or other identification symbol shall be placed on all electrical materials, apparatus, devices, appliances, fixtures, and equipment used or installed under the provisions of this code.

All electrical materials and equipment shall be listed and labeled for intended use and shall be included in a list published by an approved agency.

EXCEPTION: Proton therapy equipment, when in its experimental stage.

SECTION 509—ELECTRICAL FENCES

This code does not regulate electrically charged fences installed in accordance with Section 28-10 of the *City Code*.

SECTION 510—LOCATION

510.1 Except as otherwise provided in this Code, no electrical system, or part thereof, shall be located in any lot other than the lot that is the site of the building, structure, or premises served by such facilities unless the electrical system, or part thereof, is located in an easement.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance authorizing the abandonment and sale of Calumet Drive, from Fannin Street to San Jacinto Street, in exchange for the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, all located within the MacGregor and DeMeritt's Southmore Addition, Section 2. **Parcels SY7-064, VY7-033, AY7-375A, and AY7-375B**

Category # 7

Page 1 of 2

Agenda Item #

20

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

8/7/08

Agenda Date

AUG 13 2008

DIRECTOR'S SIGNATURE:

Michael S. Marcotte

Michael S. Marcotte, P.E., DEE, Director

Council District affected:

D
PSM

Key Map 493W

For additional information contact:

Nancy P. Collins **Phone:** (713) 837-0881
Senior Assistant Director-Real Estate

(NPO)

Date and identification of prior authorizing Council Action:

C.M. 2007-0291 (03/21/07)

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of Calumet Drive, from Fannin Street to San Jacinto Street, in exchange for a consideration of \$505,150.00 plus the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, all located within the MacGregor and DeMeritt's Southmore Addition, Section 2. **Parcels SY7-064, VY7-033, AY7-375A, and AY7-375B**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

By Council Motion 2007-0291, City Council authorized the subject transaction. St. Paul's United Methodist Church (Fred Hofheinz, Member/Legal Counsel), plans to combine the street being abandoned and sold with its abutting property for additional parking for the church campus.

The money paid to the City for this abandonment and sale transaction will be used for the Museum District Walk Project to cover all of the cost of improvements (sidewalks, retaining wall, pedestrian lights and signs, benches, and trash cans) along Binz Avenue, between Main Street and San Jacinto Street. Any portion of the balance not needed for these improvements will be set aside for use on improvements along other blocks down Binz Street and Bissonnet Street. This money will be deposited into a special account to be used by the City as it becomes necessary to complete the project.

St. Paul's United Methodist Church has complied with the transaction requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to St. Paul's United Methodist Church:

Parcel SY7-064

20,000-square-foot portion of Calumet Drive \$1,000,000.00
Valued at \$50.00 per square foot

Calumet Drive improvements \$56,700.00

TOTAL ABANDONMENTS

\$1,056,700.00

s:\psm\sy7-064.rc2.doc

CUIC #20PSM220

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Andrew F. Icken
Andrew F. Icken, Deputy Director
Planning and Development Services Division

Date:	Subject: Ordinance authorizing the abandonment and sale of Calumet Drive, from Fannin Street to San Jacinto Street, in exchange for the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, all located within the MacGregor and DeMeritt's Southmore Addition, Section 2. Parcels SY7-064, VY7-033, AY7-375A, and AY7-375B	Originator's Initials	Page <u>2</u> of <u>2</u>
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In exchange, St. Paul's United Methodist Church will pay

Cash	\$505,150.00
Plus convey to the City:	

<u>Parcel VY7-033</u>	
20,000-square-foot utility easement	\$500,000.00
Valued at \$25.00 per square foot	

<u>Parcel AY7-375A</u>	
513-square-foot portion of right-of-way	\$25,650.00
Valued at \$50.00 per square foot	

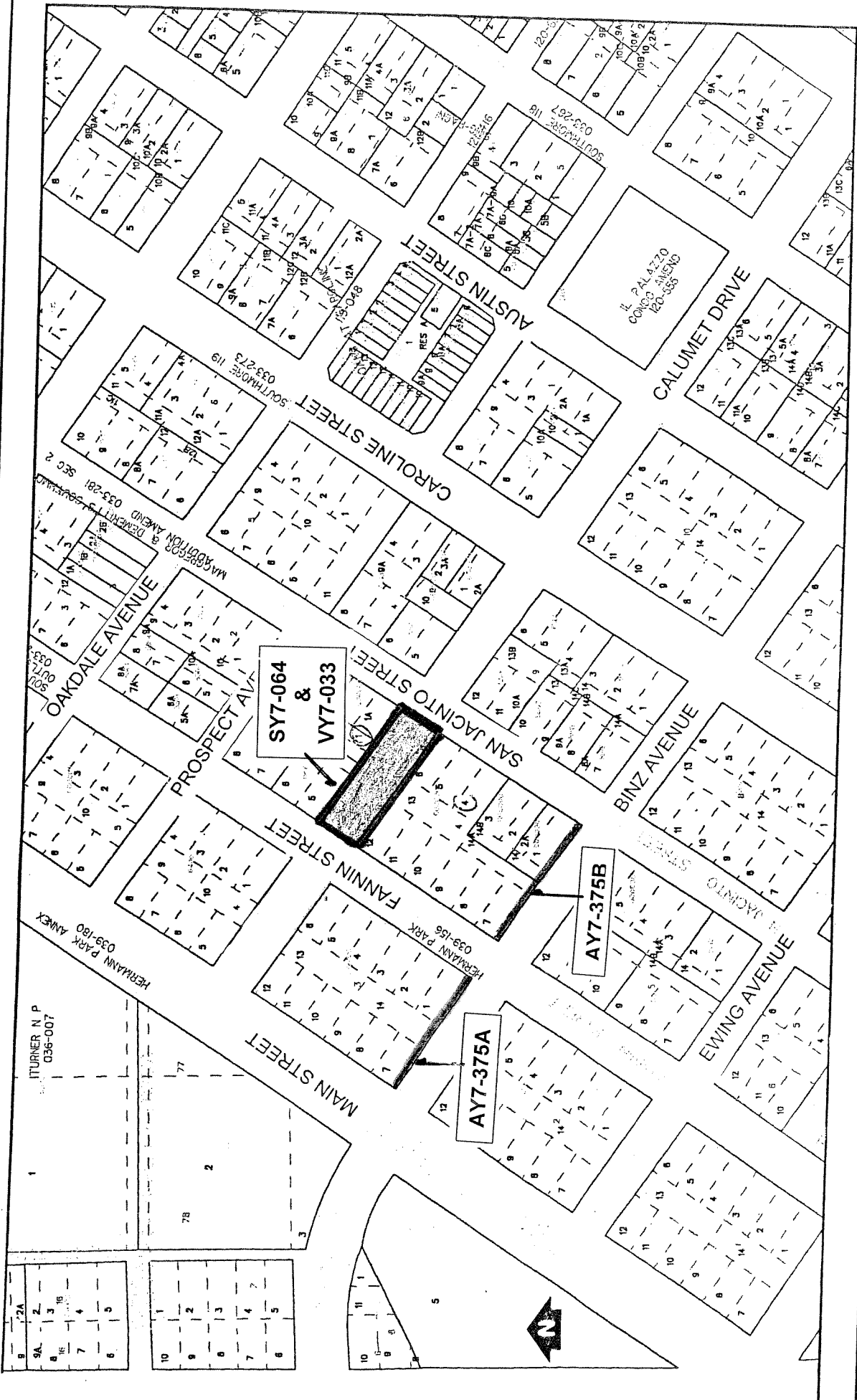
<u>Parcel AY7-375B</u>	
518-square-foot portion of right-of-way	\$25,900.00
Valued at \$50.00 per square foot	

TOTAL CASH AND CONVEYANCES	<u>\$1,056,700.00</u>
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Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Calumet Drive, from Fannin Street to San Jacinto Street, in exchange for a consideration of \$505,150.00 plus the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, all located within the MacGregor and DeMeritt's Southmore Addition, Section 2.

MSM: NPC: psm

- c: Raymond D. Chong, P.E., PTOE
- Reid K. Mrsny, P.E.
- Marty Stein
- Jeff Taylor



Abandonment and sale of Calumet Avenue, from Fannin Street to San Jacinto Street, in exchange for the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, all located within the MacGregor and DeMeritt's Southmore Addition, Section 2. **Parcels SY7-064, VY7-033, AY7-375A, and AY7-375B**

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Jeanie Forbis of Brown & Gay Engineers, Inc., 10777 Westheimer Road, Suite 400, Houston, Texas 77042, on behalf of St. Paul's United Methodist Church (Fred Hofheinz, Member/Legal Counsel), for the abandonment and sale of Calumet Avenue, from Fannin Street to San Jacinto Street, located within the MacGregor and DeMeritt's Southmore Addition, Section 2, Parcels SY7-064, VY7-033, AY7-375A and AY7-375B, be adopted as follows:

1. The City abandon and sell Calumet Avenue, from Fannin Street to San Jacinto Street, in exchange for the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, all located within the MacGregor and DeMeritt's Southmore Addition, Section 2;
2. The applicant be required to cut, plug, and abandon the existing 6-inch sanitary sewer line located in Calumet Avenue, at no cost to the City and under the proper permits and pay the depreciated value for the sanitary sewer line being abandoned;
3. The applicant be required to: (a) eliminate the appearance of the public street at its intersection with San Jacinto Street and if the street will be used for vehicular traffic, reconstruct the street to look like a driveway, (b) obtain a letter of no objection from METRO stating it has no issues with the abandonment and sale of this street and incorporating any requirements or conditions it may have, (c) upon completion of this transaction, notify the Parking Management Division, Convention and Entertainment Facilities Department, so the parking meters can be removed and salvaged, and (d) upon completion of this transaction, notify the Traffic and Transportation Division, Department of Public Works and Engineering, so any traffic signs can be removed and salvaged;

4. 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;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Ms. Sheila Stewart and Mr. John Chambless, independent real estate appraisers, are hereby appointed to establish the value, inasmuch as the value of the property interest is expected to exceed \$25,000.00.

Seconded by Council Member Alvarado and carried.

Mayor White, Council Members Lawrence, Johnson,
Clutterbuck, Edwards, Wiseman, Khan, Alvarado, Brown,
Lovell and Green voting aye
Nays none
Council Members Holm, Garcia and Berry absent

PASSED AND ADOPTED this 21st day of March, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is March 27, 2007.


City Secretary

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

SUBJECT: Ordinance designating the 2000 block of West 14 th Street, north and south sides, between Beall Street and the Cul-de-sac as a Special Building Line Requirement Area	Category #	Page 1 of _____	Agenda Item # 21
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 4/11/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: <i>Ms Marlene L. Gafrick</i>	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 2000 block of West 14th Street, north and south sides, between Beall and the Cul-de-sac as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 20' special building line.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 8, Block 6, of the Clark Pines U/R Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 57% of the area. Notification was mailed to 35 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. One written protest was filed and later withdrawn.

It is recommended that the City Council adopt an ordinance establishing a 20' Special Building Line for the area.

MLG:md:db

Attachments: Planning Commission Approval, Special Building Line Requirement Application & Petition, Evidence of Support, Map of the Area, Protest Letters

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
Linda Tarver, Public Works and Engineering
Gary Bridges, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Building Line Requirement Area No. 130

Planning Director's Approval

Planning Director Evaluation:

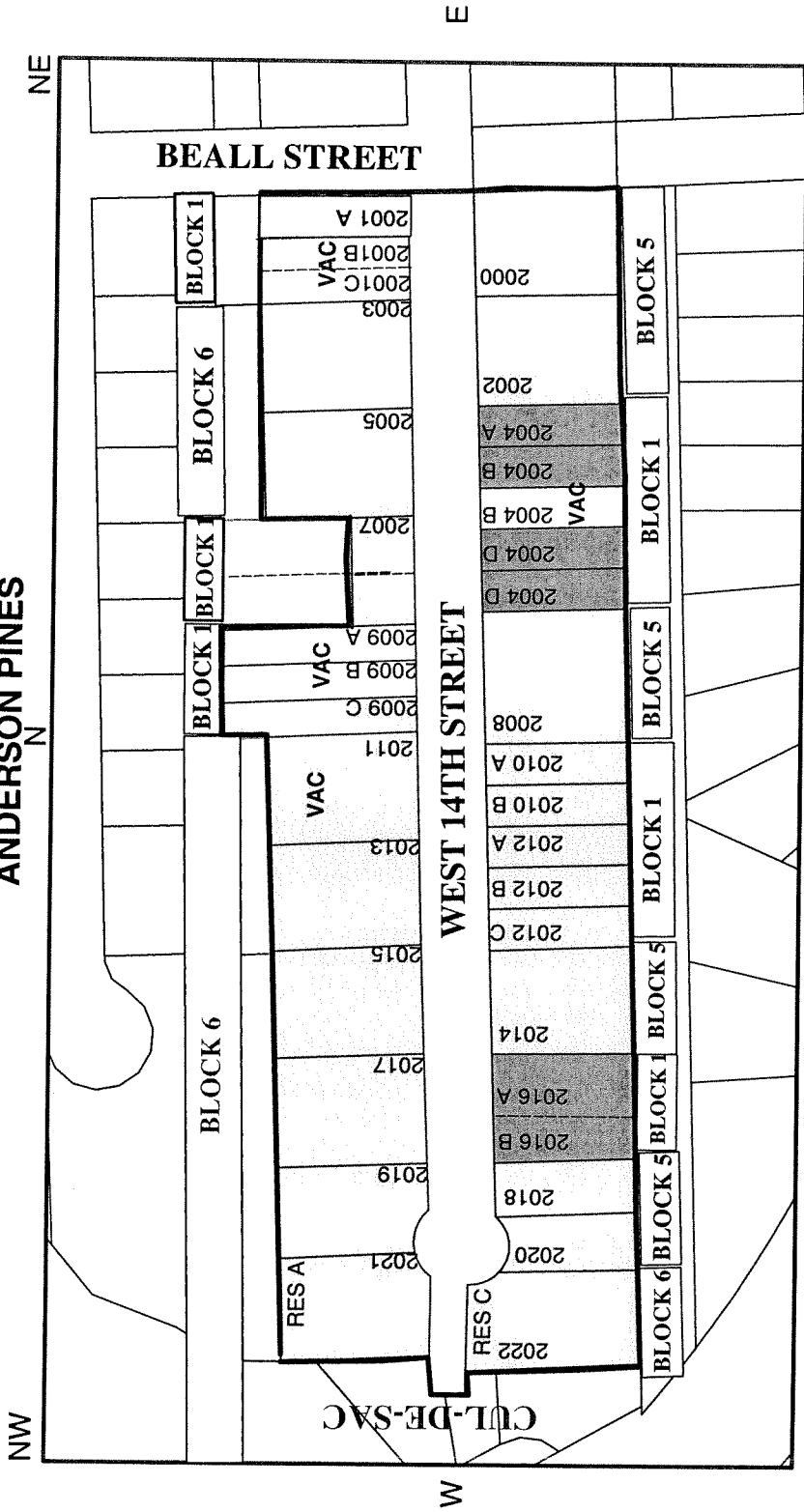
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 2000 West 14th Street, north and south sides.</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>86% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 57% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 20 ft exists on twenty-four (24) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a special building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The Clark Pines u/r Subdivision is unrecorded as evidenced by the Block Book. However, in 1947 restrictions and covenants running with the land were recorded; which limited the property of the Clark Pines Subdivision to single family for residential purposes only.</p> <p>The subdivision was platted in 1950. Most of the homes originated from 1930's to 1950's. The establishment of a 15 ft minimum building line will preserve the building line character of the area.</p>
<p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p> <p>Twenty-four (24) out of thirty (30) building line setbacks (representing 80% of the application area) were at a building line of at least twenty (20) feet.</p>		

The Special Building Line Requirement Area meets the criteria.

