**AGENDA - COUNCIL MEETING - TUESDAY - MARCH 24, 2009 - 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 - MARCH 25, 2009 - 9:00 A. M.**

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

**HEARINGS** - **9:00 A.M.**

1. **PUBLIC HEARING** relative to third amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone) **DISTRICTS A - LAWRENCE; D - ADAMS; G - HOLM and DISTRICT H**

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 57**

**MISCELLANEOUS** - NUMBERS 2 through 6

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BUILDING AND STANDARDS COMMISSION**:

Panel 1:

Position A1 - **MR. DONALD G. SELF**, reappointment, for a term to expire 12/31/2010
Position A1a - **MR. CHARLES ALEXANDER DAVIDSON**, appointment, for a term to expire 12/31/2010
Position A2 - **MR. WARD W. ARENDT**, reappointment, for a term to expire 12/31/2011
Position A3 - **MS. RITA A. FARIAS**, appointment, for a term to expire 12/31/2010
Position A3a - **MR. PETE EICHENLAUB**, appointment, for a term to expire 12/31/2010
Position A4 - **MS. MARY L. RAMOS**, reappointment, for a term to expire 12/31/2011
Position A4a - **MR. SANJAY RAMABHADRAN**, appointment, for a term to expire 12/31/2011
Position A5 - **MR. KEITH L. JORDAN**, reappointment, for a term to expire 12/31/2010

Panel 2:

Position B1 - **MR. JACKSON CHANG**, reappointment, for a term to expire 12/31/2010
Position B2 - **MS. JENIFER RENÉ POOL**, reappointment, for a term to expire 12/31/2011
Position B2a - **MR. THOMAS E. BRENTS**, appointment, for a term to expire 12/31/2011
Position B3 - **MR. LARRY E. LEE**, reappointment, for a term to expire 12/31/2010
Position B3a - **MR. MARK ALAN PARTHIE**, reappointment, for a term to expire 12/31/2010
Position B4 - **MR. SHAHEM BARAZI**, reappointment, for a term to expire 12/31/2011
Position B4a - **MR. DOUGLAS E. HAMMEL**, appointment, for a term to expire 12/31/2011
Position B5 - **MR. WATTS T. MCKEE, JR**., reappointment, for a term to expire 12/31/2010
Position B6 - **MS. DEBRA BALTHAZAR**, reappointment, for a term to expire 12/31/2011

Panel 3:

Position C1 - **MS. EILEEN SUBINSKY**, reappointment, for a term to expire 12/31/2010
Position C1a - **MS. JENNY CEBALLOS**, appointment, for a term to expire 12/31/2010
Position C2 - **MR. MARKT O. MOLER**, reappointment, for a term to expire 12/31/2011
Position C3 - **MR. ALPHONSO DELANEY**, reappointment, for a term to expire 12/31/2010
Position C4 - **MR. MICHAEL E. CRAMER**, reappointment, for a term to expire 12/31/2011
Position C5 - **MS. VIRGINIA L. DUKE**, reappointment, for a term to expire 12/31/2010
Position C6 - **MR. ARMANDO S. CHIU**, reappointment, for a term to expire 12/31/2011

Panel 4:

Position D1 - **MR. TALMADGE SHARP, SR.**, reappointment, for a term to expire 12/31/2010
Position D2 - **MR. JAMES C. MYERS**, reappointment, for a term to expire 12/31/2011
Position D2a - **MS. CARLA FAIR-WRIGHT**, appointment, for a term to expire 12/31/2011
Position D3a - **MS. TANUSHREE HIREMATH**, appointment, for a term to expire 12/31/2010
Position D4 - **MR. VICTOR L. CARDENAS, JR.**, reappointment, for a term to expire 12/31/2011
Position D4a - **MR. JOE H. MORENO**, appointment, for a term to expire 12/31/2011
Position D5 - **MR. MOISES MONTEZ**, reappointment, for a term to expire 12/31/2010
Position D6 - **MR. TURNER WRIGHT**, appointment, for a term to expire 12/31/2011

3. REQUEST from Mayor for confirmation of the appointment of the following as Full-Time Municipal Court Judges for two year terms**:**

**JOHN SAUNDERS CHASE, JR**.
**BARBARA E. HARTLE**
**MARGARET MUNOZ-HARKINS**

**MISCELLANEOUS** - continued

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following as Part-Time Municipal Court Judges for two year terms**:**

| | |
|---|---|
| **ALICE J. O'NEILL** | **GERARDO S. MONTALVO** |
| **TOLA ORESUSI** | **ANDREW S. MORRISON** |
| **ARTHUR M. LINCOLN** | **ANDRES PEREIRA** |
| **KATHRYN DIAZ GARCIA** | **NJERI MATHIS RUTLEDGE** |
| **CHERYL ALSANDOR** | **DENNIS M. SLATE** |
| **SIDNEY J. BRAQUET** | **KIM R. TRUJILLO** |
| **THERESA W. CHANG** | **JOE VILLARREAL** |
| **KIMBERLY MAURA GAMBLE** | **MIHOA VO** |
| **TRACIE J. JACKSON** | |

5. RECOMMENDATION from Director Administration and Regulatory Affairs for adoption of Alcohol-Free School Zones for all public schools within the Aldine Independent School District **DISTRICTS A - LAWRENCE and B - JOHNSON**

6. RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for HPL Express Frank - **DISTRICT C - CLUTTERBUCK**

**ACCEPT WORK** - NUMBERS 7 through 10

7. RECOMMENDATION from Director General Services Department for approval of final contract amount of $674,738.96 and acceptance of work on contract with **MILLIS DEVELOPMENT AND CONSTRUCTION, INC** for Burnett Bayland Garden Villas Park Improvements - 4.96% over the original contract amount - **DISTRICTS F - KHAN and I - RODRIGUEZ**

8. RECOMMENDATION from Director General Services Department for approval of final contract amount of $215,025.00 and acceptance of work on contract with **MILLIS DEVELOPMENT AND CONSTRUCTION, INC** for Walter Rasmus Park - 4.99% over the original contract amount **DISTRICT G - HOLM**

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of $1,687,409.45 and acceptance of work on contract with **CONRAD CONSTRUCTION, INC** for Kirkwyn/ Sagemont Drainage Improvements - 4.04% under the original contract amount - **DISTRICT E - SULLIVAN**

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of $6,372,889.63 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Crane/Englewood Storm Sewer Improvements - 10.32% over the original contract amount - **DISTRICT B - JOHNSON**

**PROPERTY** - NUMBER 11

11. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY6-010, located at the southeast corner of the dead-end of Gellhorn Street, owned by Santos Monroy and Nicolas Fuentes, for the **EAST TEN PARK LIFT STATION REPLACEMENT PROJECT** - **DISTRICT I - RODRIGUEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 12 through 18

12. **ICX TACTICAL PLATFORMS** for Trailer-Mounted Surveillance Tower from the General Services Administration Schedule 84 Contract through the Cooperative Purchasing Program for the Houston Airport System - $81,502.94 - Enterprise Fund

13. **E-ONE, INC** for Purchase of Fire Engine Cab for Fire Department - $111,925.00 - General Fund

14. **CRYSTAL COMMUNICATIONS, LTD**. for WiFi, WiMAX Networking Equipment and Installation Services from the General Services Administration Schedule 70 and the Texas Department of Information Resources Contracts for the Houston Public Library - $3,000,000.00 - Digital Houston Special Revenue Fund

15. ORDINANCE appropriating $111,843.00 out of Parks Consolidated Construction Fund for Purchase and Installation of Playground Equipment, Swings, Picnic Tables, Grill, and Picnic Shelter for Highland Park - **DISTRICT B - JOHNSON**

a. **PLAYPOWER LT FARMINGTON, INC** for Purchase and Installation of Playground Equipment, Grill, and Walk for Highland Park through the Texas Local Government Purchasing Cooperative for Parks & Recreation Department - $79,087.00 - **DISTRICT B - JOHNSON**

16. **GENERAL TRUCK BODY MFG. COMPANY** for Vehicle Conversion Services from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - $149,925.00 - DARLEP and Asset Forfeiture State Funds

17. **GLOBE ELECTRIC SUPPLY CO., INC** for Batteries, Gel Cell for Department of Public Works & Engineering - $606,546.85 - General Fund

18. **NORTEX MODULAR SPACE** for Modular Office Building from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - $120,880.58 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 19 through 57

19. RESOLUTION designating certain properties within the City of Houston as landmarks and protected landmarks:

| | | |
|---|---|---|
| William A. Wilson House | 205 Bayland Avenue | **DISTRICT H** |
| Matthews-Johnson House | 1835 Cortlandt Street | **DISTRICT H** |
| Clarence O. Lamberth-<br>James S. Abercrombie House | 2221 River Oaks Boulevard | **DISTRICT G - HOLM** |
| R. B. Everett Building | 3118 Harrisburg Boulevard | **DISTRICT I - RODRIGUEZ** |

20. ORDINANCE authorizing the issuance of City of Houston, Texas General Obligation Notes, Series E-1, in an aggregate principal amount not to exceed $50,000,000 for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of one or more Notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of the Notes, including the approval of a Note Purchase Agreement and an Issuing and Paying Agent Agreement; and declaring an emergency

**RESOLUTIONS AND ORDINANCES** - continued

21. ORDINANCE amending Ordinance No. 2006-91, as amended by Ordinance No. 2006-168, to establish and adopt certain defined current minimum prevailing wage rates; allowing for the automatic adoption of minimum prevailing wage rates annually and as needed based on U. S. Department of Labor Wage Rates; providing that these rates shall apply to certain City contracts on or after the effective date; providing a repealing clause

22. ORDINANCE consenting to the addition of 1.005 acres of land to **CHIMNEY HILL MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

23. ORDINANCE consenting to the addition of 8.3416 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district

24. ORDINANCE consenting to the addition of 6.13 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 109**, for inclusion in its district

25. ORDINANCE establishing the north and south sides of the 1700 block of Banks 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 C - CLUTTERBUCK**

26. ORDINANCE establishing the south side of the 4400 block of Blossom 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 H**

27. ORDINANCE establishing the south side of the 4400 block of Blossom 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 H**

28. ORDINANCE establishing the north and south sides of the 600 block of Woodland Avenue 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 H**

29. ORDINANCE enlarging the boundaries of Reinvestment Zone Number Five, City of Houston, Texas, (Memorial-Heights Zone) - **DISTRICTS A - LAWRENCE; D - ADAMS; G - HOLM and DISTRICT H**

30. ORDINANCE relating to the Fiscal Affairs of the Southwest Houston Redevelopment Authority on behalf of Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone); approving the Fiscal Year 2009 Operating Budget for the Authority and the Fiscal Years 2009-2013 Capital Improvements Budget - **DISTRICTS F - KHAN and G - HOLM**

a. ORDINANCE approving the issuance of Bonds and Notes by the Southwest Houston Redevelopment Authority - **DISTRICTS F - KHAN and G - HOLM**

31. ORDINANCE approving and authorizing an application to the Office of the Governor, Criminal Justice Division, for assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**RESOLUTIONS AND ORDINANCES** - continued

32. ORDINANCE approving and authorizing contract between the City of Houston and **BRENTWOOD COMMUNITY FOUNDATION** providing up to $940,692.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds, which amount includes a limitation on additional funding in the amount of $470,346.00, for the operation of a community residence, administration of a short-term rent, mortgage and utility assistance program, and the provision of supportive services **DISTRICT D - ADAMS**

33. ORDINANCE approving and authorizing various contracts for Elderly Services provided through the Harris County Area Agency on Aging between the City and (1) **ASIAN AMERICAN FAMILY COUNSELING CENTER**, (2) **FAITH PRESBYTERIAN CHURCH OF BAYTOWN, TEXAS**, (3) **CHINESE COMMUNITY CENTER, INC** and (4) **THE SHELTERING ARMS, HOUSTON, TEXAS**; providing maximum contract amounts - $3,007,356.53 - Grant Fund

34. ORDINANCE approving and authorizing contract between the City and **YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON** for Elderly Services provided through the Harris County Area Agency on Aging; providing a maximum contract amount - $1,765,686.04 - Grant Fund

35. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HOUSTON AREA COMMUNITY SERVICES, INC** to add $37,194.61 to contract to cover funding for a Tenant-Based Rental Assistance Program, along with supportive services, under the Housing Opportunities For Person With AIDS ("HOPWA") Program - **DISTRICT C - CLUTTERBUCK**

36. ORDINANCE approving and authorizing second amendment to Urban Redevelopment Interlocal Agreement among the City of Houston, other taxing units, and **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** 1) to extend the term of the agreement until March 12, 2014, and 2) to clarify certain provisions of the agreement regarding properties to be affected

a. ORDINANCE approving and authorizing first amendment to Ancillary Land Exchange Agreement between the City of Houston and **HOUSTON INDEPENDENT SCHOOL DISTRICT** ("HISD") to increase the credit amount to HISD for each Houston Hope I property to be acquired by the Land Assemblage Redevelopment Authority ("LARA")

37. Omitted

38. ORDINANCE 1) appropriating $500,000.00 out of TIRZ Affordable Housing Fund (Fund 2409); 2) appropriating $1,200,000.00 out of TIRZ Uptown Series 2002B Fund (Fund 2410); 3) appropriating $535,000.00 out of TIRZ Uptown Series 2004 Fund (Fund 2417); and 4) approving and authorizing a fifth amendment to Land Assembly Grant Agreement between the City of Houston and **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY ("LARA")** to provide funds for certain approved costs

39. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **SPECTRA ENERGY SERVICES, LLC**, for certain premises at William P. Hobby Airport Revenue - **DISTRICT I - RODRIGUEZ**

40. ORDINANCE amending Ordinance No. 2006-1235 (passed on December 13, 2006) to increase the maximum contract amount for contract between the City of Houston and **PRIME TREE & LANDSCAPING SERVICES, INC** for Tree Removal Services for Parks & Recreation Department $370,194.00 - General Fund

**RESOLUTIONS AND ORDINANCES** - continued

41. ORDINANCE awarding contract to **CLEANSERVE, INC** for Sewer Stoppage Services for Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - $9,313,130.00 - Enterprise Fund

42. ORDINANCE appropriating $61,000.00 from Fire Consolidated Construction Fund (4500); approving the Purchase and Sale Agreement between Longinos DeLeon, Seller, and the City of Houston, Buyer, for the purchase of approximately 2,750 square feet of land (Parcel No. HY9-001) located at 6918 Navigation, for the Fire Department for the expansion of Fire Station No. 20, WBS C-000089-0005-2; and approving and authorizing payment for the land acquisition costs and all closing costs associated with this transaction - **DISTRICT I - RODRIGUEZ**

43. ORDINANCE appropriating $357,895.00 from the Reimbursement of Equipment/Projects Fund (1850) and approving and authorizing Purchase and Sale Agreement between the Historical Bethel Missionary Baptist Church, Seller, and the City of Houston, Texas, Purchaser, for the purchase of 17,000 square feet of land, more or less, located at 801 Andrews Street and 804 Ruthven Street, Houston, Texas, for a purchase price of $350,000.00 with additional expenses, for the Parks & Recreation Department - **DISTRICT I - RODRIGUEZ**

44. ORDINANCE appropriating $85,000.00 out of Street & Bridge Consolidated Construction Fund, $300,000.00 out of Fire Consolidated Construction Fund, $500,000.00 out of Parks Consolidated Construction Fund, $100,000.00 out of Solid Waste Consolidated Construction Fund, $325,000.00 out of Police Consolidated Construction Fund, $425,000.00 out of Public Library Consolidated Construction Fund, $300,000.00 out of Public Health Consolidated Construction Fund, and $450,000.00 out of General Improvement Consolidated Construction Fund for Project Management Costs

45. ORDINANCE appropriating $3,246,000.00 out of Parks Consolidated Construction Fund as an additional appropriation to Construction Management-At-Risk Contract (approved by Ordinance No. 2008-102) between the City of Houston and **GILBANE BUILDING COMPANY** for Renovation to Parks & Recreation Department Campus and Park; providing funding for engineering and testing services, Civic Art Program, and contingencies related to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**

46. ORDINANCE appropriating $116,664.75 out of Solid Waste Consolidated Construction Fund for Paving Repair and Improvements to the Northeast and Southeast Service Centers for the Solid Waste Management Department under an existing Citywide Contract (approved by Ordinance No. 2007-1052) with **SPRING EQUIPMENT COMPANY, INC** - **DISTRICTS H and I - RODRIGUEZ**

47. ORDINANCE appropriating $239,000.00 out of Fire Consolidated Construction Fund for Construction Services for Various Houston Fire Department Facilities under an existing Citywide Contract (approved by Ordinance No. 2007-1052) with **SPRING EQUIPMENT COMPANY, INC DISTRICTS B - JOHNSON; D - ADAMS and I - RODRIGUEZ**

48. ORDINANCE appropriating $806,725.00 out of Limited Use Roadway & Mobility Capital Fund; approving and authorizing Interlocal Agreement between the City of Houston and **THE HOUSTON PARKS BOARD, LGC** for Professional Design Phase Services for Phase One of the Houston Amateur Sports Parks - **DISTRICT D - ADAMS**

49. ORDINANCE approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Rehabilitation or Replacement of Market Street Bridge Eastbound at Hunting Bayou - **DISTRICT E - SULLIVAN**

**RESOLUTIONS AND ORDINANCES** - continued

50. ORDINANCE approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Rehabilitation or Replacement of Market Street Bridge Westbound at Hunting Bayou - **DISTRICT E - SULLIVAN**

51. ORDINANCE approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Rehabilitation or Replacement of Patterson Road Bridge at Langham Creek - **DISTRICT A - LAWRENCE**

52. ORDINANCE appropriating $953,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **FREESE AND NICHOLS, INC** for Multiple Satellite Wastewater Treatment Plants Improvements - **DISTRICTS B - JOHNSON; D - ADAMS and I - RODRIGUEZ**

53. ORDINANCE appropriating $673,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for Engineering Services associated with the Rehabilitation of Water Storage Tanks at various locations; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

54. ORDINANCE appropriating $750,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Engineering Services associated with the Design of new Water Lines in Unserved Minnetex Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**

55. ORDINANCE appropriating $1,626,600.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **R. K. WHEATON, INC** for Water Line Replacement in Noble-South Area; 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 - **DISTRICT B - JOHNSON**

56. ORDINANCE appropriating $1,586,270.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Colonial Gardens Area; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H**

57. ORDINANCE No. 2009-179, passed second reading March 11, 2009
ORDINANCE granting to **K & S CONSTRUCTION SERVICES, LLC**, **A Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

**END OF CONSENT AGENDA**

## CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

**NON CONSENT AGENDA** - NUMBERS 58 through 60

### MISCELLANEOUS

58. RECEIVE nominations for appointment to Position 4 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE)**, **CITY OF HOUSTON**, **TEXAS** for term to expire December 31, 2010

a. MOTION to suspend the rules to confirm the appointment of an individual to Position 4 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE)**, **CITY OF HOUSTON**, **TEXAS** for term to expire December 31, 2010

b. APPOINTMENT of an individual to Position 4 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE)**, **CITY OF HOUSTON**, **TEXAS** for term to expire December 31, 2010

59. REQUEST from Mayor for confirmation of the reappointment of **MS. VICTORIA A. ROCKWELL**, to Position Four of the **ST. GEORGE PLACE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS** for a term to expire December 31, 2010

60. REVIEW on the record and make determination relative to the appeal from the decision of the Electrical Board, filed by Scott A. Lisman on behalf of **VALCO INSTRUMENTS COMPANY, L.P.** regarding modification of the City of Houston Electrical Code as it pertains to Project No. 07065538

**MATTERS HELD** - NUMBERS 61 through 63

61. ORDINANCE amending Ordinance No. 2007-1193, as amended by Ordinance No. 2008-661, and appropriating $2,026,000.00 out of the TIRZ Affordable Housing Fund 2409 to continue implementation of the City's Workforce Housing Downpayment Assistance Program
    **TAGGED BY COUNCIL MEMBER JONES**
    This was Item 14 on Agenda of March 11, 2009

62. ORDINANCE amending Ordinance No. 2000-1147 passed on December 20, 2000 to increase the maximum contract amount for Contract between the City of Houston and **UNISYS CORPORATION** for Computer, Hardware, Software Licenses, Mainframe and Professional Services for Various Departments - $2,321,973.00 - General Fund
    **TAGGED BY COUNCIL MEMBERS JOHNSON and NORIEGA**
    This was Item 24 on Agenda of March 11, 2009

63. ORDINANCE awarding contract to **ANGELINA FUELS, LLC** for Wood Waste Removal Services for the Solid Waste Management Department; providing a maximum contract amount - 3 Years with two one-year options - $770,000.00 - General Fund
    **TAGGED BY COUNCIL MEMBER GREEN**
    This was Item 25 on Agenda of March 11, 2009

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Lawrence first

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

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

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

**NOTICE OF MEETING**

**OF THE**

**CITY COUNCIL OF THE CITY OF HOUSTON**

**NOTICE** is hereby given that a Regular Meeting of the City Council of the City of Houston will be held **TUESDAY, MARCH 24, 2009 at 1:30 p.m. and WEDNESDAY, MARCH 25, 2009 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 20th day of MARCH, 2009.

_____

City Secretary

## CERTIFICATE

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on MARCH 20, 2009 at : p.m.

by _____

for Anna Russell
City Secretary

***CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY***
***MARCH 24 , 2009 – 2:00PM***

***AGENDA***

| 2MIN | 2MIN | 2MIN |
|---|---|---|

***NON-AGENDA***

| 1MIN | 1MIN | 1MIN |
|---|---|---|

MS. CONNIE SISCO – 2929 Buffalo Speedway – 77025 – 713-569-4324 – Sanctuary City

| 2MIN | 2MIN | 2MIN |
|---|---|---|

MS. TERRI THOMAS – 26 Rains Way – 77007 – 713-806-1902 – Dangerous curve on Crestwood Street

MR. JEFF CADIEUX – 6630 Calico Woods – 77041 – 713-260-9636 – Affirmative Action

MS. WANDA SISCO SCHULTZ – 3520 Bellaire – 77025 – 713-667-8270 – Crime in CIty

| 3MIN | 3MIN | 3MIN |
|---|---|---|

MR. STEVEN WILLIAMS – No Address – No phone – Obama – US Attorney trying to mess over you

MS. DEBORAH ELAINE ATKINS – Post Office Box 263252 – 77207 – 832-292-5203 – Adopt a block

MS. ELSIE BLUNT – 5601 Wheatley – 77091 – 713-681-8853 – Heavy trash

MR. WILLIAM BEAL - 4718 Boicewood – 77016 – 713-633-0126 – Banachek: George Peppard and Ben-Hur Charleston Heston

MS. JANET THOMAS – 19335 Cypress Canyon – Katy – TX – 77449 – 713-291-6408 – Illegal Immigration Crime

MS. ALMA COOPER – 5508 Hialeah Dr. – 70092 – 713-686-4650 – HPD enforce immigrations laws

MR. CESAR ESPINOZA – 6601 Hillcroft St., Suite 125 – 77081 – 713-271-9703 – No HPD enforcement of immigration law

MS. CECILE ROEGER – 6509-A – Almeda Road – 77021 – 713-741-8369 – Immigration

DEACON SAM DUNNING – 2403 Holcombe – 77021 – 713-741-8731 – HPD issue with immigration Enforcement

MS. JOYCE CAUTHER – 15938 Fleetwood Oaks – 77079 – 281-385-9498 - Housing crisis in Texas

MS. CHERYL RASPINO – 26 Rains Way – 77007 – 713-802-1462 – Dangerous curves on Crestwood Street

MS. LINDA MCLEAN – Post Office Box 36198 – 77236 – 832-641-0519 – Unclaimed funds

MS. SANDRA MASSIE-HINES – 10010 Cullen – 77051 – 832-537-8477 – I want to Thank Mayor and City Council for DHAP Assistance

MS. SHIRLEY MORRIS – 14941 Ella – 77014 – 281-875-3347 – House lost in Allison

MR. BRIAN VAN TUBERGEN – 2914 Leek – 77004 – 713-207-8588 – Heavy trash collection

MR. ROBERT PRICE – 1585 W. Sam Houston Pkwy N. – 77043 – 832-721-0797 – Sanctuary Policy – Private Property Rights

MR. CURTIS COLLIER – 7803 Oak Castle – Spring – TX – 77389 – 281-787-4637 – Sanctuary Policy

MS. LOUISE WHITEFORD – 2431 Nantucket Dr. – 77057 – 713-706-3546 – City Sanctuary Policy

MS. RHONDA DAVIS – 6619 Aldine Bender, No. 252 – 77032 – 832-892-0429 – Homeless

MRS. OLLIE GARRY – 7915 Rand – 77028 – 713-674-0941 – Condition of our Neighborhood

***Speaker List***
***March 24, 2009***
***Continued Page 2***

3MIN cont'd 3MIN cont'd 3MIN

MR. RICHARD GARRY - 7915 Rand – 77028 – 713-674-0941 – Permit and Code Violations

MS. LISA JOHNSON – 6000 Sunforest Dr. – 77092 – 713-476-9860 – Illegal eviction

MS. JEANETTE LAROSE – 7030 Bretshire - 77016 – 832-584-8053 – Illegal dumping

MR. CLAUDE BROWN – 3018 Hohl St. – 77093 – 832-885-9182 – Noise in neighborhood and dust every where

MR. MANISH PATEL – 8016 Livingston St. – 77051 – 832-423-7504 – Small business introduction

MS. NANNETTE DULCIE – 6311 Beverly Hill, No. 62 – 77057 – 832-239-5459 – Personal Injury (City broken sewer line)

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter – 77026 –202-FA3-4511 – Behavior Coward Conspiracy who in 1979 to use my children

MS. MONIQUE CLINTON – 6725 Roanoke St. – 77028 – 281-902-9769 – Student wrongful drop from program, school not following state law

MR. HENRY GUILLORY – P. O. Box 330013 – 77233 – 713-669-0157 – Concerns about minority participation with city bids on property insurance

MR. ROBERT SCHAFFER – 4555 Dunnam Road – Porter, TX - 77365 – 281-358-3840 – Baseball Fields

MS. SHARON HAYNIE – 4630 Dunnam Road – Porter, TX – 77365 – 281-360-4512 – Baseball Fields

***PREVIOUS***

1MIN 1MIN 1MIN

MR. RONALD BANKS – 7107 Peerless – 77021 – 713-823-2681 – Land lease agreement for Hurricane Ike

MR. CHARLES CUPP - 1237 Althea Dr. - 77018 - Location inquiry document procedures (Police Reports)

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 - 832-407-5344 – HPD false arrest cases w/assassination attempts w/police brutality – ER-Protection W/HACH

MR. THEODORE JOHNSON – 4010 Dabney – 77026 – 713-670-0470 – Getting van out of pound

MR. JAMES PARTSCH-GALVAN – 1611 Holman – 77004 – 713-528-2607 – President Obama and World Cup 2010 in Africa

/

MAR 2 5 2009

MOTION NO. 2009 0133

MOTION by Council Member Khan that the recommendation of the Director of the Finance Department, to set a hearing date to consider a Third Amendment to the Project and Financing Plan for Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone), be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, March 25, 2009, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Adams and carried.

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

Council Member Lawrence absent on City business

PASSED AND ADOPTED this 11th day of March, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is March 17, 2009.

City Secretary

BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2W

MAR 2 5 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 3-11-09
date

COUNCIL MEMBER: _____

March 11, 2009

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Chapter 10, Article IX, Division V, of the Code of Ordinances, I am appointing or reappointing the following individuals to the Building and Standards Commission, subject to Council confirmation:

Panel 1:
Mr. Donald G. Self, reappointment to Position A1, for a term to expire December 31, 2010;
Mr. Charles Alexander Davidson, appointment to Position A1a, for a term to expire December 31, 2010;
Mr. Ward W. Arendt, reappointment to Position A2, for a term to expire December 31, 2011;
Ms. Rita A. Farias, appointment to Position A3, for a term to expire December 31, 2010;
Mr. ~~Peter~~ Eichenlaub, appointment to Position A3a, for a term to expire December 31, 2010; PETE
Ms. Mary L. Ramos, reappointed to Position A4, for a term to expire December 31, 2011;
Mr. Sanjay Ramabhadran, reappointment to Position A4a, for a term to expire December 31, 2011;
Mr. Keith L. Jordan, reappointment to Position A5, for a term to expire December 31, 2010;

Panel 2:
Mr. Jackson Chang, reappointment to Position B1, for a term to expire December 31, 2010;
Ms. Jenifer René Pool, reappointment to Position B2, for a term to expire December 31, 2011;
Mr. Thomas E. Brents, appointment to Position B2a, for a term to expire December 31, 2011;
Mr. Larry E. Lee, reappointment to Position B3, for a term to expire December 31, 2010;
Mr. Mark Alan Parthie, reappointment to Position B3a, for a term to expire December 31, 2010;
Mr. Shahem Barazi, reappointment to Position B4, for a term to expire December 31, 2011;
Mr. Douglas E. Hammel, appointment to Position B4a, for a term to expire December 31, 2011;
Mr. Watts T. McKee, Jr., reappointment to Position B5, for a term to expire December 31, 2010;
Ms. Debra Balthazar, reappointment to Position B6, for a term to expire December 31, 2011;

Panel 3:
Ms. Eileen Subinsky, reappointment to Position C1, for a term to expire December 31, 2010;
Ms. Jenny Ceballos, appointment to Position C1a, for a term to expire December 31, 2010;
Mr. Markt O. Moler, reappointment to Position C2, for a term to expire December 31, 2011;
Mr. Alphonso Delaney, reappointment to Position C3, for a term to expire December 31, 2010;
Mr. Michael E. Cramer, reappointment to Position C4, for a term to expire December 31, 2011;
Ms. Virginia L. Duke, reappointment to Position C5, for a term to expire December 31, 2010;
Mr. Armando S. Chiu, reappointment to Position C6, for a term to expire December 31, 2011;

Panel 4:
Mr. Talmadge Sharp, Sr., reappointment to Position D1, for a term to expire December 31, 2010;
Mr. James C. Myers, reappointment to Position D2, for a term to expire December 31, 2011l;
Ms. Carla Fair-Wright, appointment to Position D2a, for a term to expire December 31, 2011;
Ms. Tanushree Hiremath, appointment to Position D3a, for a term to expire December 31, 2010;
Mr. Victor L. Cardenas, Jr., reappointment to Position D4, for a term to expire December 31, 2011;

Mr. Joe H. Moreno, appointment to Position D4a, for a term to expire December 31, 2011;
Mr. Moises Montez, reappointment to Position D5, for a term to expire December 31, 2010; and
Mr. Turner Wright, appointment to Position D6, for a term to expire December 31, 2011.

The résumés of the nominees are available in the City Secretary's Office for your review. Additional appointments will be submitted at a later date.

Sincerely,

Bill White

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Mr. Gregory Mackey, chief inspector, HPD
Ms. Louella Stanley, administrative supervisor, HPD



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3

MAR 2 5 2009

COPY TO EACH MEMBER OF COUNCIL:
CITY SECRETARY: 3-11-09 date
COUNCIL MEMBER:

March 11, 2009

The Honorable City Council
Houston, Texas

**Re: Appointment of Full-Time Municipal Court Judges**

Dear Council Members:

I appoint the following individuals as full-time Municipal Court Judges, subject to Council confirmation. The Judges shall serve two-year terms beginning immediately upon Council confirmation.

| Names | Position |
|---|---|
| John Saunders Chase, Jr. | 05 |
| Barbara E. Hartle | 11 |
| Margaret Muñoz-Harkins | 12 |

The résumés of the nominees are attached for your review.

Sincerely,

Bill White
Mayor

BW:CC:jsk

Attachments

cc: The Honorable Berta Mejia, Presiding Judge of Municipal Courts
Marty Stein, Agenda Director, Mayor's Office
Christina J. Cabral, Director, Boards and Commissions

BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

4

COPY TO EACH MEMBER OF COUNCIL: MAR 25 2009
CITY SECRETARY: 3-11-09 date
COUNCIL MEMBER:

March 11, 2009

The Honorable City Council
Houston, Texas

**Re: Appointment of Part-Time Municipal Court Judge**

Dear Council Members:

I appoint or reappoint the following individuals to serve as part-time Municipal Court Judges, subject to Council confirmation. The Judges shall serve two-year terms beginning immediately upon Council confirmation.

| Names | Position |
|---|---|
| Alice J. O'Neill | 05 |
| Tola Oresusi | 25 |
| Arthur M. Lincoln | 30 |
| Kathryn Diaz Garcia | 34 |
| Cheryl Alsandor | 01 |
| Sidney J. Braquet | 06 |
| Theresa W. Chang | 12 |
| Kimberly Maura Gamble | 13 |
| Tracie J. Jackson | 15 |
| Gerardo S. Montalvo | 29 |
| Andrew S. Morrison | 32 |
| Andres Pereira | 37 |
| Njeri Mathis Rutledge | 38 |
| Dennis M. Slate | 42 |
| Kim R. Trujillo | 43 |
| Joe Villarreal | 44 |
| MiHoa Vo | 45 |

The résumés of the nominees are attached for your review.

Sincerely,

Bill White

Bill White
Mayor

BW:CC:jsk

Attachments

cc: The Honorable Berta Mejia, Presiding Judge of Municipal Courts
Marty Stein, Agenda Director, Mayor's Office
Christina J. Cabral, Director, Boards and Commissions

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

| **SUBJECT:** | **Category #** | **Page 1 of 1** | **Agenda Item#** |
|---|---|---|---|
| Recommendation from Administration and Regulatory Affairs for adoption of Alcohol-Free School Zones for all public schools within the Aldine Independent School District. | | | 5 |
| **FROM: (Department or other point of origin):** Alfred J. Moran, Jr., Director Administration and Regulatory Affairs | **Origination Date** March 19, 2009 | | **Agenda Date** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** | **Council Districts affected:** A, B | | |
| **For additional information contact:** Donna L. Edmundson **Phone:** 832-393-6268 Tina Paez **Phone:** 713-837-9630 Kathryn Bruning **Phone:** 713-837-9873 | **Date and identification of prior authorizing Council Action:** 4-17-1996, Ord. 96-368 | | |

**RECOMMENDATION: (Summary)**
Adopt a motion granting Alcohol Free Zones as requested by the Aldine Independent School District pursuant to Section 109.33 of the Texas Alcoholic Beverage Code and Section 3-2 of the Houston Code of Ordinances.

| **Amount of Funding:** N/A | **FIN Budget:** |
|---|---|

**SOURCE OF FUNDING:** **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund** **[] Other (Specify)**

**SPECIFIC EXPLANATION:**
The Department of Administration and Regulatory Affairs recommends that City Council adopt a motion granting Alcohol Free Zones as requested by the Aldine Independent School District pursuant to Section 109.33 of the Texas Alcoholic Beverage Code and Section 3-2 of the Houston Code of Ordinances.

As authorized by Section 3-2 of the City of Houston Code of Ordinances, the City Council may designate Alcohol Free School Zones upon petition of the board of trustees of a school district that is primarily situated in the City as provided in Section 109.33 of the Texas Alcoholic Beverage Code and Section 38.007 of the Texas Education Code.

The Aldine Independent School District has submitted a written request from the board of trustees requesting the designation of Alcohol Free School Zones for all public schools within its respective district and the City of Houston City Limits. State provisions require a majority of the area within the geographic boundaries of said school district to be located within the incorporated boundaries of the City of Houston. The Aldine Independent School District meets this requirement. (See attached map and list of schools in the Aldine Independent School District).

This request, which may be granted by City Council motion, would protect the public schools within the Aldine Independent School District from the establishment of certain types of alcohol premises, such as bars and ice houses, within 1,000 feet of the schools. Under controlling State law, the Zone would not extend to certain types of establishments such as package stores, grocery stores and many restaurants and convenience stores. Similar protection has already been extended to other public school districts including the Houston Independent School District, Spring Branch Independent School District and the Alief Independent School District. Any premises within 1,000 feet of a school that already holds a TABC permit would not be affected under the "grandfather" provisions of Section 109.59 of the Texas Alcoholic Beverage Code.

**REQUIRED AUTHORIZATION**

FIN Director:

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

| **SUBJECT:** Dedication Plaque<br>HPL Express Frank<br>WBS No. E-000033-0001-3 | **Page** 1 of 1 | **Agenda Item** 6 |
|---|---|---|

| **FROM (Department or other point of origin):** General Services Department | **Origination Date** 3-11-09 | **Agenda Date** MAR 25 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE** Issa Z. Dadoush, P.E. 2/11/09 | **Council District affected:** C | |
| **For additional information contact:** Jacquelyn L. Nisby **Phone:** 832-393-8023 | **Date and identification of prior authorizing Council action:** Motion No. 83-2736, October 5, 1983<br>Ordinance No. 2005-0639, Dated: May 18, 2005<br>Ordinance No. 2008-0559, Dated: June 18, 2008 | |

**RECOMMENDATION:** Approve computer image for dedication plaque.

| **Amount and Source Of Funding:** No Additional Funding Required. | **Finance Budget:** |
|---|---|

**SPECIFIC DESCRIPTION:** The General Services Department recommends that City Council pass a motion to approve a computer image for a dedication plaque (copy attached) for the HPL Express Frank.

**PROJECT LOCATION:** 10103 Fondren, Suite 100 (530V)

**PROJECT DESCRIPTION:** The project involves the build-out of a new expanded HPL Express Library within the 10,409 square feet lease space at 10103 Fondren, Suite 100. This expanded HPL express project will accommodate the following enhancements: upgraded site work to meet current ADA requirements, enhanced design of canopy entrance, and restrooms for improved aesthetic appeal.

**REPRESENTATION:** The plaque identifies the City of Houston elected officials and department heads who served when the project commenced as well as the individuals serving in those positions at the completion of the project.

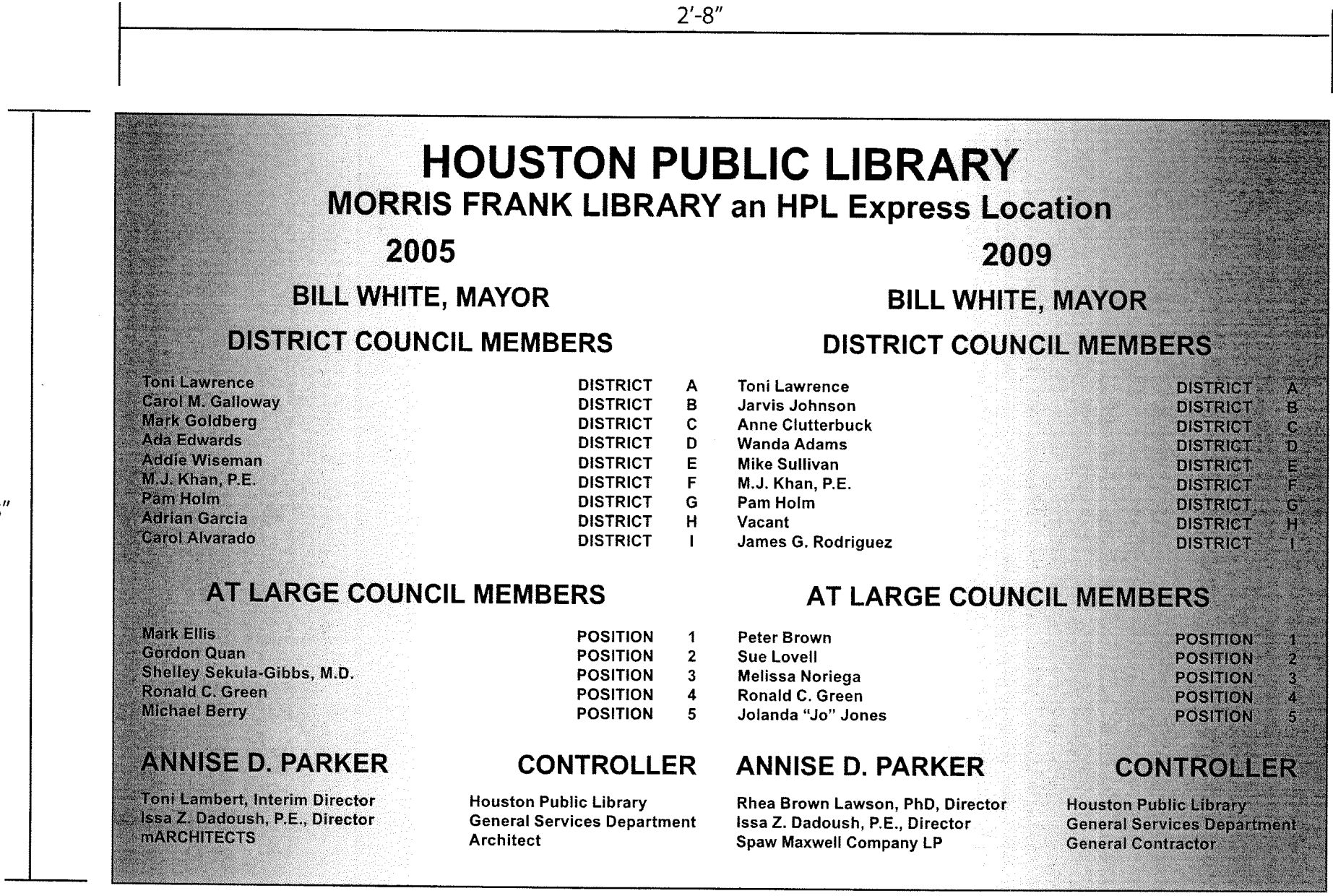
IZD:JLN:HB:MCP:jbw

Attachment

c: Marty Stein, Issa Z. Dadoush, P.E., Wendy Heger, AIA, Jacquelyn L. Nisby, Kim Nguyen, File

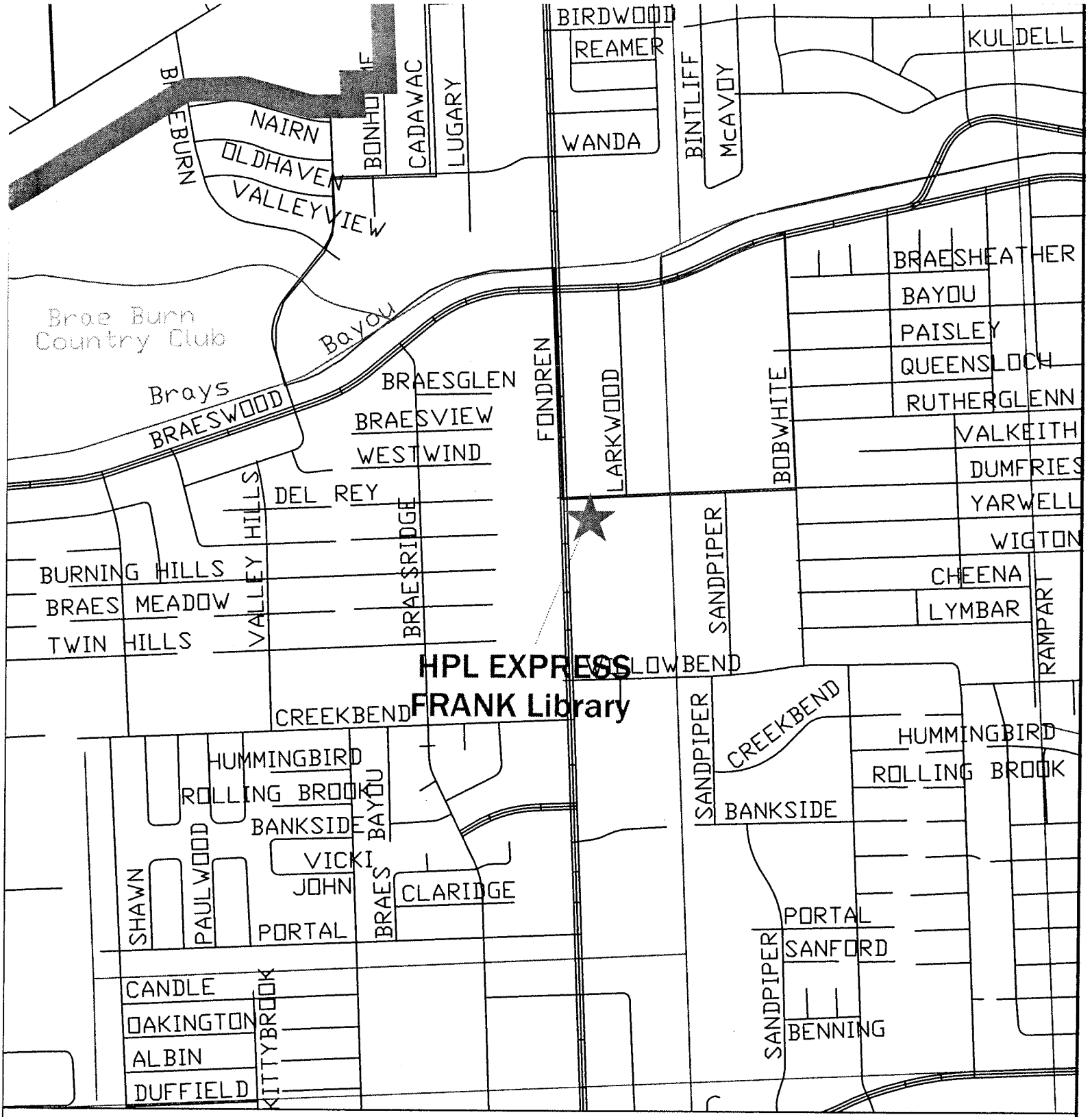
**REQUIRED AUTHORIZATION** CUIC ID # 25CONST69

| **General Services Department:** | | **Houston Public Library:** |
|---|---|---|
| Humberto Bautista, P.E.<br>Chief of Design & Construction Division | | Rhea Brown Lawson, PhD<br>Director |




One (1) Dedication Plaques

Scale: NTS




# HPL EXPRESS FRANK
# 10103 FONDREN
# HOUSTON, TX 77096

COUNCIL DISTRICT "C"

KEY MAP NO. 530V

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

| | | |
|---|---|---|
| **SUBJECT:** Accept Work<br>Millis Development and Construction, Inc.<br>Burnett Bayland and Garden Villas Park Improvements<br>WBS No. F-000605-0001-4/F-000640-0004-4 | **Page**<br>1 of 2 | **Agenda Item**<br>7 |
| **FROM (Department or other point of origin):**<br>General Services Department | **Origination Date**<br>3-19-09 | **Agenda Date**<br>MAR 2 5 2009 |
| **DIRECTOR'S SIGNATURE:**<br>Issa Z. Dadoush, P. E. 3/3/09 | **Council District(s) affected:**<br>F,I | |
| **For additional information contact:**<br>Jacquelyn L. Nisby **Phone:** 832-393-8023 | **Date and identification of prior authorizing:**<br>**Council action:** Ord. No. 2007-982, Dated 08-29-2007 | |

**RECOMMENDATION:** Pass a motion approving the final contract amount of $674,738.96, accept the work, and authorize final payment.

| | |
|---|---|
| **Amount and Source of Funding:** No Additional Funding Required<br><br>**Previous Funding:**<br>$724,000.00 Federal Government-Grant Funded (5000) CDBG | **Finance Budget:** |

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of $674,738.96 or 4.96% over the original contract amount, accept the work and authorize final payment to Millis Development and Construction, Inc. for construction services in connection with improvements to Burnett Bayland and Garden Villas Parks for the Parks and Recreation Department.