Marlene L. Gafrick
 Marlene L. Gafrick, Director

4/8/08
 Date

CLARK PINES U/R SUBDIVISION
 SHADY PINES SEC 1,2,3
 LINDSEY PINES SEC 1
 ANDERSON PINES



SW



S

SE

20" Special Minimum Building Line

MAP/SKETCH

SBLRA No. 130

-  Properties that meet the 20' Special Minimum Building Line
-  Properties less than the 20' Special Minimum Building Line
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

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

SUBJECT: Ordinance designating the 2000 block of West 14 th Street, north and south sides, between Beall Street and the Cul-de-sac as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 22
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 2/26/2008	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: <i>MS</i> <i>Marlene L. Gafrick</i>	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 2000 block of West 14th Street, north and south sides, between Beall Street and the Cul-de-sac as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
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SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of Lot 8, Block 6, of the Clark Pines u/r Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 62% of the area. Notification was mailed to the thirty five (35) property owners indicating that the special lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,227 sf.

MLG:kw

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Minimum Lot Size Area No. 270

Planning Director's Approval

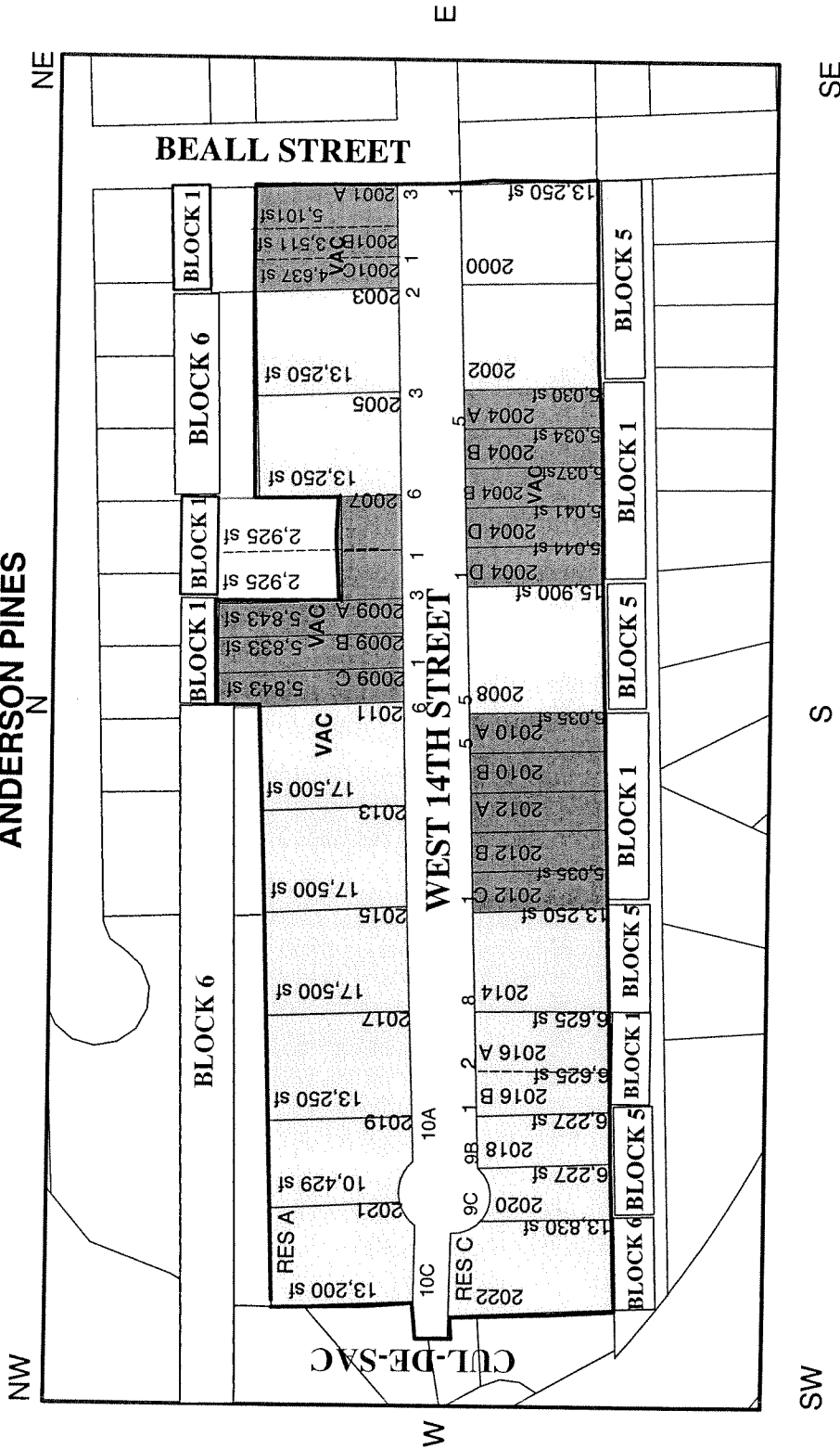
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 2000 block of West 14th Street, north and south sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>86% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 62% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 6,227 sq ft exists on seventeen (17) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The Clark Pines u/r Subdivision is unrecorded as evidenced by the Block Book. However, in 1947 restrictions and covenants running with the land was recorded; which limited the property of the Clark Pines Subdivision to single family for residential purposes only. The majority of the houses originate from the 1930's to the 1950's. The establishment of a 6,227sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Seventeen (17) out of thirty five (35) lots (representing 70% of the application area) are at least 6,227 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.


 Marlene L. Gafrick, Director Date



CLARK PINES U/R SUBDIVISION
 SHADY PINES SEC 1,2,3
 LINDSEY PINES SEC 1
 ANDERSON PINES



6,227sf Special Minimum Lot Size

MAP/SKETCH

SMLSA No. 270

-  Properties that meet the 6,227 sf Special Minimum Lot Size
-  Properties less than the 6,227 sf Special Minimum Lot Size
- MF** Multi Family
- COM** Commercial
- VAC** Vacant
- EXC** Excluded

SUBJECT: An Ordinance to modify the Land Use Restriction Agreement between the City of Houston and Primrose Houston 7 Housing, L.P.	Category #	Page 1 of 1	Agenda Item # 23
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FROM (Department or other point of origin): Richard S. Celli Director, Housing and Community Development Department	Origination Date: 15 July 08	Agenda Date: AUG 13 2008
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DIRECTOR'S SIGNATURE: 	Council District affected: "H"
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For additional information contact: Donald Sampley, Asst. Director Phone: 713-868-8458	Date and identification of prior authorizing Council action: 1999--488-5/19/99 2003-1259-2/17/03 2007-0255-2/13/07
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RECOMMENDATION: (Summary) The Department recommends approval of an Ordinance authorizing a modification to the Land Use Restriction Agreement between the City of Houston and Primrose Houston 7 Housing, L. P.

Amount of Funding: No New Funding Required	Finance Department:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) TIRZ FUND

SPECIFIC EXPLANATION:

Uses of Funds:
The Primrose Skyline Apartment / Casa Bella Apartment complex, a newly constructed affordable housing project, is located at 5001-5005 Airline Drive. The 280 unit complex currently has 193 units restricted for low or very-low income families.

The Ordinance will:

- 1.) Approve decreasing the restricted units from 193 units to the HOME requirement of 10 HOME Restricted Units and provide for a 20 year Affordability period. Two (2) units will be rented to very-low income tenants at or below 50% of Area Median Income and eight (8) units to low income tenants at or below 60% of Area Median Income.


Primrose Skyline / Casa Bella is one property, in a group of Multi-Family Projects, being considered in a financial trade for a HOME Fund pay out to the Federal Government. This particular project represents \$800,000 in City Funds.

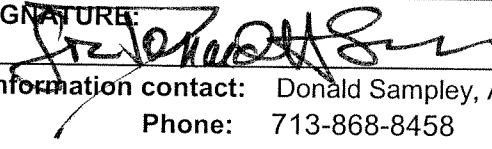
The project is consistent with the City of Houston Consolidated Plan. The Department recommends approval.

RC: DS: Is

CC: Mayor's Office
City Secretary
Legal Department
City Controller

REQUIRED AUTHORIZATION

Finance Director: 	Other Authorization:	Other Authorization:
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SUBJECT: An Ordinance to modify the Land Use Restriction Agreement between the City of Houston and TX Aldine-Bender Housing, L.P.		Category #	Page 1 of 1	Agenda Item # 24
FROM (Department or other point of origin): Richard S. Celli Director, Housing and Community Development Department		Origination Date: 15 July 08		Agenda Date: AUG 13 2008
DIRECTOR'S SIGNATURE: 		Council District affected: "B"		
For additional information contact: Donald Sampley, Asst. Director Phone: 713-868-8458		Date and identification of prior authorizing Council action: 2004-562-6/9/04 2007-0256-2/20/07		

RECOMMENDATION: (Summary) The Department recommends approval of an Ordinance authorizing a modification to the Land Use Restriction Agreement between the City of Houston and TX Aldine-Bender Housing, L. P.

Amount of Funding: No New Funding Required

Finance Department:

SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) TIRZ FUND

SPECIFIC EXPLANATION:

Uses of Funds:

The Primrose Aldine-Bender Apartment / Primrose Del Sol Apartment complex, a newly constructed affordable housing project, is located on the north side of the 100 block of Aldine-Bender. The 248 unit complex currently has 177 units restricted for low or very-low income families.

The Ordinance will:

- 1.) Approve decreasing the restricted units from 177 units to the HOME requirement of 18 HOME Restricted Units and provide for a 20 year Affordability period. Four (4) units will be rented to very-low income tenants at or below 50% of Area Median Income and fourteen (14) units will be rented to low income tenants at or below 60% of Area Median Income.

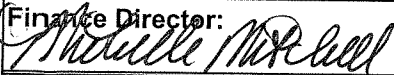
Primrose Aldine-Bender / Del Sol is one property, in a group of Multi-Family Projects, being considered in a financial trade for a HOME Fund pay out to the Federal Government. This particular project represents \$1,500,000.00 in City Funds.

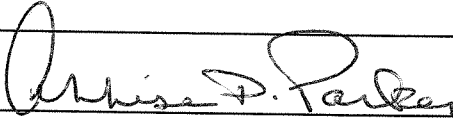
The project is consistent with the City of Houston Consolidated Plan. The Department recommends approval.

RC: DS: ls

CC: Mayor's Office
City Secretary
Legal Department
City Controller

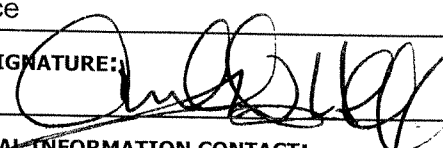
REQUIRED AUTHORIZATION

Finance Director: 	Other Authorization:	Other Authorization:
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TO: Mayor via City Secretary				REQUEST FOR COUNCIL ACTION			
SUBJECT: An ordinance approving a Certificate of Deposit Placement Agreement with Unity National Bank.			Category #		Page 1 of 1		Agenda Item # 25
FROM (Department or other point of origin): Office of the City Controller			Origination Date 8/4/08		Agenda Date AUG 13 2008		
DIRECTOR'S SIGNATURE: 			Council District Affected: All				
For Additional Information: Jim Moncur Phone: 713-247-2950			Date and Identification of Prior Authorizing Council Action: none				
RECOMMENDATION: Approve an ordinance for a Deposit Placement Agreement and Certificate of Deposit Account Registry Service Deposit Placement Agreement with Unity National Bank, Houston, Texas for the placement of city's funds in time deposits with certain financial institutions insured by the Federal Deposit Insurance Corporation (FDIC) for investment purposes.							
Amount of Funding:							
Source of funding: Office of City Controller; General fund 1000							
SPECIFIC EXPLANATION: The City of Houston (City) seeks to enter into an agreement with Unity National Bank for the purpose of providing investment assistance. Unity Bank will be utilized for the placement of certificates of deposit. The City does not intend for any one deposit to exceed the FDIC insurance limit of \$100,000. The CDs will be placed utilizing the Certificate of Deposit Account Registry Service managed by Promontory Interfinancial Network LLC. Promontory's registry service is a network of banks that both offer and accept deposits. By offering funds for deposit, Unity Bank, as a member of Promontory's registry, will also be eligible for reciprocal deposits from other financial institutions. By entering into this arrangement the City will enjoy economies of scale without having to seek out a separate bank for each CD. There will be no fees for placement. In addition, all of the CDs will share the same interest rate and maturity dates. Early withdrawal may be available, but may be subject to penalties. The Texas Public Funds Investment Act specifically allows this type of investment in certificates of deposit. It is also in keeping with the City's Investment Policy. Unity National Bank is a City certified MWBE. ACTION RECOMMENDED: The Controller's Office recommends approval of this agreement with Unity Bank.							
REQUIRED AUTHORIZATION							
F&A Director:			Other Authorization:			Other Authorization:	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve a contract for professional services with the Greater Houston Partnership.		Category #	Page 1 of 1	AGENDA ITEM # 26
FROM (DEPARTMENT OR OTHER POINT OF ORIGIN): Mayor's Office		ORIGINATION DATE July 12, 2008		AGENDA DATE AUG 13 2008
DIRECTOR'S SIGNATURE: Anthony Hall 		COUNCIL DISTRICT AFFECTED: All		
FOR ADDITIONAL INFORMATION CONTACT: Saba Abashawl Steve Lewis Tom Mesa 281/233-1829 713/853-8888 713/837-9857		DATE AND IDENTIFICATION OF PRIOR AUTHORIZING COUNCIL ACTION: 07-0833, 06-0768, 05-1372, 05-0246, 02-1103, 00-1029, 98-733, 97-1382, 96,838, 95-767		

RECOMMENDATION: Approve an ordinance authorizing a contract for professional services with the Greater Houston Partnership.