**PROJECT LOCATION:** Burnett Bayland Park, 6000 Chimney Rock (531B); Garden Villas Park, 6720 Haywood (535W)

**PROJECT DESCRIPTION:** The scope of work consisted of the following:

**Burnett Bayland Park** - Renovated the existing multi-purpose pavilion, which included new structural supports, new lighting and goals, abated lead paint and painted the pavilion structure. Improvements were also made to the lighting in the community center gymnasium and the air handler was lowered to ease maintenance. A dilapidated portable building on the park site was also demolished.

**Garden Villas Park** - Constructed a new picnic pavilion and slab with associated sidewalks and site furnishings and constructed a new half basketball court.

**CONTRACT COMPLETION AND COST:** The contractor completed the project within 254 days: the original contract time of 150 days plus 104 days approved by Change Orders. The final cost of the project including Change Orders is $674,738.96, an increase of $31,856.96 over the original contract amount.

The project design consultant and construction manager was M2L Associates.

**REQUIRED AUTHORIZATION** CUIC ID# 25PARK65 MOJ

| General Services Department: | Housing & Community Development Department: | Parks and Recreation Department: |
|---|---|---|
| Humberto Bautista, P.E.<br>Chief of Design and Construction | Richard Celli<br>Director | Joe Turner<br>Director |

**PREVIOUS CHANGE ORDERS:** Change Orders 1-3 deleted concrete column encasements and adjusted downspout details; painted basketball goal supports; deleted new basketball goals; upgraded light fixtures; removed paint surfacing on entire pavilion court; painted the pavilion columns to match the roof color; added six new benches; replaced thermostat at Burnett Bayland Park; upgraded light fixtures; added a newly engineered pavilion slab; removed an embedded steel angle from existing building slab; relocated light pole; added a swale along plaza/pavilion slab at Garden Villas Park.

IZD:HB:JLN:LJ:de

c: Marty Stein, Mark Ross, Richard Celli, Pirooz Farhoomand, Gayve Anklesaria, Jacquelyn L. Nisby, Dan Pedersen, Project File 1108

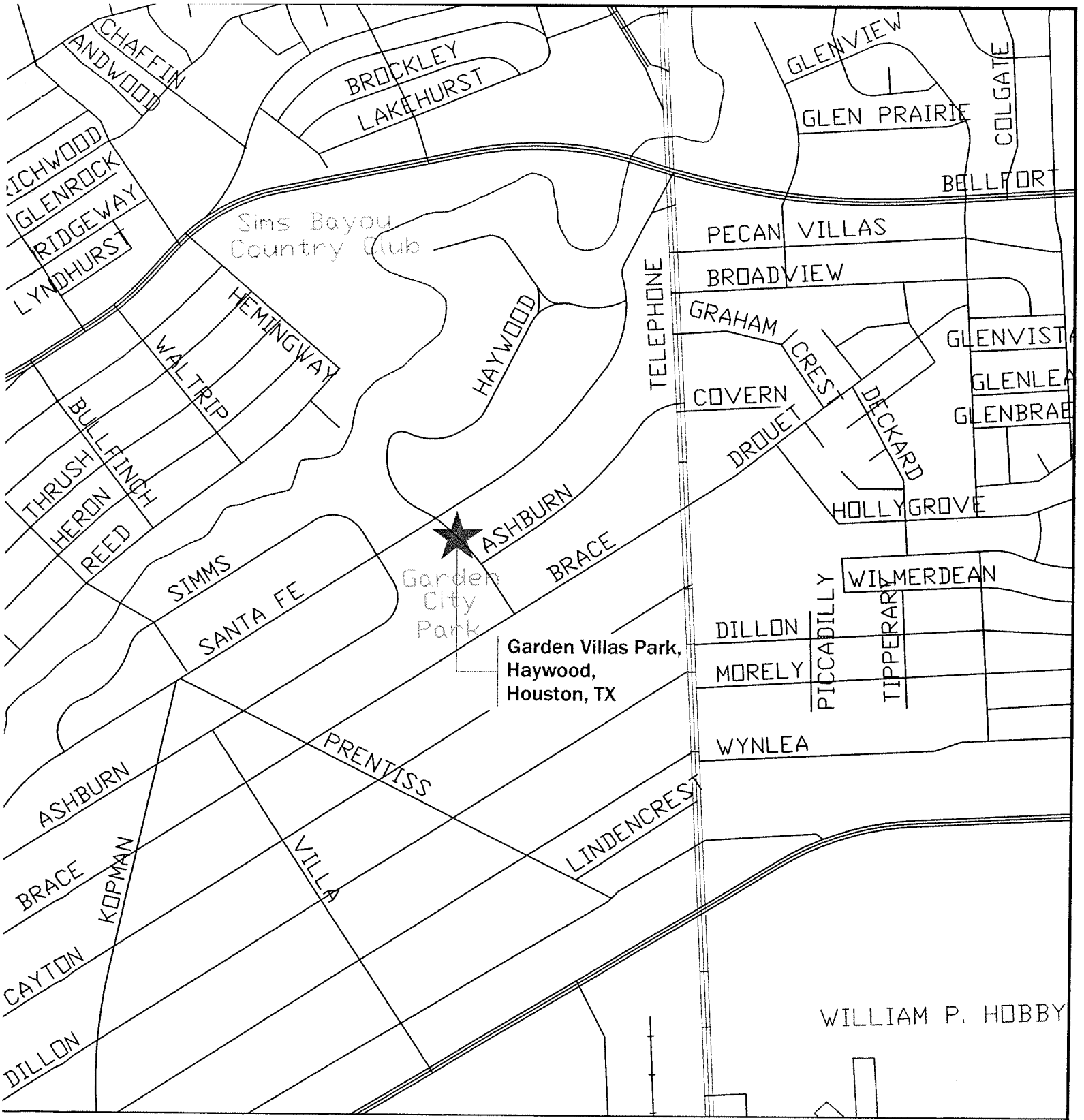



# Burnett-Bayland Park

## 6000 Chimney Rock, Houston, TX

**COUNCIL DISTRICT "F"**

**KEYMAP No. 531B**




# Garden Villas Park

## 6720 Haywood, Houston, TX

**COUNCIL DISTRICT "I"**

**KEYMAP No. 535W**

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

| | | |
|---|---|---|
| **SUBJECT:** Accept Work<br>Millis Development and Construction, Inc.<br>Walter Rasmus Park<br>WBS No. F-000643-0001-4 | **Page**<br>1 of 1 | **Agenda Item**<br>8 |
| **FROM (Department or other point of origin):**<br>General Services Department | **Origination Date**<br>3-19-09 | **Agenda Date**<br>MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:**<br>Issa Z. Dadoush, P. E. 3/3/09 | **Council District affected:**<br>G | |
| **For additional information contact:**<br>Jacquelyn L. Nisby **Phone:** 832-393-8023 | **Date and identification of prior authorizing Council action:**<br>Ordinance No. 2008-457, Dated May 28, 2008 | |

**RECOMMENDATION:** Pass a motion approving the final contract amount of $215,025.00 accept the work, and authorize final payment.

| | |
|---|---|
| **Amount and Source of Funding:** No Additional Funding Required<br><br>**Previous Funding:**<br>**$229,189.00** Federal Government – Grant Funded (5000) (CDBG) | **Finance Budget:** |

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of $215,025.00 or 4.99% over the original contract amount, accept the work and authorize final payment to Millis Development and Construction, Inc. in connection with the Walter Rasmus Park for the Parks and Recreation Department.

**PROJECT LOCATION:** 3721 Jeanetta (490X)

**PROJECT DESCRIPTION:** The project repaired the pavilion roof, gutter system and columns, basketball goal backboards and replaced benches. Additionally, this project included site grading, landscaping, and installed lighting for the parking lot.

**CONTRACT COMPLETION AND COST:** The contractor completed the project within 138 days: the original contract time of 120 days plus 18 days approved by Change Orders. The final cost of the project including Change Orders is $215,025.00, an increase of $10,214.00 over the original contract amount.

M2L Associates, Inc. was the project design consultant and construction manager.

**PREVIOUS CHANGE ORDERS:** Change Orders 1-4 modified new concrete curb, installed new drainpipes, new scuppers to roof drain system, and new splash pads at the down spouts; and restored the basketball goal backboards.

IZD:HB:JLN:LJ:MS:ms
c: Marty Stein, Mark Ross, Jacquelyn L. Nisby, Pirooz Farhoomand, Gayve Anklesaria, Webb Mitchell, Project File 1108

**REQUIRED AUTHORIZATION** CUIC ID# 25PARK62

| **General Services Department:** | **Housing and Community Development Department:** | **Parks and Recreation Department:** |
|---|---|---|
| Humberto Bautista, P.E.<br>Chief of Design & Construction Division | Richard Celli<br>Director | Joe Turner<br>Director |




# Walter Rasmus Park

## 3721 Jeanetta

## Houston, Tx 77063

COUNCIL DISTRICT "G"

KEYMAP No. 490X

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

| | | |
|---|---|---|
| **SUBJECT:** Accept Work for Kirkwyn/ Sagemont Drainage Improvements, WBS No. M-000266-0001-4. | **Page** 1 of 1 | **Agenda Item** # 9 |
| **FROM (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date** 3/19/09 | **Agenda Date** MAR 2 5 2009 |
| **DIRECTOR'S SIGNATURE:** Michael S. Marcotte, P.E., D.WRE, BCEE., Director | **Council District affected:** E | |
| **For additional information contact:** J. Timothy Lincoln, P.E. Senior Assistant Director **Phone**: (713) 837-7074 | **Date and identification of prior authorizing Council action:** Ord. # 2007-1452 dated:12/12/2007 | |

**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of $1,687,409.45 or 4.04% under the original Contract Amount, accept the Work and authorize final payment.

| | |
|---|---|
| **Amount and Source of Funding:** No additional funding required. (Previous (original) appropriation of $2,047,000.00 from Drainage Improvement Commercial Paper Series F, Fund No. 4030. | **Finance Department:** |

**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Storm Drainage Capital Improvement Plan (CIP) and was required to provide drainage improvements to alleviate flooding due to insufficient pipe capacity in this subdivision.

**DESCRIPTION/SCOPE:** This project mainly consisted of the construction of a storm sewer trunk line for Kirkwyn Subdivision area. The storm sewer conduit range from 24-inch through 60-inch reinforced concrete pipe, and related appurtenances. PTI, Inc .designed the project with 210 calendar days allowed for construction. The project was awarded to Conrad Construction Co., Ltd. with an original Contract Amount of $1,758,439.40.

**LOCATION:** The project is generally bounded by Fuqua Street on the north, Kirkglen Drive on the south, Sabo Road on the east and Kirkholm Drive on the west. The project is located in Key Map Grids 576 T, X, Y.

**CONTRACT COMPLETION AND COST:** The Contractor, Conrad Construction, Inc. has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is $1,687,409.45. This is a decrease of $71,029.95 or 4.04% under the original Contract Amount.

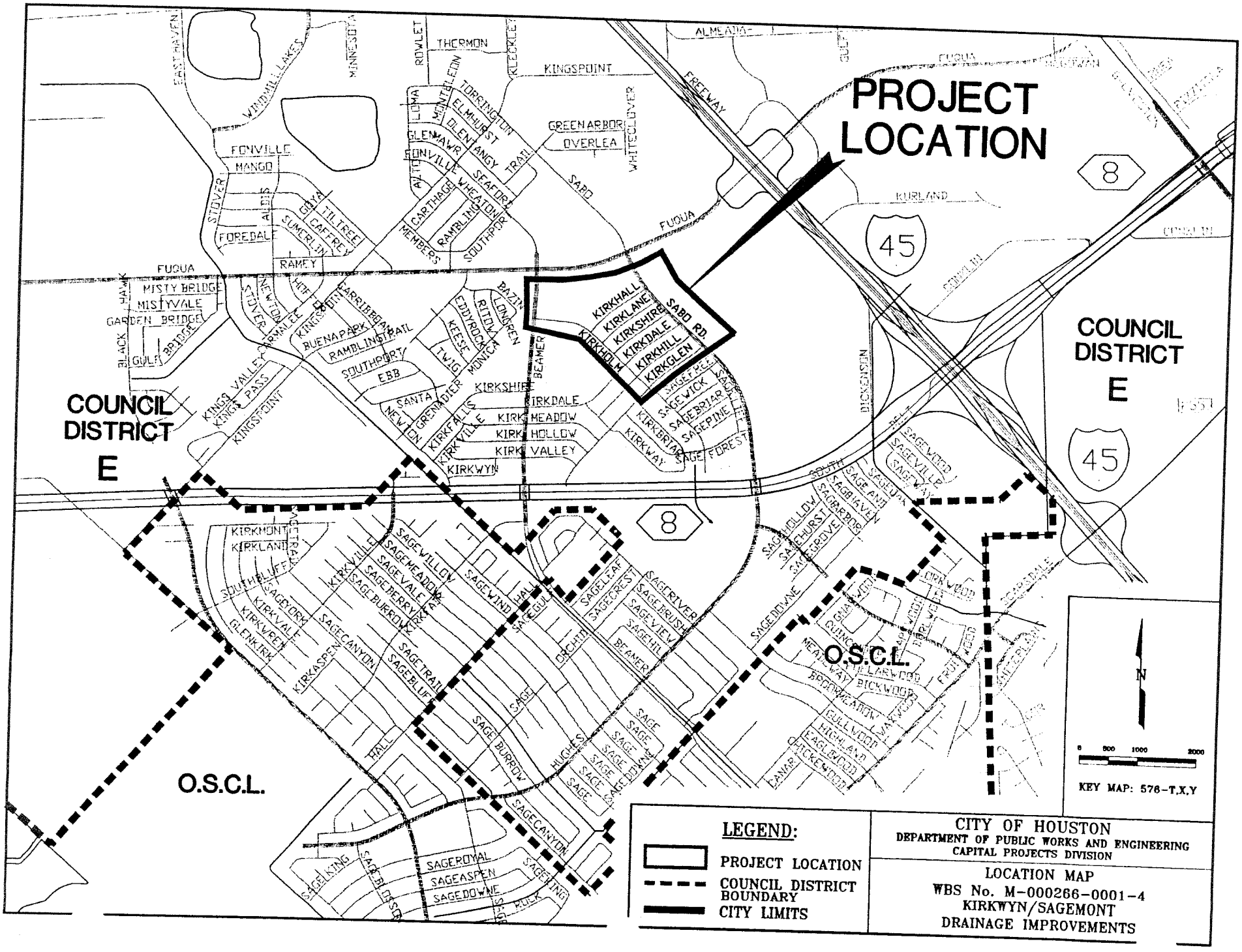
The decreased cost is a result of difference between planned and measured quantities. This decreased is primarily a result of an underrun in Bid Item No. 24 – Restore existing Sprinkler System Piping, Bid Item No. 44 – 60" RCP Storm Sewer, All Depths and Extra Unit Price Items , which were not necessary to complete the work.

**M/WBE PARTICIPATION**: The M/WBE goal for this project was 22%. According to Affirmative Action and Contract Compliance Division, the participation was 25.43%. Contractor's M/WBE performance evaluation was rated outstanding.

MSM:JTL:JLS:EK:ha
S:\E&C Construction\East Sector\PROJECTS\M-000266-0001-4 Kirkwyn-Sagemont\Closeout\RCA\RCA - Closeout.doc
c: Velma Laws Craig Foster Waynette Chan Marty Stein File No.: M-0266-01/21.0

**REQUIRED AUTHORIZATION** **20HA49**

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


PROJECT LOCATION
COUNCIL DISTRICT E
COUNCIL DISTRICT E
O.S.C.L.
O.S.C.L.
FREEWAY
FUQUA
KINGSPOINT
THERMON
ROWLET
ALMEDA
SABO
SABO RD.
KIRKHALL
KIRKLANE
KIRKSHIRE
KIRKDALE
KIRKHILL
KIRKGLEN
KIRKHOLM
KIRKWYN
KIRK MEADOW
KIRK HOLLOW
KIRK VALLEY
KIRKVILLE
KIRKFALLS
KIRKWAY
KIRKBRIAR
KIRKMONT
KIRKLAND
KIRKVALE
KIRKVALLEY
KIRKASPEN
GLENKIRK
SOUTHBLUFF
SAGEWILLOW
SAGEMEADOW
SAGEVALE
SAGEBERRY
SAGEBURROW
SAGEWIND
SAGEGLEN
SAGELEAF
SAGECREST
SAGERIVER
SAGEBRUSH
SAGEVIEW
SAGEHILL
SAGECANYON
SAGETRAIL
SAGEBLUFF
SAGEROYAL
SAGEASPEN
SAGEDOWNE
SAGEKING
SAGEWOOD
SAGEVILLE
SAGEWAY
SAGEWICK
SAGEBRIAR
SAGEPINE
SAGEFOREST
SAGEHOLLOW
SAGEHURST
SAGEGROVE
SAGEHAVEN
SAGEANN
SAGEOAK
SAGEDALE
SAGEPLAIN
BEAMER
DICKENSON
HALL
HUGHES
FONVILLE
MANGO
FOREDALE
RAMEY
MISTY BRIDGE
MISTYVALE
GARDEN BRIDGE
GULF BRIDGE
KINGS VALLEY
KINGS PASS
KINGSPOINT
RAMBLING TRAIL
SOUTHPORT
EBB
TWIG
KEESE
EDDYROCK
MONICA
RITDWAY
LONGREN
BAZIN
NEWTON
STOVER
ALDIS
GOYA
TILTREE
CAFFREY
SUMERLIN
CARTHAGE
WHEATON
RAMBLING
SOUTHPORT
MEMBERS
GREENARBOR
OVERLEA
WHITECLOVER
TORRINGTON
ELMHURST
GLENANGY
SEAFORD
GLENAWR
FONVILLE
ALTO
LOMA
MENTZLEON
WINDMILL LAKES
EASTHAVEN
KLEICKLEY
KURLAND
CORDELIA
SOUTH
QUINCY
MEADOWAY
BROOKMEARN
BICKWOOD
FULLWOOD
HIGHLAND
EAGLEWOOD
CANARY
CRICKETWOOD
LARKWOOD
FROSTWOOD
SAGEGLEN
SAGE
SAGE BURROW
SAGE CANYON
SAGE BLUFF
SAGE ROYAL
SAGE ASPEN
SAGE DOWNE
SAGE KING
45
8
N
0 500 1000 2000
KEY MAP: 576-T,X,Y
LEGEND:
PROJECT LOCATION
COUNCIL DISTRICT BOUNDARY
CITY LIMITS
CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
CAPITAL PROJECTS DIVISION
LOCATION MAP
WBS No. M-000266-0001-4
KIRKWYN/SAGEMONT
DRAINAGE IMPROVEMENTS

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

| | | |
|---|---|---|
| **SUBJECT:** Accept Work for Crane/Englewood Storm Sewer Improvements, WBS No. M-000210-0001-4. | **Page** 1 of 2 | **Agenda Item** # 10 |
| **FROM (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date** 3-4-09 | **Agenda Date** MAR 2 5 2009 |
| **DIRECTOR'S SIGNATURE:** Michael S. Marcotte, P.E., D.WRE, BCEE., Director | **Council District affected:** B | |
| **For additional information contact:** J. Timothy Lincoln, P.E. Senior Assistant Director **Phone**: (713) 837-7074 | **Date and identification of prior authorizing Council action:** Ord. # 2005-711 dated:6/08/2005 Ord. # 2007-519 dated 4/25/2007 Motion # 2007-519 dated 4/25/07 | |

**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of $6,372,889.63 or 10.32% over the original Contract Amount, accept the Work and authorize final payment.

| | |
|---|---|
| **Amount and Source of Funding:** No additional funding required; (Previous (original) appropriation of $6,434,000.00 with $600,157.00 from Water and Sewer System Consolidated Fund No.755; $3,626,999.00 from Drainage Improvements Commercial Paper Series F, Fund No. 49R; and $2,206,844.00 from the Community Development Block Grant Fund. Previous (additional) appropriation of $316,202.36; $79,000.00 from Water and Sewer Consolidated Construction Fund No. 8500; and $237,202.36 from Drainage Improvement Commercial Paper Series F, Fund No. 4030). | **Finance Department:** |

**SPECIFIC EXPLANATION:**

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Storm Drainage Capital Improvement Plan (CIP) and was required to provide drainage improvements to alleviate flooding due to insufficient pipe capacity in this subdivision.

**DESCRIPTION/SCOPE:** This project consisted of installation of approximately 11,692 linear feet of reinforced concrete box storm sewer along Crane Street, Collingsworth Street and Englewood Street to the Harris County Flood Control District Ditch Unit No. H110-00-00, 8,000 linear feet of 8" waterline, construction of reinforced concrete pavement with curb and gutter, sidewalks, sanitary sewers, regrading of existing roadside ditches and all related appurtenances. United Engineers, Inc. designed the project with 365 calendar days allowed for construction. The project was awarded to JFT Construction, Inc. with an original Contract Amount of $5,776,518.75.

**LOCATION:** The project was generally bounded by Cavalcade Street on the north, Liberty Road on the south, Majestic Blvd on the east, and Lockwood Drive on the west. The project was located in Key Map Grids 454Y & Z, 494C & D.

**CONTRACT COMPLETION AND COST:** The Contractor, JFT Construction, Inc. has completed the work under the subject Contract. Council Motion 2007-0406, dated April 25, 2007, approved Change Order No. 7 in the amount of $333,261.03, which consisted of Unit Price Quantity Adjustments for 18" RCP, Asphalt Concrete, Concrete Driveways, and Concrete pavement as well as common labor, installation of 30" and 42" Storm Sewer, and add the Federal Wage Rate which was revised between the project bid and the project award date. The project was completed within the Contract Time with 125 additional days allowed by the Change Orders No. 2 through 8. The final cost of the project, including overrun and underrun of estimated bid quantities is $6,372,889.63. This is an increase of $596,370.88 or 10.32% over the original Contract Amount.

The increased cost is primarily a result of Change Orders No. 1, 3 through 8, which was necessary to complete the work.

**REQUIRED AUTHORIZATION** **20HA24**

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

**M/WBE PARTICIPATION**: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the participation was 17.4%. Contractor's M/WBE performance evaluation was rated satisfactory

MSM:JTL:JS:SXA:ha
S:\E&C Construction\East Sector\PROJECTS\M-000210-0001-4 Crane-Englewood\Closeout\RCA\RCA - Closeout.doc

c: Velma Laws Craig Foster Waynette Chan Marty Stein File No.: SM5035/21.0

**DEPARTMENT OF PUBLIC WORKS AND ENGINEERING**
ENGINEERING AND CONSTRUCTION DIVISION
GFS NO. M-0210-01-3 (FILE NO. SM5035)




KEY MAP NO.
454-Y,Z & 494-C,D

CITY OF HOUSTON
2001 COUNCIL DISTRICTS
ADOPTED JUNE 13, 2001

UNITED ENGINEERS, INC.
CONSULTING ENGINEERS & SURVEYORS

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

COUNCIL DISTRICT MAP
DISTRICT 'B'

CRANE/ENGLEWOOD
STORM SEWER IMPROVEMENT

| | |
|---|---|
| FILE NO. SM5035 | |
| GFS. NO. M-0210-01-3 | |
| DRAWING SCALE | |
| N.T.S. | |

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

| | | |
|---|---|---|
| **SUBJECT:** PROPERTY: **PURCHASE** of Parcel CY6-010, located at the southeast corner of the dead-end of Gellhorn Street for the EAST TEN PARK LIFT STATION REPLACEMENT PROJECT<br>WBS R-000267-0082-2<br>Owner: Santos Monroy and Nicolas Fuentes | **Page**<br>**1 of 1** | **Agenda Item**<br>**#**<br>11 |
| **FROM: (Department or other point of origin):**<br><br>**Department of Public Works and Engineering** | **Origination Date**<br>3/19/09 | **Agenda Date**<br>MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:**<br>Michael S. Marcotte, P.E., D. WRE, BCEE, Director | **Council District affected:**<br>I<br>Key Map 495 D | |
| **For additional information contact:**<br>Nancy P. Collins Phone: (713) 837-0881<br>Senior Assistant Director | **Date and identification of prior authorizing Council Action:**<br>Ordinance 2005-1102, passed September 21, 2005 | |

**RECOMMENDATION: (Summary)**
Authority be given through Council Motion to PURCHASE Parcel CY6-010

**Amount and**
**Source of Funding:** $80,863.00 (covered under Blanket Appropriation Ordinance 2005-1102 R-00019A-00RE-2-01 Water and Sewer System Consolidated Construction Fund 8500)

**SPECIFIC EXPLANATION:**
The EAST TEN PARK LIFT STATION REPLACEMENT PROJECT provides for the relocation, upgrade and replacement of the existing East Ten Park Lift Station. This transaction involves the acquisition of 100,220 square feet located at the southeast corner of the dead-end of Gellhorn Street.

The City desires to acquire 100,220 square feet being all of a 2.3046-acre parent tract for a lift station site. The City's offer was based on an appraisal by Samuel L. Jarrett, Jr. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

Parcel CY6-010 (Fee)

| | |
|---|---|
| 53,916 square feet (unencumbered) @ $1.03 | $55,533.00® |
| 46,304 square feet (encumbered) @ $1.03 X 50% | $23,847.00® |
| Total Consideration | $79,380.00 |
| Title Policy | $ 1,483.00 |
| TOTAL AMOUNT | $80,863.00 |

It is recommended that authority be given through Council Motion to PURCHASE Parcel CY6-010 located at the southeast corner of the dead-end of Gellhorn Street, owned by Santos Monroy and Nicolas Fuentes. This parcel contains 100,220 square feet of land situated in the Reels and Trobough Survey, Abstract 59, Harris County, Texas. Said 2.3030 acre tract being out of a called 2.3046 acre tract of land conveyed unto Santos Monroy and Nicolas Fuentes by deed recorded under Harris County Clerk's File Y706506, Official Public Records of Real Property, Harris County, Texas according to City of Houston field notes.

MSM:NPC:GCT:eg
S:GUAJARDO/East Ten Park/CY6-010 RCA Motion to Purchase w-Title Policy

cc: Marty Stein

**CUIC #20ELG23**

**REQUIRED AUTHORIZATION**

| **Finance Department:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|
| | | Andrew F. Icken, Deputy Director<br>Planning and Development Services |

F&A011.A Rev.3/94
7530-0100403-00

Date: 02/25/2009

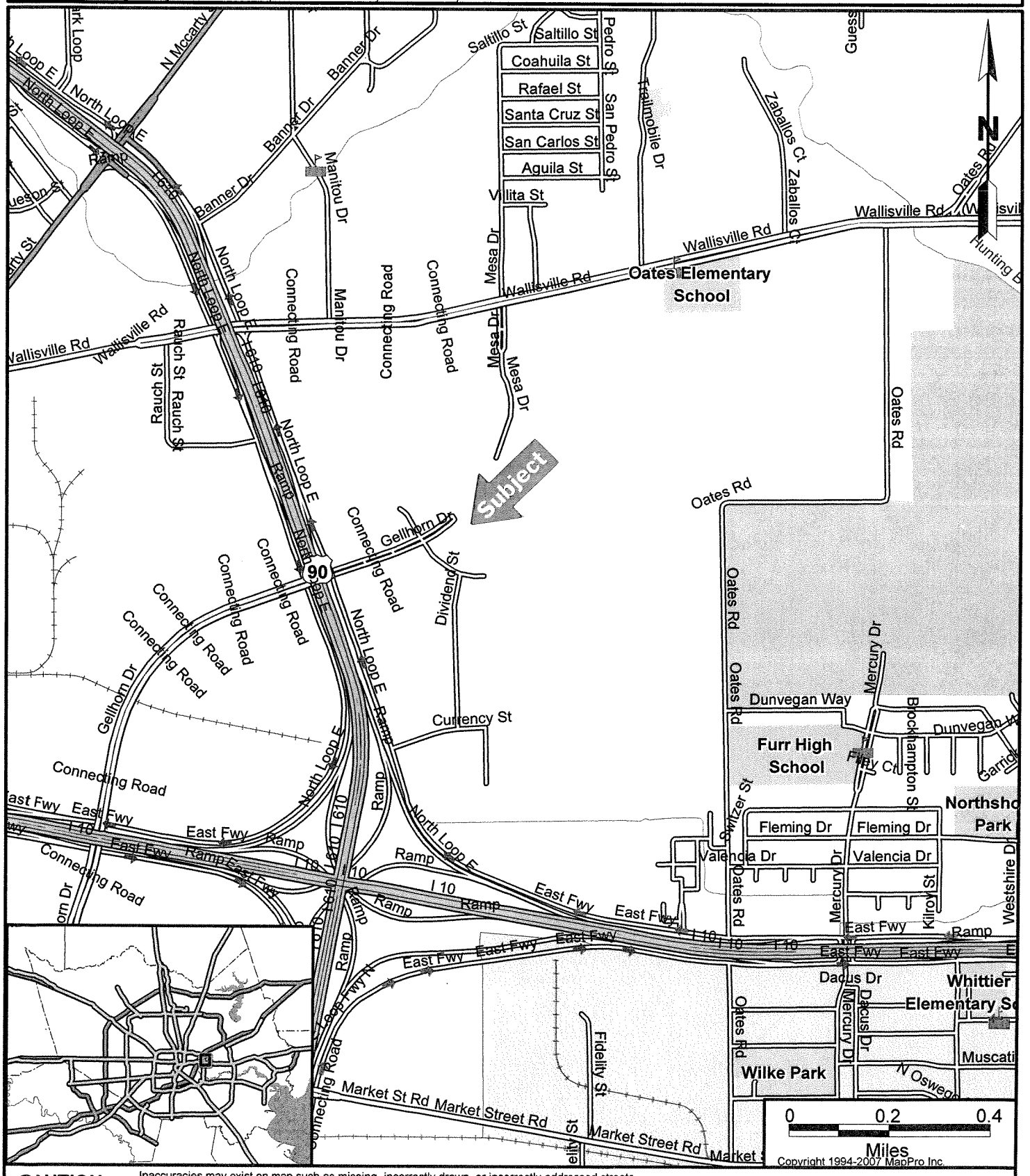
# LOCATION MAP

Description: East Ten Park Lift Station Replacement Project

WBS R-000267-0082-2

Parcel CY6-010, Key Map Page 495 D

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




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

Prepared by City of Houston using MapPro Service. MapPro Inc., 5353 West Alabama St, Suite 303, Houston, TX 77056 (713)789-1406

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8233**

| **Subject:** Purchase of a Trailer-Mounted Surveillance Tower from the General Services Administration Schedule 84 Contract through the Cooperative Purchasing Program For the Houston Airport System S38-N23147-GSA | Category # 4 | Page 1 of 1 | Agenda Item 12 |
|---|---|---|---|

| **FROM (Department or other point of origin):** | **Origination Date** | **Agenda Date** |
|---|---|---|
| Calvin D. Wells<br>City Purchasing Agent<br>Administration & Regulatory Affairs Department | February 26, 2009 | MAR 2 5 2009 |
| **DIRECTOR'S SIGNATURE** | **Council District(s) affected** | |
| | I | |
| **For additional information contact:**<br>Richard Hrachovy **Phone:** (281) 230-8002<br>Ray DuRousseau **Phone:** (832) 393-8726 | **Date and Identification of prior authorizing Council Action:** | |

**RECOMMENDATION: (Summary)**

Approve the purchase of a trailer-mounted surveillance tower from the General Services Administration (GSA) Schedule 84 Contract through the Cooperative Purchasing Program in the total amount of $81,502.94 for the Houston Airport System.

| Award Amount: $81,502.94 | **Finance Budget** |
|---|---|
| $81,502.94 - HAS-AIF Capital Outlay Fund (Fund 8012) | |

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of a trailer-mounted surveillance tower from the GSA Schedule 84 Contract through the Cooperative Purchasing Program under the Local Preparedness Acquisition Act, signed June 26, 2008, in the amount of $81,502.94 for the Houston Airport System and that authorization be given to issue a purchase order to the GSA contractor, ICX Tactical Platforms. This trailer-mounted surveillance tower will be used by the Department's security personnel at the William P. Hobby Airport for observation and surveillance in the event of emergencies or other situations where a mobile elevated guard booth is required.

This purchase consists of a self-contained heated and air conditioned guard booth mounted to a hydraulically-powered tower structure, which is mounted to a trailer unit for relocating as necessary. This unit can elevate the guard booth from ground level to a height of 20 feet in approximately 45 seconds for monitoring activities. This unit will come with a full one-year warranty and will have a life expectancy of seven to ten years. Currently, the Department has a similar trailer-mounted surveillance tower unit at the George Bush Intercontinental Airport.

Buyer: Lena Farris
PR No. 10059020

**REQUIRED AUTHORIZATION**

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|
| | | |

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8286**

| **Subject:** Sole source purchase of a replacement Fire Engine cab for the Houston Fire Department. | Category # 4 | Page 1 of 1 | Agenda Item 13 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Phil Boriskie, Fire Chief, Fire | **Origination Date** March 12, 2009 | **Agenda Date** MAR 25 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE** Phil Boriskie | **Council District(s) affected** All | |
| **For additional information contact:** Karen Dupont Phone: (713) 859-4934; Jack Williams Phone: (713) 247-8793 | **Date and Identification of prior authorizing Council Action:** | |

**RECOMMENDATION: (Summary)**

The Houston Fire Department requests City Council approve the sole source purchase of a Fire Engine replacement cab.

| $111,925.00 General Fund | **Finance Budget** |
|---|---|

**SPECIFIC EXPLANATION:**

The Houston Fire Department requests City Council approve a sole source purchase from *E-One, Inc.* in the amount of $111,925.00 and authority be given to issue a purchase order for the purchase of a Fire Engine cab.

On December 16th, 2008, Engine 30 was involved in a motor vehicle accident while responding to an active house fire. The damage to the cab of the Engine was so significant that it cannot be repaired and has been totaled. The Engine body is intact and still serviceable. This purchase will allow our in-house body shop personnel to remove the damaged cab and replace it for significantly less than the cost of purchasing an entirely new Fire Engine. Purchase price includes manufacture and shipping. Installation will be accomplished in-house by the HFD body shop.

This is a sole source purchase. There is no after market for this type of product and a replacement must be purchased directly from the original manufacturer. No tickets were issued to any of the drivers in this event and the accident itself is still under review by the HFD accident review committee.

**REQUIRED AUTHORIZATION** NDT

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|

# CITY OF HOUSTON

Fire Department

**Bill White**
Mayor

Phil Boriskie
Fire Chief
1205 Dart Street
Houston, Texas 77007

T. 713.247.5083
F. 713.247.5004
www.cityofhouston.gov

TO: Velma Laws
Director
Affirmative Action Department

From: Assistant Fire Chief Jack Williams
Logistics – Support Services
Procurement Office
Houston Fire Department

Date: March 2, 2009

Subject: Request for Reduction of C/MWBE Goal for Agreement of the fabrication of one E-One replacement Cab for Houston Fire apparatus Engine #30 with Sole Source Vendor E-One and the Houston Fire Department

**Council Agenda Date:** **March 18, 2009**
**The total dollar value is approximately:** **$111,925.00 Formal One-Time**
**I am requesting approval of 0% goal.**

Dear Ms. Laws,

The Houston Fire Department is requesting a 0% C/WMDBE requirement for the turn-key custom fabrication of replacement parts and custom fabricated E-One Cab for the HFD E-One Engine #30. E-One is the Sole Source vendor which will fabricate, assemble and drop ship the requested custom order. E-One manages all aspects of this agreement, the completion of this task is critical to HFD emergency operations.

Attached please find a description of the scope of services that will more precisely detail the unique expectations of the contractor and the Sole Source letter date February 17, 2009.

I would like to thank you in advance for your immediate attention to this matter. Should you require additional information, please feel free to contact either Carmen Gordon, Sr. Procurement Specialist/HFD at 713.247.5054 or myself at 713.247.8793.

Respectfully,

Assistant Fire Chief Jack Williams
Logistics/Staff Services/Procurement Office
Houston Fire Department

FOR Velma Laws (date approved)
Director/Affirmative Action Department

Attach: Sole Source Letter
E-One Quote

cc: Carmen Gordon/HFD/Procurement
Kenny Chin/HFD/Procurement

Council Members: Toni Lawrence Jarvis Johnson Anne Clutterbuck Wanda Adams Mike Sullivan M.J. Khan Pam Holm Adrian Garcia James G.Rodriguez Peter Brown Sue Lovell Ronald C. Green Jolanda "Jo" Jones Melissa Noriega Controller: Annise D. Parker

R

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8290**

| **Subject:** Purchase of WiFi, WiMAX Networking Equipment and Installation Services from the General Services Administration Schedule 70 and the Texas Department of Information Resources Contracts S17-H23210 | Category # 4 & 5 | Page 1 of 1 | Agenda Item 14 |
|---|---|---|---|

| **FROM (Department or other point of origin):** | **Origination Date** | **Agenda Date** |
|---|---|---|
| Calvin D. Wells<br>City Purchasing Agent<br>Administration & Regulatory Affairs Department | March 17, 2009 | MAR 2 5 2009 |
| **DIRECTOR'S SIGNATURE** Calvin D Wells | **Council District(s) affected**<br>All | |
| **For additional information contact:**<br>Roosevelt Weeks **Phone:** (832) 393-1400<br>Douglas Moore **Phone:** (832) 393-8724 | **Date and Identification of prior authorizing Council Action:** | |

**RECOMMENDATION: (Summary)**

Approve the purchase of wireless fidelity (WiFi), worldwide inter-operability for microwave access (WiMAX) networking equipment and installation services from the General Services Administration (GSA) Schedule 70 and the Texas Department of Information Resources contracts in a total amount not to exceed $3,000,000.00 for the Houston Public Library.

| Award Amount: $3,000,000.00 | **Finance Budget** |
|---|---|
| $3,000,000.00 - Digital Houston Special Revenue Fund (Fund 2422) | |

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of wireless fidelity (WiFi), worldwide inter-operability for microwave access (WiMAX) networking equipment and installation services from the General Services Administration (GSA) Schedule 70 and the Texas Department of Information Resources (DIR) contracts in a total amount not to exceed of $3,000,000.00 for the Houston Public Library (HPL) and that authorization be given to issue purchase orders to GSA contractor and DIR's Go Direct Vendor, Crystal Communications, LTD. The GSA contract will be utilized to purchase the networking equipment and the DIR contract will be utilized to purchase the installation services.

This purchase will consist of base station units, subscriber units, WiFi zone neighborhood networks, a network management system, lighting suppressors, a service agreement and installation. Additionally, this purchase will provide a method for citizens to transmit and receive digital data access the internet using a broadband connection.

The Houston Public Library seeks to provide free wireless (WiFi Zones) community broadband internet service across ten underserved Houston neighborhoods as part of the Mayor's digital inclusion initiative, WeCAN (Wireless Empowered Community Access Network). These neighborhoods are Gulfton (the pilot neighborhood), Greater Fifth Ward, Eastex/Jensen area, Acres Homes, Sunnyside, OST/South Union, Greater Third Ward, Independence Heights, Magnolia Park and Second Ward. These ten super neighborhoods were chosen based on income, age, education and employment data, as well as the number of City facilities and initiatives in the neighborhoods.

The initiative, funded by the default payment paid by Earthlink when the company was unable to meet its contractual obligations on the citywide wireless project, will allow residents within these neighborhoods to take advantage of WeCAN via community access locations such as city multi-service centers and community centers, schools, community-based organizations, and, potentially, their homes.

**M/WBE Subcontracting:**

Crystal Communications is a certified City of Houston M/WBE contractor.