AMOUNT AND SOURCE OF FUNDING

\$885,000.00

\$442,500 Houston Airport System (HAS) Revenue Fund (8001)
\$442,500 C&E Facility Revenue Fund (8601)

SPECIFIC EXPLANATIONS:

The Greater Houston Partnership (GHP) is supported by funding from the City of Houston, Harris County and many of the city's private corporations. GHP has worked since 1991 to promote Houston as the location of choice for conducting business, with a focus on increasing Houston's economic prosperity. GHP's Economic Development Division, that includes its World Trade group, works to solicit site consultants and corporations to look to Houston for both expansions and relocations, to increase investment efforts and job creation in Houston and to provide various professional services to further augment the City's economic development efforts. The collateral impact of these GHP activities, plus the direct effect of publicizing and promoting Houston in GHP publications, web sites and other communications media, will promote and encourage tourism for the Houston area and is expected to enhance the City's ability to market its convention facilities.




The Partnership will make its research capabilities available on a systematic basis to the Convention and Entertainment Facilities Department, Houston Airport System and the Greater Houston Convention and Visitors Bureau to facilitate the creation of professional, sophisticated marketing reports that include economic and demographic data, which will be used for air service development efforts and as sales and marketing tools to sell the benefits and capabilities of the City to various convention, corporate meeting and sports related groups that represent potential clients for the George R. Brown Convention Center.

GHP will actively participate and coordinate activities with the Houston Minority Business Council as part of a joint effort to promote minority businesses in the Houston area. This effort will continue to support the employment of minority firms that provide professional and other services. The Partnership efforts in this regard will include the deliverables agreed upon by the Partnership and the Houston Minority Business Council.

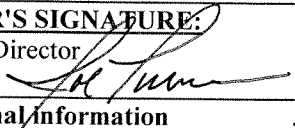
As part of the scope of services included in this contract, GHP will organize and conduct a comprehensive program designed to stimulate international infrastructure and trade development including; air route and air cargo development, commercial services support for international institutions in Houston, international business development, international publicity, promotional events supporting air carriers and travel, and outbound trade missions to regions determined by HAS.

Pursuant to the contract, GHP will continue to provide the City with quarterly reports and will have a contract goal for M/WBE at 15%. Approval of the contract is recommended.

REQUIRED AUTHORIZATION

FINANCE DEPARTMENT:	OTHER AUTHORIZATION:  Richard Vacar, Director Aviation Department 	OTHER AUTHORIZATION:  Dawn Ullrich, Director Convention & Entertainment Facilities Department
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REQUEST FOR COUNCIL ACTION

To: Mayor via City Secretary			
Subject: Establishment of an on-line registration and fee collection system for adult sports for the Houston Parks and Recreation Department		Category #	Page 1 of 1
			27
FROM (Department or other point of origin): Houston Parks and Recreation Department		Origination Date: July 16, 2008	Agenda Date AUG 13 2008
DIRECTOR'S SIGNATURE: Joe Turner, Director 		Council District(s) affected: All	
For additional information contact: Jeff Jefferson, 713-670-5509 Doug Earle, 713-865-4519		Date and Identification of prior authorizing Council Action:	
RECOMMENDATION: (Summary): Approve a contract for the establishment of on-line registration and fee collection host-site services and training for the Houston Parks and Recreation Department with The Active Network, Inc.			
Amount of Funding: \$24,500 General Fund (1000)			Fund Budget:
SPECIFIC EXPLANATION: For modernization and efficiency purposes, the Houston Parks and Recreation Department (HPARD) recommends the establishment of an on-line registration system for adult sports. Three responses were received for an RFQ and The Active Network was the only vendor to meet the required specifications. Aporia Solutions and C9R did not meet specifications nor did they respond to requests for further information. The Active Network, Inc. will provide the following: <ul style="list-style-type: none"> • Set-up of on-line host site for activity registration and payment processing. • Train HPARD staff in the use and multi-application capabilities of the registration program. • Program the system for payment of registration by use of credit card, and by cash and checks when paid internally. • Provide retrieval and reporting capabilities for revenue and fee service accountability. <p>HPARD is responsible for the registration and scheduling of team play for adult sports leagues. With a growing population, increased competition, demand for accuracy, and the need for time-savings and convenience for participating teams, the importance of an on-line system to modernize HPARD's current registration process is recognized. The on-line system will allow 24/7 registration availability and eliminate the need for registration at designated sites requiring administrative support. The proposed system will allow HPARD to create and maintain a system that will expedite processing of registration and eliminate lengthy waiting periods for participants. The program has the capability for handling on-line payments and service fee processing for facility reservations, such as Lake Houston Park and community center rentals, which HPARD will implement.</p> <p>The on-line system will reduce administrative labor by more than 240 hours annually and improve staff efficiency, while ensuring a convenient registration experience for the customer. The vendor will bill customer registration fees through its website system, retain a 4.5% service processing fee and deposit the net league fees to an appropriate City account. No additional cost for maintaining the on-line system will be required after payment of the \$24,500 program installation and training fee.</p>			
REQUIRED AUTHORIZATION			
FIN Director:		Other Authorization:	
		NDT	

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7930

Subject: Formal Bids Received for Elevators, Escalators, Booklifts and Manlifts Maintenance and Repair Services for Various Departments S33-L22747

Category #
4

Page 1 of 2

Agenda Item

28

FROM (Department or other point of origin):

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

Origination Date

July 25, 2008

Agenda Date

AUG 13 2008

DIRECTOR'S SIGNATURE

MS Calvin D. Wells

Council District(s) affected
All

For additional information contact:

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

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to EMR Elevator, Inc. on its low bid in an amount not to exceed \$4,440,392.30 for maintenance and repair of elevators, escalators, booklifts and manlifts for various departments.

Maximum Contract Amount: \$4,440,392.30

Approved 8/7

Finance Budget

- \$3,835,254.30 - General Fund (1000)
- \$ 20,000.00 - Fleet Management Fund (1005)
- \$ 7,250.00 - Building Inspection Fund (2301)
- \$ 577,888.00 - Water & Sewer System Operating Fund (8300)

\$4,440,392.30 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to EMR Elevator, Inc. on its low bid in an amount not to exceed \$4,440,392.30 for maintenance and repair of elevators, escalators, booklifts and manlifts for various departments. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This contract will be used to maintain the elevators, escalators, booklifts and manlifts in buildings managed by the General Services, Parks & Recreation, Public Works & Engineering and Solid Waste Management Departments (see attached location list, Exhibit BB).

This project was advertised in accordance with the requirements of the State of Texas bid laws. Nineteen prospective bidders downloaded the solicitation document from the Strategic Purchasing Division's website. Four bids were received as outlined below:

	<u>Company</u>	<u>Total Amount</u>
1.	EMR Elevator, Inc.	\$4,440,392.30
2.	AmTech Elevator Service	\$5,305,729.58
3.	Tejas Elevator Co. Houston, Inc.	\$6,096,188.83
4.	Mid-American/ERS Joint Venture	\$6,192,311.80

- Due to the disparity between the bids, Strategic Purchasing spoke with representatives of EMR Elevator, Inc. to discuss the scope of work for this contract. EMR Elevator, Inc. confirmed, in writing, that its bid includes all costs associated with performing the work called for in the scope of work. Based on the aforementioned, Strategic Purchasing is confident that the recommended company can perform the specified work for the bid price.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization: *Michael Smith 8808*

Other Authorization: *LS CDW 7930*

LS CDW 7930 *MT*

28
mt

Date: 7/25/2008	Subject: Formal Bids Received for Elevators, Escalators, Booklifts and Manlifts Maintenance and Repair Services for Various Departments S33-L22747	Originator's Initials CJ	Page 2 of 2
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The scope of work requires the contractor to provide all supervision, labor, replacement parts, equipment, materials, tools, expendable items, supplies, training and transportation necessary to provide preventative maintenance and repair of elevators, escalators, manlifts, booklifts and related equipment as detailed in the attached location list. The contractor shall be required to perform all work in strict accordance with current and future City Building and American National Standards Institute Elevator Codes.

Buyer: Conley Jackson

Attachments: 1) M/WBE Zero-Percentage Goal Document approved by the Affirmative Action Division
2) Location List (Exhibit BB)

Funding Information

Department	FY09	Out Years	Amount
General Services	\$420,000.00	\$3,355,332.30	\$3,775,332.30
Public Works & Engineering	\$201,789.80	\$403,348.20	\$605,138.00
Parks & Recreation	\$500.00	\$47,566.00	\$48,066.00
Solid Waste Management	\$922.00	\$10,934.00	\$11,856.00
Total	\$623,211.80	\$3,817,180.50	\$4,440,392.30



CITY OF HOUSTON

Interoffice

Finance & Administration Department
Strategic Purchasing Division (SPD)

Correspondence

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

From: Conley Jackson

Date: 02/08/08

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: % New Goal: %

If requesting a revision, how many solicitations were received:

Solicitation Number: L22747 Estimated Dollar Amount: \$2,500,000.00

Anticipated Advertisement Date: 2/22/2008 Solicitation Due Date: 3/28/2008

Goal On Last Contract: Was Goal met: Yes No

If goal was not met, what did the vendor achieve: See note below

Name and Intent of this Solicitation:
Elevators, Escalators, Booklifts and Mainlifts Maintenance Service

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

The service consists of the repair and maintenance of Elevators, Escalators, Booklifts and Manlifts for Various Departments. The previous contract was awarded to Elevator Maintenance Company. However, the contract was later re-assigned to AmTech Elevator Services (a subsidiary of Otis Elevator Company) because they acquired Elevator Maintenance Company in a purchase. AmTech made an attempt to achieve the requested 12% MWBE goal but discovered they could not for the following reasons: 1) There are no State of Texas owned companies that manufacturer and/or supply elevator or parts, therefore all parts are purchased outside of Texas from the manufacturer. 2) AmTech does not subcontract its labor; they employ certified Otis Elevator technicians to do all repairs. In addition, a search of the MWBE database was done to determine if there are any registered elevator service companies. The search indicated that Lanta Company is a registered MWBE supplier. Unfortunately, their primary line of business is the fabrication and installation of "Elevator Cabs" typically for residential customers. Based on the results of the database search and the attached letter from AmTech Elevator Service there is no potential for MWBE participation.

Concurrence:

Conley Jackson
SPD Initiator

[Signature]
Division Manager

[Signature]
Kevin M. Coleman, C.P.M.

Robert D. Bullock
For Velma Laws, Director

**EXHIBIT BB
LOCATION LIST**

#	LOCATION	MANUFACTURER	TYPE	SERIAL No. OR MODEL No.
GENERAL SERVICES DEPARTMENT NORTH DISTRICT				
1.	1205 Dart, Bldg "A"	Montgomery	Hydraulic Passenger	CP54995
2.	1205 Dart, Bldg "B"	Montgomery	Hydraulic Freight	CP54996
3.	1400 Lubbock – Municipal Courts	Dover	Hydraulic Passenger	E-44642
4.	1400 Lubbock – Municipal Courts	Dover	Hydraulic Passenger	E-44643
5.	1400 Lubbock – Municipal Courts	Dover	Hydraulic Passenger	E-44644
6.	61 Riesner – Central Police	Dover	Traction Passenger	BG0095
7.	61 Riesner – Central Police	Dover	Traction Passenger	BG0096
8.	61 Riesner – Central Police	Dover	Traction Passenger	BG0097
9.	62 Riesner-Central Police Garage	Montgomery	Traction Passenger	CT35991
10.	62 Reisner, Central Police PCB	Otis	Traction Passenger	2458258P
11.	33 Artesian – Gerson Bldg.	Houston	Hydraulic Passenger	M34CR5OR
12.	1700 Aldine Westfield – Police Academy	Houston	Hydraulic Passenger	M26JG295
13.	1103 Goliad – Volker Bldg.	Otis	Traction Freight	149100
14.	1103 Goliad – Volker Bldg.	Otis	Traction Freight	G9623
15.	61 Riesner – Central Police	Dumbwaiter	Traction Freight	81227
16.	9455 W. Montgomery Rd – North Police Sta	Schindler	Hydraulic Passenger	206-9357
17.	9455 W. Montgomery Rd – North Police Sta	Schindler	Hydraulic Passenger	206-9520
18.	9455 W. Montgomery Rd – North Police Sta	Schindler	Hydraulic Passenger	206-9564
19.	5320 N. Shepherd - HEC	Schindler	Hydraulic Passenger	T2163-48
20.	5320 N. Shepherd - HEC	Schindler	Hydraulic Passenger	T2163-47
21.	901 Bagby – City Hall	Swift	Traction Passenger	22540-1
22.	901 Bagby – City Hall	Swift	Traction Passenger	22540-1A
23.	901 Bagby – City Hall	Swift	Traction Passenger	61778-3
24.	901 Bagby – City Hall	Otis	Traction Passenger	225453
25.	900 Bagby – City Hall Annex	Schindler	Micronic Passenger	S085123-1
26.	900 Bagby – City Hall Annex	Schindler	Micronic Passenger	S085123-2
27.	900 Bagby – City Hall Annex	Schindler	Micronic Passenger	S085123-3
28.	900 Bagby – City Hall Annex	Schindler	Micronic Passenger	S085123-4
29.	900 Bagby – City Hall Annex	Westinghouse	Escalator	71255-1
30.	900 Bagby – City Hall Annex	Westinghouse	Escalator	71255-2
31.	500 McKinney – JHJ Library	Montgomery	Traction Passenger	CT32213
32.	500 McKinney – JHJ Library	Montgomery	Traction Passenger	CT32214