Buyer: Murdock Smith III

**REQUIRED AUTHORIZATION**

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|
| | | |

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

| **SUBJECT:** Appropriate Funds and Approve Purchase of playground equipment, swings, picnic tables, grill and picnic shelter for Highland Park through the Texas Local Government Purchasing Cooperative for the Parks and Recreation Department. WBS No. F-000721-0001-4 | **Page** 1 of 1 | **Agenda Item** 15 & 15A |
|---|---|---|

| **FROM (Department or other point of origin):** General Services Department | **Origination Date** 3-19-09 | **Agenda Date** MAR 25 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE** Issa Z. Dadoush, P.E. 3/3/09 | **Council District(s) affected:** B | |
| **For additional information contact:** Jacquelyn L. Nisby **Phone:** 832.393.8023 | **Date and identification of prior authorizing Council action:** | |

**RECOMMENDATION:** Approve purchase of playground equipment, swings, picnic tables, grill and picnic shelter for Highland Park for the Parks and Recreation Department, appropriate funds and authorize issuance of a purchase order in the amount of $79,087.00 to PlayPower LT Farmington, Inc. through the Texas Local Government Purchasing Cooperative.

| **Amount and Source Of Funding:** **$ 111,843.00** Parks Consolidated Construction Fund (4502) | **Finance Budget:** 3/12/09 |
|---|---|

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate $111,843.00 to purchase and install playground equipment, swings, picnic tables, grill, and picnic shelter for Highland Park through the Texas Local Government Purchasing Cooperative, and authorize issuance of a purchase order in the amount of $79,087.00 to the State contract vendor, PlayPower LT Farmington, Inc., for the Parks and Recreation Department.

| **VENDOR** | **DESCRIPTION** | **PRICE** |
|---|---|---|
| PlayPower LT Farmington, Inc. | Playground Equipment, Grill & Walk | $ 79,087.00 |
| BJ's Parks & Recreation Products | Picnic Shelter & Slab | $ 32,756.00 |
| | **Total** | **$111,843.00** |

**PROJECT LOCATION:** 3316 DeSoto (451D)

**PROJECT DESCRIPTION:** The project consists of the purchase, delivery, and installation of playground equipment, swings with concrete border, picnic tables, grill, sod and a picnic shelter with slab and a sidewalk connection.

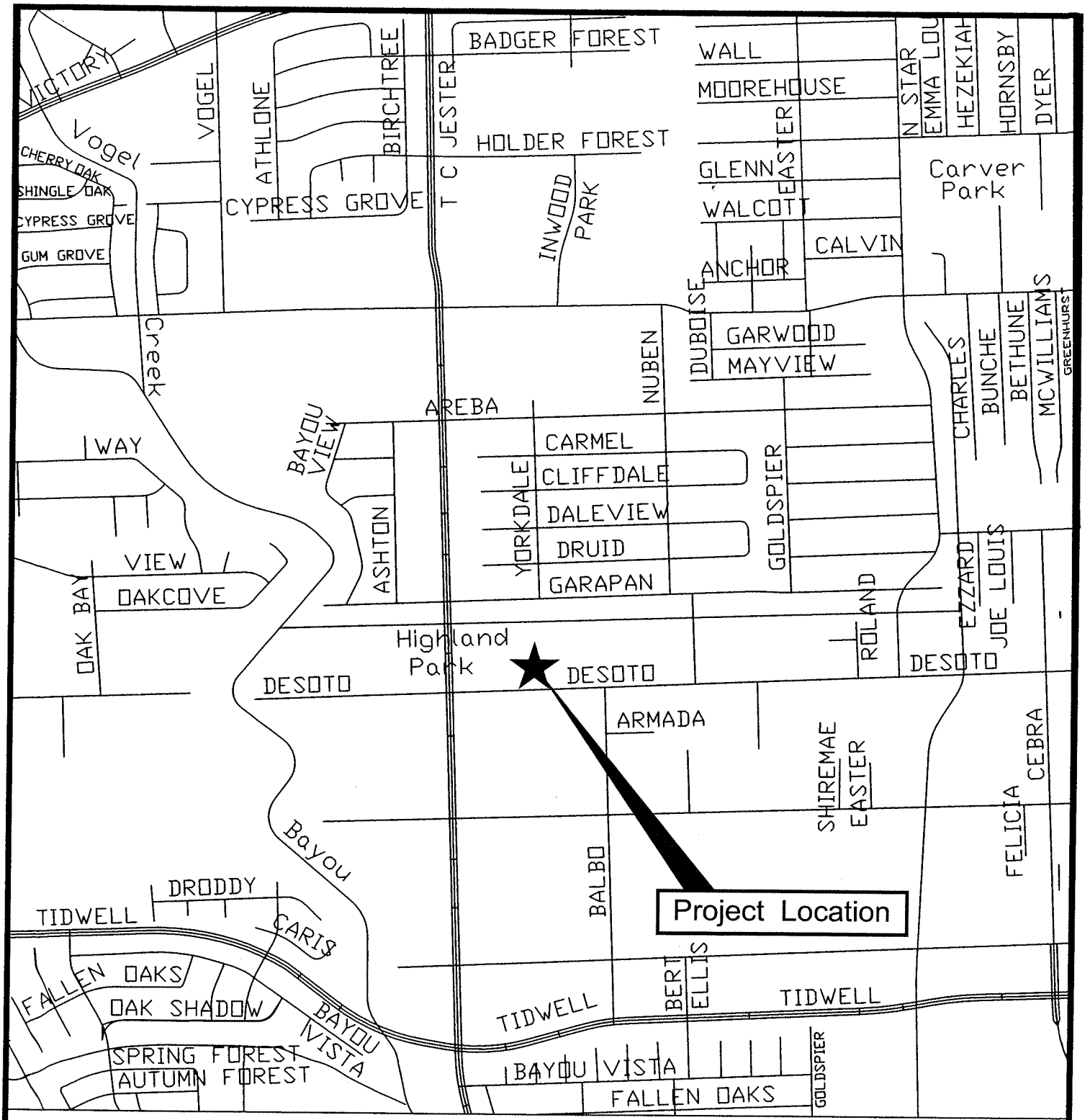
IZD:HB:JLN:LJ:MS:ms
c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Webb Mitchell, File 813

**REQUIRED AUTHORIZATION** CUIC# 25PARK49

| **General Services Department:** | **Parks and Recreation Department:** MOT |
|---|---|
| Humberto Bautista, P.E.<br>Chief of Design & Construction Division | Joe Turner<br>Director |

F&A 011.A Rev. 3/94
7530-01O0403-0

14 & A




# Highland Park

## 3316 DeSoto

## Houston, TX 77091

COUNCIL DISTRICT "B"

**SITE MAP**

KEYMAP No. 451D

R

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8248**

| **Subject:** Purchase Vehicle Conversion Services from State of Texas Procurement and Support Services Contract for the Houston Police Department S19-Q23172 | Category # 4 | Page 1 of 1 | Agenda Item 16 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Calvin D. Wells, City Purchasing Agent, Administration & Regulatory Affairs Department | **Origination Date** March 17, 2009 | **Agenda Date** MAR 2 5 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE** | **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 the Purchase of Vehicle Conversion Services in the total amount of $149,925.00 from State of Texas Procurement and Support Services Contract for the Houston Police Department.

| Award Amount: $149,925.00 | **Finance Budget** |
|---|---|
| $89,955.00 - Digital Automated Red Light Enforcement Program Fund (2212)<br>$59,970.00 - Asset Forfeiture State Fund (2204) | |

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of vehicle conversion services in the total amount of $149,925.00 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department, and that authorization be given to issue a purchase order to the State contractor, General Truck Body Mfg. Company.

The scope of work requires the contractor to provide all equipment, facilities, labor, materials, tools and supervision necessary to retrofit five city cargo vans. The contractor will be required to insulate the walls, line them with aluminum, and install gator coat lining on the floor. The contractor will also be required to install an L shaped counter, a bench seat, a bench with restraint rings, two holding cells at the rear of the van separated by a 1" thick aluminum partition, two roller chairs, storage cabinets, window bars, a step bumper, a roof mounted 13,500 BTU air conditioning system, and associated electrical equipment. Subsequent to receiving the retrofitted vans from the contractor, Department personnel will install a breathalyzer, camera system, computers and associated equipment for these items in each van.

HPD currently has one converted van in use. These vans are unique and time was taken to ensure proper configuration before moving forward with the conversion of the other 5 vans that HPD has already purchased. These converted vans will be used citywide nightly to test suspected DWI violators at remote testing sites throughout the City.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Roy Korthals
Purchase Requisition: 10070099

**REQUIRED AUTHORIZATION** NDT

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8195**

| **Subject:** Formal Bids Received for Batteries, Gel Cell for the Public Works & Engineering Department S06-S23061 | Category # 4 | Page 1 of 1 | Agenda Item 17 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Calvin D. Wells, City Purchasing Agent, Administration & Regulatory Affairs Department | **Origination Date** February 04, 2009 | **Agenda Date** MAR 2 5 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE** Calvin D Wells | **Council District(s) affected** All | |
| **For additional information contact:** David Guernsey **Phone:** (713) 238-5241; Desiree Heath **Phone:** (832) 393-8742 | **Date and Identification of prior authorizing Council Action:** | |

**RECOMMENDATION: (Summary)**

Approve and award to Globe Electric Supply Co., Inc. on its low overall bid in an amount not to exceed $606,546.85 for gel cell batteries for the Public Works & Engineering Department.

| Estimated Spending Authority: $606,546.85 | **Finance Budget** |
|---|---|
| $606,546.85 General Fund (1000) | |

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an award to Globe Electric Supply Co., Inc. on its low overall bid in an amount not to exceed $606,546.85, for gel cell batteries for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month term. This award consists of approximately 3,815 gel cell batteries used to power flashing school zone beacons citywide.

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

| | COMPANY | TOTAL AMOUNT |
|---|---|---|
| 1. | **Globe Electric Supply Co., Inc.** | **$ 606,546.85** |
| 2. | Houston Communications, Inc. (Bid No. 1) | $ 667,625.00 |
| 3. | DP Electronics | $ 675,255.00 |
| 4. | Midstate Battery | $ 717,220.00 |
| 5. | Cleveland Mack Sales, Inc. dba/ Performance Truck | $ 739,270.70 |
| 6. | Houston Communications, Inc. (Bid No. 2) | $ 785,890.00 |
| 7. | Triarc, Inc. | $ 807,559.20 |
| 8. | Houston Communications, Inc. (Bid No. 3) | $ 808,780.00 |
| 9. | Whit's Electric Supply Co., Inc. | $ 914,264.75 |
| 10. | Storage Battery System | $1,129,240.00 |

Buyer: Tywana L. Rhone

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

Estimated Spending Authority

| DEPARTMENT | FY2009 | OUT YEARS | TOTAL |
|---|---|---|---|
| Public Works & Engineering | $121,309.37 | $485,237.48 | $606,546.85 |

**REQUIRED AUTHORIZATION** 65CDW8195

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|
| | | |

# 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:** January 16, 2009

**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: 3 New Goal: 0

If requesting a revision, how many solicitations were received: 10

Solicitation Number: S06-S23601 Estimated Dollar Amount: $606,546.85

Anticipated Advertisement Date: 10/31/2000 Solicitation Due Date: 12/11/2008

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:
Renewal of gel cell batteries for the Public Works and Engineering Department

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 Public Works & Engineering Department. There is limited opportunity for MWBE participation, and past history shows that these batteries were direct shipped from the manufacturer. The recommended Supplier will ship directely from the manufacturer to the City of Houston property utilizing a common carrier..

Concurrence:

Tywana L. Rhone
SPD Initiator

Deonne R Heath
Division Manager

Robert 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.**

RECEIVED
JAN 16 2009
City of Houst
Affirmative Action

File location: http://choice.cityofhouston.net/spd/forms/MWBE_form.doc

REVISED: 03/20/2008

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8251**

| **Subject:** Purchase of a Modular Office Building from the State of Texas Procurement and Support Services Contract for the Public Works and Engineering Department<br>S19-Q23177-S | Category # 4 | Page 1 of 1 | Agenda Item 18 |
|---|---|---|---|

| **FROM (Department or other point of origin):**<br>Calvin D. Wells<br>City Purchasing Agent<br>Administration & Regulatory Affairs Department | **Origination Date**<br>March 04, 2009 | **Agenda Date**<br>MAR 2 5 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE**<br>Calvin D. Wells | **Council District(s) affected**<br>All | |
| **For additional information contact:**<br>David Guernsey **Phone:** (713) 238-5241<br>Ray DuRousseau **Phone:** (832) 393-8726 | **Date and Identification of prior authorizing Council Action:** | |

**RECOMMENDATION: (Summary)**

Approve the purchase of one modular office building in the total amount of $120,880.58 from the State of Texas Procurement and Support Services Contract for the Public Works and Engineering Department.

| Award Amount: $120,880.58 | **Finance Budget** |
|---|---|

$120,880.58 - Combined Utility System General Purchase Fund (8305)

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve the purchase of one modular office building in the total amount of $120,880.58 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Public Works and Engineering Department, and that authorization be given to issue a purchase order to the State contractor, Nortex Modular Space. The modular building will be delivered to the Public Utility Division's Wastewater Operations Branch, located at 3013 Old Galveston Road, Houston, TX 77017.

The new modular office building will be permanently housed in the Department's Construction Management Group for collection system rehabilitation. Currently, the division is over-occupied and lacks enough space for filing cabinets, equipment, and storage of older and historical documents.

The scope of work requires the contractor to provide all labor, tools, materials, equipment, supplies, supervision and transportation necessary to furnish, deliver, set in place, level and tie down one 28' x 72' modular office building. The contractor will also be required to install skirting and three wood decks, one with an American with Disabilities Act (ADA) compliant ramp. This building will come with a full one year warranty and the life expectancy is 20 to 30 years.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Roy Korthals
Purchase Requisition 10056555

**REQUIRED AUTHORIZATION**

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|
| | | 3/18/09 |

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

Revised

| SUBJECT: Approval of a resolution designating 4 Landmarks and Protected Landmarks in accordance with Chapter 33, Code of Ordinances | Category # | Page 1 of 1 | Agenda Item # 19 |
|---|---|---|---|
| **FROM (Department or other point of origin):** Planning and Development | **Origination Date** 1/26/2009 | **Agenda Date** MAR 2 5 2009 | |
| **DIRECTOR'S SIGNATURE:** Marlene L. Gafrick | **Council District affected:** H, G, I | | |
| **For additional information contact:** Courtney Spillane **Phone:** (713) 837-7894 | **Date and identification of prior authorizing Council action:** | | |

**RECOMMENDATION: (Summary)**
Approval of a resolution designating 4 Landmarks and Protected Landmarks

| **Amount and Source of Funding:** N/A | **Finance Budget:** |
|---|---|

**SPECIFIC EXPLANATION:**
A property owner may initiate an application for the designation of a Landmark and Protected Landmark, for which a 90-day waiver certificate may not be issued by the planning official. These applications for Landmark and Protected Landmark designation were initiated by the owners.

Public hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission on 11/13/2008 and 11/20/2008 respectively. There were no objections to the designations. Both commissions determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark and Protected Landmark designations.

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

| | LANDMARK AND PROTECTED LANDMARK NAME/ADDRESS: | INITIATED BY: | COUNCIL DISTRICT: | HAHC HEARING: | PLANNING COMMISSION HEARING: |
|---|---|---|---|---|---|
| 1. | William A. Wilson House 205 Bayland Avenue | Owner | H | 11-13-2008 | 11-20-2008 |
| 2. | Matthews-Johnson House 1835 Cortlandt Street | Owner | H | 11-13-2008 | 11-20-2008 |
| 3. | Lamberth-Abercrombie House 2221 River Oaks Boulevard | Owner | G | 11-13-2008 | 11-20-2008 |
| ~~4.~~ | ~~D. D. Everett Building 3118 Harrisburg Boulevard~~ | ~~Owner~~ | ~~I~~ | ~~11-13-2008~~ | ~~11-20-2008~~ |

MG: rp

Attachments: Applications and Staff Reports

xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
Harold L. Hurtt, Chief, Police Department
Phil Boriskie, Chief, Fire Department

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

F&A 011.A REV. 3/94
7530-0100403-00

# CITY OF HOUSTON

**Archaeological & Historical Commission** | **Planning and Development Department**

# PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** William A. Wilson House
**OWNERS:** Bill Baldwin and Joe Gonzalez
**APPLICANTS:** Same as Owners
**LOCATION:** 205 Bayland Avenue – Woodland Heights
**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VII.a
**HPO FILE NO.:** 08PL70
**DATE ACCEPTED:** Sep-5-08
**HAHC HEARING:** Nov-13-08
**PC HEARING:** Nov-20-08

## SITE INFORMATION

Lots 1 and 2, Block 4, Woodland Heights Addition, and south 50 feet of Lot 2, Block 1, Manors at Woodland Heights, being a replat of the original Lots 3 thru 5, Block 4, Woodland Heights Addition, City of Houston, Harris County, Texas. The site includes a two-story, wood frame residence.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation

## HISTORY AND SIGNIFICANCE SUMMARY

The William A. Wilson House at 205 Bayland Avenue was built in 1910 by Houston developer William Wilson as his own residence. Wilson founded the William A. Wilson Realty Company in 1898 and was an active participant in the development of the Houston Heights, Woodland Heights, and Eastwood neighborhoods. Wilson was also active in the community, serving on many boards, including the City of Houston's first Board of Park Commissioners. He is especially known for the many trees he planted in his residential subdivisions, which today provide a beautiful mature tree canopy in these historic Houston neighborhoods.

The Wilson House was the largest house on Bayland Avenue, the main thoroughfare of Woodland Heights. In the words of architectural historian Stephen Fox, the house's "lack of historically derived detail and its pronounced horizontality ally it with the progressive school of Chicago." The William A. Wilson House meets Criteria 1, 3, 4, 5, and 6 for Landmark and Protected Landmark designation.

## HISTORY AND SIGNIFICANCE

William A. Wilson (1864-1928) was one of Houston's leading developers during the early twentieth century. Wilson, originally from Syracuse, New York, visited Houston in 1892, and was impressed by the new Houston Heights development. Convinced that the City of Houston would grow and prosper, he moved to Houston in 1893 at the age of 28, and lived with his wife and young children in a Houston rooming house until 1902, when the family moved to a home at 921 Heights. The 1900 census indicated that Wilson and his wife, Mary, had a six-year-old daughter, three-year-old twins and a one-year-old baby son at that time. The couple eventually had another daughter and son. In 1910, Wilson built a new home for his family at 205 Bayland in his new Woodland Heights subdivision, where he lived until his death in 1928 at the age of 63. The Wilson house was the largest house on Bayland Avenue, the main thoroughfare of Woodland Heights. Wilson's widow Mary remained in the home until 1938.

During this early period in Houston, Wilson began buying and selling houses. He built many homes in the Houston Heights as well as in other Houston neighborhoods such as the Empire Addition and Hyde Park. In 1898, he founded The William A. Wilson Company, making it one of the oldest and largest property developers in the city by the time of his death in 1928.

William A. Wilson began the development of the Woodland Heights in 1907 with the purchase of 136 acres located less than two miles northwest of downtown Houston on Houston Avenue. He began his first major housing development during a time of world-wide expansion. Marguerite Johnston states that "the Paris Exposition and the opening of the Eiffel Tower in 1889 began the modern era for the western world." In 1900, the population of the United States had reached 75 million and, in Texas, the population was 3 million. Houston's population was 44,633. The United States had become the main industrial country in the world. The national trend from the farm to the city had begun and the businessman had become an important figure in society. Texas was entering a new era following the discovery of oil at Spindletop in Beaumont, Texas, in 1901, and at the Humble Oil Field in 1905. With the supply of energy and good business conditions, the state moved into more aggressive economic development. In Houston, business leaders focused on the development of a port that would allow direct access to the sea. This idea was initially discounted by many until the destruction of Galveston by a hurricane in September 1900. The devastation of Galveston supported the eventual federal appropriation of funds to develop the Houston port in 1902. The timing of economic development and population expansion in the Houston area created a market for a greater number of homes for moderate income families such as the Woodland Heights.

Wilson carefully planned his new, strictly residential community for this expanding middle-class population. Wilson began clearing the land, laying out 600 lots and planting numerous oak trees along Bayland Avenue. Within months, several streets were laid out and about a dozen houses had been built by the official public opening of "The Woodland Heights" on Tuesday, October 15, 1907. Whereas slightly older communities nearby lacked more modern conveniences, Wilson installed a complete water system throughout the entire subdivision, a significant amenity at a time when many Houston houses still depended on cisterns for drinking water. A William A. Wilson Company publication 'Woodland Heights' describes other amenities unusual at that time for moderate income families: "miles of the finest cement sidewalks laid, cement curbing and street crossings placed along the principal avenues, and hundreds of young live oaks and sycamores planted in regular rows on either side of the streets." The community also had electricity for lighting homes and street corners. Wilson drew up extensive deed restrictions prohibiting all commercial institutions, including saloons and livery stables, to protect the residential character of the neighborhood. The streets 'Helen' and 'Florence' are named after Wilson's daughters.

Woodland Heights was marketed to the growing wishes of the population to escape the noise and congestion of the city. This type of development was facilitated by the development of the electric streetcar lines that provided transportation to workers. Woodland Heights was one of Houston's 'streetcar suburbs' – made possible by the development of new electric streetcar lines that provided transportation to workers. According to Margaret Culberson, the Houston Avenue streetcar line stopped "at the beautiful Woodland Heights gates spanning Bayland Avenue." In 1894, Wilson was involved in the development of the Houston & Fairview Street Railway Company. This line was sold to Houston & Suburban Street Railway, also headed by Wilson.

The styles of homes built in Woodland Heights included bungalows, late Victorian cottages, and two-story American Foursquares. To promote his new development, Wilson published a home and garden magazine in which he depicted photos and floor plans of homes with elaborate descriptions of the amenities of the neighborhood. In one publication he boasted that "Woodland Heights is less than two miles from the heart of the business district" and that "the Woodland Heights [street]car line, named for the addition, runs straight out Houston Avenue, and provides ample and convenient transportation facilities." Of the houses illustrated in promotional materials as being built by the Wilson Company, the

predominant design was the bungalow. Wilson did not supply all of the houses built in the Woodland Heights. Developers such as Wilson found books of bungalow house plans useful in their efforts to create new neighborhoods that would appeal to a rapidly expanding middle class, and the design influence of the bungalow books of the period is clear.

In addition to his professional endeavors, Wilson was very active in community service. He served on the Heights School Board in 1898, according to Sister Agatha. In 1908, he was the president of the Board of the Texas Christian Sanitarium. Also in 1908, Wilson served on the board of the YMCA and remained on this board until his death in 1928. As one of Houston's first and most dedicated tree-planting enthusiasts, Wilson was chosen to serve on the City of Houston's first Board of Park Commissioners in 1910, serving with other prominent Houstonians, Edwin B. Parker and George H. Hermann, and helped to establish Hermann Park. He was a member of the First Methodist Church and a member of the Holland Lodge No. 1, A.F. and M.F. According to the Handbook of Texas, this lodge was the first Masonic Lodge chartered in Texas in 1836, issued by John Henry Holland, Grand Master of the Grand Lodge of Louisiana at that time. Wilson published a magazine for several years called "Homes." According to Pace and Markey, this magazine "not only promoted his building projects but contained articles oriented to the general interest of homeowners." Wilson went on to develop Eastwood in 1911, another planned neighborhood of approximately 1000 lots in Houston's East End. Wilson carefully planned and created an environment aimed at "a distinctively high-class home center." Eastwood attracted many prominent Houston families.

Wilson's widow remained in the house at 205 Bayland Avenue until 1938. From 1938-1967, the house was operated as a nursing home. In the years 1967-1979, various owners used the house as a bed and breakfast and/or artist commune. In 1979-2005, the house was purchased by Cynthia Huete Villasenor and operated as St. Jude Assisted Living Inc. During this period, the house seriously deteriorated. In November 2005, the house was purchased by Bill Baldwin and Joe Gonzales who completed its renovation and restoration.

## ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

William Wilson built the house at 205 Bayland Avenue as his own personal residence in 1910. He lived in the house until his death in 1928, and his widow stayed in the home until 1935. She then sold the house to a family from New Orleans, who made many aesthetic changes to the house. In 1978, the house was purchased with the intent to convert it to a bed and breakfast, but it ultimately became an artists' commune where local artists could rent a room for studio and display space. The house eventually became St. Jude's Assisted Living which ran a shelter for disadvantaged individuals until purchased by the current owners in November 2005.

The current owners extensively restored the exterior much as it was in 1910, by recreating the cypress siding, custom-making the windows, restoring the porches, and duplicating the elaborate trim details that wrap around the house and the flared siding at the first and second levels of the house. The porch enclosure, a later alteration, was removed, and the porch was restored to its original footprint and detailing. Asbestos siding was removed, and the siding was restored using wood siding of the same type and profile as the original siding. Although the interior was modified, the exterior walls and window placement remain as original. According to architectural historian Stephen Fox, the house "remains the most prominent and unusual example of the Progressive Style," and he associates it with the progressive school of Chicago.

**BIBLIOGRAPHY**

Sister Agatha, The History of Houston Heights 1891-1918, Houston: Premier Printing Company, 1956.

Culbertson, Margaret, Texas Houses Built By The Book: The Use of Published Designs, 1850-1925, College Station, Texas: Texas A&M University Press, 1999.

Fox, Stephen. Houston Architectural Guide, 2nd ed., American Institute of Architects, Houston Chapter and Herring Press, 1999.

Fox, Stephen, A History of Hermann Park, http://www.georgekessler.org/index.php?option=com_content&task=view&id=55&Itemid=60

Hurley, Marvin, Decisive Years For Houston, Houston Magazine, 1966.

Johnston, Marguerite, Houston: The Unknown City, 1836-1946, Texas A&M University Press: College Station, 1991.

Obituary of William A. Wilson, Houston Chronicle, October 22, 1928.

Pace, G. Randle and Markey, Deborah, Houston Heights 1891-1991: A Historical Portrait and Contemporary Perspective, Tribune Publishing Company: Houston, Texas, 1991.

Siegel, Stanley E. and Moretta, John A., Houston: A Chronicle of the Bayou City, American Historical Press, 2005.

The Handbook of Texas Online, s.v., http://www.tsha.utexas.edu/handbook/online/articles/HH/fho26.html (accessed October 31, 2006).

Wilson, William A., Woodland Heights, Houston, William A. Wilson Realty Company, Houston, 1910.

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

**APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION**

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

| S | NA | S - satisfies NA - not applicable |
|---|---|---|

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

☑ ☐ (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);

☐ ☑ (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);

☑ ☐ (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);

☑ ☐ (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);

☑ ☐ (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);

☑ ☐ (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6);

☐ ☑ (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);

☐ ☑ (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).

**AND**

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

**OR**

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

**OR**

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

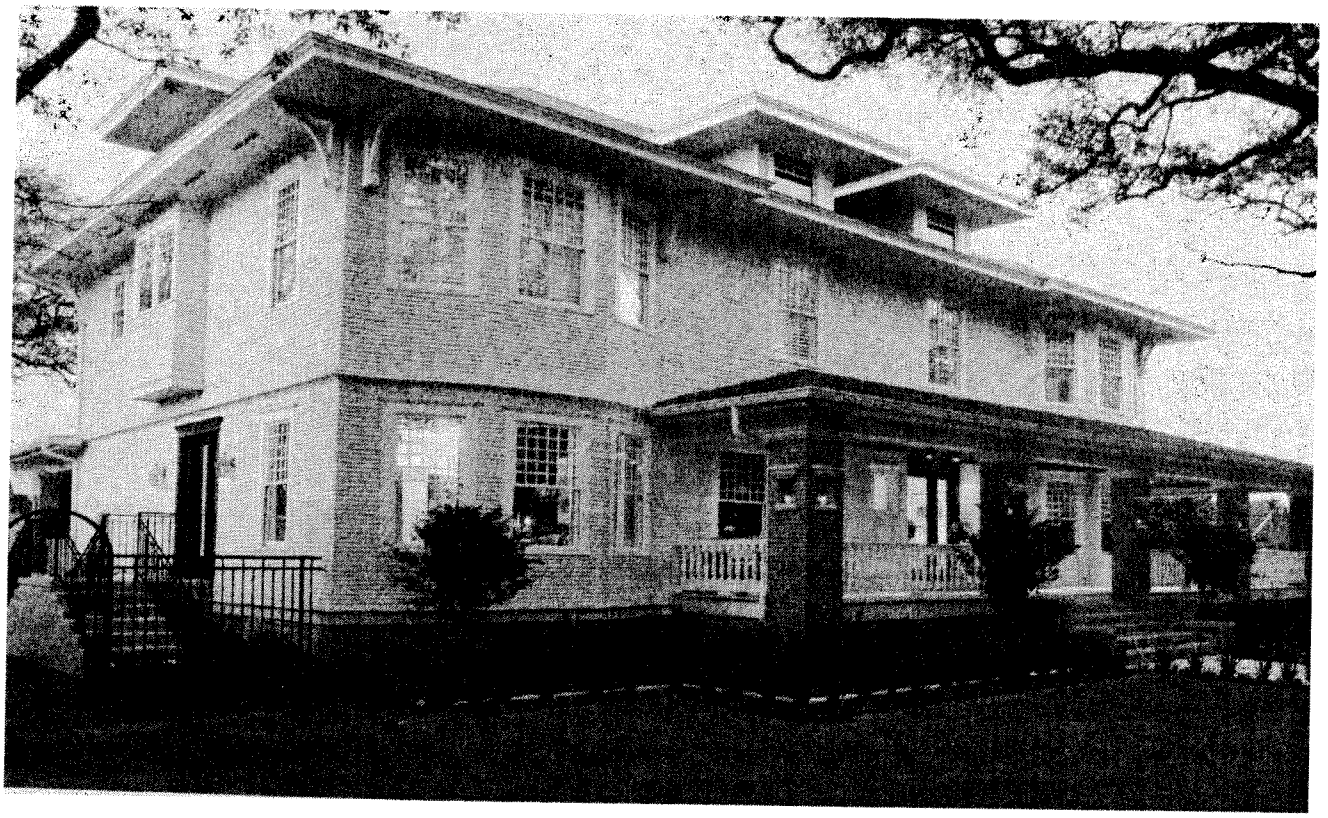
**OR**

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

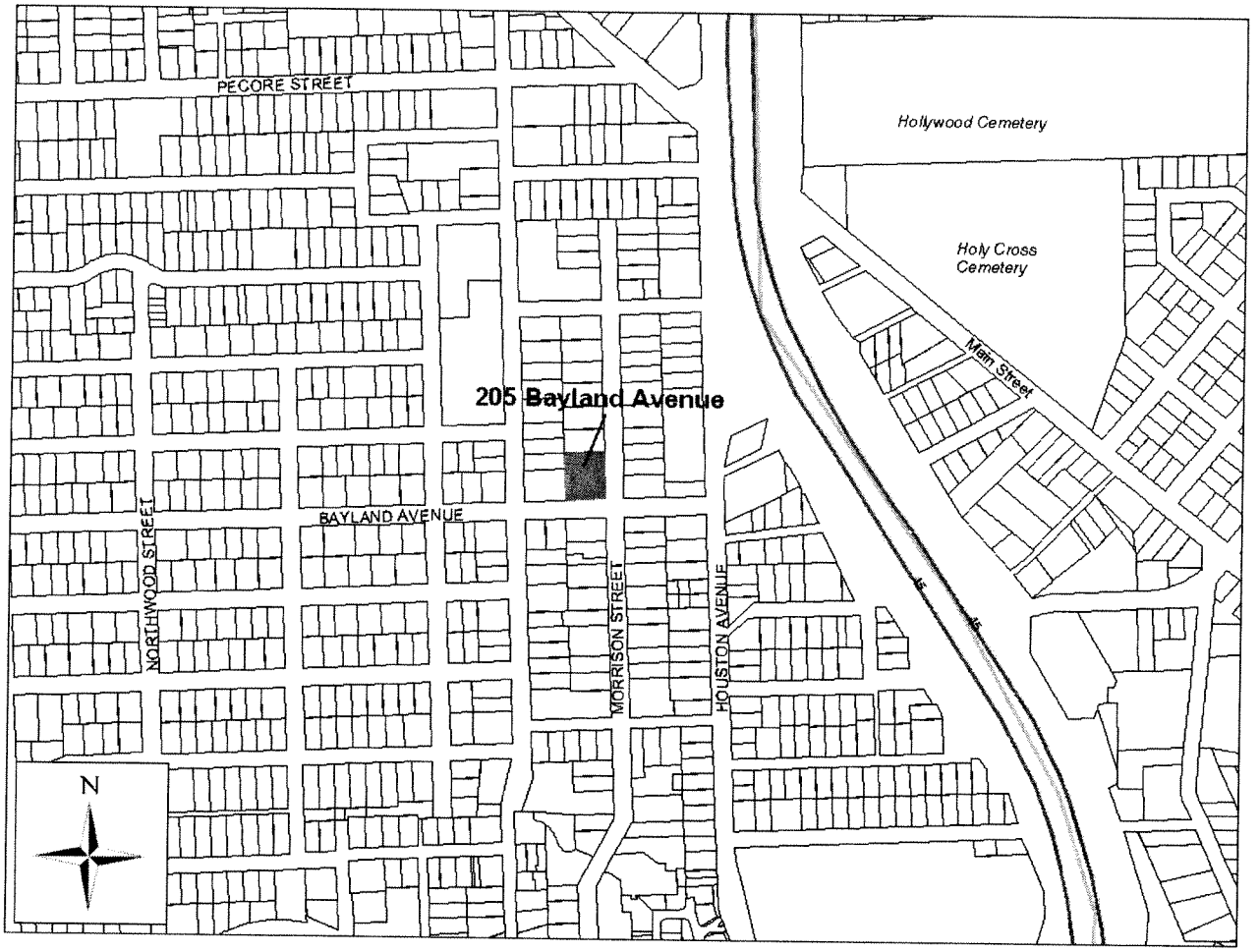
**STAFF RECOMMENDATION**

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the William A. Wilson House at 205 Bayland Avenue.

WILLIAM A. WILSON HOUSE
205 BAYLAND AVENUE



SITE LOCATION MAP
WILLIAM A. WILSON HOUSE
205 BAYLAND AVENUE
NOT TO SCALE



# CITY OF HOUSTON

**Archaeological & Historical Commission** **Planning and Development Department**

## PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Matthews-Johnson House
**OWNERS:** Jeffrey and Martha Brailas
**APPLICANTS:** Same as Owners
**LOCATION:** 1835 Cortlandt Street - Houston Heights Historic District East
**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VII.b
**HPO FILE NO.:** 08PL71
**DATE ACCEPTED:** Sep-9-08
**HAHC HEARING:** Nov-13-08
**PC HEARING:** Nov-20-08

### SITE INFORMATION

Lot 5, Block 105, Houston Heights Addition, City of Houston, Harris County, Texas. The site includes a one-story, wood frame historic residence.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation.

### HISTORY AND SIGNIFICANCE SUMMARY

The Matthews-Johnson House at 1835 Cortland Street is an early Craftsman Bungalow with late Victorian influence, and is a good example of high craftsmanship from the early 1900s. The house is representative of the homes of many of the middle-class working residents of the time, and most of its original features are intact.

On September 6, 1915, just five days after purchasing the lot, William J. Matthews, a civil engineer and chief draftsman at the Sunset Central Lines, contracted with W. T. Carter Lumber and Building Company to build the house. Matthews is significant to the history of the Houston Heights neighborhood because, at a time when most residents earned minimum wage in labor jobs, he was a well-educated, high-ranking railroad official. In 1930, the house was bought by Ernest and Gertrude Johnson, who occupied the house with their family for the next 29 years. The Matthews-Johnson House meets Criteria 3, 4, and 5 for Landmark and Protected Landmark designation.

### HISTORY AND SIGNIFICANCE

*Houston Heights*

Houston Heights was originally developed by the Omaha and South Texas Land Company in 1891, and at that time, they established the largest, earliest planned community in Texas. Oscar Martin Carter was President of the American Loan and Trust Company, which created the Omaha and South Texas Land Company for the purpose of developing their new site, Houston Heights in the early 1890s. O. M. Carter was born in Massachusetts in 1842. Carter came to Houston from Nebraska in 1887 to scout out the new, immerging city and discovered that Houston was destined to soon become a great city. He was so impressed with what he saw that he felt investing there heavily, as well as encouraging others to do so, would be very beneficial. Carter had been involved in banking and real estate in Nebraska and Colorado, and his move to Texas followed the organization of the Omaha and South Texas Land Company.

In May 1891 Omaha and South Texas Land Company purchased 1,756 acres of land just northwest of Houston and made over $500,000 worth of improvements before offering lots for sale in 1893. He chose this location, in part, because of the area's proximity to the Houston business center, and also because

the elevation is higher "and healthier" (as promoted at the time due to frequent malaria outbreaks) than that of adjacent parts of Houston. In 1891 they purchased, merged and electrified both mule-drawn streetcar systems in Houston and extended the lines to their new community. In 1892 directors of the Omaha and South Texas Land Company developed public utility systems, sidewalks, and streets, including Heights Boulevard with its grand, 60-foot wide esplanade and street car service; built and marketed 17 homes for sale as well as lots for home building by others; allocated sites for parks and schools; built the Houston Heights Hotel on West 19th Avenue to encourage the establishment of the business center there served by streetcar; encouraged the establishment of churches; and facilitated the development of a major industrial, manufacturing district in the northwest section of Houston Heights, also served by railroads. The Omaha and South Texas Land Company also deed restricted lots on Heights Boulevard in 1892, which controlled setback, use, quality and size of the new construction. These deed restrictions were also on a few other lots throughout Houston Heights. This effort to enact deed restrictions was the first known instance of such in Houston, a practice that had been used successfully in other cities from which the investors of Houston Heights hailed, and the deed restrictions set the desired standard for their new suburb. Since Houston Heights was so well planned from its inception, and as the result, very attractive to investors, Houston Heights grew rapidly and eventually was incorporated as a city in 1896. It flourished as a distinct municipality until 1918 when the residents, by vote, agreed to be annexed to the City of Houston mainly to guarantee the future funding for the proper education for their children. However, the original deed restrictions enacted by the developer of Houston Heights were not enforced after annexation in 1918, and they therefore lapsed. It has been necessary for residents to adopt new deed restrictions on a lot by lot basis.

*Owners and Residents*

The extended Kroning family was an enterprising and prosperous German family involved in several businesses, and they had the financial means to buy and later sell adjacent lots to their family and associates. In 1914, Carlton V. Kroning purchased Lot 5, Block 105 from O.M. Carter for $490. On September 1, 1915, Kroning sold the lot to William J. Mathews, a civil engineer, chief draftsman, and Kroning's co-worker at the Sunset Central Lines, a Southern Pacific subsidiary. W.J. Matthews was 26 at the time, and married to the former Regina Anna Meyers, age 25. Their daughter, also named Regina, was 4 years old.

On September 6, 1915, just five days after purchasing the lot, W.J. Matthews contracted with W.T. Carter Lumber and Building Company to construct the house. In 1915, Carter's Lumber and Building Company advertised in the *Houston Heights Suburbanite,* "We can build you house," and in the Houston City Directories, "Homes on Easy Payments." The company had $250,000 in capital and W.T. Carter was both President and Director. His son, W.T. Carter, Jr., was Vice President, and also on the board of directors along with J.J. Carroll, Thomas H. Ball, and C.I. Cater. The office and yards were in the Fifth Ward at Maury and Nance Streets, a few blocks from the South Pacific railroad lines. The Carters were a prominent family whose wealth had not only been made in the lumber business, but also in the financing of homes and later in the banking business.

William John Matthews was educated as a civil engineer and moved to Houston in 1910. In 1911-1912 he was working in the right of way and tax departments for the Galveston, Harrisburg, & San Antonio line (GH&SA) and the Texas and New Orleans line (T&NO), both being part of the Southern Pacific system. He was in Houston during a period when rail activity was paramount to the city and its connection to the port and other developing Texas cities. By 1915, when he built the house, he was chief

draftsman of the right of way and tax departments of the Sunset Central. In 1919 he was listed as the assistant to the right of way department for Southern Pacific. "A right of way agent has charge of all company property, contacts for sidetracks, and, on some roads, contracts with the public and other railroads." By 1930 he had attained a law degree and was considered an official of the Southern Pacific Lines. William Matthews is significant to the history of the Houston Heights neighborhood because, at a time when most residents earned minimum wage in labor jobs, he was a well educated, high ranking rail official. William and Regina Matthews were established residents of Houston Heights for about 15 years, later moving to Garden Villas, a neighborhood close to Hobby Airport. He and his family were members of the Heights Presbyterian Church. Their only child, Regina Alice, graduated from Rice University and married Frank Cantelmi, moving to Midland, Texas.

Regina Anna Matthews was a member of the Pennsylvania Hershey family and very active with the Martha Washington Chapter of the Daughters of the American Revolution and community activities. She met her tragic and untimely death on Thanksgiving Day 1937 as she was found floating in the Ship Channel. Earlier that same day, William J. Matthews had suffered a serious heart attack and was admitted to the Southern Pacific Hospital in Houston. The paper kindly asked readers to not tell her husband of his wife's drowning because they feared the shock would kill him. Sadly, he died nine days later on December 5, 1937, from coronary thrombosis. They are both buried in Mount Joy, Lancaster County, Pennsylvania.

In 1930, Matthews sold Lot 5, Block 105 to Ernest W. Johnson and wife Gertrude, who assumed the load with W.T. Carter Lumber and Building Company. He was a pumper for Sinclair Oil Company and became involved in the Oil Workers International Union, Local 227, and one of the Convention delegates of 1939. The Johnson had five daughters: Betty Jean, Elva, Helen, Vera, and Judy. The attic room was finished off, the stairs added in the kitchen, and the north and south side dormers added in the 1940s to better accommodate the family. Betty Jean was the oldest, a tomboy, and served in the army for thirty years, eventually attaining the rank of Major. The Johnson family occupied the house for 29 years.

In 1959, Fred and Ella Brockermeyer resided at the house with their four children, Oradell, Gladiola, Ruth Marie, and Floyd. Fred had worked as a blacksmith. After Ella was widowed the children bought the house for their mother. In 1973, the Brockermeyers sold the house to Jack Patton and K. Matthews, and the house later became a rental property for a time. "The perception of the Heights was that of poverty, and the characteristic of the decline of inner city neighborhoods and the exodus to the suburbs."

In 1990, K. Matthews sold to E. Fekcte and Lois Philippus, and in 1995 the house was sold again to Patrick Burns and Patricia McMahon, followed by still another sale in 1997 to Bryan and Colleen Colby. In 2000, Monte and Charlotte Elliff purchased the house, and in February 2002 the house on Lot 5, Block 105 was sold to Jeffrey and Martha Brailas, the current owners.

### ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

The Matthew-Johnson House, on its small lot now is an inner city neighborhood, is an example of high craftsmanship from the early 1900s. Most of its original features are intact and in good condition. This house represents the homes of most of the middle-class working residents at the time.

The house is a well-preserved, raised, early Craftsman Bungalow with late Victorian influence. It has a hipped rood with a gabled entry on the front façade. The main elevation is three bays wide and includes an "L" shaped porch. There are nine tracery windows, eight of which are double hung, six that are

tracery over single-pane, and two sets that are paired. Three tracery windows face out to the porch to emphasize the stepped bay effect. The porch also includes four tapered square wood columns and a square wood stick balustrade. The gabled entry has a prominent, decorative horizontal trim board and two eave brackets. The roof has exposed rafter ends. The exterior has a trim board just below the windows that encircles the house to divide the upper double-drop siding from the lower beveled siding. The foundation is pier and beam, approximately three feet above the ground. The interior is trimmed in yellow pine and has 10 ½ foot ceilings. In the dining room are the original built-in window seat, common in houses of this type and era, and the built-in pine china cabinet with upper and lower tracery window cabinets and the original beveled mirror backsplash that divides the dining room and kitchen. The rooms contain the original two-piece, pine baseboards, original doors, and three original light fixtures. There is no longer a wood-burning stove in the dining room and its chase has been removed. The attic room dormers were added in the 1940s.

Architectural styles represented in the Heights, in addition to the Craftsman Bungalow, include Victorian, Prairie, Queen Anne, and Colonial Revival. While there were some high-style Craftsman homes built, most examples of this style are found in middle-class neighborhoods, and few homes of this type remain in the city of Houston.

**BIBLIOGRAPHY**

Houston City Directory: 1911-1912, 1915, 1935.

Houston Chronicle, "Body of Woman Found Floating in Ship Channel", section 1, page 1, November 27, 1937.

Harris County Deed Records: Volume 325, Page 416; Volume 832, page 426.