**EXHIBIT BB
LOCATION LIST**

#	LOCATION	MANUFACTURER	TYPE	SERIAL No. OR MODEL No.
33.	500 McKinney – JHJ Library	Montgomery	Traction Passenger	CT32215
34.	500 McKinney – JHJ Library - Handicapped	Montgomery	Hydraulic Passenger	CT32216
35.	500 McKinney – JHJ Library	Lampson	Booklift	
36.	500 McKinney – JHJ Library	Lampson	Booklift	
37.	400 McKinney - Julia Ideson Building	Westinghouse	Traction Passenger	
38.	400 McKinney - Julia Ideson Building	Westinghouse	Traction Passenger	G017091-02
39.	3102 Center - LRC	Esco	Hydraulic Passenger	FC4591
40.	6719 West Montgomery – Acres Homes HPD	U.S. Elevator	No. 201	Series H-25 System
41.	1809 N. Main – La Nueva Health	Schindler	Hydraulic Passenger	97846-01
42.	1809 N. Main – La Nueva Health	Schindler	Hydraulic Passenger	97846-02
43.	1809 N. Main – La Nueva Health	Schindler	Hydraulic Freight	97846-03
44.	6402 Market – Denver Harbor MSC	Montgomery Kone MX	Hydro 97 Passenger	Series HL
GENERAL SERVICES DEPARTMENT SOUTH DISTRICT				
45.	8000 N. Stadium Drive – Health Admin	Dover	Hydraulic Passenger	S-24141/E-77739
46.	8000 N. Stadium Drive – Health Admin	Dover	Traction Passenger	12917/C38246
47.	8000 N. Stadium Drive – Health Admin	Dover	Traction Passenger	12915/C38247
48.	8000 N. Stadium Drive – Health Admin	Dover	Traction Passenger	12915/C38248
49.	8000 N. Stadium Drive 8000 N. Stadium Drive – Health Admin	Otis	Hydraulic Passenger	LVM-2510T
50.	3203 S. Dairy Ashford Rd – West Police Sta.	Houston	Hydraulic Passenger	HE1699-1P
51.	3203 S. Dairy Ashford Rd – West Police Sta.	Houston	Hydraulic Passenger	HE1699-3P
52.	3203 S. Dairy Ashford Rd – West Police Sta.	Houston	Hydraulic Passenger	HE1699-4P
53.	3203 S. Dairy Ashford Rd – West Police Sta.	Houston	Hydraulic Passenger	HE1699-5P
54.	3203 S. Dairy Ashford Rd – West Police Sta.	Houston	Hydraulic Passenger	HE1699-6P
55.	8300 MyKawa Rd – SE Police Cmnd	Schindler	Hydraulic Passenger	EZ-182;8131-01EZ-18
56.	8300 MyKawa Rd – SE Police Command.	Schindler	Hydraulic Passenger	EZ-182;8131-02EZ-18
57.	8300 MyKawa Rd – SE Police Cmd.	Schindler	Hydraulic Passenger	EZ-182;8131-03EZ-18

**EXHIBIT BB
LOCATION LIST**

#	LOCATION	MANUFACTURER	TYPE	SERIAL No. OR MODEL No.
58.	8300 MyKawa Rd – SE Police Cmnd.	Schindler	Hydraulic Passenger	EZ-182;8131-04EZ-18
59.	1200 Travis – Police Admin	Otis	Gearless (Hi-Rise) Passenger	CP9092/318323
60.	1200 Travis – Police Admin	Otis	Gearless (Hi-Rise) Pass	CP9083/318329
61.	1200 Travis – Police Admin	Otis	Gearless (Hi-Rise) Passenger	CP9093/318330
62.	1200 Travis – Police Admin	Otis	Gearless (Hi-Rise) Passenger	CP9094/318331
63.	1200 Travis – Police Admin	Otis	Gearless (Hi-Rise) Passenger	CP9095/318346
64.	1200 Travis – Police Admin	Otis	Gearless (Lo-Rise) Passenger	Inaccessible/318317
65.	1200 Travis – Police Admin	Otis	Gearless (Lo-Rise) Passenger	CP9181/318318
66.	1200 Travis – Police Admin	Otis	Gearless (Lo-Rise) Passenger	CP9177/318319
67.	1200 Travis – Police Admin	Otis	Gearless (Lo-Rise) Passenger	CP9178/318320
68.	1200 Travis – Police Admin	Otis	Gearless (Lo-Rise) Passenger	CP9179/318321
69.	1200 Travis – Police Admin	Otis	Gearless (Lo-Rise) Passenger	CP9180/318322
70.	1200 Travis – Police Admin	Otis	Gearless (Hi-Rise) Freight	CP9402/318720
71.	1200 Travis – Police Admin	Otis	Gearless Passenger	CP9300/700363
72.	1200 Travis – Police Admin	Otis	Gearless Passenger	CP9301/700364
73.	1200 Travis – Police Admin	Otis	Gearless Passenger	CP9302/700322
74.	1200 Travis – Police Admin	Otis	Gearless Passenger	CP9303/700288
75.	5300 Caroline – Clayton Branch	Dover	Hydraulic Passenger	FC5120
76.	5300 Caroline – Clayton Branch	Dover	Hydraulic Passenger	E95239
77.	4100 Montrose – Monroe Branch	Esco	Hydraulic Passenger	FX8788262X
78.	2510 Willowick – Looscan Branch	Schindler	Hydraulic Passenger	K04H12681-M
79.	1115 S. Braeswood – Central Health Lab	Dover	Traction Passenger	C20920
80.	1115 S. Braeswood – Central Health Lab	Dover	Traction Passenger	C20920
81.	7037 Capitol – Magnolia MSC	GAL	Hydraulic Passenger	No. 1727
82.	2707 Dalton	Westinghouse	Hydraulic Passenger	D1-156
83.	2700 Dalton	Allen Bradley	Hydraulic Freight	802TA

**EXHIBIT BB
LOCATION LIST**

#	LOCATION	MANUFACTURER	TYPE	SERIAL No. OR MODEL No.
84.	7101 Renwick	US Elevator	Hydraulic	TC2000 / SN# 1499
PUBLIC WORKS & ENGINEERING				
85.	4200 Leeland	Baxco	Hydraulic Passenger	1706
86.	4200 Leeland	Motion	Hydraulic Passenger	200002476812
87.	100A Japhet	US Elevator	Hydraulic	TC2000
88.	801 Gillette	Giant Lift	Hydraulic – Freight	3197
89.	12319 ½ Alameda Road	Alimak	3 Manlift 2719	111388
90.	12319 ½ Alameda Road	Alimak	3 Manlift 2719	unknown
91.	12319 ½ Alameda Road	Montgomery	Hydraulic Passenger	40239
92.	2525 S. Sgt Mario Garcia	Esco	Hydraulic Freight	FC835966
93.	2525 S. Sgt Mario Garcia	Esco	Hydraulic Freight	FC835967
94.	2525 S. Sgt Mario Garcia	Houston Elevator	Traction Passenger	112622
95.	2525 S. Sgt Mario Garcia	Houston Elevator	Traction Freight	112557
96.	2525 S. Sgt Mario Garcia	Montgomery	Hydraulic Passenger	CP3172
97.	2525 S. Sgt Mario Garcia	Otis	Traction Freight	C263482
98.	2606 Parker Road	Alimak	3 Manlift 2633	unknown
99.	4211 Beechnut	US Elevator	Hydraulic Passenger	unknown
100.	4545 Groveway	Houston Elevator	Hydraulic Passenger	unknown
101.	5423 Magnum	US Elevator	Hydraulic Passenger	13182072
102.	7410 Galveston Road	Alimak	3 Manlift 2643	unknown
103.	9500 Lawndale	Montgomery Traction	Passenger	C62628
104.	3502 Texas	Alimak	3 Manlift/?	unknown
105.	12815 Galveston Road	Alimak	3 Manlift/?	unknown
106.	9030 Clinton Drive	Alimak	3 Manlift/?	unknown
107.	9610 Kingspoint	Alimak	3 Manlift/?	unknown
108.	3100 Scott	Dover	Passenger	unknown
109.	319 St. Emanuel	Esco	Hydraulic	886 – SN# FK889803X
110.	105 Sabine	Montgomery	Hydraulic Passenger	CP41804
111.	2300 Federal Road	Dover	Hydraulic Passenger	E76749
112.	7004 Ardmore	US Elevator	Hydraulic Passenger	2000 / 34200
113.	4501 Leeland	Schindler	Micronic Process Hydraulic	97942-01/38963020084

**EXHIBIT BB
LOCATION LIST**

#	LOCATION	MANUFACTURER	TYPE	SERIAL No. OR MODEL No.
114.	3100 Genoa Red-Bluff – SEWPP	Thyssen Krupp	Hydraulic Freight	TAC20
115.	3300 Main	Montgomery	Traction	V-900 C21496/14602
SOLID WASTE				
116.	5617 Neches	Houston Elevator	Hydraulic Passenger	M34CR38656NEHP01
117.	1506 Central	Montgomery	Hydraulic Passenger	CP-HH-9277615CEHP01
PARKS & RECREATION				
118.	2020 Herman		Hydraulic Passenger	D3STC-187
119.	2020 Herman		Hydraulic Passenger	C3305/3000
120.	6600 Harbor Town Dr - Sharpstown Rec. Center		Wheel Chair Lift	5587/CDE72

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: A professional services contract with the Houston Arts Alliance (HAA) for the administration of the City's Civic Art Program art and conservation projects on behalf of the Houston Airport System (HAS). WBS# A-000422-0009-3-01	Category #	Page 1 of 2	Agenda Item # 29
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 20, 2008	Agenda Date AUG 18 2008
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DIRECTOR'S SIGNATURE: <i>Am Rae</i>	Council District affected: B, E, I
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For additional information contact: Pamela K. Ingersoll <i>PKI</i> Phone: (281) 233-1642	Date and identification of prior authorizing Council action:
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AMOUNT & SOURCE OF FUNDING: \$310,850.00 (previously appropriated for Civic Art) <i>Mul da</i>	Prior appropriations:
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RECOMMENDATION: (Summary)
Approve and authorize a professional services contract with the Houston Arts Alliance (HAA) for the administration of the City's Civic Art Program art and conservation projects on behalf of the Houston Airport System (HAS).

SPECIFIC EXPLANATION:

In compliance with the provisions of the City's Civic Art Ordinance, 1.75% of the appropriation for eligible Houston Airport System (HAS) CIP projects is appropriated for Civic Art Program purposes, including civic art projects and conservation projects.

To execute these civic art projects in a professional and timely manner, HAS proposes entering into a one-year professional services contract with Houston Arts Alliance (HAA) to administer this program. HAA will assist in selecting appropriate locations for art pieces and managing the projects, including, but not limited to: overseeing the artist selection panel, negotiating artist contracts where appropriate, purchasing art on behalf of the City, construction management and assistance in closing out the projects. HAA will also assess the HAS art collection, propose restoration/conservation treatment of those pieces in need of professional treatment, oversee professional conservator selection, negotiate conservator contracts, perform project management and assist in closing out the projects.

The cost of services provided under this contract consists of the following:

\$ 175,000.00	Basic Services
\$ 100,000.00	Additional Services
\$ 35,850.00	Reimbursable Expenses
\$ 310,850.00	Total Allocation

The proposed contract provides that the City may terminate the agreement at any time during the term on 30 days notice.

REQUIRED AUTHORIZATION		NOT
Finance Department:	Other Authorization:	Other Authorization:

Date July 20, 2008	Subject: A professional services contract with the Houston Arts Alliance (HAA) for the administration of the City's Civic Art Program art and conservation projects on behalf of the Houston Airport System (HAS).	Originator's Initials PI	Page 2 of 2
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The Office of Affirmative Action and Contract Compliance has established a 5% M/WBE goal on this contract.

RMV:TBB:CN:PI

cc: Ms. Marty Stein
Mr. Eric Potts
Ms. Cathy Nicholson
Mr. Anthony W. Hall, Jr.
Ms. Kathy Elek
Ms. Marlene McClinton
Mr. Arturo G. Michel
Mr. Aleks Mraovic
Ms. Jan Clark
Mr. Richard M. Vacar
Mr. Frank Crouch
Mr. J. Goodwille Pierre
Mr. Tom Bartlett
Ms. Ellen Erenbaum
Ms. Pamela K. Ingersoll
Ms. David Arthur
Ms. Tracy Tuckerson

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Engineering Services Contract with Amani Engineering, Inc. for the Design of Sanitary Sewer Lift Stations and a Storm Water Lift Station at George Bush Intercontinental Airport/Houston (IAH); Project No. 638 (WBS # A-000561-0001-3-01).	Category # 9	Page 1 of 2	Agenda Item # <i>30</i>
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 23, 2008	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: <i>[Handwritten Signatures]</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 Adil Godiwala <i>[Signature]</i> 281-233-1934	Date and identification of prior authorizing Council action: None
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0561-01/05.2 \$450,000.00 Airports Improvement Fund (8011) <i>[Signature]</i>	Prior appropriations: None
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RECOMMENDATION: (Summary)
Enact an ordinance to approve a Professional Engineering Services Contract with Amani Engineering, Inc., and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION:

A Professional Engineering Services Contract has been prepared with Amani Engineering, Inc. for the design, replacement and upgrade of the sewer and storm water systems at George Bush Intercontinental Airport/Houston (IAH). This project will replace and upgrade two sanitary sewer lift stations at Gates C-45 and D-4, and a storm water lift station located adjacent to the JFK/Will Clayton interchange.