Harris County Contracts Records: Volume 39, Page 299-300.

Heights Presbyterian Church records, Members No. 345, 346.

Houston Heights National Register Nomination, August 17, 1993.

Lineage Book, "Flora Myers Gillentine Lineage", National Society of DAR, volume CXII, 1914, Washington DC, 1930.

Sanborn Fire Insurance Map: 1924, Volume 7, Sheet 31.

*The Campanile,* 1931 Yearbook, Rice Institute, Houston (Rice University).

US Census: 1920, 1930.

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

**APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:**

The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for a landmark. The HAHC and the Planning Commission, in making recommendations with respect to a protected landmark designation, and the City Council, in making a

designation, shall consider whether the building, structure, site, or area meets at least three of the criteria in Section 33-224, or one of the criteria in Section 33-229, as follows:

| S | NA | S - satisfies NA - not applicable |
|---|---|---|

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

- ☐ ☑ (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);
- ☐ ☑ (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);
- ☑ ☐ (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);
- ☐ ☑ (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);
- ☑ ☐ (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);
- ☑ ☐ (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6);
- ☐ ☑ (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);
- ☐ ☑ (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).

**AND**

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

**OR**

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

**OR**

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

**OR**

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

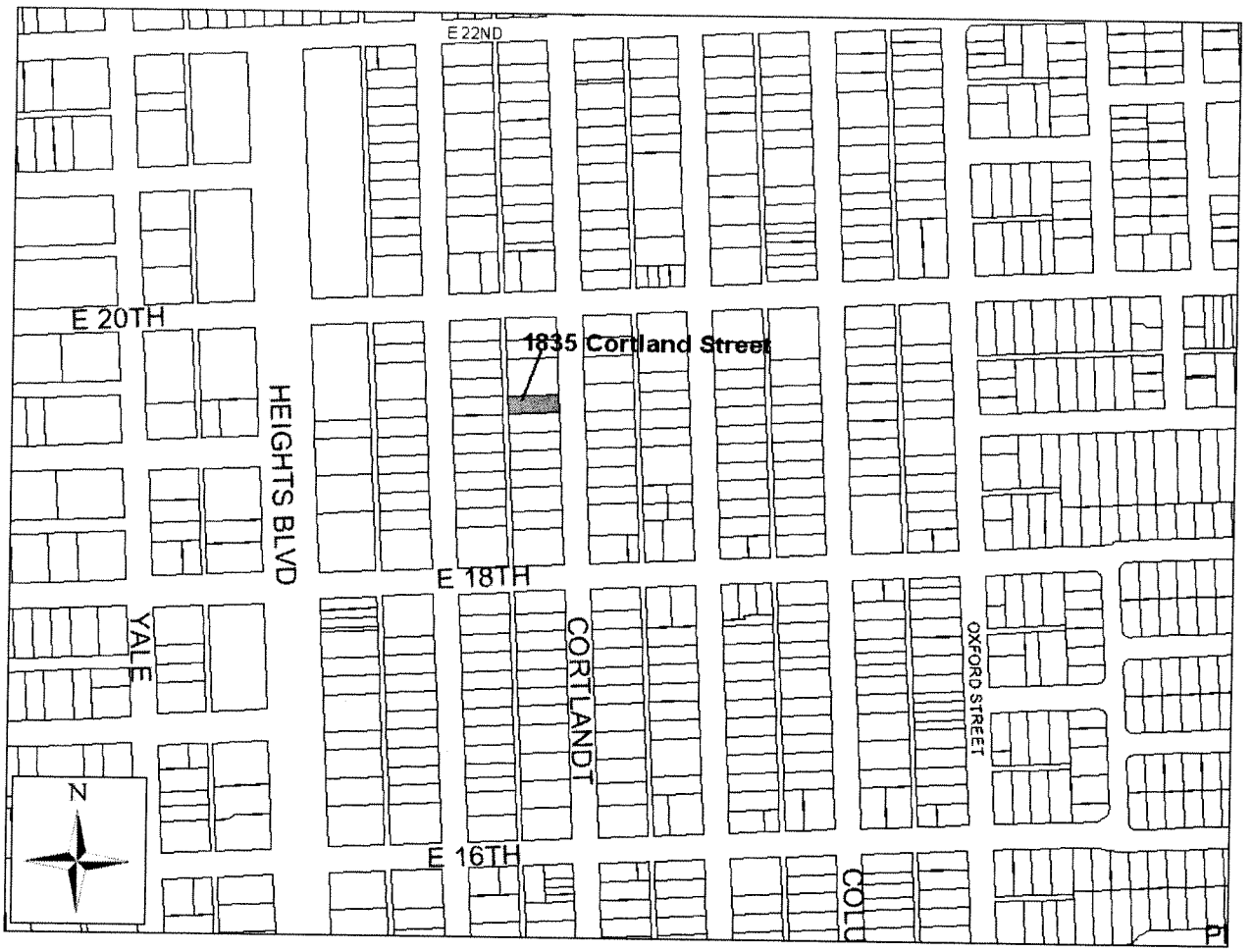
**STAFF RECOMMENDATION**

Staff recommends that the Houston Archaeological and Historical Commission recommend to the Houston Planning Commission the Landmark and Protected Landmark Designation of the Matthews-Johnson House at 1835 Cortland Street.

MATTHEWS-JOHNSON HOUSE
1835 CORTLANDT STREET



SITE LOCATION MAP
MATTHEWS-JOHNSON HOUSE
1835 CORTLANDT STREET
NOT TO SCALE



# CITY OF HOUSTON

**Archaeological & Historical Commission** **Planning and Development Department**

## PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Clarence O. Lamberth-James S. Abercrombie House
**OWNERS:** Thomas L. and Eugenia Carter
**APPLICANTS:** Thomas L. and Eugenia Carter
**LOCATION:** 2221 River Oaks Boulevard – River Oaks
**30-DAY HEARING NOTICE:** N/A

**AGENDA ITEM:** VII.d
**HPO FILE NO:** 08PL74
**DATE ACCEPTED:** Oct-23-08
**HAHC HEARING:** Nov-13-08
**PC HEARING:** Nov-20-08

### SITE INFORMATION

Lot 1, Block 21, River Oaks Section 4, City of Houston, Harris County, Texas. The building on the site includes a historic two-story residence.

**TYPE OF APPROVAL REQUESTED:** Landmark and Protected Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY

The Southern Colonial-style residence at 2221 River Oaks Boulevard was designed in 1928 by Cameron Fairchild, a prominent Houston architect, for Clarence O. Lamberth. The home was one of the first built on River Oaks Boulevard, and the Lamberth family was one of the pioneer families of River Oaks. The home was also owned for many years by James S. Abercrombie, an oilman, civic leader, and philanthropist, who was the lead benefactor to the construction of Texas Children's Hospital. The Clarence O. Lamberth-James S. Abercrombie House meets Criteria 3, 4, 5, and 6 for Landmark and Protected Landmark Designation.

### HISTORY AND SIGNIFICANCE

*River Oaks*

When Will C. Hogg, Mike Hogg, and Hugh Potter began the development of River Oaks in 1923, it was with the intention of making it into a demonstration of the highest standards of modern community planning, a role model for the rest of Houston to follow. Will Hogg's ambitiousness and Hugh Potter's skillful management of River Oaks during its first thirty years made the community known nation-wide as a symbol of Houston. Encouraging home-owners to retain the most talented architects in Houston (as well as several architects of national reputation) to design new houses, they succeeded in creating a large, professionally-administered residential community that demonstrated the potential for beauty in a raw and often raucous city. During the 1920s and 1930s, River Oaks was constantly published in national news, real estate, and design media, highlighting its planning standards, its residential architecture, and its landscape design. Since the 1970s, River Oaks has also been the focus of scholarly analysis, in recognition of its significant contributions to the history of Houston and twentieth-century American elite suburban community development.

The creation of this type of subdivision was unique for Houston in many respects. The subdivision was laid out at what was then the far western edge of Houston. Prior to 1923, the majority of Houston's residential developments had occurred in a tight girdle around the downtown business district. As the sheer size of Houston increased, the demand for more neighborhoods grew along with it. Beginning in the early 20th century, the development followed a generally westerly and southwesterly expansion. The newer, more fashionable neighborhoods, such as Westmoreland (1902), Avondale (1907), Montrose

(1911), Audubon Place (1906), Cherryhurst (1908), Binz, Southmore (1914), and Courtland Place (1906), developed along the Main Street corridor and to the southwest of downtown. River Oaks, however, was situated at the western city limits far away from other developments.

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

> "River Oaks is by Buffalo Bayou and Memorial Park in west central Houston. The residential garden suburb, which comprises 1,100 acres, was developed in the 1920s by Michael Hogg and attorney Hugh Potter, who in 1923 obtained an option to purchase 200 acres surrounding the River Oaks Country Club. In 1924 Hogg organized Country Club Estates to promote the development. The two developers retained Kansas City landscape architects Hare and Hare to provide a master plan that would protect the environmental integrity and natural beauty of the area. They also hired J. C. Nichols, who built one of the first major shopping centers in the United States, to serve as a design consultant. The master plan included homesites, a fifteen-acre campus for River Oaks Elementary School, two shopping centers, and esplanades planted with flowers. It called for underground utility lines, eliminated alleys, allowed only three intersecting streets, provided rigid building codes, and eventually banned all commercial traffic. Deed restrictions and centralized community control assured exclusivity; approval of house designs by a panel of architects and citizens and a purchase price of at least $7,000 were required. A "gentleman's agreement" excluded blacks, Jews, and other minorities. The first home in the area, built by Will and Sue Clayton, is now listed in the National Register of Historic Places. Among the other notable houses is Ima Hogg's family home Bayou Bend [City of Houston Landmark], designed by John F. Staub and Birdsall P. Briscoe. In the late 1920s the development lost money, but by the late 1930s developers had invested $3 million in the project, and the community had begun to influence development patterns downtown. In the 1990s River Oaks was at the geographic center of Houston. The community operated independently for three years, after which it was annexed by the city of Houston."

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

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

The plan for the scenic drive began more than a decade before its implementation with the Arthur Comey Plan for Houston in 1912. The Comey Plan was a progressive and ambitious plan to guide the

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

*Owners and Residents*

Notable Houston architect, Cameron Fairchild, designed the home at 2221 River Oaks Boulevard for Clarence O. Lamberth. C. O. Lamberth was born in 1885 in Many, Louisiana. He spent his entire career at Anderson Clayton & Co. where he began his career as a clerk. At the time of the construction of his home, he had been promoted to cotton buyer and his offices were located on the 11th floor of the Cotton Exchange Building. On March 25, 1928, the Houston Post ran the following:

> "Lamberth will build $50,000 River Oaks Home – Cameron D. Fairchild, local architect, has completed plans for the construction of a beautiful home in River Oaks for C.O. Lamberth, buyer for Anderson Clayton & Co., at an estimated cost of $50,000, it was learned Saturday... The home will be one of the most elaborate in River Oaks and will be situated on an unusually large site."

A 1941 issue of River Oaks Magazine describes the Lamberth family as "one of the pioneer families of River Oaks, of which the community is justly proud." Interestingly, the Lamberths were in some ways "pioneers" on River Oaks Boulevard. The 1928 City Directory shows only two other homes – #1708 occupied by J.H. Foster and #2220 as completed but vacant. Lamberth would stay in the home only eight years, and around 1936, the home was sold to James Smither Abercrombie.

Jim S. Abercrombie was born in Huntsville, Texas, on July 7, 1891, the fourth of thirteen children of James Buford and Evelina Wood Abercrombie, Jr. In 1909, Jim's cousin, Charles Abercrombie, hired him to work as an unskilled deckhand on a drilling rig for the Goose Creek Production Company. By 1910, Jim had become a driller for Goose Creek. When he was in his early twenties, Crown Petroleum hired him as the field superintendent for some of its wells, and while working for Crown he was the first to use salt water to put out a derrick fire, a discovery he made because there was no fresh water available. In 1918, he used his savings and a loan to buy a used drilling rig to drill on his own in the Burkburnett oilfield, north of Wichita Falls. At the same time, he continued as a superintendent at Crown. He had several wells at Burkburnett by 1920, and soon left Crown Petroleum to work on his own in South Texas and in the Gulf Coast oilfields. He helped his brother, Bolling, finance the Houston Carbonate Company, which sold carbonic gas to soda fountains, creameries, and bottlers. On July 9, 1920, he bought, with Harry Cameron, the Cameron-Davant Company, a business that sold oil-drilling supplies and parts for rigs and wells. Jim Abercrombie became the unsalaried president of Cameron Iron Works, and before his thirtieth birthday he was the president of the expanding James S. Abercrombie Company, an independent drilling operation with five rigs.

In late 1921, the Monarch Oil and Refining Company gave Cameron Iron Works a contract to find a way to control the increasing gas pressure in deep wells. But through Abercrombie's persistence, he and Harry Cameron developed the Type MO blowout preventer, which, after additional refinements by Cameron, led to a patent for its solution to the high gas pressure. The company grew increasingly

successful as additional patented inventions, such as a casing-cutter and various joints and clamps, followed.

Between 1924 and 1929, Abercrombie traveled internationally to solve oilfield problems. In 1929, with Dan Harrison, he formed Harrison and Abercrombie, which invested and drilled in many oilfields in Texas and Louisiana, especially the Old Ocean field in Brazoria County. In 1939, Cameron Iron Works developed a list of wartime products that it could produce for the United States military to use in World War II. The military eventually moved Cameron Iron Works up from subcontractor status to direct supplier. By 1941 the company had a contract to build K-guns and arbor bombs; this led to a 1942 contract to build .50-caliber gun barrels. Improved techniques developed by Cameron engineers drastically cut production time for rifling and machining the barrels. Cameron Iron Works also built the Tiny Tim rockets that were used in beach invasions by the navy. In 1942 President Franklin D. Roosevelt asked Harrison and Abercrombie to build an aviation gas refinery at the Old Ocean oilfield; the refinery was completed by 1943. Around this time Harrison sold his share in Harrison and Abercrombie to the Magnolia Petroleum Company, which had Abercrombie administer its newly purchased share. Abercrombie sold the James S. Abercrombie Company and his part of Old Ocean to Stanolind of Indiana for $54 million on May 23, 1946. By November of that year, however, he had formed J. S. Abercrombie Interests, Incorporated.

Also in 1946, Abercrombie bought a ranch on the Guadalupe River just a few miles east of Gonzales, Texas. Its fertile lowlands were a perfect place to invest money in agriculture and animal husbandry. This ranching operation built a feed factory for ranch animals. In 1959, Abercrombie Interests was reorganized into the J. S. Abercrombie Mineral Company, which drilled wells in Texas, Louisiana, and the neutral zone between Kuwait and Saudi Arabia. Also, Cameron Iron Works continued to prosper, and by 1960 had some 2,000 employees and sales topping $40 million.

On March 10, 1950, Abercrombie and several other prominent Houston citizens chartered the Texas Children's Hospital in Houston to treat sick and critically ill children. Abercrombie, the first to donate money to this project, gave $1 million of the $2.5 million donated to cover construction costs. He requested that absolutely no restrictions be made on which sick children could be admitted. He also donated all proceeds from the Pin Oak Horse Show to the hospital. Then in 1968 the James S. Abercrombie Foundation was established as a trust to hold gifts and grants primarily for the Texas Children's Hospital and for the Texas Heart Institute of St. Luke's Episcopal Hospital. While living in Houston, Abercrombie joined many clubs and organizations, among them the Masons, the Old Colony Club, the Houston Yacht Club, the River Oaks Country Club, and the Houston Club. He died in Houston on January 7, 1975, and was buried at Glenwood Cemetery there.

James Abercrombie owned the home until his death in 1975. His wife Lillie continued to own the home until around 1977. After the Abercrombies, the home changed hands several times with owners including Earl P. Burke, Jr. (1978), Michael and Nina Zilkha (1987), Judith and Artoun Ramian (1990), Robert I. Lewy (1994). In 1996, the Carter family purchased the home and has lived there since.

*2221 River Oaks Boulevard*

The residence at 2221 River Oaks Boulevard was built by Cameron Fairchild in 1928. According to research by Stephen Fox, Architectural Historian and Professor at Rice University, Fairchild is best known for his eclectic suburban houses. Fairchild made his reputation in the 1920s as an architect of single-family houses. He designed suburban "country houses" in the Houston neighborhoods of Edgemont, Braeswood, Riverside Terrace and Shadowlawn. Fairchild was especially identified with River Oaks, where he designed also the Lamberth House at 2221 River Oaks Boulevard (1928), one of the first houses built on River Oaks Boulevard, and five houses that the River Oaks Corporation built around the first of the River Oaks Courts to be developed (1936). According to "River Oaks A Pictorial Presentation of Houston's Residential Park," (circa 1929) compiled and published by Don Riddle for the River Oaks Corporation, Hugh Potter, President, there are photographs taken by R. M. Luster of several houses designed by Fairchild in River Oaks including 2221 River Oaks Boulevard, 3244 Ella Lee Lane and 3320 Chevy Chase Drive.

According to Fox, other examples of Fairchild's work include the neo-Georgian style house in the neighborhood of Shadowlawn for Joseph C. Brown, a stockbroker, and his wife Elva Trueheart in 1927-28. In 1928, Fairchild was commissioned also by Mrs. Brown's sister, Sally Trueheart Williams, to design a new house for her in Galveston. This led to a series of Galveston commissions from relatives and family connections of Mrs. Brown and Mrs. Trueheart Williams. Fairchild designed houses for Mrs. Brown and Mrs. Williams' nephew, John Adriance II, for Mrs. Williams' son-in-law and daughter, Mr. and Mrs. John W. McCullough, and for Mrs. McCullough's cousin, W. Kendall Menard. These in turn led to residential commissions from other members of Galveston's elite living in the elite Galveston neighborhoods of Cedar Lawn, Caduceus Place and Denver Court and on the prestigious Broadway Boulevard. During the 1930s Fairchild designed Galveston houses for George Sealy, Jr. (1930; demolished), Edward C. Michaelis (1931), Dr. and Mrs. A. O. Singleton (1931), J. Marvin Moreland (1937), Benjamin C. Levy (1938), Louis Pauls (1938), and Ballinger Mills, Jr. (1939). He remodeled and added to the Brantly Harris House (1939) and designed the modernistic style, Windsor Court Apartments, for Mrs. Hans Guldman (1938). For the Sealy-Smith Foundation, he designed the seven-building, student housing complex at the University of Texas Medical Branch (1955) in Galveston, Texas.

According to Stephen Fox, Fairchild was born in Waco, Texas on August 20, 1902. Fairchild was educated at Southwestern University in Georgetown and the University of Texas, from which he graduated in 1924. From 1924 to 1925 he worked for the Austin architect, George L. Walling. In 1925, Fairchild began independent practice in Houston. He maintained his practice for over 50 years before retiring. During his long career, Fairchild designed a number of public school buildings in Houston, the Jesse H. Jones Library Building at the Texas Medical Center in Houston (1954), several buildings on the campus of Southwestern University, including the Cody Memorial Library (1939) and the Lois Perkins Chapel (1948), the 14-story Houston First Savings Building in downtown Houston (1964; demolished 2002), and the 17-story River Oaks Apartments in Houston (1965). He was responsible for numerous alterations and additions to Trinity Church in Houston, of which he was a parishioner, vestry member, and senior warden.

Internet research revealed that Fairchild also created the designs for the remodeling of South Texas College of Law in Houston as referenced on the website of Spencer Engineers, Inc. Fairchild served two terms as president of the Houston Chapter of the American Institute of Architects. Perhaps one of

the commissions most endeared to him was the Taylor Public Library (1959) in Taylor, Texas. According to the Taylor Public Library website, Fairchild was 'chosen because of his high standing in the profession of architecture and because Taylor had been the childhood home of both Mr. Fairchild and of his wife, the former Helen Tarkington.' He died in Pine Bluff, Arkansas, to which he had retired, in June 1985.

### ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

The Cameron Fairchild home located at 2221 River Oaks Boulevard may be described as Southern Colonial in style. The 1929 "River Oaks A Pictorial Presentation of Houston's Residential Park" described the home: "This old-fashioned Louisiana Colonial, with its white columned portico, sets far back on River Oaks Boulevard in a grove of ancient trees." The caption is accompanied by a close-up of the impressive entry way of the home, which looks almost exactly as it appears today. The door boasts an elegant fanlight and is encased in intricate woodworking. Of note is the intricate dentil molding and the small wooden balconette just above the door. The photo also shows the home as red brick, today it is painted white. The home is perfectly symmetrical in organization with 6 columns encasing a lovely front porch.

As mentioned above, the Carter family purchased the home in 1996. At that time, they undertook a major restoration of the home using the original linen plans drawn by Cameron Fairchild. Their intent was to reverse the alterations made by the string of previous owners. In the restoration, they removed a circular drive and parking court, returned a glass porch to its original screen and generally tried to bring back the home to Cameron Fairchild's original plan. They hired architects, Curtis & Windham, to complete the restoration and to build a pool house/garage. The pool house/garage project received notice in Southern Accents in July 2003 with the article "Pool House Precision" that described the architecture of the out-building as a "smaller, gem-like project." Interestingly, they used Jane Curtis, Bill Curtis' wife, to design the gardens of the home.

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

### BIBLIOGRAPHY

Houston Post, "Lamberth will build..." March 25, 1928.

City Directories, 1927-1960s.

Handbook of Texas Online, http://www.tshaonline.org/handbook/online/articles/AA/fab5.html (accessed October 16, 2008).

River Oaks Magazine, 1941.

"River Oaks A Pictorial Presentation of Houston's Residential Park", River Oaks Corporation, 1929.

Landmark Report, Dr. H.J. and Emerence Ehlers House, Deborah Salvo, August 20, 2004.

Southern Accents, "Pool House Precision", July 2003.

**APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION**

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

**S NA** **S - satisfies D - does not satisfy NA - not applicable**

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

☐ ☑ (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;

☐ ☑ (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;

☑ ☐ (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;

☑ ☐ (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;

☑ ☐ (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;

☑ ☐ (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation;

☐ ☑ (7) Whether specific evidence exists that unique archaeological resources are present;

☐ ☑ (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.

**AND**

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

**OR**

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

**OR**

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

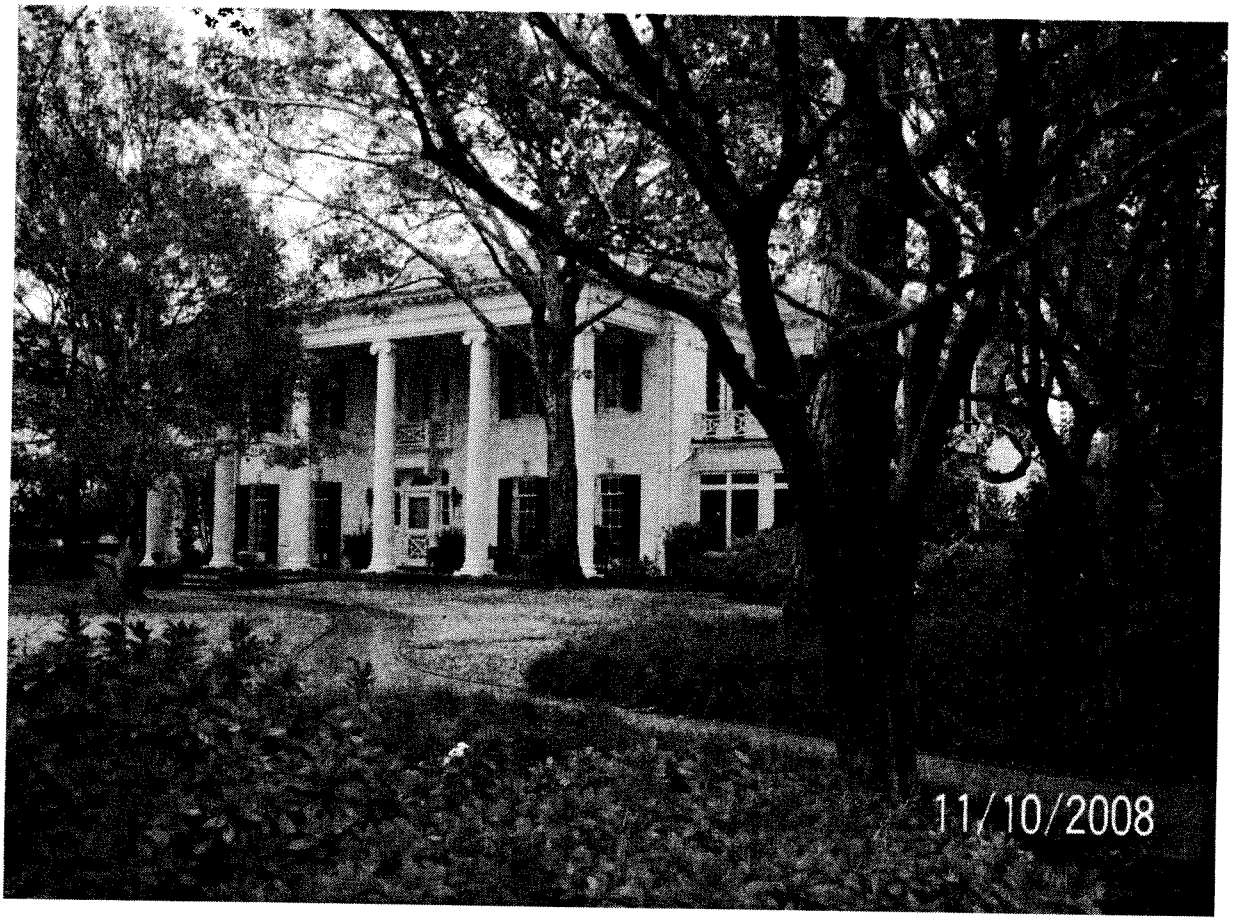
**OR**

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

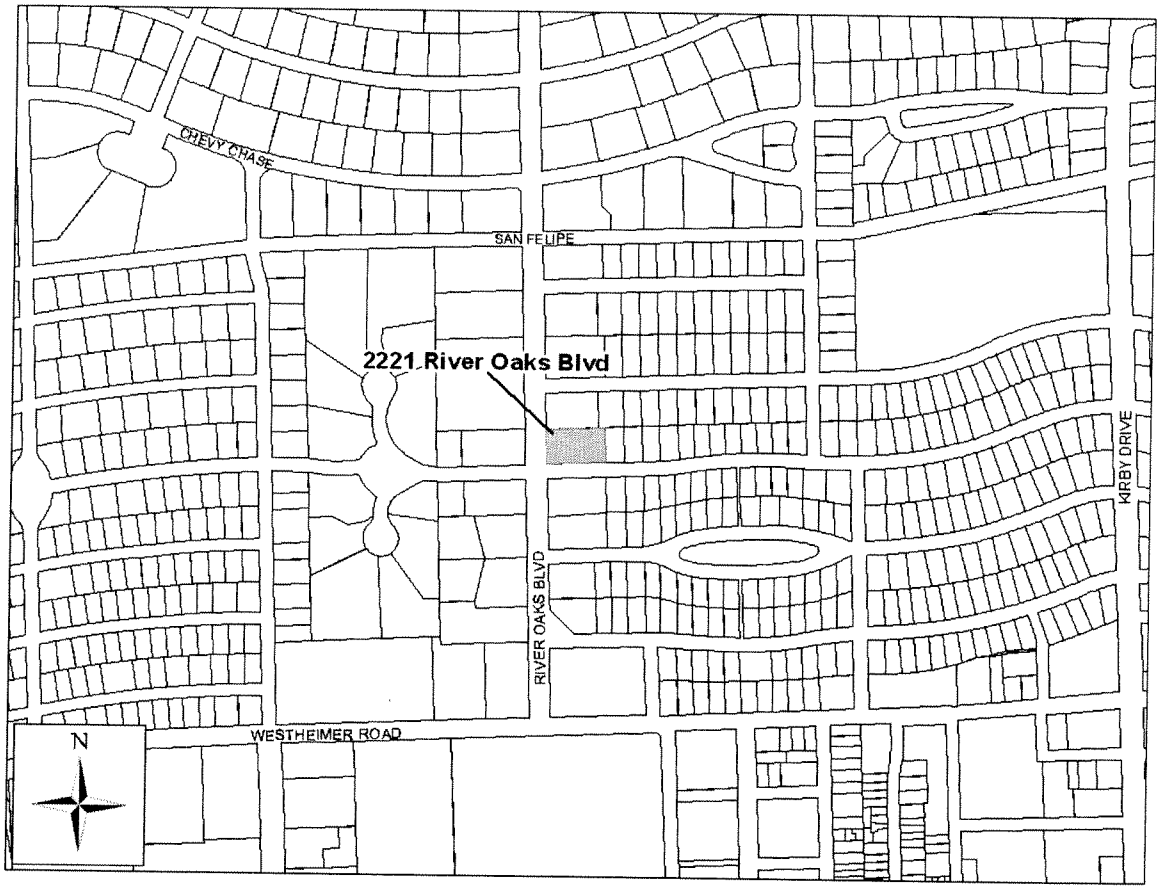
**STAFF RECOMMENDATION**

Staff recommends that the Houston Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Clarence O. Lamberth-James S. Abercrombie House at 2221 River Oaks Boulevard.

CLARENCE O. LAMBERTH-JAMES S. ABERCROMBIE HOUSE
2221 RIVER OAKS BOULEVARD



SITE LOCATION MAP
CLARENCE O. LAMBERTH-JAMES S. ABERCROMBIE HOUSE
2221 RIVER OAKS BOULEVARD
NOT TO SCALE



**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

| **SUBJECT:** Ordinance authorizing the issuance of a line of credit provided by JP Morgan Chase to supplement notes pursuant to the City of Houston, Texas Commercial Paper Program Series E. | **Category #** | **Page 1 of 2** | **Agenda Item#** 20 |
|---|---|---|---|
| **FROM: (Department or other point of origin):** Finance Department and Office of City Controller | **Origination Date** 3/20/2009 | | **Agenda Date** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** Annise D. Parker / Michelle Mitchell | **Council Districts affected:** All | | |
| **For additional information contact:** Charles Leal **Phone:** 713-837-9892 Jim Moncur **Phone:** 832-393-3525 | **Date and identification of prior authorizing Council Action:** Ordinance No. 2008-0870 | | |

**RECOMMENDATION: (Summary)** Approve an Ordinance authorizing the issuance of notes pursuant to a line of credit provided by JP Morgan Chase to supplement the City of Houston, Texas Commercial Paper Program Series E in an aggregate amount not to exceed $50 million, authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto.

| **Amount of Funding:** N/A | **Finance Budget:** |
|---|---|

**SOURCE OF FUNDING:** **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund**

**[ ] Other (Specify)**

**SPECIFIC EXPLANATION:**

The Ordinance would add a temporary line of credit, up to $50 million in size, for appropriation and on time funding for the City's Series E commercial paper program. The Series E commercial paper program provides appropriation capacity and "on-time" funding for the Equipment Acquisition Fund (EAF). The EAF provides for the majority of capital equipment spending for General Fund Departments. The Series E commercial paper program has also been used for various incidental acquisitions and funding needs that require short term funding until these acquisitions can be converted to traditional fixed rate bonds. The City also uses the Series E commercial paper program to provide appropriation capacity and on time funding for "reimbursable" acquisitions made by the various departments. Only a small amount of appropriation capacity remains available for the Series E commercial paper program. The supplemental line of credit proposed would temporarily expand that appropriation and spending capacity until the next Commercial Paper takeout, scheduled for the Fall of this year.

**HISTORY**

On October 1, 2008, City Council approved Ordinance No. 2008-0870, which authorized the issuance of City of Houston, Texas Public Improvement Refunding Bonds, Series 2008A ("PIB Series 2008A"). These bonds were intended to refund a significant portion of Series E commercial paper, among other things. Around the same time, negative credit news with respect to the bank providing liquidity support for two of the City's other commercial paper programs led to those programs trading poorly, and in some cases, not at all. Given these events, all proceeds of the PIB Series 2008A were shifted to deal with these poorly performing programs, leaving more Series E commercial paper outstanding than originally planned. This adversely impacts the capacity currently available for Series E commercial paper to deal with the City's equipment spending this year.

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

| Date: | Subject: | Originator's Initials | Page 2 of 2 |
|---|---|---|---|
| 3/20/2009 | Ordinance authorizing the issuance of a line of credit provided by JP Morgan Chase to supplement the City of Houston, Texas Commercial Paper Program Series E. | | |

**SUMMARY**

The next planned refunding of general obligation commercial paper notes will be in the fall of 2009. It is unlikely that the current remaining capacity in the Series E commercial paper program will be sufficient to support the remaining FY2009 Equipment Acquisition Plan, the Proposed FY2010 Equipment Acquisition Plan, as well as any other various acquisitions typically supported by the Series E commercial paper program.

The Finance Working Group recommends establishing a line of credit, upon which notes could be issued as needed and not to exceed an outstanding amount of $50 million, to support appropriation and on time funding supported by the Series E commercial paper program. The termination date of the line of credit is one year from the Closing Date. Notes issued on the line would carry a formulaic rate based on either LIBOR or the JP Morgan prime rate, depending on an election of the City as each note is issued. The facility would also require a 5 basis point up front fee ($25,000) and a 25 basis point ongoing annual fee for unused portions of the facility. It is the intent of the Finance Working Group to refund a portion of the outstanding Series E Commercial Paper Notes as well as any draws on the line of credit at the next planned Public Improvement Bond issue in the fall of 2009. This line of credit will then be terminated.

This issue was discussed and reported out favorably at the February 3rd, 2009 Budget and Fiscal Affairs meeting.

**Recommendation**

The Finance Working Group recommends that the City proceed with this transaction.

TO: Mayor via City Secretary

# REQUEST FOR COUNCIL ACTION

R

| SUBJECT: Council to adopt an Ordinance to revise prevailing wage rates for 2009 and allow for automatic revisions to prevailing wages rates each year thereafter and as needed by adopting Davis-Bacon wage rates by February 1of each subsequent year unless council amends otherwise. | Category # | Page 1 of 1 | Agenda Item # 21 |
|---|---|---|---|

| FROM (Department or other point of origin): | Origination Date | Agenda Date |
|---|---|---|
| Affirmative Action and Contract Compliance Division | 3-19-09 | MAR 2 5 2009 |

| DIRECTOR'S SIGNATURE: | Council District affected: |
|---|---|
| MS Velma Laws | All |
| **For additional information contact: Velma Laws at 713 837-9015**<br>**See also Connie Acosta at 832-393-6305** | **Date and identification of prior authorizing Council action:**<br>**Ord 2006-91 as amended by Ord 2006-168** |

**RECOMMENDATION: (Summary)**

That City Council approve an Ordinance to establish the current defined prevailing wage rates for 2009 contracts as well as an automatic process for revising the wage rates and keeping them current by adopting the current DoL Davis-Bacon prevailing wage rates by February 1 of each subsequent year and as needed in the interim unless Council amends otherwise before such date.

| Amount of Funding: | Finance Budget: |
|---|---|
| | |

**SOURCE OF FUNDING:** [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund

[ Other (Specify) Fund:

**SPECIFIC EXPLANATION:**

The Affirmative Action and Contract Compliance Division of the Mayor's Office recommends that Council adopt revised current defined prevailing wage rates to be applied to construction and engineering contracts on or after the effective date of the Ordinance, such rates being referenced to the Davis-Bacon wage rates established by the federal Department of Labor (DoL). AA&CCD further proposes that revisions be made annually thereafter adjusting to any corresponding Davis Bacon wage rate changes by the DoL unless any member of Council requests a separate review by Council after the proposed rates are published in January and before they automatically are adopted by operation of law on February 1 of each subsequent year thereafter. Other amendments, additions and changes can be made to the prevailing wage rate by Council at any time should same be necessary or prudent. Harris County has adopted such an automatic renewal process and this measure is recommended to make it easier for contractors and workers to know and comply with the prevailing wage rates when all public entities (Harris County, METRO, HISD, etc.) have the same prevailing wage rates.

**REQUIRED AUTHORIZATION**

| Finance Director: | Other Authorization: | Other Authorization: |
|---|---|---|
| Michelle Mitchell | | |

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

| SUBJECT: Petition for the City's consent to the addition of 1.005 acres of land to Chimney Hill Municipal Utility District (Key Map No. 408-R) | Page 1 of 1 | Agenda Item # 22 |
|---|---|---|

| FROM (Department or other point of origin): | Origination Date | Agenda Date |
|---|---|---|
| Department of Public Works and Engineering | 3-4-09 | MAR 25 2009 |

| DIRECTOR'S SIGNATURE | Council District affected: |
|---|---|
| Michael S. Marcotte, P.E., D. WRE, BCEE | "ETJ" |

| FOR ADDITIONAL INFORMATION CONTACT: | Date and identification of prior authorizing Council action: |
|---|---|
| Ann Marie Stone Sheridan, P.E. AMS<br>Supervising Engineer (713)837-9142 | |

RECOMMENDATION: (Summary)

The petition for the addition of 1.005 acres of land to Chimney Hill Municipal Utility District be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Chimney Hill Municipal Utility District has petitioned the City of Houston for consent to add 1.005 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Weiman Road, Eldridge Parkway, FM 529 and Mayard Road. The district desires to add 1.005 acres, thus yielding a total of 536.199 acres. The district is served by a regional plant, Chimney Hill Municipal District/Camfield Joint Wastewater Treatment Plant. The nearest major drainage facility for Chimney Hill Municipal Utility District is Langham Creek which flows to South Mayde Creek then into Buffalo Bayou and finally into the Houston Ship Channel.

Potable water is provided by Chimney Hill Municipal Utility District Water Plant Nos. 1 and 2 and the City of Houston. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

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

Attachments

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee

REQUIRED AUTHORIZATION 20JZC525

| Finance Department | Other Authorization: | Other Authorization: |
|---|---|---|
| | Andrew F. Icken<br>Deputy Director<br>Planning & Development Services Div. | |

# CITY OF HOUSTON

Department of Public Works and Engineering
Water District Consent Application Form

**Application Accepted as Complete** (to be completed by PW&E) 02-18-09P01:42 RCVD

Application is hereby made for consent of the City of Houston to the ☐creation/ ☒addition of 1.005 acres to Chimney Hill MUD under the provisions of Chapter 49.301 Texas Water Code.

Marcia B. Oliver
Attorney for the District

**Attorney: Coats Rose Yale Ryman & Lee, P.C.**

Address: 3 East Greenway Plaza, Suite 2000, Houston, Texas Zip: 77046-0307 Phone: 713-653-7313

**Engineer: A&S Engineers, Inc.**

Address: 10377 Stella Link, Houston, Texas Zip: 77025-5445 Phone: 713-942-2730

**Owners: Saab Petroleum 529, Ltd.**

Address: P. O. Box 1328, Sugar Land, Texas Zip: 77478-1328 Phone: 281-793-8045

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

## LOCATION

INSIDE CITY ☐ OUTSIDE CITY ☒ NAME OF COUNTY (S) Harris
Survey Charles Scarborough Abstract A-718

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

North of: Weiman Road East of: Eldridge Parkway

South of: FM 529 West of: Mayard Road

## WATER DISTRICT DATA

Total Acreage of District: 535.194 Existing Plus Proposed Land 536.199

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

Single Family Residential ____ Multi-Family Residential ____

Commercial 100% Industrial ____ Institutional ____

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

Sewage Treatment Plant Name: Chimney Hill/Camfield Joint WWTP

NPDES/TPDES Permit No: 12304-001 TCEQ Permit No: _____

# CITY OF HOUSTON

Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 1.2 Ultimate Capacity (MGD): 1.2

Size of treatment plant site: 3.2442 acres square feet/acres.

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

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

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

Total permitted capacity: 1.2 MGD of (Regional Plant).

Name of District: Chimney Hill MUD MGD Capacity Allocation 1.15

or property owner(s)

Name of District: Camfield MUD MGD Capacity Allocation .05

Water Treatment Plant Name: Chimney Hill MUD, Water Plant No.'s 1&2

Water Treatment Plant Address: WP#1: 7455 Jackrabbit Rd./WP#2: 7706 Parermill

Well Permit No: 128564

**Existing Capacity:**

Well(s): 500 GPM

Booster Pump(s): 4,621 GPM

Tank(s): .84 MG

**Ultimate Capacity:**

Well(s): 500 GPM

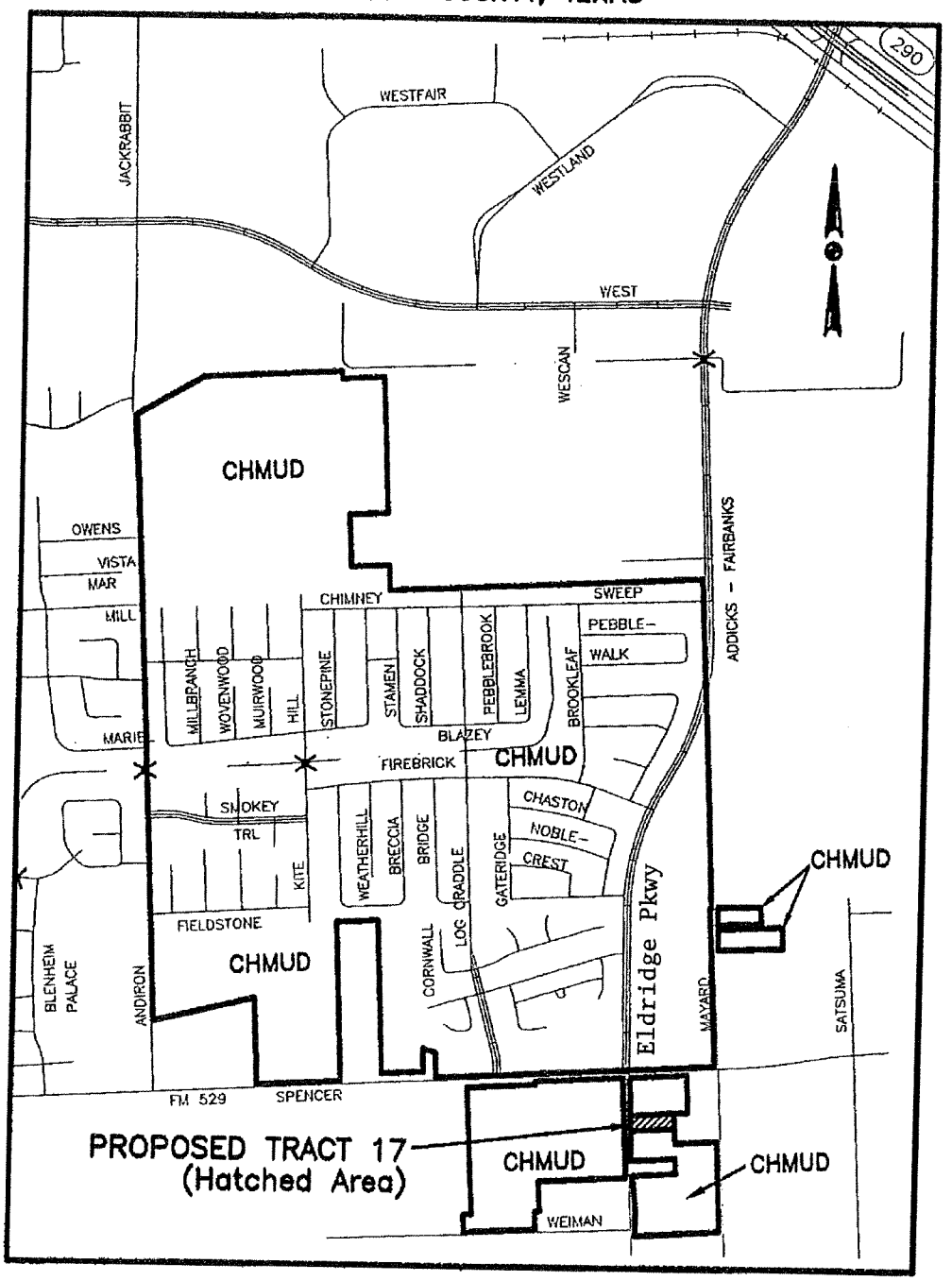
Booster Pump(s): 6,000 GPM

Tank(s): .84 MG

Size of Treatment Plant Site: WP1 .692 ac /WP2 .208 ac square feet/acres.

Comments or Additional Information: Chimney Hill MUD purchases a substantial portion of its water supply from the City of Houston. The District's minimum monthly allotment of water from the City is 13.86 million gallons.

# VICINITY MAP OF
# PROPOSED ANNEXATION TRACT 17
# CHIMNEY HILL MUNICIPAL UTILITY DISTRICT
# BEING 1.005 ACRES OF LAND
# OUT OF THE
# CHARLES SCARBOROUGH SURVEY, A-718
# HARRIS COUNTY, TEXAS




Scale: 1"=0.25 Mi.


**A&S ENGINEERS, INC.**

10377 STELLA LINK RD. • HOUSTON, TX. • 77025-5445
PHONE (713) 942-27000 • FAX (713) 942-2799


LEGEND:

M.U.D. BOUNDARY LINES

PREPARED: APRIL 23, 2008

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

| SUBJECT: Petition for the City's consent to the addition of 8.3416 acres of land to Harris County Municipal Utility District No. 5 (Key Map No. 372-N) | Page 1 of 1 | Agenda Item # 23 |
|---|---|---|

| FROM (Department or other point of origin): | Origination Date | Agenda Date |
|---|---|---|
| Department of Public Works and Engineering | 3-4-09 | MAR 25 2009 |

| DIRECTOR'S SIGNATURE | Council District affected: |
|---|---|
| Michael S. Marcotte, P.E., D. WRE, BCEE | "ETJ" |

| FOR ADDITIONAL INFORMATION CONTACT: | Date and identification of prior authorizing Council action: |
|---|---|
| Ann Marie Stone Sheridan, P.E.<br>Supervising Engineer (713)837-9142 | |

**RECOMMENDATION:** (Summary)

The petition for the addition of 8.3416 acres of land to Harris County Municipal Utility District No. 5 be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Harris County Municipal Utility District No. 5 has petitioned the City of Houston for consent to add 8.3416 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Gears Road, T.C. Jester, Spears Road and Adel Road. The district desires to add 8.3416 acres, thus yielding a total of 707.1773 acres. The district is served by the Harris County Municipal Utility District No. 5 Wastewater Treatment Plant, which is owned and operated by the district. The nearest major drainage facility for Harris County Municipal Utility District No. 5 is Greens Bayou which flows into the Houston Ship Channel.

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

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

Attachments

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee

REQUIRED AUTHORIZATION 20JZC526

| Finance Department | Other Authorization: | Other Authorization: |
|---|---|---|
| | Andrew F. Icken<br>Deputy Director<br>Planning & Development Services Div. | |

# CITY OF HOUSTON

Department of Public Works and Engineering
Water District Consent Application Form

**Application Accepted as Complete** (to be completed by PW&E) 02-16-05 P01:41 RCVD DNG

Application is hereby made for consent of the City of Houston to the ☐creation/ ☒addition of 8.3416 acres to Harris County MUD No. 5 under the provisions of Chapters 49 & 54 Texas Water Code.

Kara E. Richardson
Attorney for the District

**Attorney: Kara E. Richardson, David M. Marks, P.C.**

Address: 3700 Buffalo Speedway, Suite 830, Houston, TX Zip: 77098 Phone: 713-942-9922

**Engineer: David Britton, A&S Engineers, Inc.**

Address: 10377 Stella Link Road, Houston, TX Zip: 77025 Phone: 713-942-2716

**Owners: Bradley Davis, Volta, LLC**

Address: 14350 Chrisman Road, Houston, TX Zip: 77039 Phone: 281-219-1877

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

## LOCATION

INSIDE CITY ☐ OUTSIDE CITY ☒ NAME OF COUNTY (S) Harris
Survey W.C.R.R.CO

Abstract 925

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

North of: Gears Road East of: T. C. Jester

South of: Spears Road West of: Adel Road

## WATER DISTRICT DATA

Total Acreage of District: 698.8357 Existing Plus Proposed Land 707.1773

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

Single Family Residential ____ Multi-Family Residential ____

Commercial ____ Industrial 100% Institutional ____

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

Sewage Treatment Plant Name: Harris County MUD No. 5 Wastewater Treatment Plant

NPDES/TPDES Permit No: TX0026344 TCEQ Permit No: 11238-0020

# CITY OF HOUSTON

Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 0.90 Ultimate Capacity (MGD): 0.90

Size of treatment plant site: 4.264 square feet/acres.

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: 0.90 MGD.

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

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

Total permitted capacity: N/A MGD of (Regional Plant).

Name of District: N/A MGD Capacity Allocation N/A

or property owner(s)

Name of District: N/A MGD Capacity Allocation N/A

Water Treatment Plant Name: H.C. MUD No. 5 Water Plant No.

Water Treatment Plant Address: 11907 Midwood Ct., Houston, TX 77067

Well Permit No: 117987 (# 2); 117988 (#3)

**Existing Capacity:**

Well(s): 2,000 GPM

Booster Pump(s): 1,750 GPM

Tank(s): 0.5 MG

**Ultimate Capacity:**

Well(s): 2,000 GPM

Booster Pump(s): 1,750 GPM

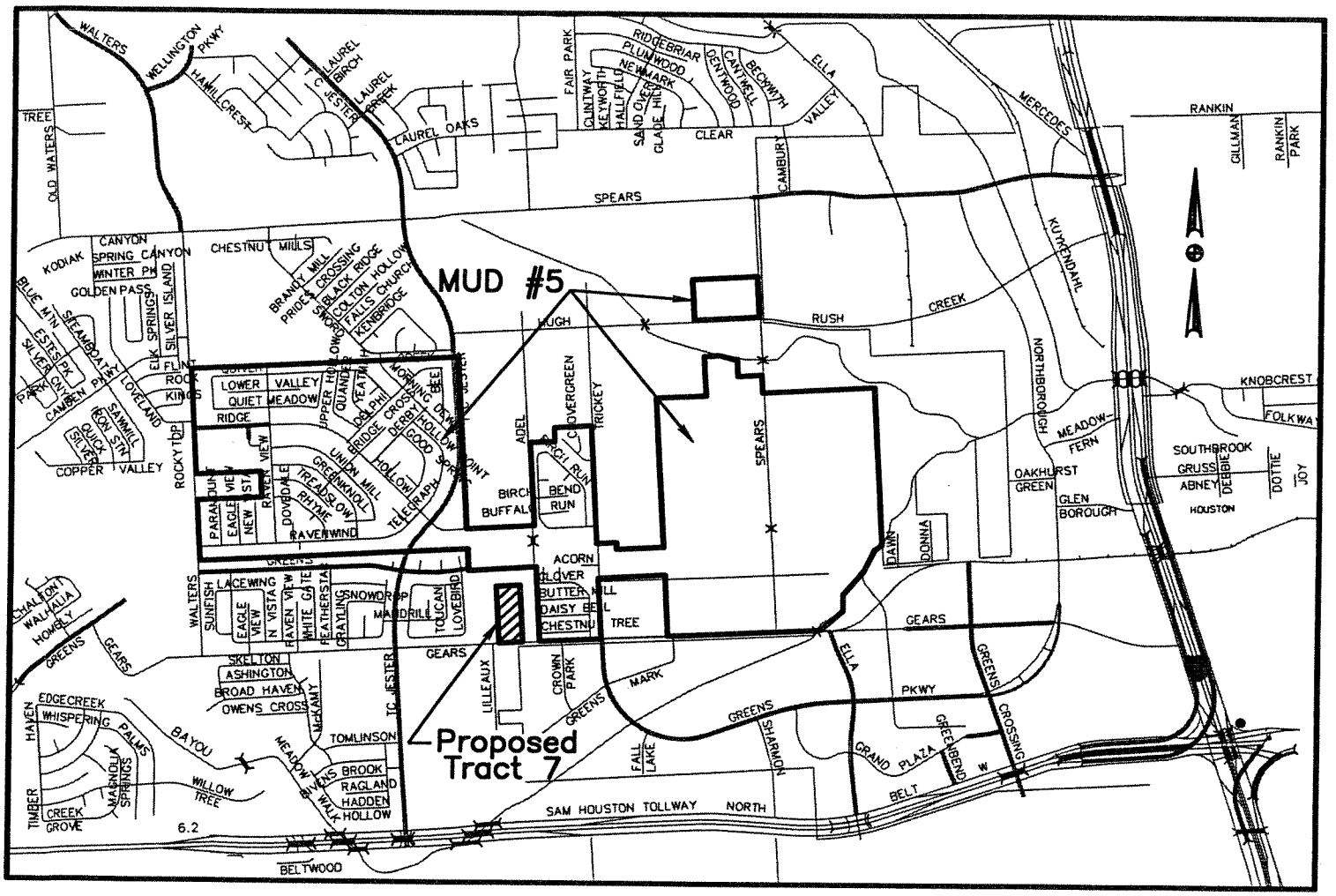
Tank(s): 0.5 MG

Size of Treatment Plant Site: 1.03 square feet/acres.

Comments or Additional Information: District has a second water plant (No. 2)

11440 Spears-Gears Rd, Houston, TX 77067

# VICINITY MAP OF PROPOSED TRACT 7 TO BE ANNEXED INTO HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 BEING 8.3416 ACRES OF LAND OUT OF THE W.C.R.R. CO. SURVEY, SEC. 7, BLK. 4, A-925 HARRIS COUNTY, TEXAS




SCALE: 1"=0.5 Mile

**LEGEND:**

M.U.D. NO. 5 BOUNDARY

PROPOSED ANNEXATION


**A&S ENGINEERS, INC.**

10377 STELLA LINK RD.
HOUSTON, TX. 77025-5445
PHONE: 713-942-2700 • FAX: 713-942-2799


CREATED: JANUARY 30, 2009

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

| | | |
|---|---|---|
| **SUBJECT:** Petition for the City's consent to the addition of two (2) tracts of land totaling 6.13 acres to Harris County Municipal Utility District No. 109 (Key Map No. 336-Z & 337-W) | **Page** 1 of 1 | **Agenda Item #** 24 |
| **FROM (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date** 2-26-09 | **Agenda Date** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE** Michael S. Marcotte, P.E., D.WRE, BCEE 2/26/09 | **Council District affected:** "ETJ" | |
| **For additional information contact:** Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142 | **Date and identification of prior authorizing Council action:** | |

**RECOMMENDATION:** (Summary)

The petition for the addition of 6.13 acres of land to Harris County Municipal Utility District No. 109 be approved.

**Amount and Source of Funding:**

NONE REQUIRED

**SPECIFIC EXPLANATION:**

Harris County Municipal Utility District No. 109 has petitioned the City of Houston for consent to add 6.13 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Atascocita Road, Woodland Hills, FM 1960 and Timber Forest Drive. The district desires to add 6.13 acres, thus yielding a total of 1,294.05 acres. The district is served by the Atascocita Central Regional Wastewater Treatment Plant. The other districts served by the regional plant are Harris County Municipal Utility District Nos. 46, 106, 109, 132, 151, 152 and 153. The nearest major drainage facility for Harris County Municipal Utility District No. 109 is the San Jacinto River which flows into Lake Houston.

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

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

Attachments

cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee

**REQUIRED AUTHORIZATION** 20JZC524

| Finance Department | Other Authorization: | Other Authorization: |
|---|---|---|
| | Andrew F. Icken<br>Deputy Director<br>Planning & Development Services Div. | |

# CITY OF HOUSTON

Department of Public Works and Engineering
Water District Consent Application Form

received 2/12/09 DW

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

Application is hereby made for consent of the City of Houston to the ☐creation/ ☒addition of 6.13 acres to Harris County MUD No. 109 under the provisions of Chapters 49 and 54 Texas Water Code.

Jana Cogburn
Attorney for the District

**Attorney: Jana Cogburn, Fulbright & Jaworski L.L.P.**

Address: 1301 McKinney, Suite 5100, Houston, Texas Zip: 77010 Phone: 713-651-3751

**Engineer: Jason Svatek, Brown & Gay Engineers**

Address: 10777 Westheimer Road Suite 400, Houston, Texas Zip: 77077 Phone: 713-558-8700

**Owners: (1) Il Dong Kim (2) James and Rachel Doane**
Address: (1)8309 Winningham Lane,Houston, TX 77055
(2)P.O. Box 444, Porter, TX 77365 Zip: _____ Phone: _____

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

## LOCATION

INSIDE CITY ☐ OUTSIDE CITY ☒ NAME OF COUNTY (S) Harris
Survey T.W. Marshall Survey Abstract 540

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

North of: Atascocita Road East of: Woodland Hills Drive

South of: FM 1960 West of: Timber Forest Drive

## WATER DISTRICT DATA

Total Acreage of District: 1287.92 ✓ Existing Plus Proposed Land 1294.05 ✓

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

Single Family Residential 0% Multi-Family Residential 0%

Commercial 100% Industrial 0% Institutional 0%

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

Sewage Treatment Plant Name: Atascocita Central Regional Wastewater Treatment

NPDES/TPDES Permit No: TX 11533-001 TCEQ Permit No: _____

# CITY OF HOUSTON

Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 9.0 MGD  Ultimate Capacity (MGD): 9.0 MGD

Size of treatment plant site: 20.4926 square feet/acres.

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

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

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

Total permitted capacity: 9 MGD  MGD of (Regional Plant).

Name of District: See attached  MGD Capacity Allocation _____

or property owner(s)

Name of District: _____  MGD Capacity Allocation _____

Water Treatment Plant Name: Harris County MUD No. 109 plant #1

Water Treatment Plant Address: 5722 Forest Timber Drive, Humble, Texas

Well Permit No: 135610

**Existing Capacity:**

Well(s): 2,000 GPM

Booster Pump(s): 3,250 GPM

Tank(s): Gr .42 Elev 1.0 MG

**Ultimate Capacity:**

Well(s): 2,000 GPM

Booster Pump(s): 3,250 GPM

Tank(s): Gr .42 Elev 1.0 MG

Size of Treatment Plant Site: 1.22 acres square feet/acres.

Comments or Additional Information: The District operates two water treatment facilities Harris County MUD No. 109 Water Plant No. 2, 20322 Burle Oak Drive, Humble, Texas Permit# 135611 1.69 acres Wells: 2,000 GPM, Tanks: Elev 1.0 MG (existing & ultimate)

**Supplement to Water District Consent Application**

**Owners in Atascocita Regional Wastewater Treatment Plant**

Harris County MUD No. 46 Allocation 0.60 MGD

Harris County MUD No. 106 Allocation 0.60 MGD

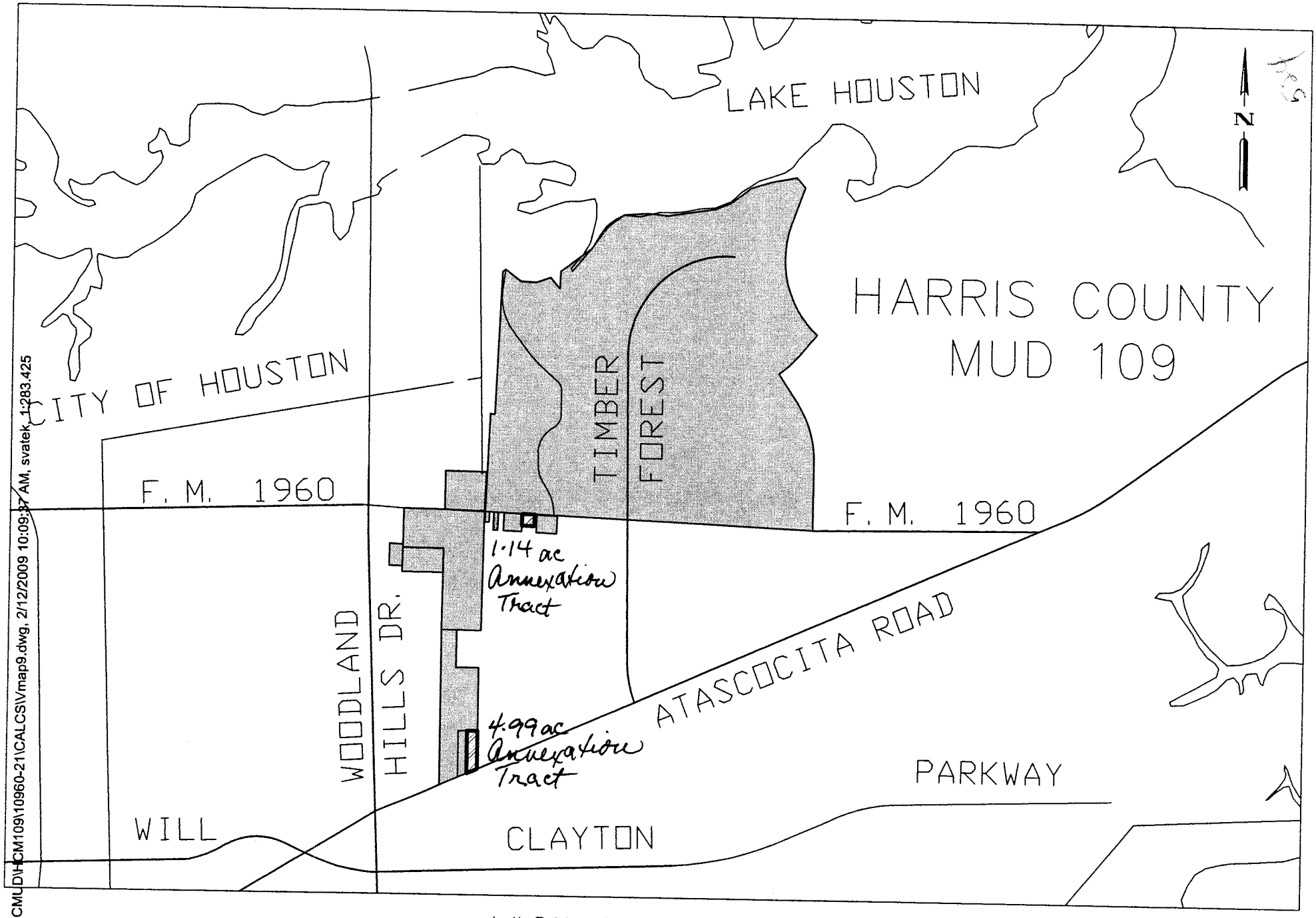
Harris County MUD No. 109 Allocation 2.1 MGD

Harris County MUD No. 132 Allocation 1.54 MGD

Harris County MUD No. 151 Allocation 1.12 MGD

Harris County MUD No. 152 Allocation 1.36 MGD

Harris County MUD No. 153 Allocation 1.68 MGD




VICINITY MAP
KEY MAP PAGES 336 & 337

R:\PROJECTS\HCMUD\HCM109\10960-21\CALCS\Vmap9.dwg, 2/12/2009 10:09:37 AM, svatek, 1:283.425

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

| **SUBJECT:** Ordinance designating the 1700 block of Banks Street, north and south sides between Dunlavy and Woodhead Streets as a Special Minimum Lot Size Area | **Category #** | **Page 1 of ____** | **Agenda Item #** 25 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Marlene L. Gafrick, Director Planning and Development Department | **Origination Date** December 31, 3008 | **Agenda Date** MAR 2 5 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE:** Marlene L. Gafrick | **Council District affected:** C | |
| **For additional information contact:** Kevin Calfee **Phone:713.837.7768** | **Date and identification of prior authorizing Council action:N/A** | |

**RECOMMENDATION: (Summary) Approval of an ordinance designating the SMLSA #300 (1700 block of Banks Street, north and south sides between Dunlavy and Woodhead Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.**

| **Amount and Source of Funding:** | **Finance Budget:** |
|---|---|

**SPECIFIC EXPLANATION:** In accordance with Section 42-194 of the Code of Ordinances, the property owner of lot 7, block 1 of the West Edgemont 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 55% of the area. Notification was mailed to the 27 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. One (1) written protest was filed. The Houston Planning Commission considered the protest on November 20, 2008 and voted to recommend that the City Council establish the Special Minimum Lot Size Area.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,050 sf.

MLG:kw

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

Finance 011.A REV. 3/94
7530-0100403-00

**Washington, Mira - PD**

**From:** [redacted]
**Sent:** Friday, September 26, 2008 4:14 PM
**To:** mira.washington@cityofhouston.net
**Subject:** Protest-1700 Blk of Banks Street-Special Minimum Lot Size Application

Ms Washington

Please accept this as my formal written protest to the letter dated September 3rd, 2008. The letter sent out by the City o Houston Planning and Development states that the city would like to set the minimum lost size for this block to be 605( square feet under Section 41-194 of the Code of Ordinances.

I protest this planned ordinance as my lot is almost 11,000 square feet (1701-3 Banks) with an entrance on both Banks and Dunlavy and is by far the largest lot on the block. This ordinance if passed would damage my lot value and hinder the development of my lot as it is almost twice the size of the average lots on the block.

Please advise me on when the hearing for this ordinance will occur and what if any additional steps I need to take regarding this protest.

Sincerely
Susan L. Cotton, 713-798-4799
Nacogdoches Holdings Ltd.
Recorded Owner: 1701-3 Banks Lot 1, Block 2 West Edgemont, Vol 572, Page 155. Harris Co, Houston, Texas

Find phone numbers fast with the New AOL Yellow Pages!

# Special Minimum Lot Size Requirement Area No. 300
# Planning Commission Approval

Planning Commission Evaluation:

| Satisfies | Does Not Satisfy | Criteria |
|---|---|---|
| X | | *MLS area includes all property within at least one block face and no more than two opposing block faces;*<br><br>**The application is for the 1700 block of Banks Street, north and south side.** |
| X | | *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;*<br><br>**65% of the proposed application area is developed with not more than two SF residential units per property.** |
| X | | *Demonstrated sufficient evidence of support;*<br><br>**Petition signed by owners of 55% of the SMLSA.** |
| X | | *Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,*<br><br>**A minimum lot size of 6,050 sq ft exists on eighteen (18) lots in the blockface.** |
| X | | *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 or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.*<br><br>**The subdivisions were platted in 1923. The houses originate from the 1930's. The establishment of a 6,050 sq ft minimum lot size will preserve the lot size character of the area.** |
| *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.*<br><br>**Eighteen (18) out of twenty-seven (27) lots (representing 73% of the application area) are at least 6,050 square feet in size.** | | |

**The Special Minimum Lot Size Requirement Area meets the criteria.**

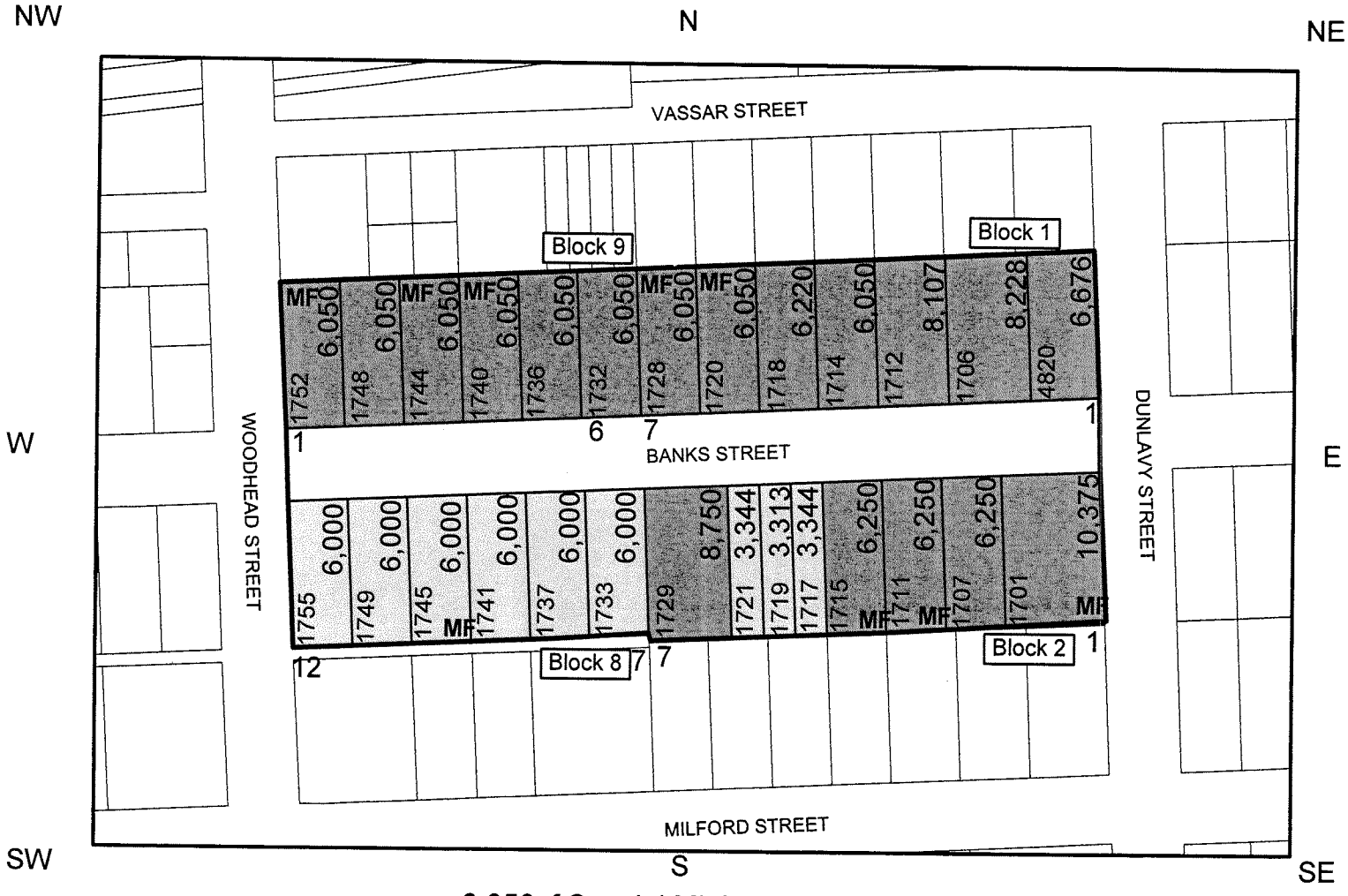
Carol Abel Lewis 11/20/08

Carol Lewis, Chair — Date

or

Mark A. Kilkenny, Vice-Chair — Date

# ORMOND PLACE / WEST EDGEMONT




6,050sf Special Minimum Lot Size

**MAP/SKETCH**

SMLSA No. 300

Properties that meet the 6,050sf Special Minimum Lot Size

Properties less than the 6,050sf Special Minimum Lot Size

**MF** Multi Family

**VAC** Vacant

**COM** Commercial

**EXC** Excluded

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

| **SUBJECT:** Ordinance designating the 4400 block of Blossom Street, south side, between Snover and Patterson Streets as a Special Building Line Requirement Area | **Category #** | **Page 1 of 1** | **Agenda Item #** 26 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Marlene L. Gafrick, Director Planning and Development Department | **Origination Date** December 16, 2008 | **Agenda Date** MAR 2 5 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE:** Marlene L. Gafrick | **Council District affected:** H | |
| **For additional information contact:** Kevin Calfee **Phone: 713.837.7768** | **Date and identification of prior authorizing Council action: N/A** | |

**RECOMMENDATION: (Summary) Approval of an ordinance designating the 4400 block of Blossom Street, south side, between Snover and Patterson Streets as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 17'-0" special building line.**

| **Amount and Source of Funding:** | **Finance Budget:** |
|---|---|

**SPECIFIC EXPLANATION:** In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 3, Block 7 of the Magnolia Grove Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 64% of the area. Notification was mailed to the 7 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. 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 17'-0" Special Building Line for the area.

MLG:md

Attachments: Planning Director's Approval, Special Building Line Requirement Application & Petition, Evidence of Support, Map of the Area

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**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

Finance 011.A REV. 3/94
753O-0100403-00

# Special Building Line Requirement Area No. 153
# Planning Director's Approval

Planning Director Evaluation:

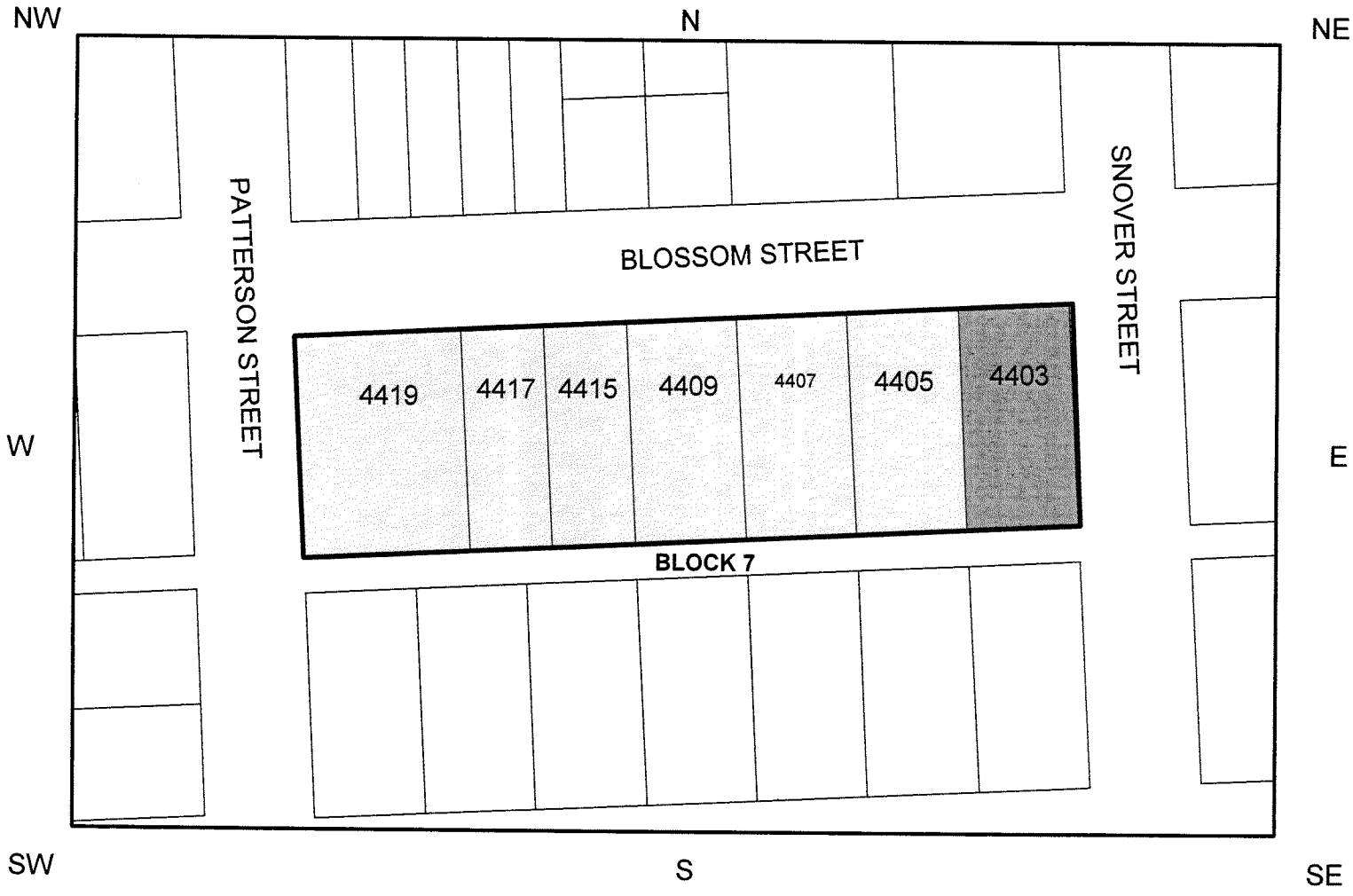
| Satisfies | Does Not Satisfy | Criteria |
|---|---|---|
| X | | *SBLRA includes all property within at least one block face and no more than two opposing block faces;*<br><br>**The application is for the 4400 block of Blossom Street, south side.** |
| X | | *More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;*<br><br>**100% of the proposed application area is developed with not more than two SF residential units per property.** |
| X | | *Demonstrated sufficient evidence of support;*<br><br>**Petition signed by owners of 64% of the SBLRA.** |
| X | | *Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,*<br><br>**A minimum building line of 17 ft exists on six (6) properties in the blockface.** |
| X | | *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 and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.*<br><br>**The subdivision was platted in 1923. The houses mostly originate from the 1920's and 1930's. The establishment of a 17 ft minimum building line will preserve the building line character of the area.** |
| *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.*<br><br>**Six (6) out of seven (7) developed properties (representing 86% of the application area) have a building line of at least seventeen (17) feet.** | | |

**The Special Building Line Requirement Area meets the criteria.**

Marlene L. Gafrick, Director

12/12/08
Date

# MAGNOLIA GROVE




**17' Special Building Line**
**MAP/SKETCH**

**SBLRA No. 153**

**Properties that meet the 17' Special Minimum Building Line**

**Properties less than the 17' 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 4400 block of Blossom Street, south side, between Snover and Patterson Streets as a Special Minimum Lot Size Area | **Category #** | **Page 1 of 1** | **Agenda Item #** 27 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Marlene L. Gafrick, Director Planning and Development Department | **Origination Date** December 16, 2008 | **Agenda Date** MAR 2 5 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE:** Marlene L. Gafrick | **Council District affected:** H | |
| **For additional information contact:** Kevin Calfee **Phone:713.837.7768** | **Date and identification of prior authorizing Council action:N/A** | |

**RECOMMENDATION: (Summary) Approval of an ordinance designating the 4400 block of Blossom Street, south side, between Snover and Patterson Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.**

| **Amount and Source of Funding:** | **Finance Budget:** |
|---|---|

**SPECIFIC EXPLANATION:** In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 3, Block 7, of the Magnolia Grove 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 64% of the area. Notification was mailed to the 7 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. 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 5,000 sf.

MLG:kw

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

Finance 011.A REV. 3/94
7530-0100403-00

# Special Minimum Lot Size Area No. 305
# Planning Director's Approval

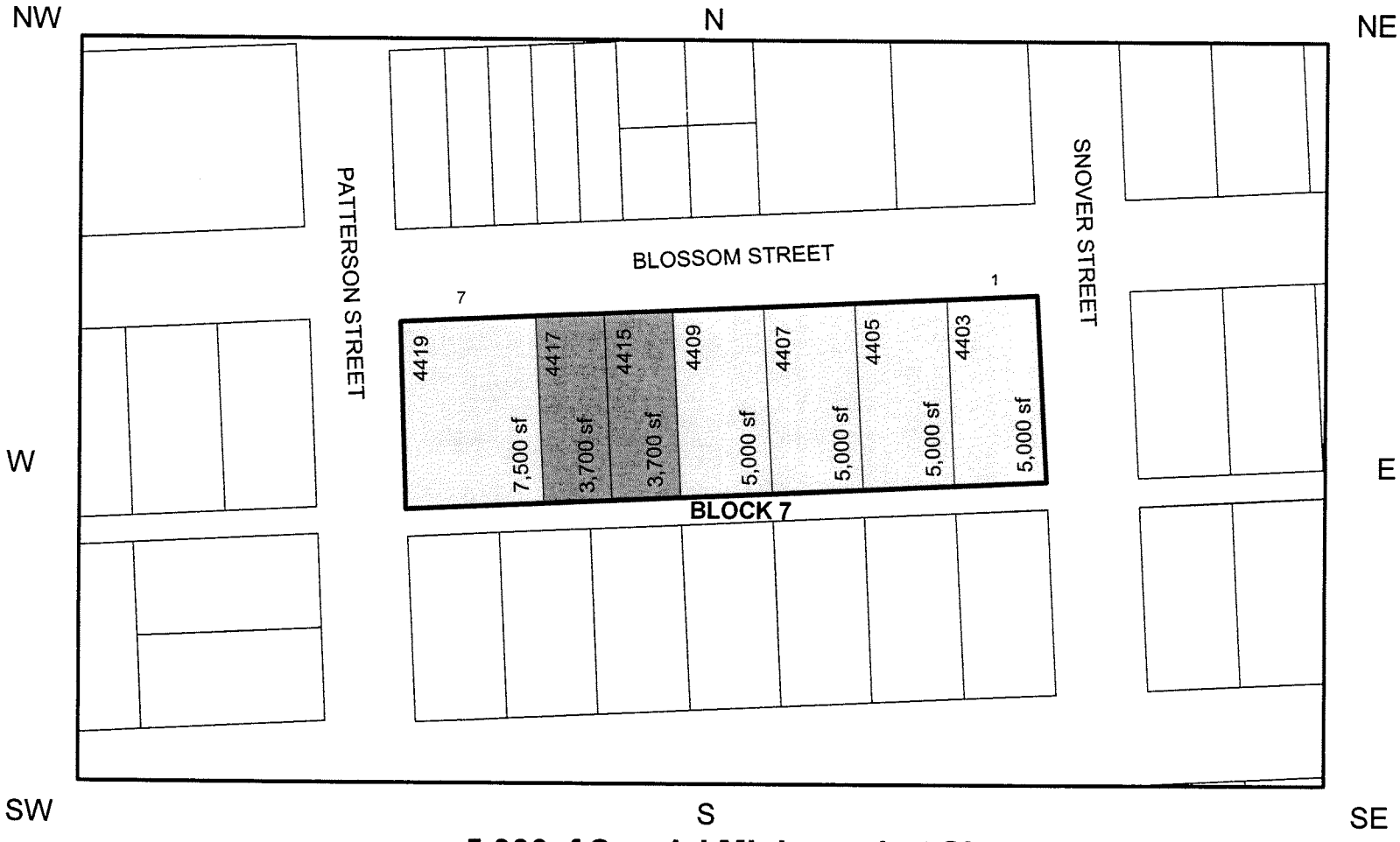
Planning Director Evaluation:

| Satisfies | Does Not Satisfy | Criteria |
|---|---|---|
| X | | *SMLSA includes all property within at least one block face and no more than two opposing block faces;*<br><br>**The application is for the 4400 block of Blossom Street, south side.** |
| X | | *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;*<br><br>**100% of the proposed application area is developed with not more than two SF residential units per property.** |
| X | | *Demonstrated sufficient evidence of support;*<br><br>**Petition signed by owners of 64% of the SMLSA.** |
| X | | *Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,*<br><br>**A minimum lot size of 5,000 sq ft exists on five (5) lots in the blockface.** |
| X | | *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.*<br><br>**The subdivision was platted in 1923. The houses originate from the 1920's and 1930's. The establishment of a 5,000 sf minimum lot size will preserve the lot size character of the area.** |
| *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.*<br><br>**Five (5) out of seven (7) lots (representing 79% of the application area) are at least 5,000 square feet in size.** | | |

**The Special Minimum Lot Size Area meets the criteria.**

Marlene L. Gafrick 12/12/08

Marlene L. Gafrick, Director Date




## 5,000sf Special Minimum Lot Size

### MAP/SKETCH

**SMLSA No. 305**

- Properties that meet the 5,000sf Special Minimum Lot Size
- Properties less than the 5,000sf Special Minimum Lot Size

**MF** Multi Family
**COM** Commercial
**VAC** Vacant
**EXC** Excluded

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

| **SUBJECT:** Ordinance designating the 600 block of Woodland Avenue, north and south sides, between Northwood and Reagan Avenues as a Special Minimum Lot Size Area | **Category #** | **Page 1 of ____** | **Agenda Item #** 28 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Marlene L. Gafrick, Director Planning and Development Department | **Origination Date** December 19, 2008 | **Agenda Date** MAR 2 5 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE:** Marlene L. Gafrick | **Council District affected:** H | |
| **For additional information contact:** Kevin Calfee **Phone:713.837.7768** | **Date and identification of prior authorizing Council action:N/A** | |

**RECOMMENDATION:** **(Summary) Approval of an ordinance designating the 600 block of Woodland Avenue, north and south sides, between Northwood and Reagan Avenues as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.**

| **Amount and Source of Funding:** | **Finance Budget:** |
|---|---|

**SPECIFIC EXPLANATION:** In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 1 and TR 2A, Block 27, of the Woodland Heights 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 73% of the area. Notification was mailed to the 13 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. 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 5,000 sf.