PROJECT SUMMARY:

Location 1: Upgrades to storm water lift station #1 will include new pumps, MEP, controls, filters, updated control systems and upgraded back-up emergency power systems. The upgrades will include greater capacity pumps to compensate for runoff created by future construction in the immediate area.

Location 2: Sanitary Sewer Lift Station at Gate C-45. Upgrades will include a new sump, new pumps, MEP, discharge lines and a new control system. The Aircraft Operation Area (AOA) clearance will be needed to access this location.

Location 3: Sanitary Sewer Lift Station at Gate D-4. Upgrades will include a new sump, new pumps, MEP, discharge lines and a new control system. AOA clearance will be needed to access this location. Both sanitary sewer lift stations were originally built at the same time.

REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization: <i>NDT</i>

Date July 23, 2008	Subject: Professional Engineering Services Contract with Amani Engineering, Inc. for the Design of Sanitary Sewer Lift Stations and a Storm Water Lift Station at George Bush Intercontinental Airport/Houston (IAH); Project No, 638 (WBS # A-000561-0001-3-01).	Originator's Initials PN	Page 2 of 2
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The scope of services consists of the following:

- Phase I - Preliminary Design
- Phase II - Final Design
- Phase III - Construction Phase Services

M/WBE PARTICIPATION:

The Minority/Women Business Enterprise (M/WBE) goal for this project is twenty-four percent (24%) and will be met by the following certified firms:

Firm	Type of Work	Amount	% of Contract
Ambiee Engineers	Mechanical Engineering Services	\$ 72,000.00	16.00 %
Kalluri Group, Inc.	Electrical Engineering Services	\$ 73,000.00	16.22 %
Chief Solutions, Inc.	Sewer Cleaning and Field Support	\$ 15,000.00	3.33 %
B&E Reprographics, Inc.	Reprographic Services	\$ 10,000.00	2.22 %
	Total:	\$ 170,000.00	37.77 %

RMV: ERP: JSK: AG: PN: JDW

Attachments

- cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. John S. Kahl
Mr. Arturo G. Michel
Mr. Adil Godiwalla
Ms. Velma Laws
Mr. Aleks Mraovic
Mr. Richard M. Vacar
Mr. John Silva
Mr. Dave Arthur
Ms. Janice D. Woods
Ms. Ellen Erenbaum
Ms. Marlene McClinton
Mr. Eric R. Potts
Mr. J. Goodwille Pierre
Mr. Carlos A. Ortiz
Ms. Kathy Elek
Mr. Frank D. Crouch

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Water Line Grid Extensions at Various Locations. WBS No. S-000700-0063-4	Page 1 of <u>2</u>	Agenda Item # 31
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/7/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE: <i>Eric Daga</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: D,G,H,I
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For additional information contact: <i>Reid K. Mrsny</i> Reid K. Mrsny, P.E. Phone: (713) 837-0452 Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION:
 Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
 \$3,062,900.00 from the Water and Sewer System Consolidated Construction Fund No. 8500

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Grid Extensions Program. This program is required to improve the City's water distribution system efficiency for recirculation and fire protection.

DESCRIPTION/SCOPE: Construction of approximately 20 linear feet of 4-inch, 550 linear feet of 6-inch, 270 linear feet of 8-inch, 9,410 linear feet of 12-inch, 2,880 linear feet of 16-inch, and 1,520 linear feet of 24-inch water lines with all related appurtenances along the following locations:

LOCATION:

LIMITS	KEY MAP GRIDS	COUNCIL DISTRICT
Bellfort: From Canyon to 500 feet east of US-288.	533 X	D
Richmond: From Woodland Parkway to 1,200 feet west of Richmond.	489 WX	G
Reed Road: From De Weese to Alameda.	572 D	D
W. Airport: From 200 feet east of Stone West to north of Hwy. 90 – Railroad.	571 F	H
Griggs Road: From Telephone Road to Brock.	534 GH	I
Brock: From Griggs to Old Spanish Trail.	534 FG	I

BIDS: Bids were received on May 1, 2008. The six (6) bids are as follows:

Bidder	Bid Amount
1. Metro City Construction, L.P.	\$2,696,349.31
2. Reliance Construction Services, L.P.	\$2,698,786.50
3. D.L. Elliot Enterprises, INC.	\$2,757,282.50
4. RWL Construction, INC.	\$2,979,425.32
5. Huff & Mitchell, INC.	\$3,225,520.00
6. C. E. Barker, LTD.	\$3,448,877.66

REQUIRED AUTHORIZATION		CUIC ID #20MB94
Finance Department: <i>Michelle Mitchell</i>	Other Authorization: <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division	MA

AWARD: It is recommended that this construction contract be awarded to Metro City Construction, L.P. with a low bid of \$2,696,349.31.

PROJECT COST: The total cost of this project is \$3,062,900.00 to be appropriated as follows:

- Bid Amount \$2,696,349.31
- Contingencies \$134,817.47
- Engineering and Testing Services \$70,000.00
- Project Management \$161,733.22

Engineering and Testing Services will be provided by Bureau Veritas North America, Inc. under a previously approved contract.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 14 % MBE goal, 5% WBE and 3% SBE goal for this project.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
D. Solis Trucking Company, Inc.	Trucking (Haul Material)	\$179,500.00	6.66%
R. P. Construction	Water Line Installation	<u>\$198,400.00</u>	<u>7.36%</u>
TOTAL		\$377,900.00	14.02%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
El Dorado Paving Company, Inc.	Paving	<u>\$193,062.00</u>	<u>7.16%</u>
TOTAL		\$193,062.00	7.16%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Environmental Allies, L.P.	Storm Water Pollution Prevention Plan	\$2,875.00	0.11%
Kossmann Contracting Company, Inc.	Fabric Fence	\$13,881.00	0.52%
Mickie Service Company, Inc.	Tapping Sleeve Installation	<u>\$64,535.00</u>	<u>2.39%</u>
TOTAL		\$81,291.00	3.02%

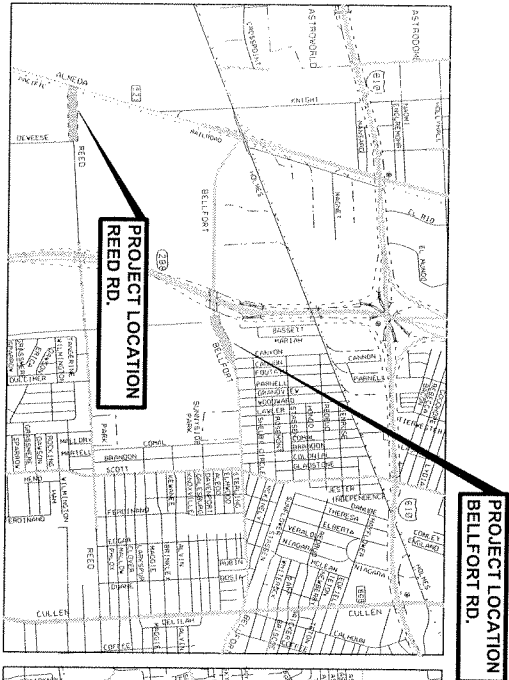
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

RKM HH MB JL
MSM:RKM:HH:MB:JL

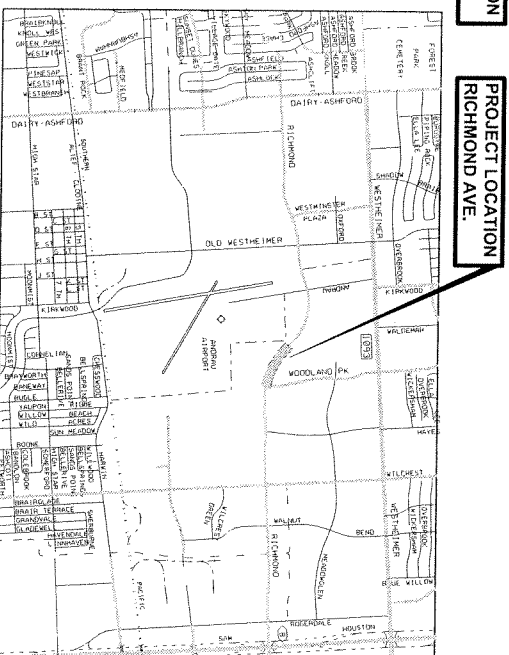
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- c: Marty Stein
Velma Laws
Susan Bandy
Michael Ho, P.E.
Craig Foster
File Number S-000700-0063-3 (RCA - 3.7)

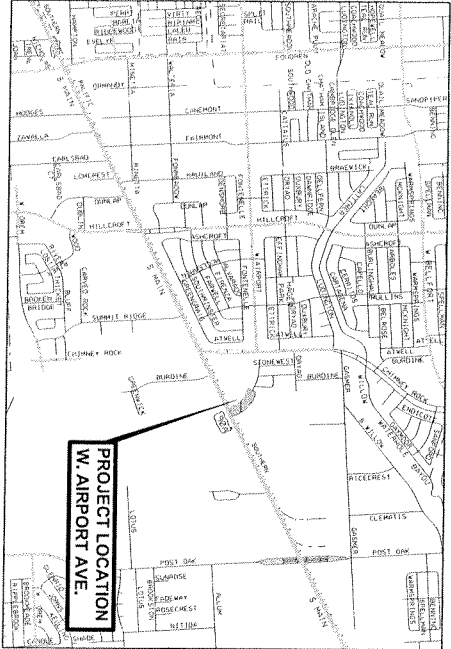
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING & CONSTRUCTION DIVISION



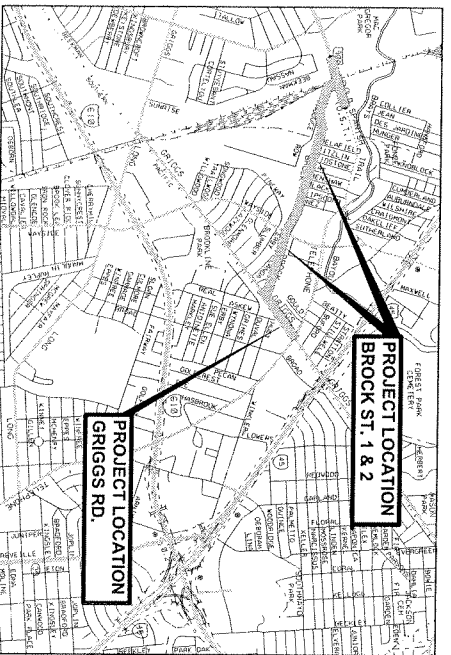
PROJECT LOCATION-01



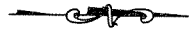
PROJECT LOCATION-02



PROJECT LOCATION-03




PROJECT LOCATION-04



STREET NAME	KEY MAP#
1. BELLFORT RD	533-X
2. REED RD	572-D
3. RICHMOND AVE	489-X
4. W. AIRPORT RD	571-F
5. GRIGGS RD	534-G
6. BROCK ST (1)	534-G
7. BROCK ST (2)	534-G

PROJECT LOCATION MAP
WATER LINE GRID EXTENSIONS
AT VARIOUS LOCATIONS
WBS NO.: S-000700-0063-3
EXHIBIT 'B'



City of Dallas
Public Works and Engineering Division
Engineering & Construction Division
1500 Marilla Street, Suite 2000
Dallas, Texas 75201
Tel: 972-720-7877
Fax: 972-720-7878

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0117-4	Page 1 of 2	Agenda Item # 32
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/7/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE <i>for Eric Danga 08-01-08</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: All
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For additional information contact: Joseph G. Majdalani, P.E. Senior Assistant Director Phone: (713) 641-9182	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract, and appropriate funds.

Amount and Source of Funding: \$2,816,045.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III. *Prebid 07/10/08*

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

DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by point repair method. The contract duration for this project is 730 calendar days.

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

BIDS: Six (6) bids were received on April 3, 2008 for this project as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Underground Technologies, Inc.	\$2,630,089.63
2. Reliance Construction Services, L.P.	\$2,679,806.88
3. PM Construction & Rehab, L.P.	\$2,870,061.50
4. Troy Construction, L.L.C.	\$2,976,387.50
5. Reytex Construction Resources, Inc.	\$3,001,000.00
6. Metro City Construction, L.P.	\$4,354,687.50

File/Project No. WW 4235-39 Finance Department <i>Michelle Mitchell</i>	REQUIRED AUTHORIZATION	CUIC# 20JGM237
Other Authorization:	Other Authorization: <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division	<i>NOT</i>

Date	Subject: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0117-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Underground Technologies, Inc. with a low bid of \$2,630,089.63, and that Addendum No. 1, dated 03/10/2008 be made part of this contract.

PROJECT COST: The total cost of this project is \$2,816,045.00 to be appropriated as follows:

- Bid Amount \$2,630,089.63
- Contingencies \$131,504.48
- Project Management \$39,450.89
- Engineering Testing Services \$15,000.00

Engineering Testing Services will be provided by Arias & Associates, Inc. under a previously approved contract.

M/WSBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the SBE goals of the City of Houston. The bidder has proposed an MBE participation of 14.07%, WBE participation of 5.02%, and SBE participation of 3%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Callieco Construction, Inc.	Concrete/ Asphalt Paving	\$185,000.00	7.035%
Callieco Construction, Inc.	Supplies	\$185,000.00	7.035%
	TOTAL	\$370,000.00	14.07%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Municipal Marketing Systems, Inc.	Supplies	\$66,000.00	2.51%
El Dorado Paving	Paving	\$66,000.00	2.51%
	TOTAL	\$132,000.00	5.02%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Deanie Hayes, Inc.	Supplies	\$79,000.00	3.00%
	TOTAL	\$79,000.00	3.00%

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

JM
MSM:JT:JGM:RK:JI:aa

cc: Marty Stein
 Jeff Taylor
 Susan Bandy, CPA
 Velma Laws
 Michael Ho, P.E.
 File No. WW 4235-39

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0120-4	Page 1 of 2	Agenda Item # 33
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/7/08	Agenda Date AUG 13 2008
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DIRECTOR'S SIGNATURE <i>for Eric Dagan</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: All
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For additional information contact: Joseph G. Majdalani, P.E. Senior Assistant Director <i>Joseph G. Majdalani</i> Phone: (713) 641-9182	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract, and appropriate funds.

Amount and Source of Funding: \$3,598,980.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier III.
made 8/11/08

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

DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 540 calendar days.

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

BIDS: Three (3) bids were received on May 01, 2008 for this project as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Underground Technologies, Inc.	\$3,327,680.70
2. PM Construction & Rehab, L.P.	\$3,540,608.07
3. North Houston Pole Line, L.P.	\$3,789,089.92

File/Project No. WW 4257-94	REQUIRED AUTHORIZATION	CUIC# 20JGM241
Finance Department <i>Michelle</i> <i>Michelle</i>	Other Authorization:	Other Authorization: <i>Jeff Taylor</i> Jeff Taylor, Deputy Director Public Utilities Division

Date	Subject: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0120-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Underground Technologies, Inc. with a low bid of \$3,327,680.70.

PROJECT COST: The total cost of this project is \$3,598,980.00 to be appropriated as follows:

- Bid Amount \$3,327,680.70
- Contingencies \$166,384.04
- Project Management \$49,915.26
- Engineering Testing Services \$55,000.00

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

M/WSBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the SBE goals of the City of Houston. The bidder has proposed an MBE participation of 14.09%, WBE participation of 8.06%, and SBE participation of 3.01%.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Callieco Construction, Inc.	Paving Service Connections	\$ 85,000.00	2.55%
Standard Cement Materials, Inc.	MH Rehab	\$ 50,000.00	1.50%
Chief Solutions, Inc.	Clean & TV Sewer Lines	\$100,000.00	3.01%
Callieco Construction, Inc.	Supplies	\$234,000.00	7.03%
	TOTAL	\$469,000.00	14.09%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Municipal Marketing Systems, Inc.	Supplies	\$134,000.00	4.03%
El Dorado Paving Company, Inc.	Asphalt/Paving	\$134,000.00	4.03%
	TOTAL	\$268,000.00	8.06%

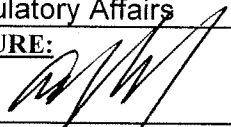
<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Deanie Hayes, Inc.	Supplies	\$100,000.00	3.01%
	TOTAL	\$100,000.00	3.01%

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

TM
MSM:JT:JGM:RK:JI:aa

cc: Marty Stein
 Jeff Taylor
 Susan Bandy, CPA
 Velma Laws
 Michael Ho, P.E.
 File No. WW 4257-94

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# <i>34 53</i>
FROM: (Department or other point of origin): Alfred J. Moran Jr., Director Administration & Regulatory Affairs		Origination Date July 30, 2008	Agenda Date AUG 06 2008 AUG 13 2008
DIRECTOR'S SIGNATURE:  JFM		Council Districts affected: ALL	
For additional information contact: Juan Olguin Phone: (713) 837- 9623 Nikki Cooper Phone: (713) 837-9889		Date and identification of prior authorizing Council Action: Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.	

RECOMMENDATION: (Summary)
Approve ordinance(s) granting Commercial Solid Waste Operator Franchise(s)

Amount of Funding: REVENUE	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 ordinance(s) granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

- Around the Clock Trash Hauling

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.

REQUIRED AUTHORIZATION

Finance Director:

35

AUG 13 2008

MOTION NO. 2008

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, for approval of final contract amount and acceptance of work on contract with McKinney Construction, Inc., for Water Line Replacement in Clinton Park, Settegast, and Sunnyside Areas, WBS No. S-000036-0009-4, be adopted, and the final contract amount of \$1,436,500.02 is hereby approved by the City Council and the work be accepted and final payment is hereby authorized.

Seconded by Council Member Garcia

Council Members Johnson and Green absent

On 8/6/08 the above motion was tagged by Council Member Brown.

cr

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Water Line Replacement in Clinton Park, Settegast, and Sunnyside Areas. WBS No. S-000036-0009-4

Page
1 of 1

Agenda Item#
35

FROM (Department or other point of origin):

Origination Date
7-31-08

Agenda Date
AUG 13 2008
~~AUG 06 2008~~

Department of Public Works and Engineering

DIRECTOR'S SIGNATURE:

Eric Dargatzis 07-28-08

Michael S. Marcotte, P.E., DEE, Director

Council Districts affected:
B, D, & I

[Signature]
S.A.

For additional information contact:

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

[Signature]
Phone: (713) 837-7074

Date and Identification of prior authorizing Council Action:
Ord. #2007-12 dated 01/03/07

RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,436,500.02 which is 3.60% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required.
Original appropriation of 1,709,100.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

Finance Department:

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase availability of water, improve circulation and fire protection.

DESCRIPTION/SCOPE: This project consisted of construction of 20,366 linear feet of 6-inch, 8-inch and 12-inch diameter waterlines, valves, and appurtenances in Clinton Park, Settegast, and Sunnyside Areas. Chiang, Patel & Yerby, Inc. designed the project with 210 calendar days allowed for construction. The project was awarded to McKinney Construction, Inc. with an original Contract Amount of \$1,490,154.65.

LOCATION: These projects are located in the following Key Map grids:

Project	Bounded By	Key Map Grid	Council District
1. Clinton Park	Fidelity from Connecticut to Clinton Drive	495-Z	I
2. Settegast	Sunbury on the north, Kenton and Attwater on the south, East Houston on the east, Haight on the west	455-P & Q	B
3. Sunnyside	Holmes on the north, Bellfort on the south, Gladstone on the east, Fountain on the west	533-T, U & Y	D

CONTRACT COMPLETION AND COST: The Contractor, McKinney Construction, Inc. has completed the work under the subject Contract. The project was completed within the Contract Time with one additional day approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$1,436,500.02, a decrease of \$53,654.63 or 3.60% under the original Contract Amount.

M/WBE PARTICIPATION: The M/WBE goal for this project was 20.00%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 1.10%. The Contractor achieved an "Unsatisfactory" rating for M/WBE compliance.

MSM:JTL:JLS:SA:mq

S:\E&C Construction\East Sector\PROJECTS\S-000036-0009-4 Clinton Park\Closeout\RCA\rca-rev3.doc

c: Velma Laws Craig Foster Michael Ho, P.E. File No. S-000036-0009-4 - Closeout

REQUIRED AUTHORIZATION

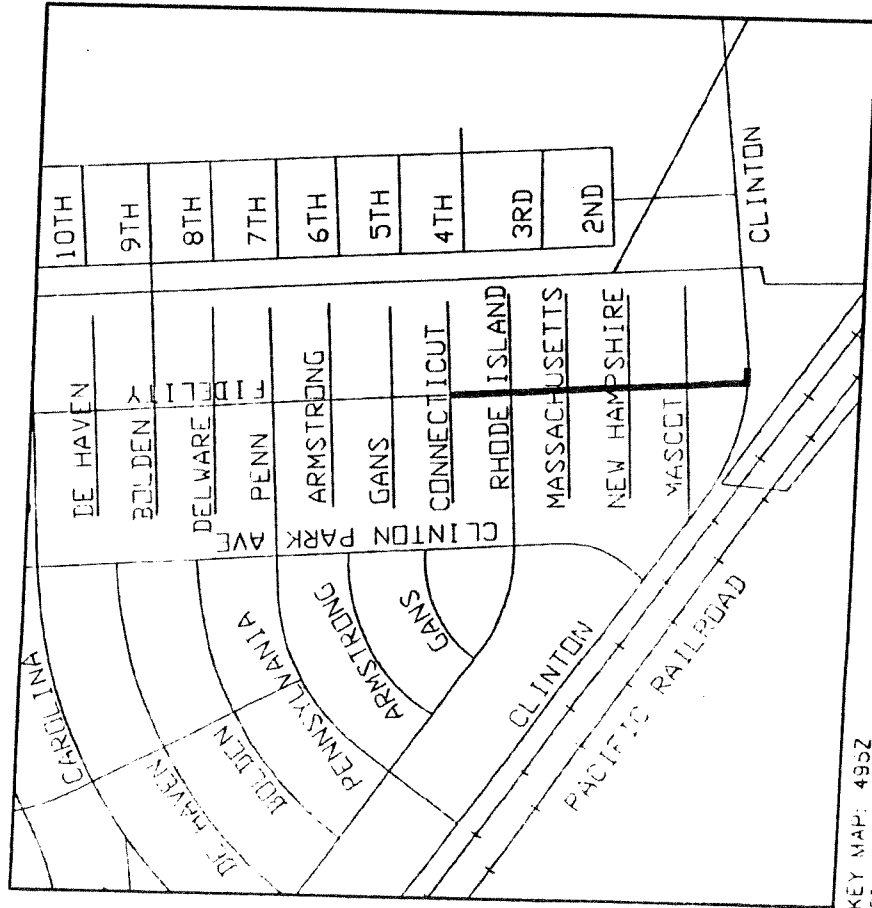
CUIC ID# 20MZQ051

F&A Director:

Other Authorization:

Other Authorization:

[Signature]
Jeff Taylor, Deputy Director
Public Utilities Division



CLINTON PARK AREA WATER LINE REPLACEMENT				
STREET	FROM	TO	PROPOSED DIAMETER (IN)	LENGTH (FT)
FIDELITY	CONNECTICUT	CLINTON	6.12	1,400
TOTAL LF			6.12	1,400

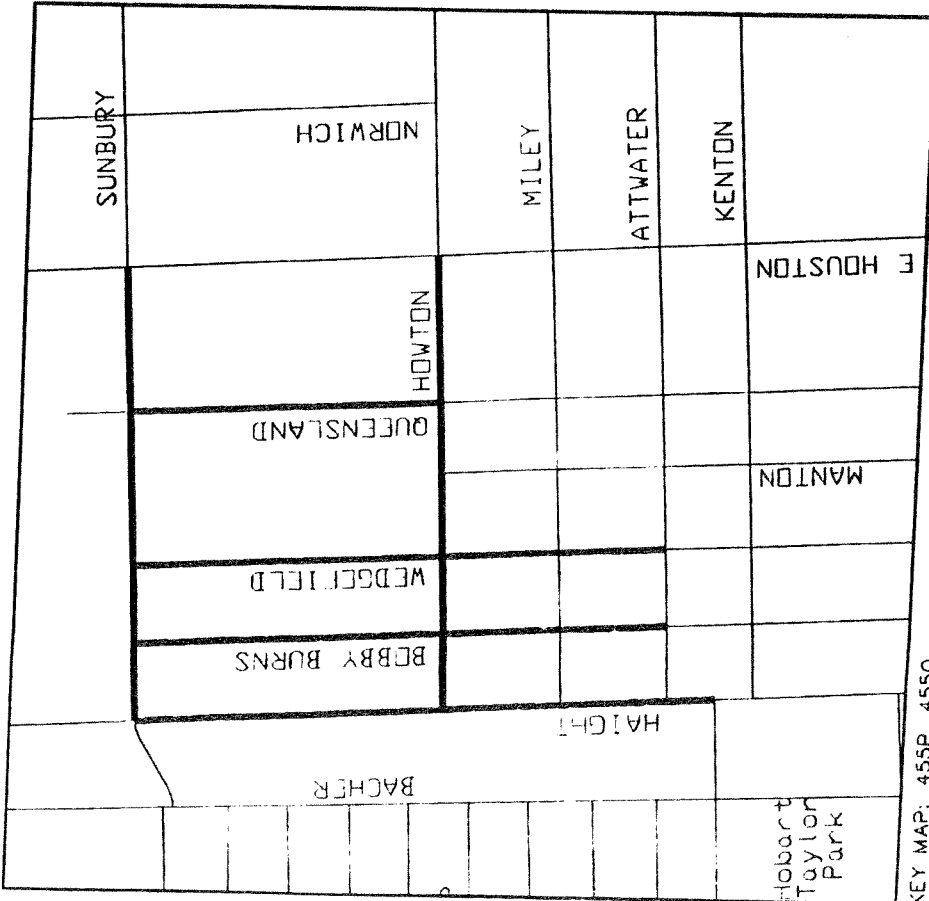
KEY MAP: 495Z
 GIMS MAP NO. 5657d, 5656b
 COUNCIL DISTRICT: I

CP&Y Chiang, Patel & Yerby, Inc.
 2925 Bolivar Park, Suite 650, Houston, TX 77042
 (713)532-1730, Fax (713)532-1734

CITY OF HOUSTON
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

CLINTON PARK AREA
 VICINITY MAP

WBS NO. S-C00058-C00F-4	CITY OF HOUSTON P&E
DRAWING SCALE	SOFTY COPY FILE
NONE	DATE
	SHEET NO.
	SEP 2008
	1 OF 1



SETTEGAST AREA
WATER LINE REPLACEMENT

STREET	FROM	TO	PROPOSED DIAMETER (IN)	LENGTH (FT)
HAIGHT	SUNBURY	HOWTON	8.12	1,395
HAIGHT	HOWTON	KENTON	12	1,155
SUNBURY	HAIGHT	E. HOUSTON	6.8	2,055
BOBBY BURNS	SUNBURY	HOWTON	8	1,320
BOBBY BURNS	HOWTON	ATTWATER	8	925
WEDGEFIELD	SUNBURY	ATTWATER	8	2,250
HOWTON	HAIGHT	E. HOUSTON	12	2,030
QUEENSLAND	SUNBURY	HOWTON	8	1,320
TOTAL LF				12,450