MLG:kw

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

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

Finance 011.A REV. 3/94
753O-0100403-00

# Special Minimum Lot Size Area No. 303
# Planning Director's Approval

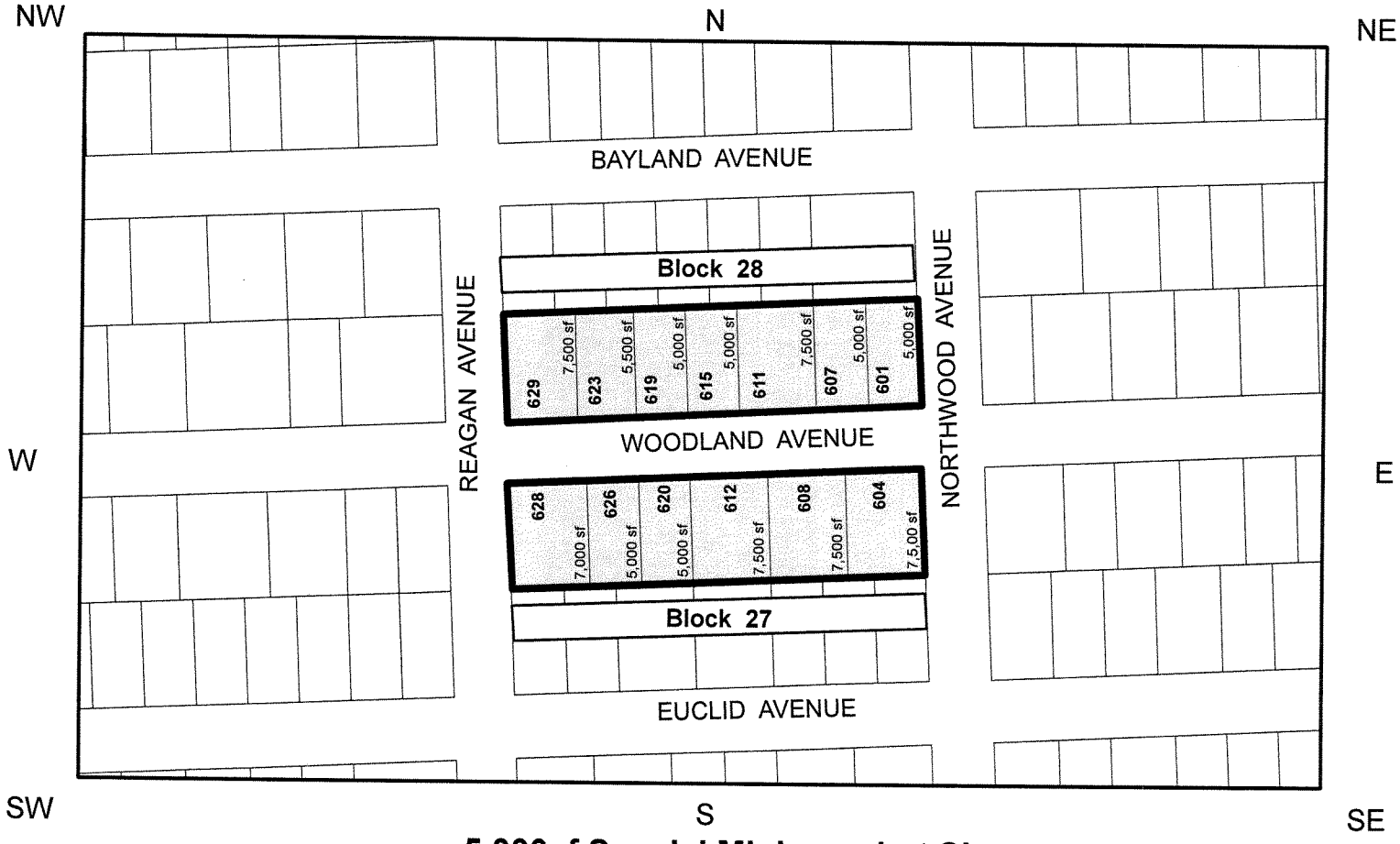
Planning Director Evaluation:

| Satisfies | Does Not Satisfy | Criteria |
|---|---|---|
| X | | *SMLSA includes all property within at least one block face and no more than two opposing block faces;*<br><br>**The application is for the 600 block of Woodland Avenue, north and south sides.** |
| X | | *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;*<br><br>**100% of the proposed application area is developed with not more than two SF residential units per property.** |
| X | | *Demonstrated sufficient evidence of support;*<br><br>**Petition signed by owners of 73% of the SMLSA.** |
| X | | *Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,*<br><br>**A minimum lot size of 5,000 sq ft exists on thirteen (13) lots in the blockfaces.** |
| X | | *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.*<br><br>**The subdivision was platted in 1907. The houses originate from the 1910's. The establishment of a 5,000 sf minimum lot size will preserve the lot size character of the area.** |
| *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.*<br><br>**Thirteen (13) out of thirteen (13) lots (representing 100% of the application area) are at least 5,000 square feet in size.** | | |

**The Special Minimum Lot Size Area meets the criteria.**

Marlene L. Gafrick, Director — Date: 12/15/08

# WOODLAND HEIGHTS




## 5,000sf Special Minimum Lot Size

### MAP/SKETCH

**SMLSA No. 303**

- Properties that meet the 5,000sf Special Minimum Lot Size
- Properties less than the 5,000sf Special Minimum Lot Size

MF Multi Family
COM Commercial
VAC Vacant
EXC Excluded

**REQUEST FOR COUNCIL ACTION**

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

| **SUBJECT:** Approval of an ordinance to annex additional territory into Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone). | **Category #** | **Page** 1 of 1 | **Agenda Item#** 29 |
|---|---|---|---|
| **FROM: (Department or other point of origin):** Michelle Mitchell, Director Finance Department | **Origination Date** 3-19-09 | | **Agenda Date** MAR [illegible] 2009 |
| **DIRECTOR'S SIGNATURE:** Michelle Mitchell Finance Department | **Council Districts affected:** A, D, G, H | | |
| **For additional information contact:** Ralph De Leon (832)393-8080 Tom Mesa (713) 837-9857 | **Date and identification of prior authorizing Council Action:** Ord. 96-1337, 12/18/1996, Ord. 97-594. 5/21/1997, Res. 97-67, 12/10/1997, Ord. 1999-823, 8/11/1999, Ord. 2007-1142, 10/10/2007, Ord. 2008-784, 9/3/2008, Ord. 2008-1204, 12/17/08 | | |

**RECOMMENDATION: (Summary)** Approval of an ordinance to annex additional territory into Tax Increment Reinvestment Zone Five (Memorial Heights Zone).

| **Amount of Funding:** No Funding Required | **Finance Budget:** |
|---|---|

**SOURCE OF FUNDING:** [ ] **General Fund** [ ] **Grant Fund** [ ] **Enterprise Fund** [ ] **Other (Specify)**

**SPECIFIC EXPLANATION:**

City of Houston Tax Increment Reinvestment Zone Number Five (Memorial Heights Zone) was created by Ordinance 96-1337 on December 18, 1996. Subsequently City Council approved a Project Plan and Reinvestment Zone Financing Plan (the "Plan") for the Zone via Ordinance 97-594, adopted May 21, 1997, and created the Memorial Heights Redevelopment Authority via Resolution 97-67, on December 10, 1997 to help implement the Plan. On August 11, 1999, via Ordinance 1999-823, City Council approved the First Amended Project Plan and Reinvestment Zone Financing Plan. On October 10, 2007, City Council approved the annexation of approximately 881 acres into the Zone via Ordinance 2007-1142, and subsequently approved the Second Amended Project Plan and Reinvestment Zone Financing Plan via Ordinance 2008-784, adopted on September 3, 2008. A second annexation, consisting of 38.4 acres was added to the Zone via Ordinance 2008-1204, on December 17, 2008.

It is recommended that approximately 4,201 square feet (.10 acres) be annexed into the Zone, consisting of two sidewalk/public trail access easements primarily located at the east right-of-way line of Studemont Street between Memorial Court and Memorial Drive (3,579 square feet) and the north right-of-way line of Memorial Drive approximately 1,000 feet east of Studemont Street (622 square feet). Conditions within the proposed annexation could be characterized as areas which include a predominance of defective or inadequate sidewalk and street layout, adequacy, accessibility, and usefulness; and predominantly open and vacant land.

The proposed expansion of the TIRZ would allow the TIRZ to construct public trails connecting the Harmony Arc Pedestrian Bridge and related trail connectors to residential neighborhoods located north of Buffalo Bayou.

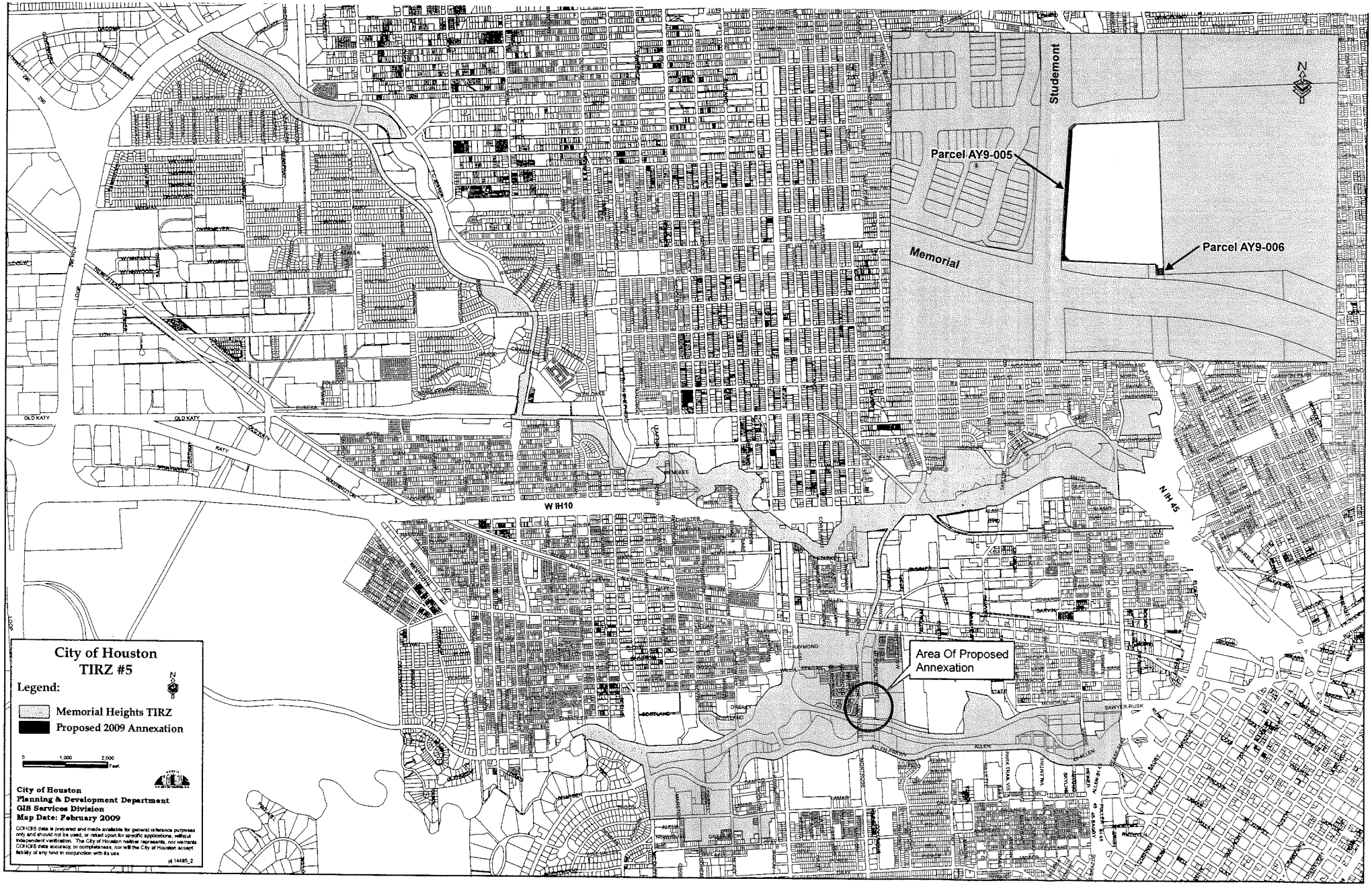
cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

Finance 08/29/08

29


Studemont
Parcel AY9-005
Parcel AY9-006
Memorial
W IH10
N IH 45
Area Of Proposed Annexation
City of Houston
TIRZ #5
Legend:
Memorial Heights TIRZ
Proposed 2009 Annexation
0 1,000 2,000 Feet
City of Houston
Planning & Development Department
GIS Services Division
Map Date: February 2009
COH GIS data is prepared and made available for general reference purposes only and should not be used, or relied upon for specific applications, without independent verification. The City of Houston neither represents, nor warrants COH GIS data accuracy, or completeness, nor will the City of Houston accept liability of any kind in conjunction with its use.
pl 14485_2

**REQUEST FOR COUNCIL ACTION**

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

| **SUBJECT:** Approval of an ordinance to approve the 2009 -2013 5-Year CIP Budget and Fiscal Year 2009 Operating Budget for Southwest Houston Redevelopment Authority (TIRZ No. 20). | **Category #** | **Page** 1 of 1 | **Agenda Item#** 30 |
|---|---|---|---|
| **FROM: (Department or other point of origin):** Michelle Mitchell, Director Finance Department | **Origination Date** February 3, 2009 | | **Agenda Date** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** Michelle Mitchell Finance Department | **Council Districts affected:** F and G | | |
| **For additional information contact:** Robert Fiederlein **Phone:** (832)393-8091 Julia Gee **Phone:** (713)837-7828 | **Date and identification of prior authorizing Council Action:** Ord. 2009-0111, 2/18/09 | | |

**RECOMMENDATION: (Summary)**
City Council approve an ordinance to approve the 2009 - 2013 5-Year CIP Budget and Fiscal Year 2009 Operating Budget for Southwest Houston Redevelopment Authority (TIRZ No. 20).

| **Amount of Funding:** No Funding Required | **Finance Budget:** |
|---|---|

**SOURCE OF FUNDING:** **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund** **[ ] Other (Specify)**

**SPECIFIC EXPLANATION:**
On February 18, 2009, City Council approved an amendment to the Project Plan and Reinvestment Zone Financing Plan (the "Amended Plan") for Tax Increment and Reinvestment Zone Number Twenty. The Southwest Houston Redevelopment Authority and City staffs have prepared a Fiscal Year 2009 Operating Budget and 5-Year CIP in accordance with the Amended Plan. The Finance Department recommends approval of the attached FY09 Operating Budget and the FY2009-2013 CIP for Southwest Houston Redevelopment Authority.

- Total Operating Budget for FY2009 is $6,216,718 which includes $530,606 for required fund transfers and $5,686,112 for Project Costs.
- The 2009 – 2013 CIP for Zone totals $19,476,899. The CIP includes mobility improvement along Bellaire and Fondren Blvds. (intersections, median closures and modifications) and Bellaire drainage.
- The FY09 Operating Budget includes $1,319,255 for capital expenditures and $104,320 for administration and overhead. The Zone authority has a third-party administrator to manage redevelopment activities of the TIRZ. The Zone must advise the Director of any budget amendments. Adjustments to the Project Costs in the budget of the lesser $400,000 or 5% or more require City Council approval.
- The budget includes a municipal services payment in FY09 of $250,000 to support city-issued debt to construct a new police station.

Attachments: TIRZ Profile, FY09 Operating Budget, and FY 2009-2013 CIP.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|
| | | |

Finance 08/29/08

**CITY OF HOUSTON**
**FINANCE DEPARTMENT**
**ECONOMIC DEVELOPMENT DIVISION**
**FISCAL YEAR 2009 BUDGET PROFILE**

Fund Summary
Fund Name: **SW Houston Redevelopment Authority**
TIRZ: **20**
Fund Number: **7568/64**

**PROFILE**

| | | |
|---|---|---|
| **Base Year:** | | 1999 |
| **Base Year Taxable Value:** | $ | 766,295,210 |
| **Projected Taxable Value (TY2008):** | $ | 1,650,606,657 |
| **Current Taxable Value (TY2007):** | $ | 1,481,594,672 |
| **Acres:** | | 2,052 acres |
| **Administrator (Contact):** | | Bill Calderon |
| **Contact Number:** | | (713) 595-1216 |

**NARRATIVE**

**Zone Purpose:**

1) Address Mobility deficiencies along the Bellaire/Fondren commercial corridors with necessary capital improvements, 2) provide resources for the redevelopment of the Sharpstown Mall and Bellaire/Fondren commercial corridors to expand the tax base and increase output of sales tax revenues to the City General Fund, and 3) reimburse Westchase Section 3 Partners (Halliburton) for improvements made to their property to render it developable.

**Accomplishments in FY08 (Projects Underway):**

In Fiscal Year 2008, the SouthwestHouston TIRZ:

- Completed the Bellaire/Fondren Intersection Project;
- Completed preliminary engineering and began detail design of the Bellaire Access Management Project;
- Prepared an amended project plan to guide its work for the next several years.

**PROJECT PLAN**

| | Total Plan | Cumulative Expenses (to FY08) | Variance |
|---|---|---|---|
| **Capital Projects:** | | | |
| Sharpstown Center Area Public Improvements | $ 20,000,000 | $ - | $ 20,000,000 |
| Area Public Improvements | 20,410,000 | 5,784,611 | 14,625,389 |
| Westchase Section Improvements (Halliburton) | 10,150,953 | 12,120,155 | (1,969,202) |
| Municipal Services Agreement - HPD Dist. 18 | 5,250,000 | 550,000 | 4,700,000 |
| **Total Capital Projects** | $ 55,810,953 | $ 18,454,766 | $ 37,356,187 |
| **Affordable Housing** | - | | - |
| **Education Facilities** | - | | - |
| **Financing Costs** | 35,000,000 | 5,561,311 | 29,438,689 |
| **Administration Costs** | 1,670,000 | 1,536,609 | 133,391 |
| **Creation Costs** | 80,000 | 81,085 | (1,085) |
| **Total Project Plan** | $ 92,560,953 | $ 25,633,771 | $ 66,927,182 |

**DEBT**

| Additional Financial Data | FY2008 Budget | 2008 Actual | FY2009 Budget |
|---|---|---|---|
| Debt Service | $ 994,918 | $ 994,919 | $ 997,369 |
| Principal | $ 490,000 | $ 490,000 | $ 510,000 |
| Interest | $ 504,918 | $ 504,919 | $ 487,369 |
| | **Balance as of 6/30/07** | **Balance as of 6/30/08** | **Balance as of 6/30/09** |
| Year End Outstanding (Principal) | | | |
| Bond Debt | $ 11,880,000 | $ 11,390,000 | $ 10,880,000 |
| Bank Loan | $ - | $ 500,000 | $ 500,000 |
| Developer Agreement | $ 4,200,819 | $ - | $ - |
| Other | | $ - | $ - |



March 2009

**CITY OF HOUSTON**
**FINANCE DEPARTMENT**
**ECONOMIC DEVELOPMENT DIVISION**
**FISCAL YEAR 2009 BUDGET SUMMARY**

Fund Summary
Fund Name: **SW Houston Redevelopment Authority**
TIRZ: **20**
Fund Number: **7568/64**

| TIRZ Budget Line Items | FY2008 Budget | 2008 Actual | FY2009 Budget |
|---|---|---|---|
| **Available Resources** | | | |
| **Beginning Fund Balance** | | | |
| Restricted Funds - Capital Projects | $ 5,860,645 | $ 1,954,697 | $ 496,832 |
| Restricted Funds - Affd. Housing | $ - | $ - | $ - |
| Restricted Funds - Bond Reserve | $ 1,053,608 | $ 1,097,587 | $ 1,151,580 |
| Unrestricted Fund Balance | $ 5,084,592 | $ 4,580,483 | $ 7,438,086 |
| **Total Beginning Fund Balance** | **$ 11,998,845** | **$ 7,632,767** | **$ 9,086,498** |
| TIRZ Revenue | | | |
| City | $ 3,171,662 | $ 4,319,577 | $ 5,612,113 |
| ISD | $ - | $ - | $ - |
| County | $ - | $ - | $ - |
| Community College | $ - | $ - | $ - |
| Total Revenues | $ 3,171,662 | $ 4,319,577 | $ 5,612,113 |
| Bond Proceeds | $ - | $ - | $ - |
| Loan Proceeds | $ - | $ 500,000 | $ - |
| Grant Proceeds | $ - | $ - | $ - |
| Other | $ 350,000 | $ 233,868 | $ 86,500 |
| **Total Available Resources** | **$ 15,520,507** | **$ 12,686,212** | **$ 14,785,111** |
| **Fund Transfers** | | | |
| Affordable Housing | | | |
| City of Houston | $ - | $ - | $ - |
| ISD Increment to Houston | $ - | $ - | $ - |
| Harris County | $ - | $ - | $ - |
| ISD Education Set-Aside | $ - | $ - | $ - |
| Municipal Services | $ 250,000 | $ 550,000 | $ 250,000 |
| Adminstration Fee to General Fund | | | |
| COH Admin Fee (5%) | $ 158,583 | $ 215,978 | $ 280,606 |
| Harris County Admin | $ - | $ - | $ - |
| ISD Admin | $ - | $ - | $ - |
| **Total Fund Transfers** | **$ 408,583** | **$ 765,978** | **$ 530,606** |
| **Funds Available for Projects** | **$ 15,111,924** | **$ 11,920,234** | **$ 14,254,505** |
| **Project Costs** | | | |
| Adminstrative Staff | $ - | $ - | $ - |
| Adminstrative Consultant | $ 54,000 | $ 48,000 | $ 51,000 |
| Legal | $ 12,000 | $ 46,121 | $ 13,000 |
| Accounting/ Audit | $ 18,300 | $ 24,411 | $ 24,700 |
| Program / Project Consulting | $ 12,000 | $ 12,355 | $ 12,360 |
| Adminstrative Operating Expense | $ 11,500 | $ 16,701 | $ 16,260 |
| Capital Expenditures | $ 2,800,000 | $ 404,723 | $ 1,319,255 |
| Developer/ Project reimbursements | $ 4,200,818 | $ 1,286,506 | $ 3,224,668 |
| Debt Service | | | |
| Principal | $ 490,000 | $ 490,000 | $ 510,000 |
| Interest | $ 504,918 | $ 504,919 | $ 487,369 |
| Other debt items | $ 275,000 | $ - | $ 27,500 |
| **Total Project Costs** | **$ 8,378,536** | **$ 2,833,736** | **$ 5,686,112** |
| **Total Budget** | **$ 8,787,119** | **$ 3,599,714** | **$ 6,216,718** |
| **Resources Less Transfer and Expenses** | **$ 6,733,388** | **$ 9,086,498** | **$ 8,568,393** |
| **Planned Ending Fund Balance:** | | | |
| Restricted Funds - Capital Projects | $ 3,060,645 | $ 496,832 | $ - |
| Restricted Funds - Affd. Housing | $ - | $ - | $ - |
| Restricted Funds - Bond Reserve | $ 1,053,608 | $ 1,151,580 | $ 1,151,580 |
| **Unrestricted Fund Balance** | **$ 2,619,135** | **$ 7,438,086** | **$ 7,416,813** |

**2009 - 2013 CAPITAL IMPROVEMENT PLAN**
**TIRZ No. 20 - SW Houston Redevelopment Authority**
**CIP by Project**

**CITY OF HOUSTON - TIRZ PROGRAM**
**Finance Department**
**Economic Development Division**

| Council District | CIP No. | Project | FY Planned Appropriations ($ Thousands) | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Through 2007 | Projected 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | Total 2009-2013 | Culmulative Total (To Date) |
| F | T-2001 | Bellaire Access Management Mobility Improvements | $ 221,047 | $ 404,723 | $ 1,289,255 | $ 12,236,501 | $ 3,496,143 | $ - | $ - | 17,021,899 | 17,647,669 |
| F | T-2002 | Fondren Access Management Mobility Improvements | $ - | $ - | $ 30,000 | $ 720,000 | $ - | $ - | $ - | 750,000 | 750,000 |
| F | T-2003 | Hike and Bike Paths | $ - | $ - | $ - | $ - | $ - | $ - | $ - | - | - |
| F | T-2004 | Bellaire/Mall Entrance | $ - | $ - | $ - | $ - | $ - | $ - | $ - | - | - |
| F | T-2005 | Bellaire Drainage Hwy 59 to Fondren | $ - | $ - | $ - | $ - | $ - | $ 174,000 | $ 1,531,000 | 1,705,000 | 1,705,000 |
| Totals | | | 221,047 | 404,723 | 1,319,255 | 12,956,501 | 3,496,143 | 174,000 | 1,531,000 | 19,476,899 | 20,102,669 |

**2009 - 2013 CAPITAL IMPROVEMENT PLAN**
**TIRZ No. 20 - SW Houston Redevelopment Authority**
**CIP by Sources of Funds**

**CITY OF HOUSTON - TIRZ PROGRAM**
**Finance Department**
**Economic Development Division**

| Source of Funds | FY Planned Appropriations ($ Thousands) | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Through 2007 | Projected 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | Total 2009-2013 | Culmulative Total (To Date) |
| **TIRZ No. 16** | | | | | | | | | |
| TIRZ funds | - | 404,723 | - | - | - | - | - | - | 404,723 |
| Revenue bond proceeds | 221,047 | - | 1,319,255 | 12,956,501 | 3,496,143 | 174,000 | 1,531,000 | 19,476,899 | 19,697,946 |
| Proceeds from bank loan | - | - | - | - | - | - | - | - | - |
| Developer Advance/Reimbursement | - | - | - | - | - | - | - | - | - |
| City of Houston | - | - | - | - | - | - | - | - | - |
| Grants | - | - | - | - | - | - | - | - | - |
| Other | - | - | - | - | - | - | - | - | - |
| **Project Total** | **221,047** | **404,723** | **1,319,255** | **12,956,501** | **3,496,143** | **174,000** | **1,531,000** | **19,476,899** | **20,102,669** |

| | | | | | |
|---|---|---|---|---|---|
| **Project:** | **Bellaire Access Management Mobility Improvements** | **City Council District** | **Key Map:** 530G | **WBS.:** | **T-2001** |
| | | **Location:** F | **Geo. Ref.:** | | |
| | | **Served:** F | **Neighborhood:** 25, 26, 29 | | |
| **Description:** | Multiple median closures and modifications on Bellaire from Mary Bates to Beltway 8 and addition of westbound lane. Includes modifications to seven existing signals and installation of one new signal. | | | | |
| **Justification:** | Funding for mobility improvement along Bellaire. One of key mobility improvements identified to rectify mobility limitations along the Bellaire Corridor. | | | | |

**Operating and Maintenance Costs: ($ Thousands)**

| | 2009 | 2010 | 2011 | 2012 | 2013 | Total |
|---|---|---|---|---|---|---|
| Personnel | | | | | | $ - |
| Supplies | | | | | | $ - |
| Svcs. & Chgs. | | | | | | $ - |
| Capital Outlay | | | | | | $ - |
| **Total** | $ - | $ - | $ - | $ - | $ - | $ - |
| **FTEs** | | | | | | - |

## Fiscal Year Planned Expenses

| Project Allocation | | Project Expenses thru 6/30/07 | 2008 Budget | 2008 Estimate | 2009 | 2010 | 2011 | 2012 | 2013 | FY09 - FY13 Total | Cumulative Total (To Date) |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **Phase** | | | | | | | | | | | |
| 1 | Planning | | | | | | | | | $ - | $ - |
| 2 | Acquisition | | | | | | | | | $ - | $ - |
| 3 | Design | 221,047 | 2,800,000 | 404,723 | 1,289,255 | | | | | $ 1,289,255 | $ 1,915,025 |
| 4 | Construction | | | | | 12,236,501 | 3,496,143 | | | $ 15,732,644 | $ 15,732,644 |
| 5 | Equipment | | | | | | | | | $ - | $ - |
| 6 | Close-Out | | | | | | | | | $ - | $ - |
| 7 | Other | | | | | | | | | $ - | $ - |
| | | | | | | | | | | $ - | $ - |
| | | | | | | | | | | $ - | $ - |
| | | | | | | | | | | $ - | $ - |
| | | | | | | | | | | $ - | $ - |
| **Other Sub-Total:** | | - | - | - | - | - | - | - | - | $ - | $ - |
| **Total Allocations** | | $ 221,047 | $ 2,800,000 | $ 404,723 | $ 1,289,255 | $ 12,236,501 | $ 3,496,143 | $ - | $ - | $ 17,021,899 | $ 17,647,669 |
| **Source of Funds** | | | | | | | | | | | |
| TIRZ Increment Revenue | | | 2,800,000 | 404,723 | | | | | | $ - | $ 404,723 |
| TIRZ Increment Bond Funds | | 221,047 | | | 1,289,255 | 12,236,501 | 3,496,143 | | | $ 17,021,899 | $ 17,242,946 |
| Grant Funds | | | | | | | | | | $ - | $ - |
| **Total Funds** | | $ 221,047 | $ 2,800,000 | $ 404,723 | $ 1,289,255 | $ 12,236,501 | $ 3,496,143 | $ - | $ - | $ 17,021,899 | $ 17,647,669 |

| | | | | | |
|---|---|---|---|---|---|
| **Project:** | **Fondren Access Management Mobility Improvements** | **City Council District** | | **Key Map:** | |
| | | **Location:** | F | **Geo. Ref.:** | |
| | | **Served:** | F | **Neighborhood:** | |
| **WBS.:** | **T-2002** | | | | |
| **Description:** | Multiple median closures and modifications on Fondren from Hwy 59 to Westpark. Includes improvements to Clarewood, Harwin and Westpark Intersections. | | | | |
| **Justification:** | Intersection and other improvements to improve mobility along Fondren Blvd. | | | | |

**Operating and Maintenance Costs: ($ Thousands)**

| | 2009 | 2010 | 2011 | 2012 | 2013 | Total |
|---|---|---|---|---|---|---|
| Personnel | | | | | | $ - |
| Supplies | | | | | | $ - |
| Svcs. & Chgs. | | | | | | $ - |
| Capital Outlay | | | | | | $ - |
| **Total** | $ - | $ - | $ - | $ - | $ - | $ - |
| **FTEs** | | | | | | - |

## Fiscal Year Planned Expenses

| Project Allocation | | Project Expenses thru 6/30/07 | 2008 Budget | 2008 Estimate | 2009 | 2010 | 2011 | 2012 | 2013 | FY09 - FY13 Total | Culmulative Total (To Date) |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **Phase** | | | | | | | | | | | |
| 1 | Planning | | | | | | | | | $ - | $ - |
| 2 | Acquisition | | | | | | | | | $ - | $ - |
| 3 | Design | | | | 30,000 | 720,000 | | | | $ 750,000 | $ 750,000 |
| 4 | Construction | | | | | | | | | $ - | $ - |
| 5 | Equipment | | | | | | | | | $ - | $ - |
| 6 | Close-Out | | | | | | | | | $ - | $ - |
| 7 | Other | | | | | | | | | $ - | $ - |
| | | | | | | | | | | $ - | $ - |
| | | | | | | | | | | $ - | $ - |
| | | | | | | | | | | $ - | $ - |
| | | | | | | | | | | $ - | $ - |
| **Other Sub-Total:** | | - | - | - | - | - | - | - | - | $ - | $ - |
| **Total Allocations** | | $ - | $ - | $ - | $ 30,000 | $ 720,000 | $ - | $ - | $ - | $ 750,000 | $ 750,000 |
| **Source of Funds** | | | | | | | | | | | |
| TIRZ Increment Revenue | | | | | | | | | | $ - | $ - |
| TIRZ Increment Bond Funds | | | | | 30,000 | 720,000 | - | - | | $ 750,000 | $ 750,000 |
| Grant Funds | | | | | | | | | | $ - | $ - |
| | | | | | | | | | | | |
| **Total Funds** | | $ - | $ - | $ - | $ 30,000 | $ 720,000 | $ - | $ - | $ - | $ 750,000 | $ 750,000 |

**REQUEST FOR COUNCIL ACTION**

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

| **SUBJECT:** Approval of an ordinance authorizing the issuance of up to $30 million in Authority obligations by the Southwest Houston Redevelopment Authority (TIRZ No. 20). | **Category #** | **Page** 1 of 1 | **Agenda Item#** 30A |
|---|---|---|---|
| **FROM: (Department or other point of origin):** Michelle Mitchell, Director Finance Department | **Origination Date** March 2, 2009 | | **Agenda Date** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** Michelle Mitchell Finance Department | **Council Districts affected:** F and G | | |
| **For additional information contact:** Robert Fiederlein **Phone:** (832)393-8091 | **Date and identification of prior authorizing Council Action:** Ord. 2002-1076, 11/20/02 | | |

**RECOMMENDATION: (Summary)**
That City Council approve an ordinance authorizing the issuance of up to $30 million in Authority obligations by the Southwest Houston Redevelopment Authority (TIRZ No. 20).

| **Amount of Funding:** No Funding Required | **Finance Budget:** |
|---|---|

**SOURCE OF FUNDING:** [ ] **General Fund** [ ] **Grant Fund** [ ] **Enterprise Fund** [ ] **Other (Specify)**

**SPECIFIC EXPLANATION:**

To implement its FY2009 City Council-approved budget and capital improvement plan (CIP), the Southwest Houston Redevelopment Authority (the "Authority") will need to shortly obtain financing to fully fund its current year and future year design and construction plans. On November 20, 2002, City Council approved an ordinance authorizing the Authority to issue up to $20 million in Authority obligations. The Authority subsequently issued bonds that as of June 30, 2008, had outstanding principal of $11.39 million and entered into a line of credit for $5 million. To implement its FY 2009 budget and CIP the Authority will need to be able to issue up to $30 million in Authority obligations.

Approval of this ordinance will allow the Authority to issue obligations up to $30 million to provide the capital needed to support its activities with respect to redevelopment in the Zone, which include major road and drainage projects. Among these are road and drainage projects along Bellaire Blvd. and Fondren Blvd.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney
Deborah McAbee, Senior Assistant City Attorney

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|
| | | |

Finance 08/29/08

30A

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

| SUBJECT: Juvenile Accountability Block Grant | Category | Page 1 of 1 | Agenda Item # 31 |
|---|---|---|---|

| FROM (Department or other point of origin): Dennis J. Storemski, Director, Office of Public Safety and Homeland Security | Origination Date: 02/23/2009 | Agenda Date MAR 2 5 2009 |
|---|---|---|
| DIRECTOR'S SIGNATURE: | Council District affected: All | |
| For additional information contact: Patricia Harrington 832-393-0931 | Date and Identification of prior authorizing Council action: 08-01-07 2007-876; 03-14-08 2008-230 | |

**RECOMMENDATION: (Summary)** Approval of an ordinance authorizing application and acceptance of subsequent Juvenile Accountability Block Grant funding from the Governor's Criminal Justice Division for the continued implementation of the Juvenile Accountability Court Program.

| Amount of Funding: | Finance Director: |
|---|---|
| $142,351 Grant funds<br>$60,011 Match | |

**SOURCE OF FUNDING:**
- [x] General Fund
- [x] Grant Fund
- [ ] Enterprise Fund
- [ ] Other

**SPECIFIC EXPLANATION:**

**Background**

The U.S. Department of Justice provides a Juvenile Accountability Block Grant (JABG) to the Governor's Criminal Justice Division (CJD) to address juvenile offenses through accountability-based programs. These are non-competitive allocations based on an annual calculation of juvenile crime data from the Houston area. The funding supports the continued operation of the Juvenile Accountability Court Program (JACP); a collaborative initiative implemented by the Mayor's Anti-Gang Office and Municipal Courts. JACP provides an enhanced accountability system for juvenile offenders through a graduated sanctions model for Class C offenders and their parents/guardians. Program services include:

- **Progressive Sanctions:** JACP assists judges in creating guidelines for juvenile offenders and their parents/guardians, and increases supervision over juveniles receiving alternative sentences in lieu of fines.
- **Support Services:** Through in-take and assessment, youth offenders and their parents/guardians receive intervention through case management, and prevention and education workshops in areas such as truancy awareness, gang awareness, conflict resolution, making good choices, and parenting skills.
- **Enhanced Community Service:** The JACP provides direct supervision and scheduled community service projects for juvenile offenders, improving compliance rates and accountability for hours of service.
- **Improved Coordination:** JACP provides Municipal Court judges with assessments of juvenile offenders to help them determine appropriate sanctions, identify offenders who need enhanced social services, and notify other agencies such as juvenile probation and parole of possible violators.

**Request for Council Action**

Applicants must submit a resolution from their governing entities authorizing submission of the application, committing the match, designating an authorized official to apply for, accept, reject, alter or terminate the grant; and assuring that all funds will be returned to CJD in the event of loss or misuse of awarded funds.

**REQUIRED AUTHORIZATION**

| Finance Director: | Other Authorization: | Other Authorization: |
|---|---|---|
| | | |

F&A 011.A REV. 12/94
7530-0100403-00

31

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

| SUBJECT: An Ordinance approving new contracts for elderly services with various Contractors through the Harris County Area Agency on Aging | Category # | Page 1 of 2 | Agenda Item # 33 |
|---|---|---|---|

| FROM (Department or other point of origin): Department of Health and Human Services | Origination Date 3/11/09 | Agenda Date MAR 25 2009 |
|---|---|---|
| DIRECTOR'S SIGNATURE: Celina Zapata Ridgeway SLW | Council District affected: All | |
| For additional information contact: Kathy Barton Telephone: 713-794-9998; pgr 713-826-5801 | Date and identification of prior authorizing Council action: | |

**RECOMMENDATION: (Summary)**
Adopt an ordinance approving four contracts for elderly services through the Harris County Area Agency on Aging

| Amount of Funding: Maximum Contract Amount: $3,007,356.53 Federal State Local – Pass Through Fund (5030) | Finance Department: |
|---|---|

**SOURCE OF FUNDING: [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify): Aging Title III Grant (Fund 5030)**

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing new contracts with four providers of elderly services. The providers were selected through a Request for Proposal process conducted by the Harris County Area Agency on Aging. The ordinance sets a maximum contract amount for each provider and authorizes the HDHHS Director to allocate supplemental funding as it becomes available, up to the maximum amount. The contract terms extend through September 30, 2009, with three one-year renewals. The Director may extend the contracts for an additional 90 days if funds remain. The City of Houston, as designated by the Texas Department of Aging and Disability Services, has full authority and responsibility for funds authorized under the Title of the Older Americans Action of 1965, as amended. These funds are disbursed by the U.S. Department of Health and Human Services through the Texas Department of Aging and Disability Services and administered by HDHHS' Harris County Area Agency on Aging.

Services provided by these contractors include:

- **Home delivered meal** services include a hot or otherwise appropriate meal that meets the recommended dietary allowance and is served to an eligible person at his/her residence.
- **Caregiver Information services and Education and Training** services include the establishment of support groups for caregivers, conferences and training for those providing care to older adults.
- **Support Services** includes the provision of mental health services to seniors.

**REQUIRED AUTHORIZATION**

| Finance Department | Other Authorization: | Other Authorization: |
|---|---|---|

F&A 011C REV. 12/94
7530-O100403-00

- **Respite in-home and non-residential services** includes temporary relief of caregivers that includes an array of services provided to people who need supervision. In-home services are provided in the client's home environment on a short term, temporary basis while the primary caregiver is unavailable or needs relief. Non-residential respite services are provided in an adult type day care location while the primary caregiver is unavailable or needs relief. Services may also include meal preparation, housekeeping and assistance with personal care and/or social recreational activities. The City or the service provider identifies the client eligible for services.
- **Personal Assistance** includes the performance of personal care tasks including bathing, dressing, feeding, grooming, transferring / ambulation to individuals who need assistance with performing activities of daily living in their residence.
- **Adult Day Care** services is an array of services provided in a congregate, non-residential setting to dependent older individuals who need supervision but do not require institutionalization.
- **Homemaker** services provided by trained and supervised homemakers involving the performance of housekeeping and home management, meal preparation, or escort tasks and shopping assistance provided to older individuals who require assistance with these activities in their place of residence.
- **Instruction and Training services** include providing experience or knowledge to individuals or professionals working with older individuals to acquire skills in a formal, informal, or in individual or group settings.

The Contractors and their respective total contract value are:

| Contractor | Maximum Contract Amount | Services |
|---|---|---|
| Asian American Family Counseling Center | $183,096.37 | Mental Health Services |
| Faith Presbyterian Church of Baytown, Texas previously know as First Westminster Presbyterian Church | $485,023.27 | Home Delivered Meals |
| Chinese Community Center | $234,029.19 | Caregiver Education and Training and Caregiver Information Services |
| The Sheltering Arms, Houston, Texas | $3,007,356.53 | Personal Assistance, Caregiver Respite Care-in Home, Instruction and Training, Homemaker Services, and Adult Day Services |
| **TOTAL:** | **$3,909,505.36** | |

Cc: Finance Director
Legal Department
Agenda Director

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

| SUBJECT: An Ordinance approving a new contract for elderly services with YWCA of Houston through the Harris County Area Agency on Aging | Category # | Page 1 of 2 | Agenda Item # 34 |
|---|---|---|---|

| FROM (Department or other point of origin): Department of Health and Human Services | Origination Date 3/11/09 | Agenda Date MAR 25 2009 |
|---|---|---|
| DIRECTOR'S SIGNATURE: Celina Garza Ridge for SLW | Council District affected: All | |
| For additional information contact: Kathy Barton Telephone: 713-794-9998; pgr 713-826-5801 | Date and identification of prior authorizing Council action: | |

**RECOMMENDATION:** (Summary)
Adopt an ordinance approving a contract for elderly services with the YWCA of Houston through the Harris County Area Agency on Aging

| Amount of Funding: Maximum Contract Amount: $1,765,686.04 Federal State Local – Pass Through Fund (5030) | Finance Department: |
|---|---|

**SOURCE OF FUNDING:** [ ] General Fund [ X ] Grant Fund [ ] Enterprise Fund [ ] Other ( Specify): Aging Title III Grant (Fund 5030)

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing a new contract with the YWCA of Houston for elderly services. This provider was selected through a Request for Proposal process conducted by the Harris County Area Agency on Aging. The ordinance sets a maximum contract amount for this provider and authorizes the HDHHS Director to allocate supplemental funding as it becomes available, up to the maximum amount. The contract term extends through September 30, 2009, with three one-year renewals. The Director may extend the contract for an additional 90 days if funds remain. The City of Houston, as designated by the Texas Department of Aging and Disability Services, has full authority and responsibility for funds authorized under the Title of the Older Americans Action of 1965, as amended. These funds are disbursed by the U.S. Department of Health and Human Services through the Texas Department of Aging and Disability Services and administered by HDHHS' Harris County Area Agency on Aging.

Services provided by YWCA of Houston include:

- **Congregate meal** services include a hot or appropriate meal that meets the recommended dietary allowance and is served to an eligible person at a congregate meal site.
- **Home delivered meal** services include a hot or appropriate meal that meets the recommended dietary allowance and is served to an eligible person at his/her residence.

**REQUIRED AUTHORIZATION**

| Finance Department | Other Authorization: | Other Authorization: |
|---|---|---|

F&A 01 1.C REV. 12/94
7530-O 100403-00

The Contractor and respective total contract value is:

| Contractor | Maximum Contract Amount | Services |
|---|---|---|
| YWCA of Houston | $1,765,686.04 | Congregate and Home Delivered meals |

cc: Finance Director
Legal Department
Agenda Director

20080826. Scan11. Image was scanned at best possible quality.

empowering women

2040195

100th 1907-2007 ANNIVERSARY

February 7, 2008

**Certified Mail:** 7007 0220 0002 4375 8933

Linebarger, Goggan, Blair & Sampson, LLP
Attorneys at Law
1301 Travis Street, Suite 145
Houston, TX 77002

RE: Acct. No. 2091757400000
YWCA Small Business

Dear Sirs:

For reference we have enclosed a copy of the correspondence we received from you. We do not have any ownership in the above-referenced entity. Harris County researched this matter two years ago and determined that entity was incorporated by a San Antonio firm and was not in anyway connected to us.

We do not understand how you assumed that this entity was our responsibility and why our address has been attached to this bill. Please note that as a non-profit organization that receives grants and contracts this error could keep us from being able to secure contracts with the taxing authorities who have assessed these taxes.

We anticipate that this matter will be corrected expeditiously and our any association with our organization will be removed. We await your quick response.

Regards,

Diana Morales Taylor, CPA MBA
Executive Director

Copy to: Paul Bettencourt, Tax Assessor-Collector
Harris County Tax Assessor-Collector
POB 4576
Houston, TX 77210-4576

COURTESY OF
THE HARRIS COUNTY APPRAISAL DISTRICT
INFORMATION AND ASSISTANCE
PO BOX 922004
HOUSTON, TX 77292-2004
TELEPHONE NO (713) 812-5900

RECEIVED
FEB 15 2008
INFORMATION & ASSISTANCE

20080826. Scan11. Image was scanned at best possible quality.

**LINEBARGER GOGGAN BLAIR & SAMPSON, LLP**
ATTORNEYS AT LAW
1301 Travis, Suite 145
HOUSTON, TX 77002
(713) 844-3561

January 15, 2008

T4-P1-S925 [redacted]

13,180

#BWNGWXX
#10130469150#
YWCA SMALL BUSINESS
3220 BROADWAY ST
HOUSTON TX 77017-2321

| | | |
|---|---|---|
| DELINQUENT TAXES: | $ | 841.90 |
| PENALTY/INTEREST : | $ | 1,036.18 |
| TOTAL DUE : | $ | 1,878.08 |

**RE: 2091757400000 - F&F M&E SUP COMPUTERS OMITTED PROPERTY (see attached DELINQUENT ACCOUNT STATEMENT)**

## Pre-seizure Inspections Underway

Our records indicate that you are seriously delinquent on your business personal property taxes. Prior to seizure, law firm personnel investigate a delinquent business' ownership, liens, and assets. As part of this investigation, an inspection of the property subject to seizure is conducted. We make every attempt to reach the business owner by phone. Field Investigators may soon visit your business to inspect your assets and take photographs. This is the first step before filing an application with the Court for a warrant to seize your property. If no payment is received at the time of inspection, seizure proceedings may be initiated without additional warning or notice.

Please contact us immediately to avoid the inconvenience of an on-site inspection.

**For questions contact:**
Linebarger Goggan Blair & Sampson, LLP*
Attorneys at Law
1301 Travis Street, Suite 145
Houston, Texas 77002
713-422-7152 – fax 713-576-7286
Email: houstonfielddivision@publicans.com

**To make payment:**
1. Make check payable to: **Paul Bettencourt, Tax Assessor-Collector**
2. Mail check and coupon to:
Harris County Tax Assessor-Collector
P.O. Box 4576
Houston, TX 77210-4576

* For City of Pasadena delinquent property tax accounts, Roy D. Mease & Associates in association with Linebarger Goggan Blair & Sampson, LLP.

There may be other taxing entities for which we do not collect. You may contact the Harris County Tax Office for information regarding those entities.

Sincerely,

Norman J. Nelson
Attorney at Law

RECEIVED
FEB 15 2008
INFORMATION & ASSISTANCE

If you are current in paying your taxes under an installment agreement or are a debtor in a pending bankruptcy, please contact us so we can [illegible] your account to avoid further mailings to you. If you are in bankruptcy, we will need your cause number. If you are represented by a lawyer, please forward this letter to him/her. If you think these taxes are paid, please contact the Harris County Tax Office at 713-368-2000.