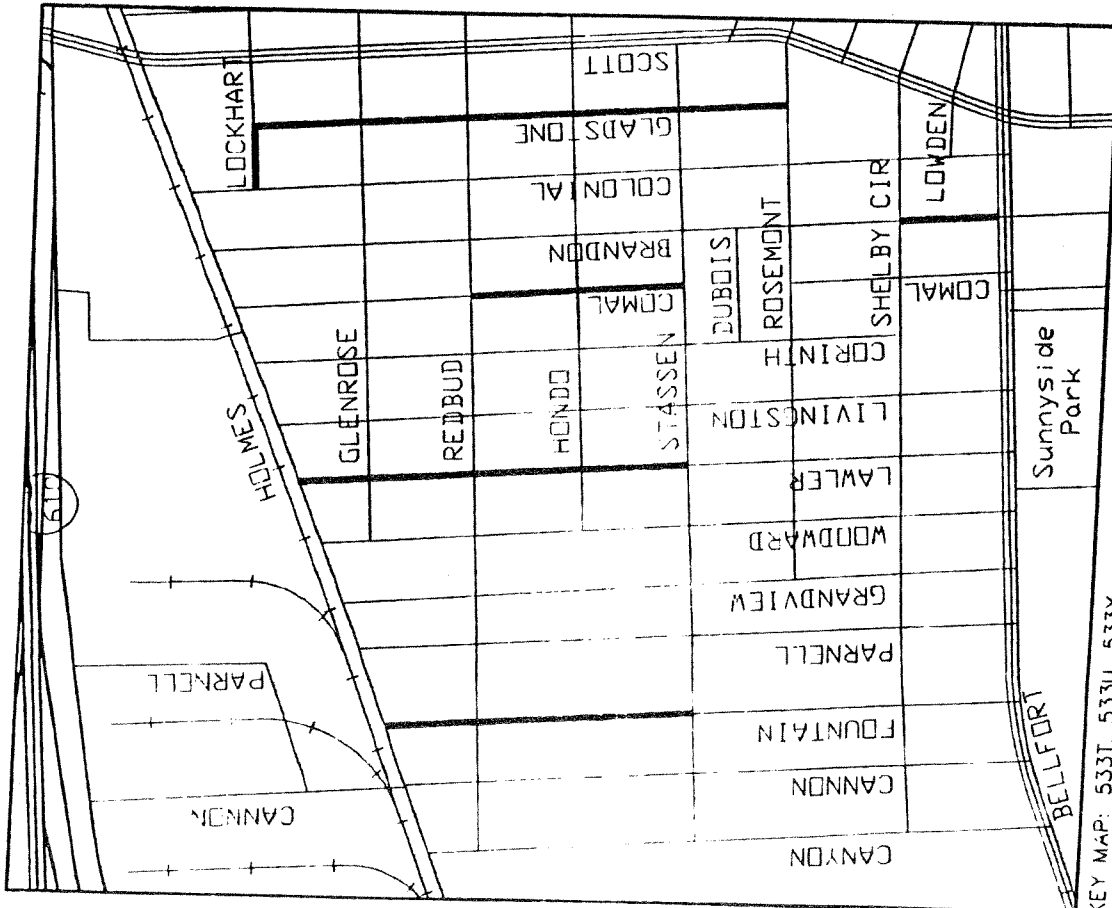
KEY MAP: 455P, 455Q
GIMS MAP NO: 5660c, 5659a
COUNCIL DISTRICT: B

CRP Chiang, Patel & Yerby, Inc.
2925 River Road, Suite 800, Houston, TX, 77242
(713) 512-1750, Fax (713) 522-7131

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SETTEGAST AREA
VICINITY MAP

WBS NO. S-020316-0309-4	CITY OF HOUSTON PW
DRAWING SCALE	GRAPHIC SCALE
DATE	SHEET NO.
NOV	SEPT 2006
	1 OF 1



SUNNYSIDE AREA WATER LINE REPLACEMENT				
STREET	FROM	TO	PROPOSED DIAMETER (IN)	LENGTH (FT)
FOUNTAIN	HOLMES	STASSEN	8	1,165
LAWLER	HOLMES	STASSEN	8	1,520
COMAL	REDBUD	STASSEN	8	915
BRANDON	SHELBY CIR	BELLFORT	8	460
LOCKHART	COLONIAL	GLADSTONE	8	280
GLADSTONE	LOCKHART	HONDO	8	1,395
GLADSTONE	HONDO	STASSEN	8	455
GLADSTONE	STASSEN	ROSEMONT	8	420
TOTAL LF				6,610

CRP Chiang, Patel & Yerby, Inc.
 2925 Briar Park Suite 850, Houston, TX, 77042
 (713)532-1750, Fax (713)532-1734

CITY OF HOUSTON
 DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

SUNNYSIDE AREA
VICINITY MAP

CITY OF HOUSTON, TX	
MSS NO. S-00000-0009-4	SCARY PD. P.C.
DRAWING SCALE	DATE
FIGURE	SHEET NO.
SEPT. 2015	1 OF 1

KEY MAP: 533T, 533U, 533Y
 GIMS MAP NO: 5354d, 5454c, 5353b, 5453a
 COUNCIL DISTRICT: D

Summary of MWDBE Activities


Project Description/#: WA #10874-02 - WLR in the Clinton Park, Settegast, and Sunnyside Areas. S-0036-09-3. #4600007505
 Prime Contractor: McKinney Construction, Inc.
 Amount of Contract: **\$1,490,145.56**
 Amount of MWDBE goal with change order: MWDBE Goal at award of contract: **20%**
 Change Orders: **\$53,645.54** Final Contract Amount : **\$1,436,500.02**
\$287,300.00 MWDBE actual participation: **1.10%**

Original MWDBEs listed on RCA & Letter of Intent	MWDBEs Used:	List of original MWDBE, that were not used:
Miranda Trucking & Services R. J. Best Concrete Prime Concrete Company	Miranda Trucking & Services R. J. Best Concrete	Prime Concrete Company

If goal was not achieved, list the amount and percentage of shortage. Briefly state the reason given by prime why goal was not achieved and why the original MWDBEs listed in the RCA were not used:
 McKinney Construction, Inc fell short of the 20% goal by 18.9% (\$271,534.92). They did not use Prime Concrete Company at all and did not use R. J. Best Concrete or Miranda Trucking & Services to their fullest extent. In a letter dated October 31, 2007, Sam Baakini stated that Jeff Lima of Prime Concrete Company was unresponsive to requests by McKinney and that there was very little work for subcontractors. The CCO contacted the COH project manager, Salim Ayud and he stated in an e-mail dated April 17, 2008, that while there was only a small amount of trucking and sidewalk work, this was known from the beginning of the project. The CCO feels that the prime had plenty of time to find other subcontractors.
Briefly state reason given by MWDBE why they were not used or not used to the full amount originally projected:
 The CCO contacted Jeff Lima of Prime Concrete Company. He stated that Prime Concrete was interested in working on the contract but never heard from McKinney Construction.


Approved by:


 Jean Abercrombie
 Contract Compliance Officer


 Joseph Kurian, Division Manager
 Contract Compliance Section

Date

SUBJECT: Contract for Workers' Compensation Third Party Administration and Related Services		Page 1 of 2	Agenda Item # 36 #4
FROM (Department or other point of origin): Human Resources Department		Origination Date July 31, 2008	Agenda Date AUG 0 8 2008 AUG 1 8 2008
DIRECTOR'S SIGNATURE: MS <i>ccblauje</i>		Council District affected: All	
For additional information contact: Ramiro Cano Phone: 713-837-9350		Date and identification of prior authorizing Council action: June 11, 2003 <i>ordinance # 2003-555</i>	
RECOMMENDATION: (Summary) Adopt an ordinance approving and authorizing an agreement with Cambridge Intergrated Services Group, Inc. for Third Party Administration of the City's Workers' Compensation Program.			
Amount and Source of Funding: Maximum Contract Amount: \$ 19,897,025 (3 years plus two 2-year options) Workers' Compensation Fund (1011) (FY2009 Allocation - \$1,270,000)			
SPECIFIC EXPLANATION: The Human Resources Department requests approval of a contract between the City of Houston and Cambridge Integrated Services Group, Inc. for a 3-year term with the option to extend for two additional 2-year terms. Cambridge has provided Third Party Administration of the City's Workers' Compensation Program since 2003, and their current contract expires August 31, 2008. A Request for Proposals process was conducted for a replacement contract and produced seven complete proposals and four for cost containment services only. An interdepartmental assessment committee was formed to identify the proposer delivering the most services at the best price. The assessment committee consisted of representatives from five departments, HR staff, and the City's medical advisor. AON consulting was engaged to review the overall process and participate in the evaluation, negotiation, and selection process including vendor interviews. AON endorsed the evaluation process as providing an unbiased and objective evaluation of the proposers. The assessment strategy was to identify the vendors(s) satisfying multiple criteria necessary to deliver quality service and evaluate those responses. A second important consideration was the pricing associated with their service delivery. No vendor with a lower proposed cost offered the same service levels as Cambridge. Cambridge has established a Texas and Houston presence with experience servicing entities larger than the City of Houston. The following summarization validates the selection: A. Generated high scores as providing the most and best menu of services B. Size, resource depth and capacity to continue servicing a client the size of Houston. C. Demonstrated experience in managing workers' compensation costs for organizations comparable in size and demographics to the City. D. Outcomes based, results oriented, with performance guarantees and measurement systems for continuous program improvement. E. Customized sub-program expertise for inventory (prior claims) control. F. Best value for pricing and services provided. G. Incumbent with a proven track record and awarded a Tier #1 rating by the Texas Department of Insurance (TDI).			
REQUIRED AUTHORIZATION			
Other Authorization: <i>Michelle Mitchell</i>	Other Authorization:	Other Authorization:	

DATE July 30, 2008	Subject: Contract for Workers' Compensation Third Party Administrator and Related Services	Originator's Initials 	Page <u>2</u> of <u>2</u>
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Scope of Services: The anticipated contract shall include all services reasonably anticipated in the handling of workers' compensation claims from a third-party-administration standpoint and the furnishing of the related service activities to support and complement the risk management function. Such related services shall include, but may not be limited to:

- Compliance with all TDI Texas Workers' Compensation Division on claims handling requirements
- Medical bill auditing for facility and on-facility charges
- Association with a preferred provider network
- Vocational medical case management
- Medical exam coordination
- Managed care services
 - Prescription Benefit Management
 - Cost Containment Services
 - Utilization review
- Private investigative activities
- Accident Prevention/Loss control (safety consultation)

MWBE Contract Goal

The proposed contract has an MWBE goal of 20%. Cambridge has selected Injury Management Organization, Inc. (IMO) to provide managed care and cost containment services, in the estimated amount of \$5,880,000, which is 30% of the total contract amount.

c: Anthony Hall, Chief Administrative Officer
Marty Stein, Agenda Director
Arturo Michel, City Attorney
Michelle Mitchell, Director of Finance

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance approving the closing to vehicular traffic of railroad crossings of Canal Street, Delmar Street, Edgewood Street and Manchester Street; vacating and abandoning those tracts of land to Union Pacific Railroad Company, the abutting owner, while reserving and retaining utility easements in the underlying property; containing various findings and other provisions related to the subject; and declaring an emergency.	Page 1 of 1	Agenda Item
	37	75

FROM (Department or other point of origin): Public Works and Engineering Department	Origination Date 7-31-08	Agenda Date AUG 06 2008 AUG 13 2008
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DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E. DEE <i>Michael S. Marcotte</i> 07-28-08	Council District affected: I
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For additional information contact: Richard P. Smith, P.E., PTOE Supervising Engineer (713) 837-7627	Date and identification of prior authorizing
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RECOMMENDATION: (Summary)
Approve an Ordinance authorizing the closing of four railroad crossings to vehicular traffic for safety reasons and to fulfill an agreement with Union Pacific Railroad Company, while retaining all of the city's property rights in the underlying land; containing various findings and other provisions related to the subject; and declaring an emergency.

Amount and Source of Funding: No Funding Required

PROJECT NOTICE/JUSTIFICATION: The Public Works & Engineering Department, (PWE) Traffic & Transportation Division has coordinated with the Union Pacific Railroad Company (UPRR) to close (4) four streets at their railroad grade crossings to vehicular traffic. These closings were deemed necessary in order to comply with a prior agreement with the UPRR to close (4) four existing crossings in order to secure new grade crossings across UPRR right-of-way on Airport and Orem at Alameda Road.

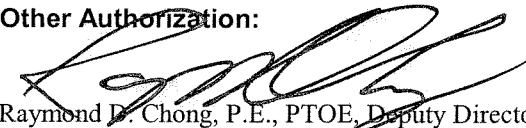
Signs giving Notice of the Intent to close the crossings were installed at each location on September 21, 2007 for 30 days. The crossings were then closed in October 2007 on a trial basis to measure the potential impacts. No negative impacts to life safety or mobility were noted.

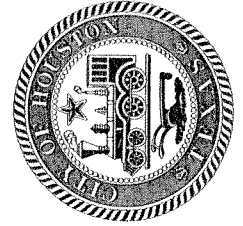
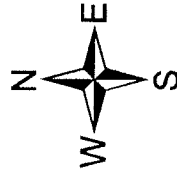
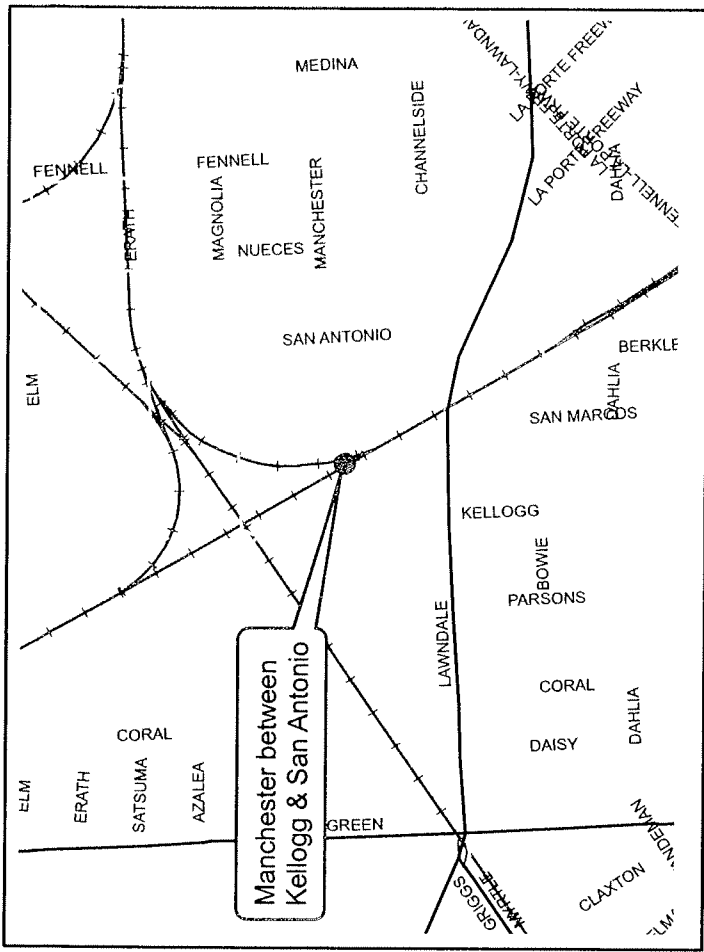
It is requested that City Council approve this Ordinance authorizing the closure of these streets. No additional construction will be necessary to complete the closures.

The candidate locations are:

- | <u>LOCATION:</u> | <u>KEY MAP</u> |
|---|----------------|
| 1. Manchester St. between Kellogg and San Antonio St. | 535-B |
| 2. Canal St. between Chartres and Navigation/Franklin | 493 M |
| 3. Edgewood St. between Texas Ave and Rusk St. | 494 T |
| 4. Delmar St. between Texas Ave and Rusk St. | 494 T |

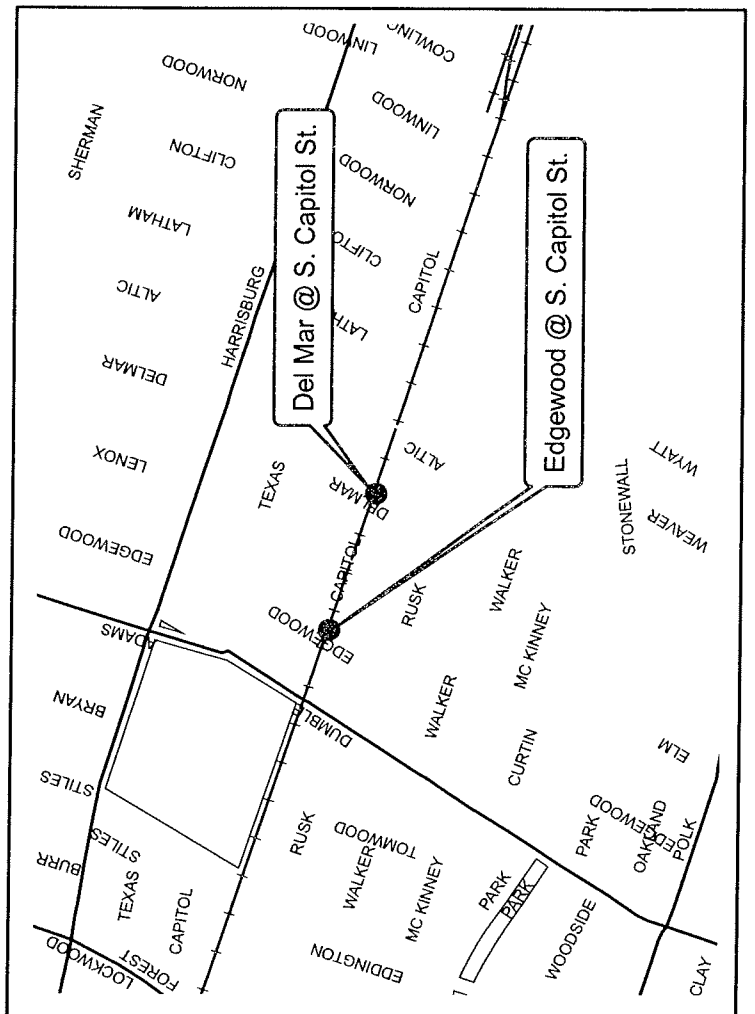
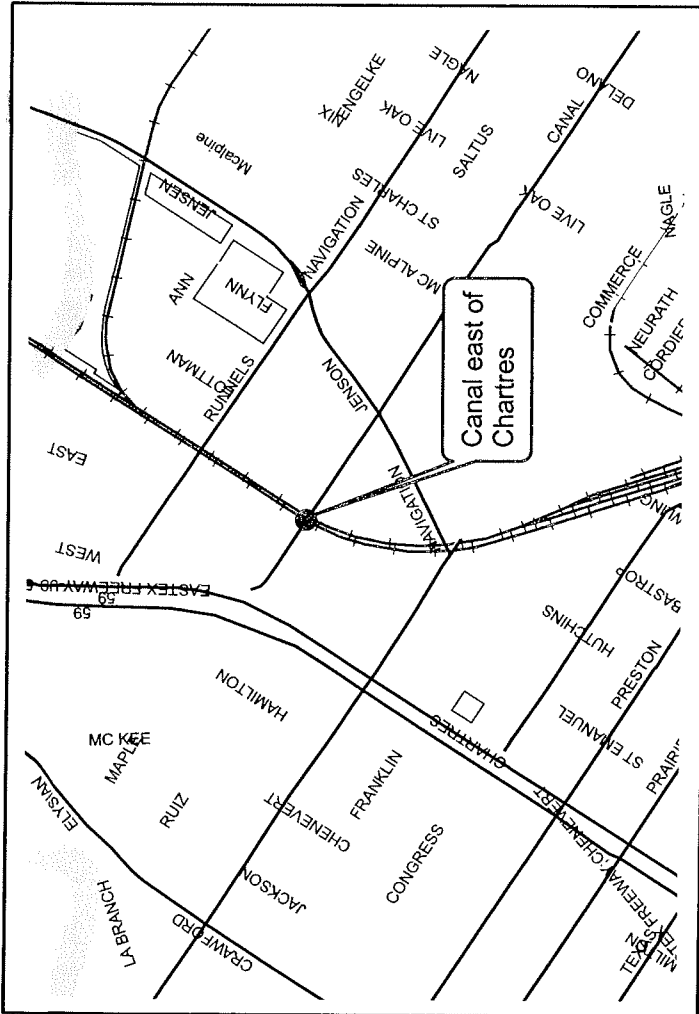
REQUIRED AUTHORIZATION **CUIC ID #20WMH01**

Finance Department	Other Authorization:	Other Authorization:  Raymond D. Chong, P.E., PTOE, Deputy Director Traffic And Transportation Division
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LEGEND:

- Proposed Closure



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract award for Intersection Construction Contract (Work Order Project) City Wide; WBS No. N-000662-0032-4 and Railroad Crossing Quiet Zone Improvement Program; WBS No. N-000817-0001-4.		Category #	Page 1 of <u>2</u>	Agenda Item # 38 30										
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-31-08	Agenda Date AUG 13 2008 AUG 06 2008											
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE		Council District affected: ALL												
For additional information contact: Richard P. Smith, P. E., PTOE (713) 837- 7267		Date and identification of prior authorizing Council action:												
RECOMMENDATION: (Summary) Accept low bid, award construction Contract to Texas Sterling Construction Co. and appropriate funds.														
Amount and Source of Funding: \$2,100,000.00 from Metro Project Commercial Paper Series E Fund 4027. \$1,401,000.00 from Street and Bridge Consolidated Construction Fund 4506 Total \$3,501,000.00														
SPECIFIC EXPLANATION:														
PROJECT NOTICE/JUSTIFICATION: This project provides for the construction of new intersections and the modification of existing intersections and railroad crossings to improve safety, improve carrying capacity and manage train-noise related issues.														
DESCRIPTION/SCOPE: This is a work -order contract where projects will be assigned as designs are completed. The contract duration is for two (2) years with three (3)one-year options to renew.														
LOCATION: The project area is located throughout the City.														
BIDS: Base Unit Prices have been determined by the Department of Public Works and Engineering. Bidders submitted an Adjustment Factor to be applied to the Base Unit Prices. The price for each work order issued to the Contractor will be calculated by multiplying the pre-determined base unit prices in the Contract with the Adjustment Factor and with the quantities for the individual work orders. The total expenditure available for the entire project is \$3,100,000.00. Bids for the Adjustment Factor were received on May 22, 2008. The four (4) bids are as follows:														
<table border="1"> <thead> <tr> <th><u>Bidder</u></th> <th><u>Adjustment Factor</u></th> </tr> </thead> <tbody> <tr> <td>1. Texas Sterling Construction Co.</td> <td>1.700</td> </tr> <tr> <td>2. Reytec Construction Resources, Inc.</td> <td>1.790</td> </tr> <tr> <td>3. Jerdon Enterprise, LP.</td> <td>2.199</td> </tr> <tr> <td>4. Total Contracting Limited</td> <td>2.299</td> </tr> </tbody> </table>					<u>Bidder</u>	<u>Adjustment Factor</u>	1. Texas Sterling Construction Co.	1.700	2. Reytec Construction Resources, Inc.	1.790	3. Jerdon Enterprise, LP.	2.199	4. Total Contracting Limited	2.299
<u>Bidder</u>	<u>Adjustment Factor</u>													
1. Texas Sterling Construction Co.	1.700													
2. Reytec Construction Resources, Inc.	1.790													
3. Jerdon Enterprise, LP.	2.199													
4. Total Contracting Limited	2.299													
REQUIRED AUTHORIZATION														
Finance Department: 	Other Authorization:	Other Authorization:  Raymond D. Chong, P.E., PTOE, Deputy Director Traffic & Transportation Division												

Date	Subject: Contract award for Intersection Construction Contract (Work Order Project) City Wide; WBS No. N-000662-0032-4 and Railroad Crossing Quiet Zone Improvement Program; WBS No. N-000817-0001-4.	Originator's Initials	Page <u>2</u> of <u>2</u>
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AWARD: It is recommended that this construction Contract be awarded to Texas Sterling Construction Co., with an Adjustment Factor of 1.700.

PROJECT COST: The total cost of this project is \$3,501,000.00 to be appropriated as follows:

• Bid Amount	\$3,100,000.00
• Contingencies	\$ 155,000.00
• Engineering and Testing Services	\$ 60,000.00
• Project Management	\$ 186,000.00

Engineering and Testing Services will be provided by Geoscience Engineering & Testing, Inc. under a previously approved contract #53710.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 14 % M/WBE goal, 5 % WBE goal and 3% SBE goal for this project.


<u>M/WBE- Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Reliable Signal & Lighting Solutions, LLC	Traffic Signals	\$ 341,000.00	11%
2. Two Way Barricade Equipment Sales & Rental	Traffic Control	\$ 93,000.00	3%
		\$ 434,000.00	14%
<u>WBE- Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
3. Earth Material Services, LLC	Trucking	\$ 155,000.00	5%
<u>SBE-Name of Firm</u>	<u>Work Description</u>	<u>Amount</u>	<u>%of Contract</u>
4. Maintenance To Go, Inc.	Landscape/Architectural Services	\$ 93,000.00	3%

RPS/LHM

c: Marty Stein, Waynette Chan, Velma Laws, Tony Henshaw, LaVerne Hollins-McGlothen, Craig Foster, Michael Ho, P.E., Joseph Kurian, File No. SB9319

SUBJECT: Approval of annual payment of \$100,000.00 Galveston Bay Estuary Program		Category #	Page 1 of 2	Agenda Item #
		39	39	26

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7-25-08	Agenda Date AUG 06 2008 JUL 30 2008
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE	Council District affected: All	AUG 13 2008
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For additional information contact: Jeff Taylor Deputy Director Phone: (713) 837-0448	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary) Approval of payment of annual participation in Galveston Bay Estuary Program projects through Houston- Galveston Area Council.

Amount and Source of Funding: \$100,000.00 FY 2008 Water and Sewer Operating Fund No. 8300 PLR 7/25/08	F&A Budget:
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SPECIFIC EXPLANATION:

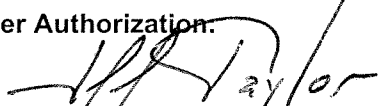
The Galveston Bay Estuary Program (GBEP), a special non-regulatory program of the Texas Commission on Environmental Quality (TCEQ), is a partnership of local governments, business and industry, recreational anglers, ports, citizens, conservation organizations and resource agencies. Partners work collaboratively to leverage funds and implement the Galveston Bay Plan, the federally and state approved comprehensive conservation and management plan developed by local stakeholders.

The program forges private-public partnerships that result in an average leveraging ratio of 1 to 5 and greatly increases the amount of federal funds directed to the region to address environmental and quality of life issues. These partnerships have protected and restored 14,000 acres of important habitat and have improved water quality and recreational opportunities through demonstration projects on Brays Bayou, Sims Bayou, Buffalo Bayou, Clear Creek, Dickinson, and several other bay tributaries. The City of Houston and other public and private utilities also contribute and participate in GBEP's environmental monitoring and environmental education projects throughout the Houston-Galveston region. These efforts directly benefit the citizens of Houston and significantly contribute to the city's efforts to identify problems and systematic remedies as well as evaluate emerging technology in the environmental field.

HISTORY: The GBEP has worked with the City of Houston in the following projects:

- Offered expertise and input on issues relevant to large local governments during meetings of the Galveston Bay Council, TCEQ subcommittee meetings and specific issues on task forces (1990-current);
- Contributed to Brays Bayou Urban Wetlands Project, now known as Mason Park (2005);
- Participated in wetlands plantings and trash clean-ups in Houston area bayous (2000-current);

REQUIRED AUTHORIZATION **CUIC ID#20JT17A**

Finance Department	Other Authorization:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division
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Date	SUBJECT: Approval of annual payment of \$100,000.00 Galveston Bay Estuary Program	Originator's Initials	Page <u>2</u> of <u>2</u>
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- Provided technical assistance on storm water management of city projects (1990-1992);
- Assisted with habitat acquisition in mutually beneficial areas and collaborated on restoration of shoreline areas, including Sims Bayou (2005-2008); and
- Worked with Houston Ship Channel industries to reduce litter loadings.

CURRENT PROJECTS: Funds provided by the City of Houston to the Houston-Galveston Area Council in the amount of \$100,000 will be used to support one or more of the 2008 estuary program goals as described below.

- Complete 3 habitat restoration and protection projects.
- Produce a Status and Trends Update of Galveston Bay and its tributaries.
- Support 5 public participation and education events.
- Reduce potential health risk from consumption of seafood through monitoring, risk analysis, and public information campaigns.
- Support two monitoring and research projects that improve understanding of the Galveston Bay system.
- Begin planning and preparation for the 11th Biennial State of the Bay Symposium.

ACTION RECOMMENDED: It is recommended that Council approve payment in the amount of \$100,000.00 to GBEP to continue our efforts in improving the surrounding environment and quality of life.

MSM:JT:JRG