*Mailing Address:*
**Information & Assistance Division**
P.O. BOX 922004
Houston, TX 77292-2004

# HARRIS COUNTY APPRAISAL DISTRICT

**NOTICE OF APPRAISED VALUE**
**FOR PROPERTY TAX PURPOSES**
This is **NOT** a tax bill. Do **NOT** pay from this notice

Tax Year: **2008** iFile Number: **38723550**
**www.hcad.org/iFile**

PROPERTY DESCRIPTION: **12/01/2008**
**Business Personal Property**
**CMP F&F M&E SUP**

Please use this ACCOUNT NUMBER → **2040195**
when inquiring about your property.

**********AUTO**3-DIGIT 770
2008 2040195 12/01/2008 A PP L1 HBF
YOUNG WOMEN'S CHRISTIAN ASSOC. (HOUSTON)
3220 BROADWAY ST
HOUSTON TX 77017-2321

PROPERTY LOCATION:
**3220 BROADWAY ST**
**HOUSTON, TX 77017-**

COURTESY OF HARRIS COUNTY APPRAISAL DISTRICT INFORMATION AND ASSISTANCE PO BOX 922004 HOUSTON, TX 77292-2004 TELEPHONE NO (713) 812-5900

Dear Property Owner

The Harris County Appraisal District appraises the business personal property described above for property tax purposes. The table below provides a breakdown of your appraisal for the tax year indicated above. The table also gives an estimate of the taxes you will pay if the taxing units adopt the same tax rates as last year. This is only an estimate. The jurisdictions listed below will determine whether your taxes increase or decrease when they set their tax rates later this year. The appraisal district only determines the value of your property. *The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials.*

**Business Personal Property Value Proposed This Year**

| Last Year's Appraised Value | This Year's Appraised Value |
|---|---|
| **0** | **10,706** |

**Jurisdiction and Exemption Information**

| | Taxing Jurisdiction | Last Year's Value (after exemptions) | Exemptions Granted (see explanation of codes below) | This Year's Value after exemptions | Last Year's Tax Rate | Estimated Taxes |
|---|---|---|---|---|---|---|
| 001 | HOUSTON ISD | 0 | 0 | 10,706 | 1.156700 | 123.00 |
| 040 | HARRIS COUNTY | 0 | 0 | 10,706 | 0.392390 | 42.00 |
| 041 | HARRIS CO FLOOD CNTRL | 0 | 0 | 10,706 | 0.031060 | 3.00 |
| 042 | PORT OF HOUSTON AUTHY | 0 | 0 | 10,706 | 0.014370 | 1.00 |
| 043 | HARRIS CO HOSP DIST | 0 | 0 | 10,706 | 0.192160 | 20.00 |
| 044 | HARRIS CO EDUC DEPT | 0 | 0 | 10,706 | 0.005853 | 0.00 |
| 048 | HOU COMMUNITY COLLEGE | 0 | 0 | 10,706 | 0.092433 | 9.00 |
| 061 | CITY OF HOUSTON | 0 | 0 | 10,706 | 0.643750 | 68.00 |

Exemption Codes: ABT = Abatement; CBD = Customs Bond; FPT = Freeport; FTZ = Foreign Trade Zone; GCC = Green Coffee or Cocoa; GIT=Goods in Transit; IFC Interstate or Foreign Commerce; POL = Pollution Control; PUV = Personal Use Leased Vehicles; SOL = Solar; SPC = Special; SPV=Sole Proprietorship Vehicle; TOT = Total; UND = Under $500 Exemption; VT = Disabled Veteran

**Your protest deadline is January 02, 2009.** If you wish to protest the value or other issues you must do so online or in writing on or before this date. A protest form is included with this notice for your convenience. *Please use this form or go to www.hcad.org/ifile if you choose to file a protest.*

**(letter continues on back)**

200810191 0000047

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION** HCD09-04

| | | | |
|---|---|---|---|
| **SUBJECT:** An Ordinance Authorizing the Execution of a First Contract Amendment Between the City of Houston and Houston Area Community Services, Inc. for a HOPWA Tenant-Based Rental Assistance Program with Supportive Services. | | Page 1 of 2 | **Agenda Item #** 35 |
| **FROM (Department or other point of origin):** Richard S. Celli, Director Housing and Community Development Department | **Origination Date** 01/30/09 | **Agenda Date** MAR 25 2009 | |
| **DIRECTOR'S SIGNATURE:** RSCelli | **Council District affected:** District C | | |
| **For additional information contact:** Keith W. Bynam **Phone:** 713-868-8396 | **Date and identification of prior authorizing Council action:** 01/10/07; Ordinance No. 2007-0054 | | |

**RECOMMENDATION: (Summary)** Approval of an ordinance authorizing the execution of a First Contract Amendment between the City of Houston and Houston Area Community Services, Inc. which will increase the contract amount by $37,194.61 to provide rental assistance funding for its Tenant-based Rental Assistance project with Supportive Services under the Housing Opportunities for Persons With AIDS ("HOPWA") Program.

| | |
|---|---|
| **Amount of Funding:** $37,194.61 - HOPWA Grant | **Finance Budget:** |

**SOURCE OF FUNDING** **[ ] General Fund** **[X] Grant Fund** **[ ] Enterprise Fund**

**[ ] Other (Specify)** **Grant Fund (5000)**

**SPECIFIC EXPLANATION:**

The Housing and Community Development Department ("HCDD") recommends approval of a First Contract Amendment between the City of Houston and Houston Area Community Services, Inc. ("HACS") to finance additional tenant-based rental assistance costs associated with its HIV/AIDS program. HACS is a Texas nonprofit that provides intensive case management, outreach programs and housing options to people living with HIV/AIDS.

By passage of Ordinance No. 2007-0054, on January 10, 2007, City Council authorized and approved a contract between the City of Houston and Houston Area Community Services, which provided funding for the administration and operation of its HOPWA project. Through HIV/STI grants received beginning in 1999, HACS has served annually in excess of 15,000 individuals at risk for HIV/STI. HACS' current annual budget is over $4 million, and their scope of services has expanded to include prevention care services, HIV/STI counseling, testing, and treatment; outpatient primary medical care, case management, and housing related services; mental health and substance abuse treatment services; and peer support programs.

The initial funding of the contract provided for program costs in the amount of $642,000.00, but was not inclusive of $37,194.61 in rental assistance costs incurred by the agency for services rendered at the end of this contract. At the request of the City, HACS paid rents due on February 1, 2008 for its clients, while awaiting passage of a new contract. These rents were paid in order that the clients could continue to receive housing assistance without a gap in service. As a result, a total of seventy-nine (79) households received rental assistance. The contract, Ordinance No. 2007-0054, was scheduled to expire on January 25, 2008, but was extended to February 11, 2008 by HCDD. HACS now desires to amend this contract with the City by increasing the amount to pay for the additional tenant-based rental assistance costs. The new contract total would increase to $679,194.61.

**REQUIRED AUTHORIZATION**

| | | |
|---|---|---|
| **Finance Director:** Michelle Mickey | **Other Authorization:** | **Other Authorization:** |

| Date | Subject: An Ordinance Authorizing the Execution of a First Contract Amendment Between the City of Houston and Houston Area Community Services, Inc. for a Tenant-Based Rental Assistance Program. | Originator's Signature | Page 2 of 2 |
|---|---|---|---|
| 1/30/09 | | | |

The current scope of work for this project entails the provision of tenant-based rental assistance and supportive services for eighty (80) unduplicated households. The Tenant-Based Rental Assistance ("TBRA") program provides approximately $650/month to clients in long-term rental situations. This assistance is provided each month for a 12-month period, at the end of which the client must re-qualify for the program. The contract amendment will provide the following funding activities.

| | | Original Contract Amount | | Amendment February 2008 Rental Assistance | | Total Contract Services |
|---|---|---|---|---|---|---|
| Administration | | $44,940.00 | | $0.00 | | $44,940.00 |
| Supportive Services | | $207,060.00 | | $0.00 | | $207,060.00 |
| TBRA | | $390,000.00 | | $37,194.61 | | $427,194.61 |
| | TOTAL | $642,000.00 | | $37,194.61 | | $679,194.61 |

Therefore, HCDD is requesting approval of a First Contract Amendment increasing the original contract amount by $37,194.61; thereby providing up to $679,194.61 in total contract funds.

RC:DS:KB:AB

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

HCD09-23a

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

| **SUBJECT:** An Ordinance authorizing and approving a Second Amendment to Urban Redevelopment Interlocal Agreement ("Second Amendment") with Land Assemblage Redevelopment Authority ("LARA") and other Local Taxing Units | **Category #** | **Page** 1 of 1 | **Agenda Item #** 36 |
|---|---|---|---|

| **FROM (Department or other point of origin):** | **Origination Date** | **Agenda Date** |
|---|---|---|
| Richard S. Celli, Director<br>Housing and Community Development Department | March 6, 2009 | MAR 25 2009 |

| **DIRECTOR'S SIGNATURE:** | **Council District affected:** |
|---|---|
| | Various |

| **For additional information contact:** | **Date and identification of prior authorizing Council action:** |
|---|---|
| Steve Tinnermon Phone: (832) 393-0966 | Ord. No. 2003-1018 dated November 5, 2003<br>Ord. No. 2005-702 dated June 8, 2005 |

**RECOMMENDATION: (Summary)** Approval of a Second Amendment to Urban Redevelopment Interlocal Agreement ("Second Amendment") among the City, the Land Assemblage Redevelopment Authority ("LARA"), and other local taxing units to 1) extend the term of the LARA Agreement until March 12, 2014, and 2) clarify certain provisions of the LARA Agreement regarding its applicability to LARA-acquired properties.

| **Amount of Funding:** | **Finance Budget:** |
|---|---|
| Not Applicable. | |

**SOURCE OF FUNDING** **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund**

**[ ] Other (Specify)**

**SPECIFIC EXPLANATION:**

Pursuant to Ordinance No. 2003-1018, passed and adopted by the City Council on November 5, 2003, the City of Houston ("City") entered into an Urban Redevelopment Interlocal Agreement ("LARA Agreement") with Land Assemblage Redevelopment Authority ("LARA") and other local taxing units to establish a procedure pursuant to which certain properties located in the City's Third and Fifth Wards would be redeveloped as affordable housing. Pursuant to Ordinance No. 2005-702, passed and adopted by the City Council on June 8, 2005, the LARA Agreement was amended and the parties thereto consented to add tax delinquent properties to the LARA Agreement.

All of the parties to the LARA Agreement desire to extend the term of the agreement until March 12, 2014, and further to clarify certain provisions regarding its applicability to LARA-acquired properties. Specifically, properties that LARA acquires through bid auctions and for which LARA reimburses HISD for its share of delinquent taxes will be excluded from the provisions of the agreement that apply to properties LARA acquires through the strike-off process.

Extending the term of the LARA Agreement and clarifying certain provisions thereof will benefit the City and the other taxing units.

City Secretary
Mayor's Office
Legal Department
Finance Department

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|
| | | |

HCD09-35

**TO: Mayor via City Secretary** **REQUEST FOR COUNCIL ACTION** **09 Land Exchange 1st Amend**

| **SUBJECT**: An Ordinance approving and authorizing a First Amendment to Ancillary Land Exchange Agreement between the City of Houston ("City") and Houston Independent School District ("HISD") to increase the credit amount to HISD for certain Houston Hope I property lots to be acquired by the Land Assemblage Redevelopment Authority ("LARA"). | | Page 1 of 1 | **Agenda Item #** 36 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Richard Celli, Director, Housing and Community Development Department | **Origination Date** 03-16-2009 | **Agenda Date** MAR 25 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE:** | | **Council District affected:** All |
| **For additional information contact:** Stephen Tinnermon **Phone:** 832-393-0661 | | **Date and identification of prior authorizing Council action:** 2005-702 -- June 8, 2005 |

**RECOMMENDATION: (Summary)**
Approval of an Ordinance authorizing the First Amendment to the Ancillary Land Exchange Agreement between the City of Houston ("City") and Houston Independent School District ("HISD") to increase the credit amount to HISD for certain "Houston Hope I" property lots acquired by LARA through "strike-off".

| **Amount of Funding:** **No Funding Required** | **Finance Budget:** |
|---|---|

**SOURCE OF FUNDING** **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund**
**[ ] Other (Specify)**

**SPECIFIC EXPLANATION:** In November 2003, City Council approved an ordinance establishing the Land Assemblage Redevelopment Authority ("LARA") providing for the creation of a pilot program. This program provided for the foreclosure and "strike-off" to LARA of 217 severely tax-delinquent lots situated in the Third and Fifth Wards for use for new affordable housing. A tax-delinquent property obtained by LARA through "strike-off" occurs only when there are no third-party bids on the property at the tax foreclosure constable sale. In June 2005, the LARA Inter-local Agreement was amended to expand the geographic areas of the initiative to include other sections of the City, and to add another 1,478 severely tax-delinquent lots to the program. These lots are collectively referenced in the Agreement as "Houston Hope I" property lots.

In support of this effort, on or about July 22, 2005 the City of Houston entered into the Ancillary Land Exchange Agreement ("Ancillary Agreement") with HISD. The Agreement provided that in exchange for HISD consenting to adding 1,478 lots ("Houston Hope I" property lots) for inclusion under the LARA Inter-local Agreement, the City agreed to establish a credit account and to provide HISD with a $500 credit to the account for each "Houston Hope I" lot acquired by LARA by "strike-off" at constable sale. The credit can be used to offset the cost of property HISD acquires from the City.

On or about January 15, 2009, HISD agreed to a Second Amendment to the LARA Inter-local Agreement extending it until 2014 and providing for other provisions. In exchange for consenting to this extension, City Council is asked to approve the First Amendment to the Ancillary Land Agreement and authorize that commencing February 1, 2009, the credit provided to HISD for each "Houston Hope I" property lot obtained thereafter by LARA through "strike-off" be increased from $500 to $1,000.

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

**REQUIRED AUTHORIZATION**

| **Finance Director:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

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

| **SUBJECT:** Lease Agreement between the City of Houston and Spectra Energy Services, LLC – William P. Hobby Airport (HOU). | **Category #** | **Page 1 of 2** | **Agenda Item #** 39 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Houston Airport System | **Origination Date** March 2, 2009 | **Agenda Date** MAR 25 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE:** | **Council District affected:** I | |
| **For additional information contact:** Janet Schafer **Phone:** 281/233-1796 Lucy S. Ortiz | **Date and identification of prior authorizing Council action:** | |
| **AMOUNT & SOURCE OF FUNDING:** INW<br>**REVENUE:** $274,118.38 per year ($22,843.20* monthly) | **Prior appropriations:** N/A | |

**RECOMMENDATION: (Summary)**
Enact an ordinance approving and authorizing the execution of a Lease Agreement between the City of Houston and Spectra Energy Services, LLC at William P. Hobby Airport (HOU).

**SPECIFIC EXPLANATION:**

On August 20, 2003, the City approved Lease Agreement 55234 with Duke Energy Business Services, LLC (Duke) for premises located at 8502 West Monroe, William P. Hobby Airport (HOU). On November 19, 2003, the City amended the Lease to clarify the expiration date of the primary lease term. On January 1, 2007, the Director approved the assignment of the Lease from Duke to Spectra Energy Services, LLC (Lessee). The Lease and all available exercised options expired on August 31, 2008. In accordance with departmental leasing practices, Lessee and the department are requesting to enter into a new lease at HOU.

The pertinent terms and condition of the Lease Agreement are as follows:

1. Leased Premises: Approximately 269,046 square feet (approximately 6.796 acres) of improved land, including approximately 40,350 square feet of hangar area.

2. Term: Effective on countersignature date, the term will expire on August 31, 2011, unless otherwise terminated in accordance with the terms of the Lease Agreement.

3. Options: Two 2-year option periods exercised by giving the Director written notice.

4. Use: Corporate Aviation

**REQUIRED AUTHORIZATION**

| **Finance Department:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|

| | |
|---|---|
| 5. Rent: | Based on appraisal, rent will be $274,118.38 annually ($22,843.20* monthly, which shall be adjusted at year end to reconcile with the annual rate). If exercised, rent will increase by 15 percent at the beginning of the second option period. |
| 6. Performance Security: | Lessee will provide a performance bond or an irrevocable letter of credit in the amount of $177,059.20 ($137,059.20 represents six month's rent, plus an additional $40,000.00, which represents the estimated costs to remove Lessee's underground storage tanks and remediate the leased premises). |
| 7. Improvements: | Lessee is required to expend a minimum of $150,000.00 in improvements to the leased premises for each option period exercised, or pay the City the difference as additional rent. Upon expiration or early termination of the Lease Agreement, the improvements will automatically vest in the City. |
| 8. Maintenance and Utilities: | Lessee shall assume the entire responsibility, cost and expense for all repair and maintenance of the leased premises and shall be responsible for all utilities furnished to the leased premises. |
| 9. Indemnification and Insurance: | Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the Lease Agreement. |
| 10. Environmental Matters and Airport Rules: | Lessee shall comply with all federal, state and local environmental laws and all airport policies and procedures. |
| 11. Other: | Lessee agrees to comply with all rules and regulations adopted by the airport and/or TSA and/or the FAA, and to comply with all federal, state and local statutes, ordinances, regulations and policies. |

RMV:lso

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr
Mr. Arturo G. Michel
Mr. Richard M. Vacar
Ms. Kathy Elek
Mr. Aleks Mraovic
Mr. Ian Wadsworth
Ms. Monica R. Newhouse
Mr. David K. Arthur
Ms. Roxanne Butler
Ms. Janet Schafer
Ms. Marlene McClinton
Mr. Charles Wall
Ms. Mary Case
Mr. Brian Rinehart
Ms. Jan Clark

R

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8097**

| **Subject:** Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. 4600007365 for Tree Removal Services for the Parks & Recreation Department LC-R0734-067-21161-A1 | Category # 4 | Page 1 of 1 | Agenda Item 40 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Calvin D. Wells, City Purchasing Agent, Administration & Regulatory Affairs Department | **Origination Date** March 06, 2009 | **Agenda Date** MAR 25 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE** Calvin D. Wells | **Council District(s) affected** All | |
| **For additional information contact:** Daniel Pederson **Phone:** (713) 865-4507; Douglas Moore **Phone:** (832) 393-8724 | **Date and Identification of prior authorizing Council Action:** Ord.2006-1235; Passed December 13, 2006 | |

**RECOMMENDATION: (Summary)**

Approve an amending ordinance to increase the maximum contract amount from $925,485.00 to $1,295,679.00 for the contract between the City of Houston and Prime Tree & Landscaping Services, Inc. for tree removal services for Parks & Recreation Department.

| Maximum Contract Amount Increased by: $370,194.00 | **Finance Budget** |
|---|---|
| $370,194.00 - General Fund (1000) | |

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount from $925,485.00 to $1,295,679.00 for the contract between the City of Houston and Prime Tree & Landscaping Services, Inc. for tree removal services for the Parks & Recreation Department.

This contract was awarded on December 13, 2006 for a three-year term in the amount of $925,485.00. Expenditures as of November 13, 2008 totaled $925,456.58. Additional spending authority is needed because HPARD needed tree removal services in City parks immediately prior to and following Hurricane Ike. The Department is pursuing reimbursement for these expenses from FEMA, and eligibility is pending.

The scope of work requires the contractor to furnish all labor, supervision, tools, equipment and transportation necessary to provide tree removal services which includes, but is not limited to, removal of hazardous, damaged or dead trees. In addition, the contractor is required to dispose of all debris associated with removing the tree(s) in strict accordance with local, State, and federal regulations.

This contract was awarded with a 15% M/WBE participation goal and the contractor is currently exceeding the goal.

Buyer: Eric Alexander

**Estimated Spending Authority**

| Department | FY09 | Out Years | Total |
|---|---|---|---|
| Parks & Recreation | $100,000.00 | $270,194.00 | $370,194.00 |

**REQUIRED AUTHORIZATION** NOT

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|
| | | |

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 8166**

| **Subject:** Approve an Ordinance Awarding a Contract for Sewer Stoppage Services for the Public Works & Engineering Department S23-L23008 | Category # 4 | Page 1 of 2 | Agenda Item 41 |
|---|---|---|---|

| **FROM (Department or other point of origin):** | **Origination Date** | **Agenda Date** |
|---|---|---|
| Calvin D. Wells<br>City Purchasing Agent<br>Administration & Regulatory Affairs Department | March 05, 2009 | MAR 2 5 2009 |
| **~~DIRECTOR'S SIGNATURE~~** Calvin D Wells | **Council District(s) affected** All | |
| **For additional information contact:**<br>David Guernsey **Phone:** (713) 238-5241<br>Ray DuRousseau **Phone:** (832) 393-8726 | **Date and Identification of prior authorizing Council Action:** | |

**RECOMMENDATION: (Summary)**

Approve an Ordinance awarding a contract to CleanServe, Inc. on its low bid in an amount not to exceed $9,313,130.00 for sewer stoppage services for the Public Works & Engineering Department.

| Maximum Contract Amount: $9,313,130.00 | **Finance Budget** |
|---|---|
| $9,313,130.00 - PW&E Water & Sewer System Operating Fund (8300) | |

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options in an amount not to exceed $9,313,130.00 to CleanServe, Inc. on its low bid for sewer stoppage services for the Public Works and Engineering Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor, should termination become necessary. This contract will be used citywide to supplement the Department's Utility Maintenance Division's stoppage teams in responding to sanitary sewer stoppages, including "sewer in residence" complaints.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-nine prospective bidders downloaded the solicitation documents from the Strategic Purchasing Division's website and five bids were received as outlined below.

| | COMPANY | TOTAL AMOUNT |
|---|---|---|
| 1. | **CleanServe, Inc.** | **$ 9,313,130.00** |
| 2. | AAA Flexible Pipe Cleaning Co., Inc. | $11,508,596.00 |
| 3. | Chief Solutions, Inc. | $12,540,500.00 |
| 4. | Statewide Services, Inc. | $23,165,125.00 |
| 5. | SHE-Co, Inc | $24,091,730.00 |

- Due to the disparity between the bids, Strategic Purchasing spoke with a representative of CleanServe, Inc. to discuss the scope of work for this project. CleanServe, Inc.'s representative stated that its bid includes all costs associated with performing the work called for in the published scope of work and subsequently provided a letter to Strategic Purchasing confirming the same. Based on the aforementioned, Strategic Purchasing is confident that the recommended company can perform the specified work for the price bid.

**REQUIRED AUTHORIZATION** 65COW 8166

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|
| | | 3/20/09 |

The scope of work requires the contractor to provide all equipment, labor, materials, supplies, supervision, tools and transportation necessary to remove stoppages/blockages, and to clean and televise City of Houston sanitary sewers, which includes debris removal from sanitary sewer manholes. Additionally, the contractor shall be required to transport all removed debris to the City of Houston's facility, located at 100 Japhet Street.

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

**M/WDBE Subcontracting:**

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

| Name | Type of Work | Dollar Amount | Percentage |
|---|---|---|---|
| B-W Industrial | Supply Fuel & Lubrication | $838,181.00 | 9% |
| Labs Industrial Supply Co. | Supply Hose & Fittings | $186,262.00 | 2% |

This contract will be monitored by the Affirmative Action Division in accordance with its procedures.

CDW:RD:rb

**ESTIMATED SPENDING AUTHORITY**

| DEPARTMENT | FY09 | Out Years | Total |
|---|---|---|---|
| PUBLIC WORKS & ENGINEERING | $150,000.00 | $9,163,130.00 | $9,313,130.00 |

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

| | | | |
|---|---|---|---|
| **SUBJECT:** Purchase and Sale Agreement between Longinos DeLeon (Seller) and the City of Houston (Purchaser) for the purchase of 2,750 square feet of land, more or less, more commonly known as the westernmost lot of 6918 Navigation Street for the Houston Fire Department.<br>WBS No. C-000089-0005-2 | | **Page**<br>1 of 1 | **Agenda Item**<br>42 |
| **FROM (Department or other point of origin):**<br>General Services Department | **Origination Date**<br>3-19-09 | **Agenda Date**<br>MAR 25 2009 | |
| **DIRECTOR'S SIGNATURE:**<br>Issa Z. Dadoush, P.E. 3/4/09 | **Council District affected:** I | | |
| **For additional information contact:**<br>Jacquelyn L. Nisby **Phone:** 832-393-8023 | **Date and identification of prior authorizing Council action:** | | |

**RECOMMENDATION:** Approve and authorize a Purchase and Sale Agreement between Longinos DeLeon (Seller) and the City of Houston (Purchaser) for the purchase of land at 6918 Navigation Street for the expansion of Fire Station 20, and appropriate funds.

| | |
|---|---|
| **Amount and Source Of Funding:**<br>**$61,000.00** – Fire Consolidated Construction Fund (4500) | **Finance Budget:** |

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve a Purchase and Sale Agreement with Longinos DeLeon to purchase Lot Twenty Nine (29), Block One Hundred Twelve (112) of Central Park, a subdivision of Harris County, Texas, more commonly known as the westernmost lot of 6918 Navigation Street, for a purchase price of $55,000.00 plus additional acquisition expenses of approximately $6,000.00, for the Houston Fire Department (HFD). HFD desires to acquire the land for expansion of the adjacent Fire Station 20.

The following is a breakdown of expected costs:

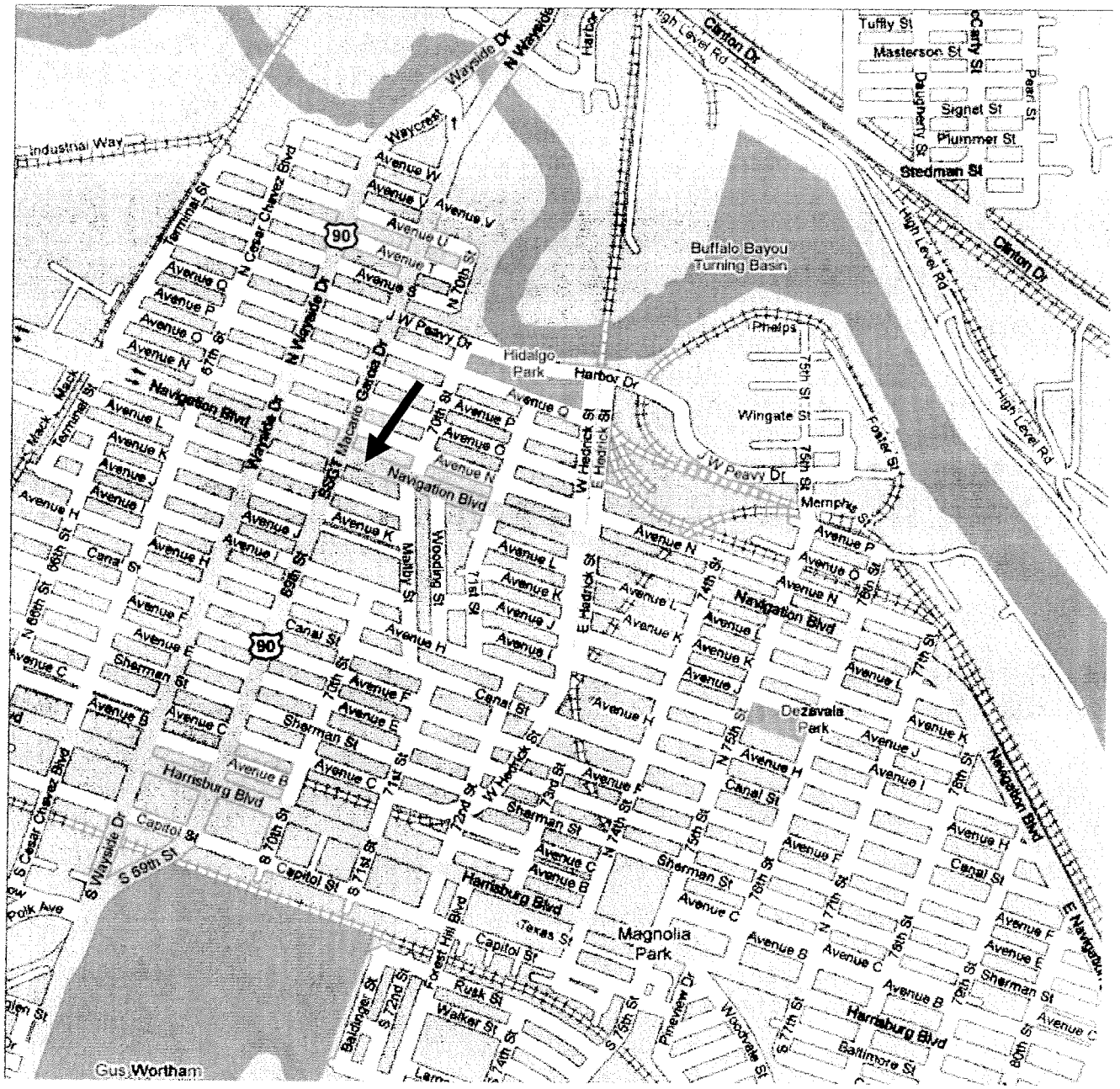
| | |
|---|---|
| Purchase Price | $55,000.00 |
| Closing Costs | 6,000.00 |
| **TOTAL** | **$61,000.00** |

IZD:BC:JLN:RB:WW
xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Jack Williams

**REQUIRED AUTHORIZATION** CUIC ID# 25 WW01

| | | |
|---|---|---|
| **General Services Department:**<br>Forest R. Christy, Jr., Director<br>Real Estate Division | | **Houston Fire Department:**<br>Phil Boriskie<br>Chief |

F&A 011.A Rev. 3/940


Tuffly St
Masterson St
Dunphey St
Pearl St
Signet St
Plummer St
Stedman St
Clinton Dr
High Level Rd
Industrial Way
Waycross
Warpside Dr
N Wayside
Harbor
Terminal St
Cesar Chavez Blvd
90
Avenue W
Avenue V
Avenue U
Avenue T
Avenue S
Avenue Q
Avenue P
Avenue O
Avenue N
Navigation Blvd
Mack St
Buffalo Bayou
Turning Basin
J W Peavy Dr
Hidalgo
Park
Harbor Dr
Macario Garcia Dr
W Hedrick
E Hedrick
Phelps
75th St
Wingate St
Foster St
Memphis St
Avenue L
Avenue K
Avenue J
Avenue I
Avenue H
Avenue F
Avenue E
Avenue C
Avenue B
Canal St
Sherman St
Harrisburg Blvd
Capitol St
S 69th St
Texas St
Rusk St
Walker St
Baldridge St
Gus Wortham
Magnolia
Park
Dezavala
Park
Woodside St
Maxey St
Pinedale St
Woodvale St
Baltimore St
E Navigation Blvd

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

| | | | |
|---|---|---|---|
| **SUBJECT:** Purchase and Sale Agreement between The Historical Bethel Missionary Baptist Church in Christ (Seller) and the City of Houston (Purchaser) for the purchase of 17,000 square feet of land, more or less, more commonly known as 801 Andrews Street and 804 Ruthven Street, for the Parks and Recreation Department. WBS No. F-000730-0001-2 | | **Page** 1 of 1 | **Agenda Item** 43 |
| **FROM (Department or other point of origin):** General Services Department | **Origination Date** 3-20-09 | **Agenda Date** MAR 25 2009 | |
| **DIRECTOR'S SIGNATURE:** Issa Z. Dadoush, P.E. 3/19/09 | **Council District affected:** I | | |
| **For additional information contact:** Jacquelyn L. Nisby **Phone:** 832-393-8023 | **Date and identification of prior authorizing Council action:** | | |

**RECOMMENDATION:** Approve a Purchase and Sale Agreement between The Historical Bethel Missionary Baptist Church in Christ, a Texas nonprofit corporation (Seller) and the City of Houston (Purchaser) for the purchase of land at 801 Andrews Street and 804 Ruthven Street for the Parks and Recreation Department, and appropriate funds.

| | |
|---|---|
| **Amount and Source Of Funding:** **$357,895.00** Reimbursement of Equipment/Projects Fund (1850) | **Finance Budget:** Douglas Sockwell |

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve a Purchase and Sale Agreement with The Historical Bethel Missionary Baptist Church in Christ, a Texas nonprofit corporation, to purchase all of that certain tract of land consisting of Lots One (1), Two (2) and Ten (10) and the East one-half of Lot Nine (9), Block Forty-Seven (47) of W. R. Baker Addition, S.S.B.B., a subdivision of Harris County, Texas, more commonly known as 801 Andrews Street and 804 Ruthven Street, for a purchase price of $350,000.00 plus additional expenses of $7,895.00, for the Parks and Recreation Department (PARD). PARD desires to acquire the property for its historic and cultural value and will use the property as a public plaza.

It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed through a future agreement with the Fourth Ward Redevelopment Authority (TIRZ #14). On March 11, 2009, Ordinance No. 09-0213, City Council approved the 2009-2013 5-Year CIP Budget and FY 2009 Operating Budget for TIRZ #14, which included funding for historic preservation of The Historical Bethel Missionary Baptist Church in Christ.

The following is a breakdown of expected costs:

| | |
|---|---|
| Purchase Price | $350,000.00 |
| Environmental Report | 3,500.00 |
| Survey | 1,395.00 |
| Closing Costs | 3,000.00 |
| **TOTAL** | **$357,895.00** |

IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby, Renissa Garza Montalvo and Lisa Johnson

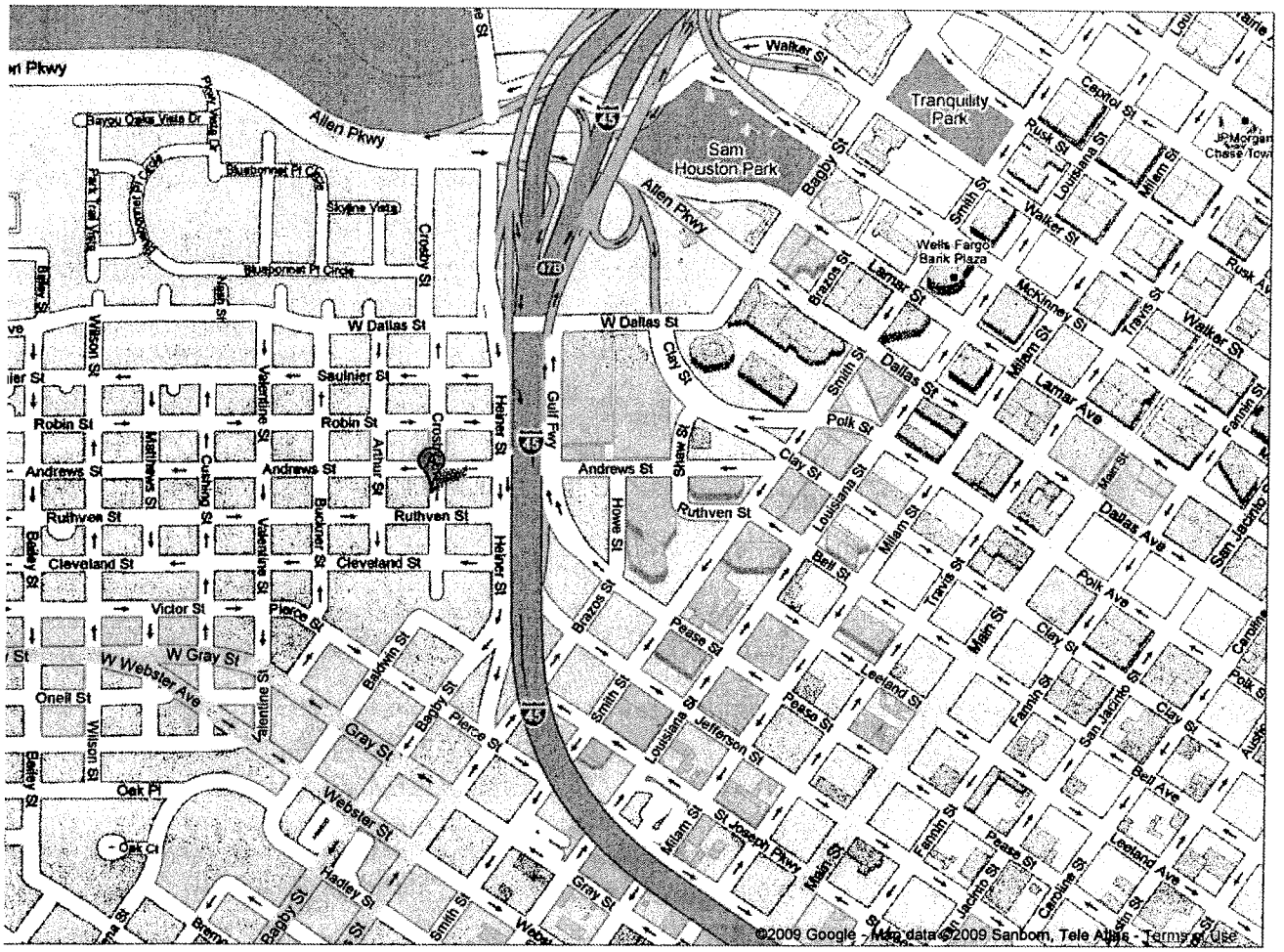
**REQUIRED AUTHORIZATION** CUIC ID# 25 RB 42

| | | |
|---|---|---|
| **General Services Department:** Forest R. Christy, Jr., Director Real Estate Division | | **Parks and Recreation Department:** Joe Turner Director |

F&A 011.A Rev. 3/940

Google Maps

Address



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

| | | |
|---|---|---|
| **SUBJECT:** Appropriate Funds<br>Project Management Costs<br>FY09 CIP Projects | **Page** 1 of 1 | **Agenda Item** 44 |
| **FROM (Department or other point of origin):** General Services Department | **Origination Date** 3-13-09 | **Agenda Date** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** Issa Z. Dadoush, P.E. 1/26/09 | **Council District(s) affected:** All | |
| **For additional information contact:** Jacquelyn L. Nisby **Phone:** 832-393-8023 | **Date and identification of prior authorizing Council action:** none | |

**RECOMMENDATION:** Appropriate / allocate funds in the amount of $2,560,000 for project management services associated with CIP projects managed by the General Services Department.

**Amount and Source of Funding:**

| | |
|---|---|
| $ 85,000 | Street & Bridge Consolidated Construction Fund (4506) |
| $ 300,000 | Fire Consolidated Construction Fund (4500) |
| $ 500,000 | Parks Consolidated Construction Fund (4502) |
| $ 100,000 | Solid Waste Consolidated Construction Fund (4503) |
| $ 325,000 | Police Consolidated Construction Fund (4504) |
| $ 425,000 | Public Library Consolidated Construction Fund (4507) |
| $ 300,000 | Public Health Consolidated Construction Fund (4508) |
| $ 450,000 | General Improvements Consolidated Construction Fund (4509) |
| $ 75,000 | C&E - Civic Center Facility Revenue Fund (8601) |
| **$2,560,000** | **Total Appropriation** |

**Finance Budget:** Michelle McDowell

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate/allocate $2,560,000 to the CIP Salary Recovery Fund to cover reimbursable project management costs for FY 2009 Capital Improvement Plan (CIP) projects for the City departments listed below.

The requested appropriation will reimburse the CIP Salary Recovery Fund for the actual cost of project management services provided by architects, engineers, project managers and administrators in FY09. These employees provide labor and expertise to manage design and construction of capital improvement projects and associated contracts. Project management costs are derived from FY08 timesheets and salary rates, along with FY09 projections. The recovery of salaries for City employees reduces the City's overall operational budget and provides citizens with a better administration of general funds.

IZD:HB:JLN:ml

**REQUIRED AUTHORIZATION** **CUIC** 25MSCL18

| | | |
|---|---|---|
| **General Services Department:**<br>Humberto Bautista, P.E.<br>Chief of Design & Construction Division | **Houston Public Library:**<br>Rhea Brown Lawson, Ph.D., Director | **Houston Police Department:**<br>Harold L. Hurtt, Chief of Police |
| **Houston Fire Department:**<br>Phil Boriskie, Fire Chief | **Department of Health & Human Services:**<br>Stephen L. Williams, M.ED, MPA, Director | **Solid Waste Management Department:**<br>Harry Hayes, Director |
| **Public Works & Engineering Department:**<br>Michael S. Marcotte, P.E., D.WRE, BCEE, Director | **Parks and Recreation Department:**<br>Joe Turner, Director | **Convention and Entertainment Facilities Department:**<br>Dawn Ullrich, Director |

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

| | | |
|---|---|---|
| **SUBJECT:** Appropriate Additional Funds to Construction Management at Risk Contract<br>Gilbane Building Company<br>Renovation to the Parks and Recreation Department Campus and Park<br>WBS No: F-0504D1-0002-4 | **Page** 1 of 2 | **Agenda Item** 45 |

| | | |
|---|---|---|
| **FROM (Department or other point of origin):**<br>General Services Department | **Origination Date**<br>3-17-2009 | **Agenda Date**<br>MAR 2 5 2009 |
| **DIRECTOR'S SIGNATURE:**<br>Issa Z. Dadoush, P. E. 3/10/09 | **Council District(s) affected:** I | |
| **For additional information contact:**<br>Jacquelyn L. Nisby **Phone:** 832-393-8023 | **Date and identification of prior authorizing Council action:**<br>Ordinance No. 2008-102; February 6, 2008<br>Ordinance No. 2008-865; October 1, 2008 | |

**RECOMMENDATION:** Appropriate additional funds for construction.

| | |
|---|---|
| **Amount and Source of Funding:**<br>**$ 3,246,000.00** Parks Consolidated Construction Fund (4502)<br><br>**Previous Funding:**<br>$ 170,000.00 Parks Consolidated Construction Fund (4502)<br>$ 2,198,815.00 Parks Consolidated Construction Fund (4502) (Gragg Building)<br>$ 8,000,000.00 General Improvement Consolidated Construction Fund(4509) (Gragg Building)<br>**$10,368,815.00 Total Funding** | **Finance Budget:**<br>Michelle Mitchell |

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate an additional amount of $3,246,000.00 to the Construction Management at Risk (CMAR) contract with Gilbane Building Company for the construction of the Wheeler Warehouse Building for the Parks and Recreation Department.

**PROJECT LOCATION:** 6200 Wheeler (Key Map 534G)

**PROJECT DESCRIPTION**: The scope of work consists of renovations to the Wheeler Warehouse Building, to include reconfiguring the floor plan to accommodate the Recreation Division. Upgrades will include MEP systems upgrades, roof repairs, exterior finishes and waterproofing repairs, lighting improvements, updating interior spaces for current accessibility standards and code compliance. The design of the Wheeler Warehouse Building will incorporate LEED™ (Leadership in Energy & Environmental Design) credits to achieve a Certified Level.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On February 6, 2008, City Council awarded a CMAR contract to Gilbane Building Company to provide pre-construction and construction phase services for the Renovation to the Parks and Recreation Department Campus and Park, and appropriated funds for pre-construction phase services, which included budgetary estimating, constructability and material selection. On October 1, 2008, City Council approved a First Amendment to the CMAR contract and appropriated $10,198,815.00 for renovations to the Gragg Building.

The anticipated contract duration for this project is 180 calendar days. The design consultant for this project is Harrison Kornberg Architects.

**REQUIRED AUTHORIZATION** CUIC ID # 25PARK66

| | |
|---|---|
| **General Services Department:**<br>Humberto Bautista, P.E.<br>Chief of Design & Construction Division | **Parks and Recreation Department:** NDT<br>Joe Turner<br>Director |

F&A 011A REV 3/94

**FUNDING SUMMARY:** It is recommended that City Council appropriate funds for construction phase services, including an additional appropriation of $26,402.50 for engineering and testing services under the existing contract with Geotest Engineering, Inc. The following amounts for construction and contingency are based on the construction manager's estimate of costs. The final cost of construction will be submitted to the director for approval as part of the Guaranteed Maximum Price (GMP) proposal.

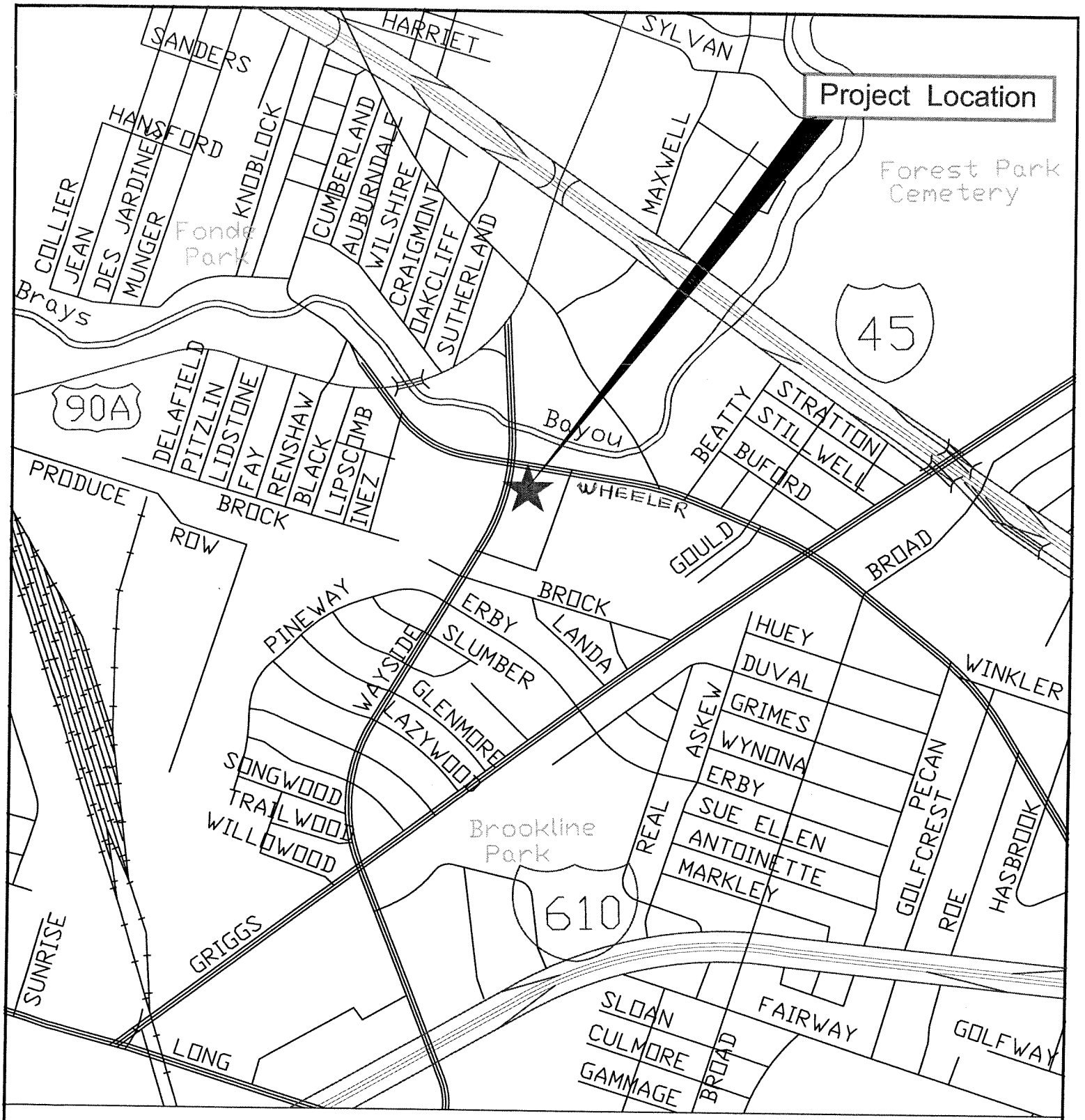
| | |
|---|---|
| $ 3,059,000.00 | **Estimated Construction Cost** |
| $ 107,065.00 | 3.5% Contingency (Estimate) |
| **$ 3,166,065.00** | **Total Estimated Contract Services** |
| $ 26,402.50 | Engineering Testing |
| $ 53,532.50 | Civic Art (1.75%) |
| **$ 3,246,000.00** | **Total Funding** |

**CONSTRUCTION GOALS:** An MBE goal of 15%, SBE goal of 5%, and WBE goal of 7% have been established for the construction phase of this contract. The construction manager will submit the list of proposed certified sub-contractors with the issuance of the GMP proposal.

**PAY OR PLAY PROGRAM:** The CMAR contract requires compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

IZD:HB:JLN:LJ;SNL:sl

c: Marty Stein, Velma Laws, Mark Ross, Jacquelyn Nisby, Lisa Johnson, Joseph Kurian, Gabriel Mussio, Webb Mitchell, Project File




**Parks and Recreation Department Campus and Park**

6200 Wheeler Road

Houston, TX 77023

**COUNCIL DISTRICT "I"**

**KEYMAP No. 534G**

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

| | | |
|---|---|---|
| **SUBJECT:** Appropriate Funds<br>Spring Equipment Company, Inc.<br>Paving Repair and Improvements to the Northeast and Southeast Service Centers<br>WBS No: L-000074-0001-4 | **Page** 1 of 1 | **Agenda Item** 46 |
| **FROM (Department or other point of origin):**<br>General Services Department | **Origination Date**<br>3-6-09 | **Agenda Date**<br>MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:**<br>Issa Z. Dadoush, P.E. 3/4/09 | **Council District(s) affected:**<br>H,I | |
| **For additional information contact:**<br>Jacquelyn L. Nisby **Phone:** 832-393-8023 | **Date and identification of prior authorizing Council action:**<br>Ordinance No. 07-1052; dated 9/12/2007 | |
| **RECOMMENDATION:** Appropriate funds for the project. | | |
| **Amount and Source of Funding:**<br>**$116,664.75** Solid Waste Consolidated Construction Fund (4503) | **Finance Budget:** | |

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate $116,664.75 to the existing citywide contract with Spring Equipment Company, Inc. for construction services at Northeast and Southeast Service Centers for the Solid Waste Management Department.

**PROJECT LOCATIONS:** Northeast Service Center 5614 Neches (454 S); Southeast Service Center 1502 Central (535G)

**PROJECT DESCRIPTION:** The project will repair and replace deteriorated driveways, which have settled due to heavy vehicle traffic.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On September 12, 2007, City Council awarded a one-year contract with two one-year renewal options to Spring Equipment Company, Inc. for concrete repair services for various departments. The contract is funded through various appropriations/allocations for concrete repair services. To date, $1,205,315.81 has been expended on the contract.

**M/WBE and SBE INFORMATION:** The contract contains a 15% M/WBE goal and a 5% SBE goal. Currently, Spring Equipment Company, Inc. has achieved 0.49% M/WBE participation and 2.88% SBE participation.

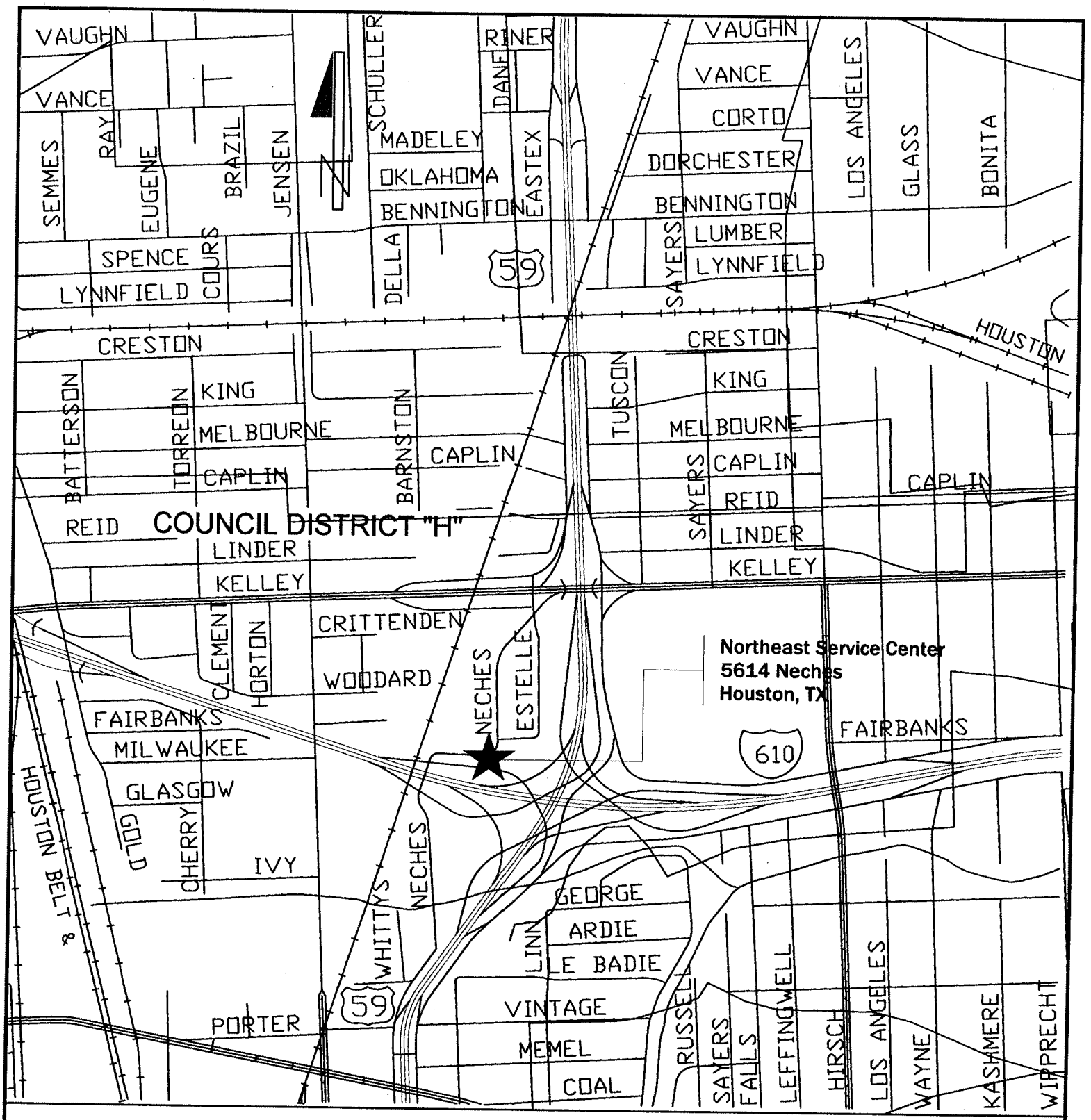
IZD:HB:JLN:RAV:VTN:vtn

c: Marty Stein; Jacquelyn L Nisby; Velma Laws; Morris Scott; Kim Nguyen; Webb Mitchell, File

**REQUIRED AUTHORIZATION** CUIC ID # 25CONS72

| **General Services Department:** | **Solid Waste Management Department:** |
|---|---|
| Humberto Bautista, P.E.<br>Chief of Design & Construction Division | Harry J. Hayes<br>Director |

F&A 011.A REV. 3/94
7530-0100403-00



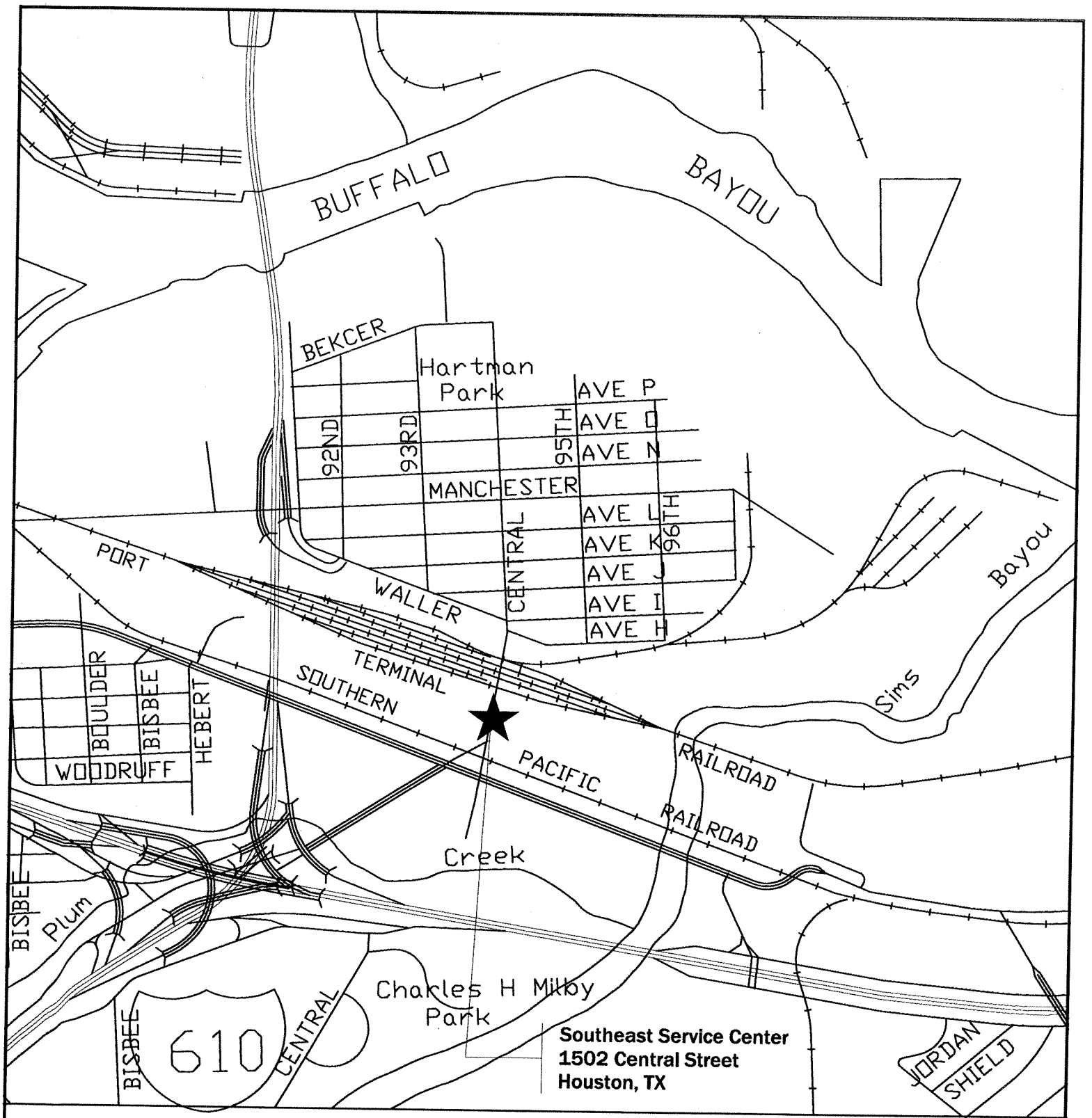

# NORTHEAST SERVICE CENTER

## 5614 NECHES

## HOUSTON, TX 77026

**COUNCIL DISTRICT "H"**

**KEYMAP No. 454S**




# SOUTHEAST SERVICE CENTER

## 1502 CENTRAL

## HOUSTON, TX 77012

**COUNCIL DISTRICT "I"**

**KEYMAP No. 535G**

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

| | | |
|---|---|---|
| **SUBJECT:** Appropriate Funds for Construction Services<br>Spring Equipment Company, Inc.<br>Houston Fire Department<br>WBS No: C-000089-0003-4 | **Page** 1 of 1 | **Agenda Item** 47 |
| **FROM (Department or other point of origin):**<br>General Services Department | **Origination Date**<br>3-6-09 | **Agenda Date**<br>MAR 2 5 2009 |
| **DIRECTOR'S SIGNATURE:**<br>Issa Z. Dadoush, P.E. 3/3/09 | **Council District(s) affected:**<br>B, D, I | |
| **For additional information contact:**<br>Jacquelyn L. Nisby **Phone:** 832 393-8023 | **Date and identification of prior authorizing Council action:**<br>Ordinance No. 2007-1052; dated 9/12/2007 | |
| **RECOMMENDATION:** Appropriate funds for the project. | | |
| **Amount and Source of Funding:**<br>**$239,000.00**—Fire Consolidated Construction Fund (4500) | **Finance Budget:** | |

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate $239,000.00 to the existing citywide contract with Spring Equipment Company, Inc. for construction services for various Houston Fire Department facilities.

**PROJECT LOCATIONS:**

| | |
|---|---|
| Fire Station No. 16<br>1700 Richmond (492Z) | Fire Station No. 20<br>6902 Navigation (494V) |
| Fire Station No. 56<br>5820 E. Little York (414V) | Fire Station No. 63<br>5626 Will Clayton Pkwy (374D) |

**PROJECT DESCRIPTION:** The project will replace main driveways and parking lots, which have deteriorated due to heavy vehicle traffic.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On September 12, 2007, City Council awarded a one-year contract with two one-year renewal options to Spring Equipment Company, Inc. for concrete repair services for various departments. The contract is funded through various appropriations for concrete repair services. To date, $1,205,315.81 has been expended on the contract.

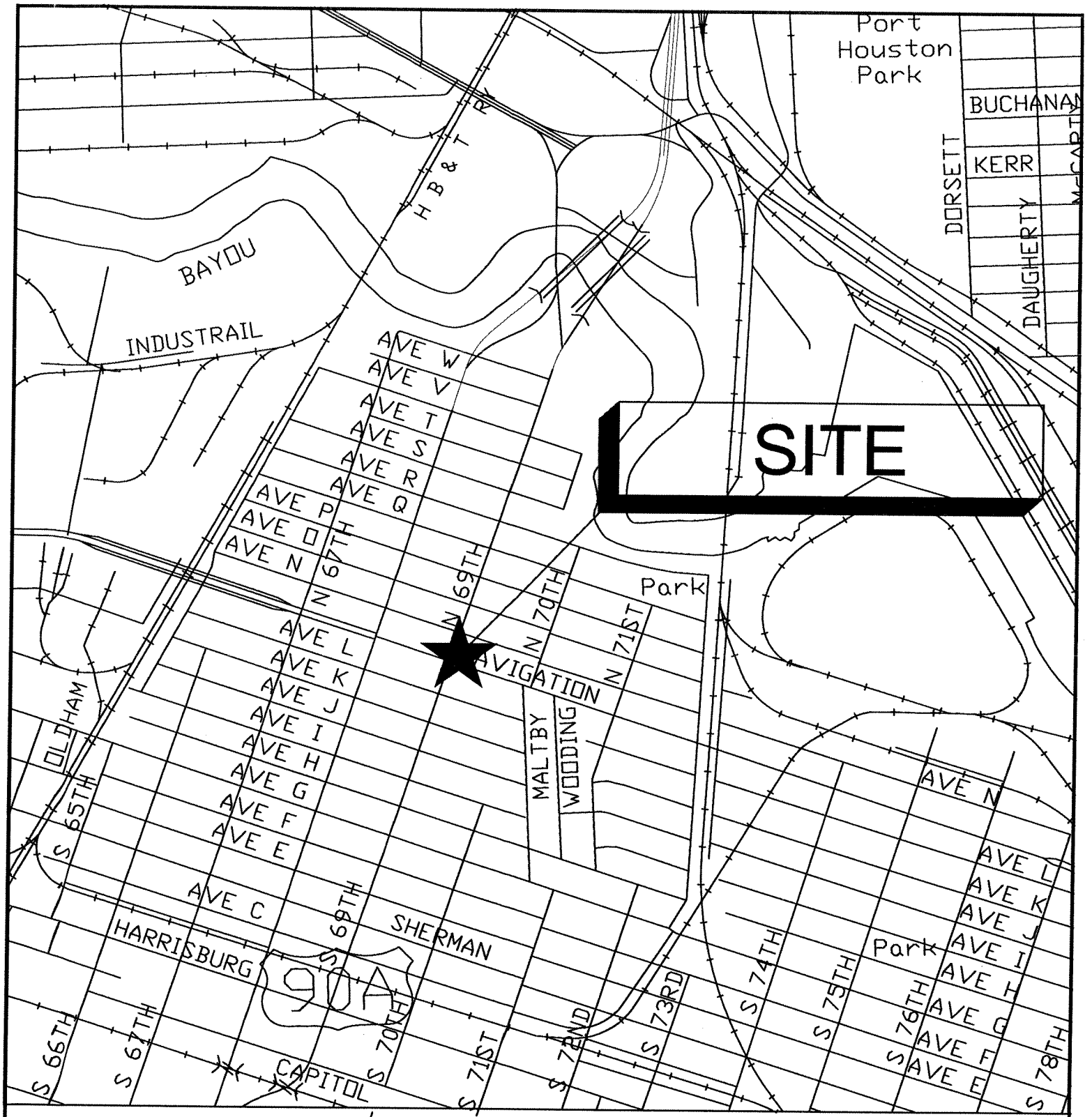
**M/WBE and SBE INFORMATION:** The contract contains a 15% M/WBE goal and 5% SBE goal. To date, Spring Equipment Company, Inc. has achieved 0.49% M/WBE participation and 2.88% SBE participation.

IZD:JLN:HB:MCP:RV:ps

c: Marty Stein; Jacquelyn L. Nisby; Siria Harbour; Kim Nguyen; Web Mitchell;File

**REQUIRED AUTHORIZATION** CUIC# 25CONS88

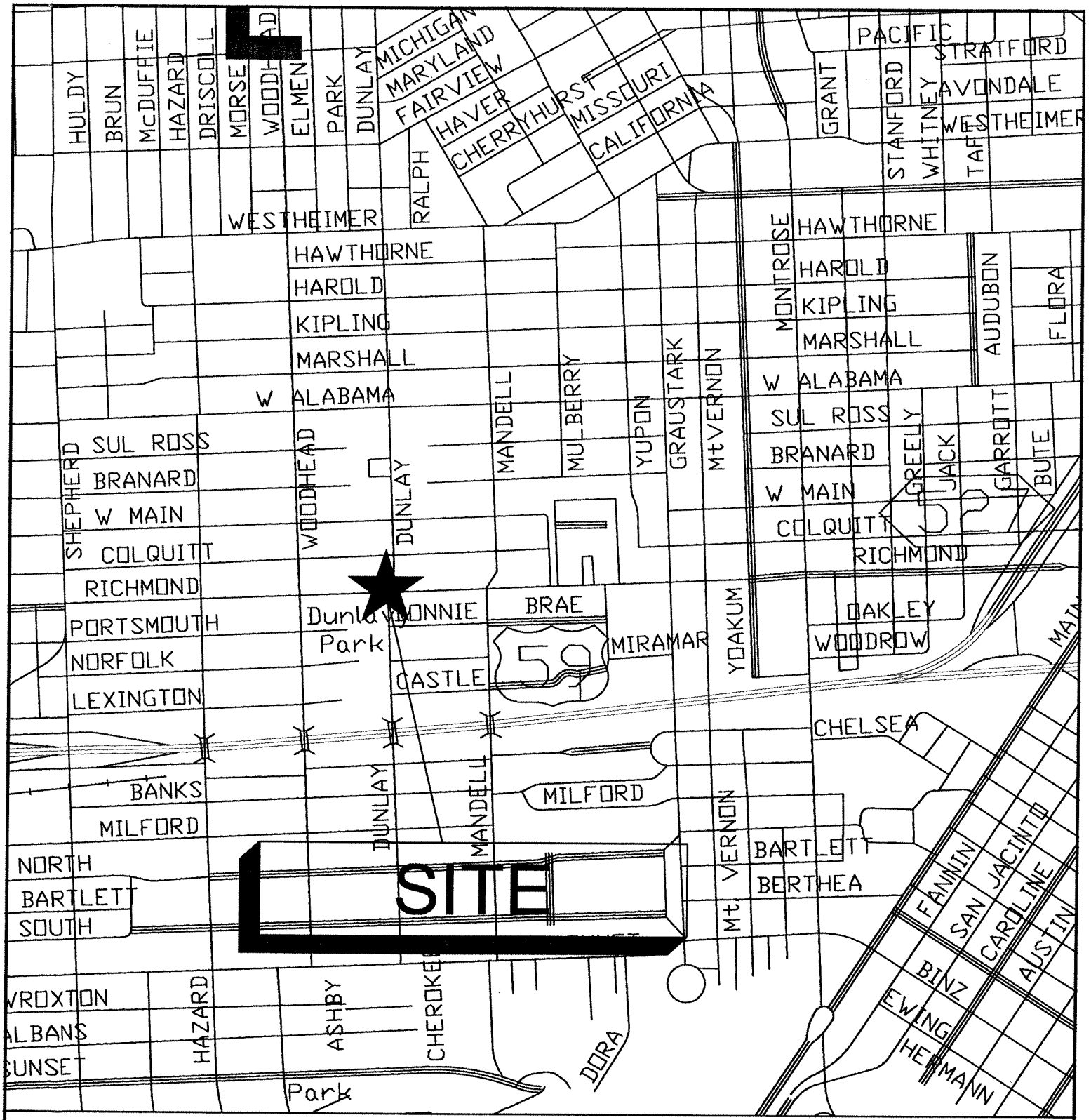
| | | |
|---|---|---|
| **General Services Department:**<br>Humberto Bautista, P.E.<br>Chief of Design & Construction Division | | **Houston Fire Department:**<br>Phil Boriskie<br>Fire Chief |




**FIRE STATION NO. 20**
**6902 NAVIGATION**
**HOUSTON , TX 77011**

COUNCIL DISTRICT "I"

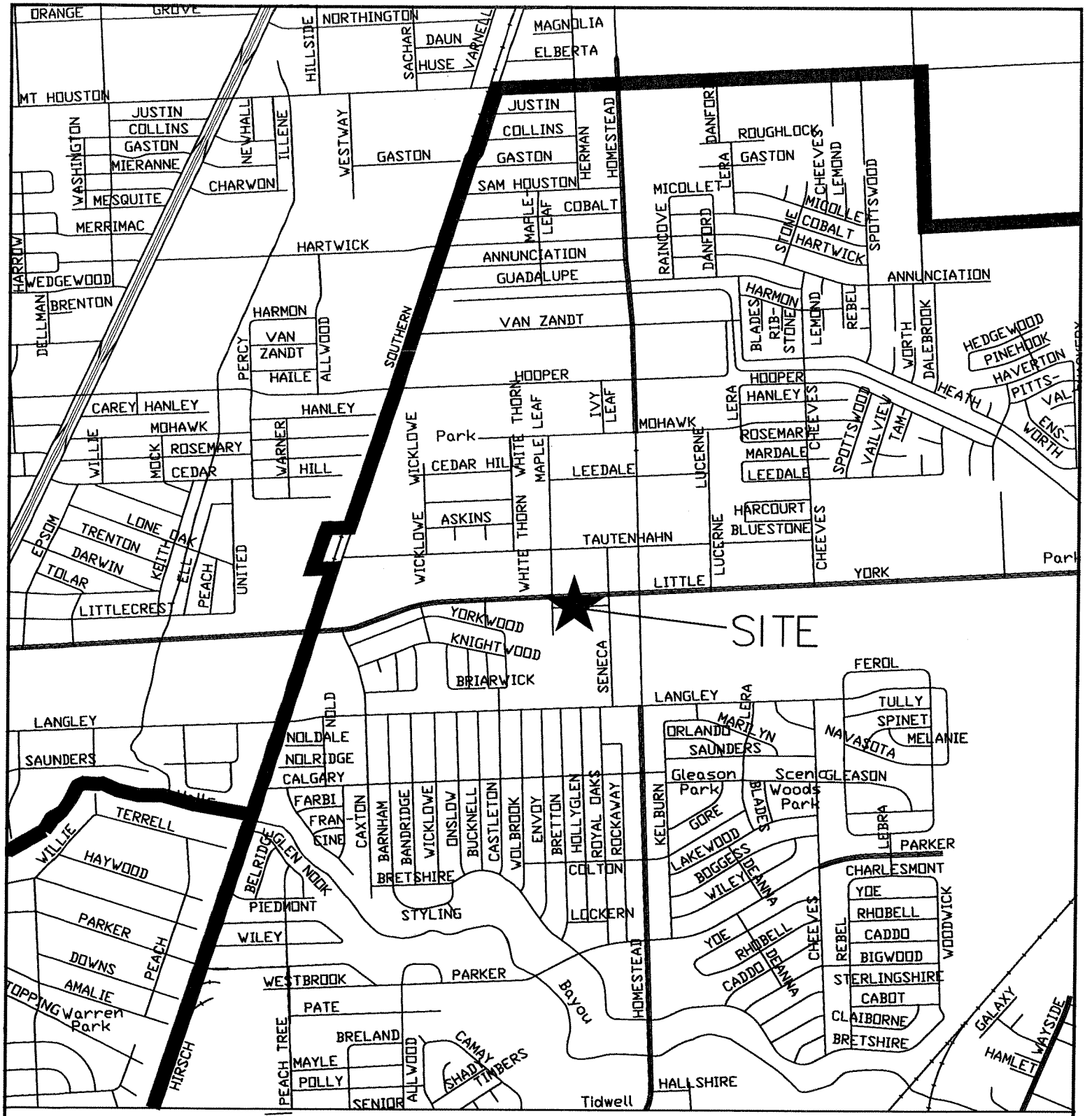
KEY MAP NO. 494V




**FIRE STATION NO. 16**
**1700 RICHMOND**
**HOUSTON , TX 77098**

COUNCIL DISTRICT "D"

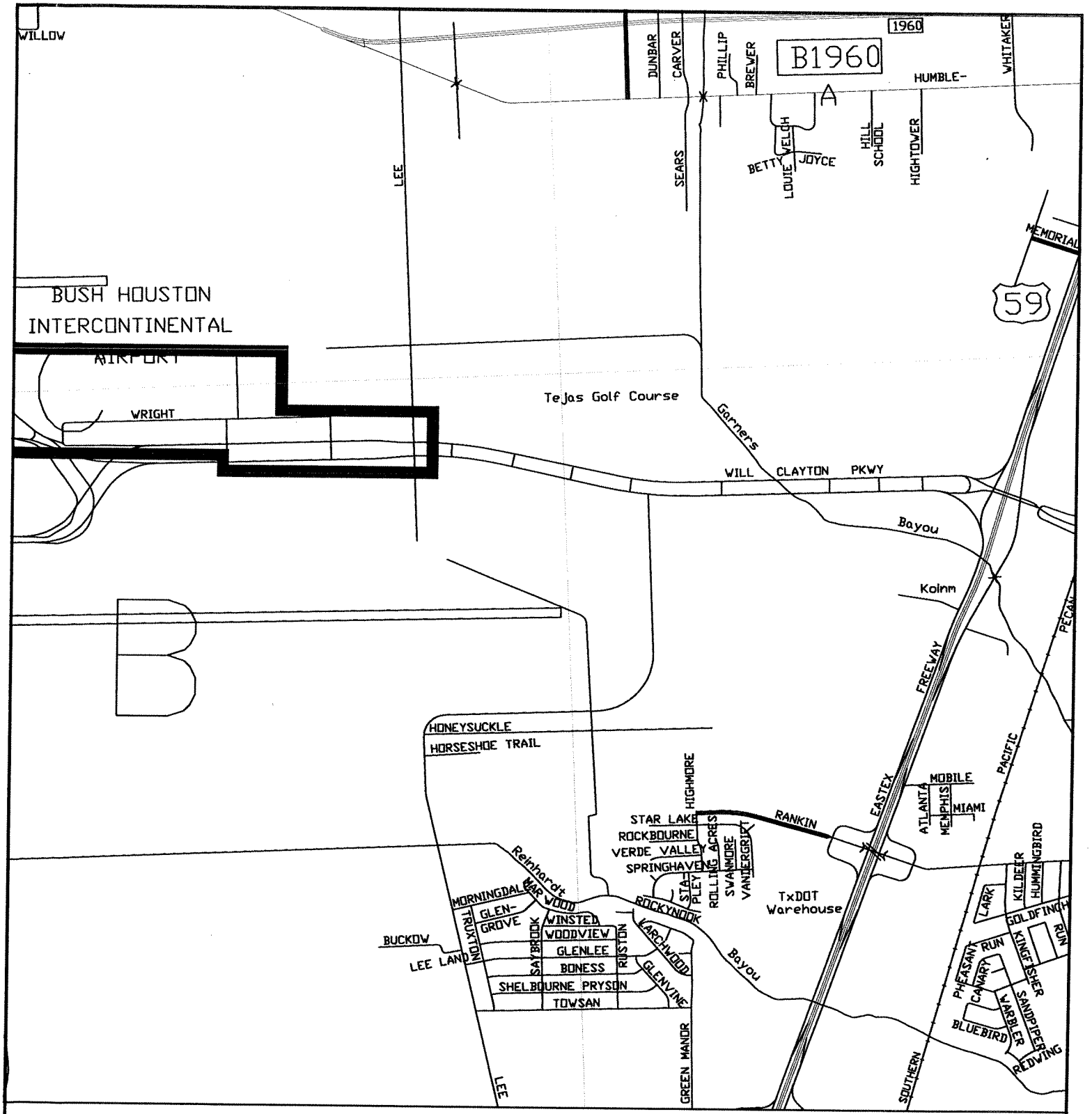
KEY MAP NO. 492Z




# FIRE STATION NO. 56
# 5820 E. LITTLE YORK
# HOUSTON , TX 77013

**COUNCIL DISTRICT "B"**

**KEYMAP No. 414V**




# FIRE STATION NO. 63
# 5626 WILL CLAYTON PKWY
# HOUSTON , TX 77032

**COUNCIL DISTRICT "B"**

**KEYMAP No. 374D**

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

R

| SUBJECT: An Interlocal agreement between the City of Houston and the Houston Parks Board LGC for the Houston Parks Board to provide professional design phase services for Phase One of the Houston Amateur Sports Park project to include preliminary design, design and preparation of bidding, and construction documents (D-000134-0001-3). | Page 1 of 1 | Agenda Item # 48 |
|---|---|---|

| FROM (Department or other point of origin): | Origination Date | Agenda Date |
|---|---|---|
| Department of Public Works and Engineering | 3-5-09 | MAR 25 2009 |

| DIRECTOR'S SIGNATURE: | Council District affected: |
|---|---|
| Michael S. Marcotte, P.E., D.WRE, BCEE, Director | D – Key Map 573N |
| For additional information contact: Andrew F. Icken, Deputy Director, Phone: 713-837-0510 | Date and identification of prior authorizing Council action and Ordinance: #2008-65 (01/23/08); #2008-298 (04/09/08) |

RECOMMENDATION: It is recommended City Council authorize an Interlocal agreement between the City of Houston and the Houston Parks Board LGC. It is also requested that funds be appropriated. This will allow for the Houston Parks Board to provide professional design phase services for Phase One of the Houston Amateur Sports Park project to include preliminary design, design and preparation of bidding, and construction documents.

Amount and Source of Funding: $806,725 - Limited Use Roadway & Mobility Capital Fund, Fund 4034 03/02/09

SPECIFIC EXPLANATION:

On January 23, 2008, City Council approved an ordinance authorizing the purchase of a tract of land along State Highway 288 corridor between Airport Blvd. and Sims Bayou for the development of an amateur sports complex. The Interlocal agreement between the City and the Houston Parks Board, will provide professional design services for the preliminary design, design development, and preparation of construction documents, for Phase One of the Houston Amateur Sports Park project.

Services to be provided include:

1) surveying;
2) preparation of easements and completion of the platting process;
3) geotechnical testing and evaluation;
4) minimizing flood plain impacts;
5) coordinate public and private utility services;
6) design of the multi-use sports fields with site furniture, shade structures, lighting and landscaping; design of the east-west street and all parking lots on City property;
7) coordination of the design with Houston Community College improvements and;
8) submission to the City Public Works and Engineering Department and gaining approval.

The services include design of infrastructure for the park in coordination with Houston Community College System's South Campus and future sports facility.

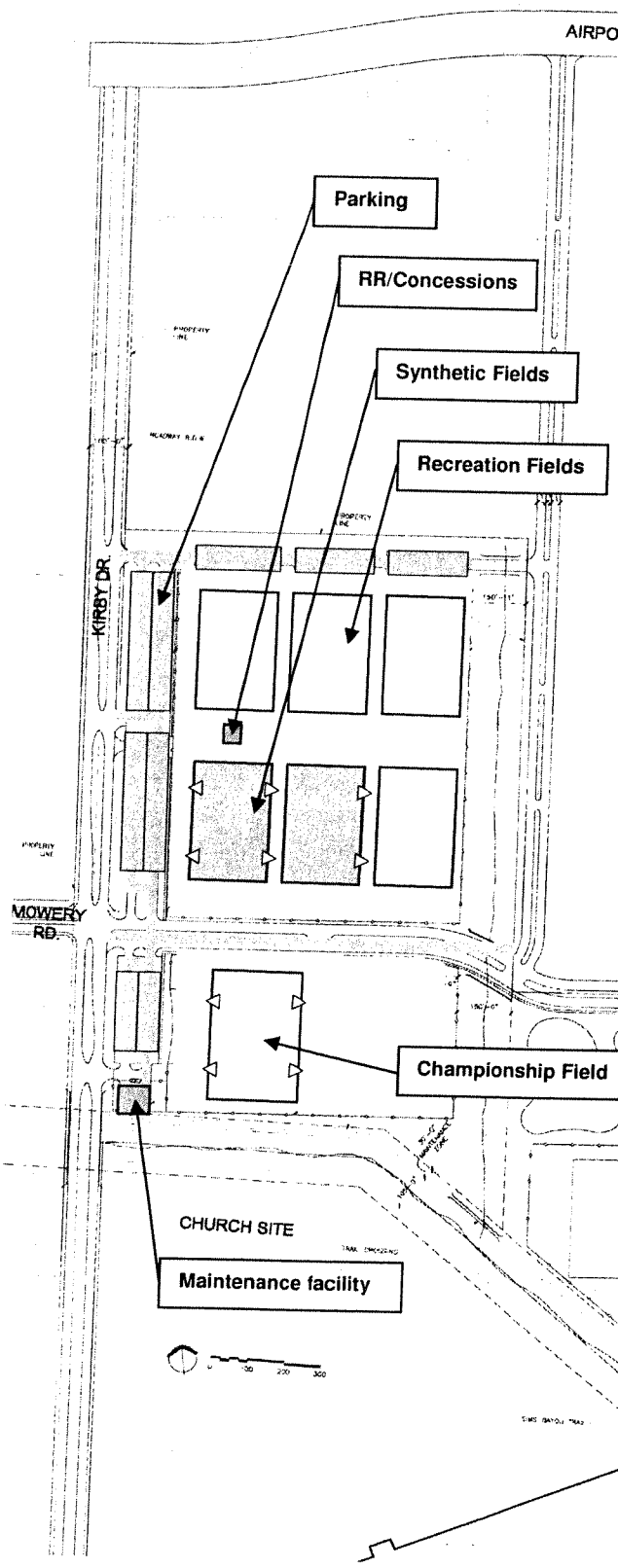
All services will provide PWE approved design and plans for construction of a complete and operable sports park. Included is soliciting and acquiring funds in addition to the funds provided by this action as necessary to complete construction of the park designed under this agreement. The total cost of the project is $806,725.00, the breakdown is as follows: $768,310.00 for Contract services and $38,415.00 for contingencies.

**REQUIRED AUTHORIZATION**

CUIC # 20AFI27

| **Other Authorization:** | **Other Authorization:** | **Other Authorization:** |
|---|---|---|
| | | Andrew F. Icken, Deputy Director, Planning & Development Services Division |

# CONCEPTUAL SITE PLAN FOR PHASE ONE IMPROVEMENTS



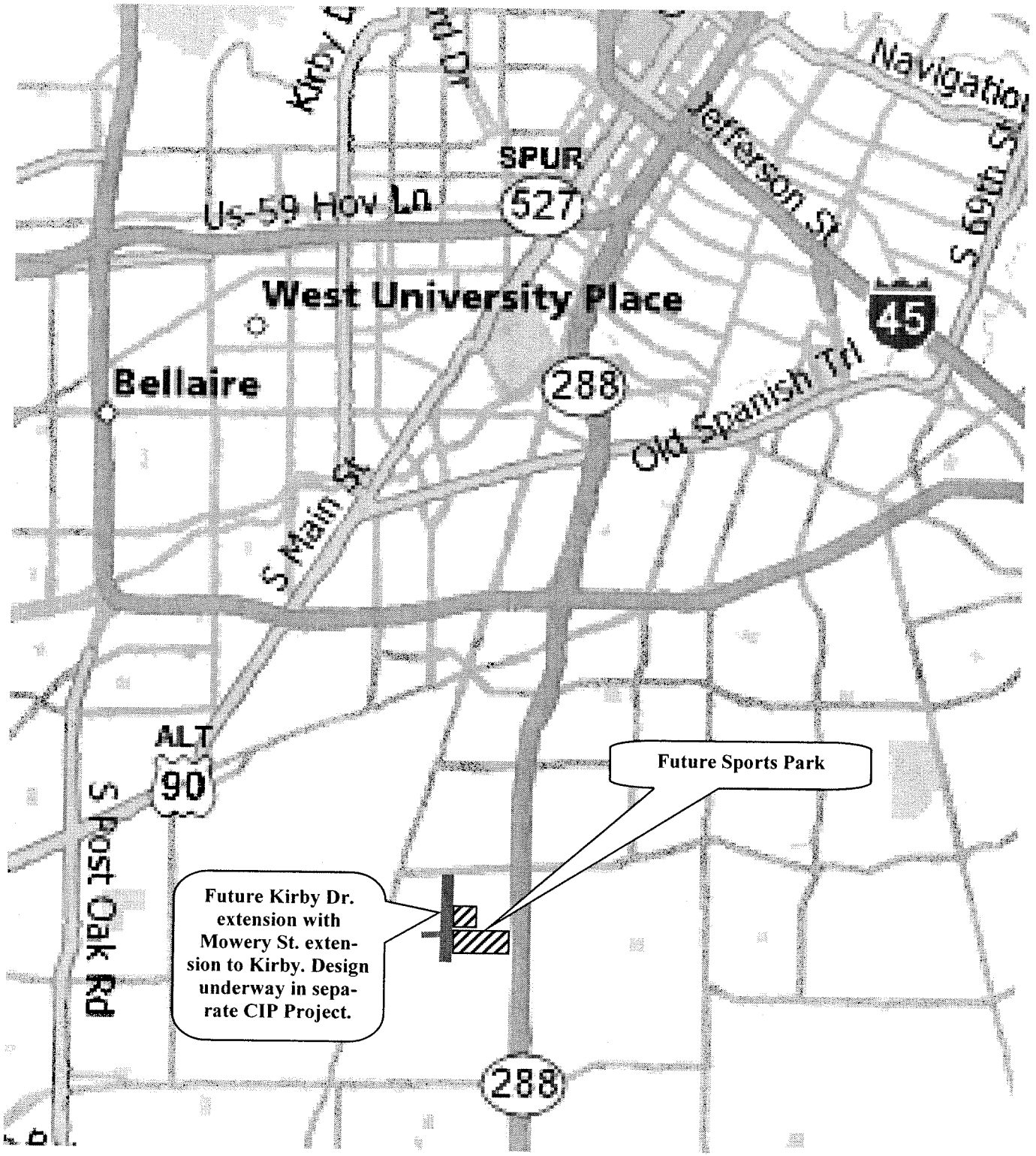

**Design Cost**

| | |
|---|---|
| Sports Park Phase I Facilities – Design | $554,710 |
| Surveys, Plat, Geotech Report | |
| Design, Bid Set | |
| Managed by HPB | $ 27,736 |
| Facilities Design Subtotal | $582,446 |
| Sports Park Road – Engineering | $177,013 |
| Design, Bid Set, Construction Observation | |
| Managed by HPB | $ 8,851 |
| Road Design Subtotal | $ 185,864 |
| **Phase One Design Total** | **$768,310** |

Future Construction Estimates

| | |
|---|---|
| Roads – Construction & lighting | $1,058,400 |
| Sports Park Phase One Facilities | $7,100,000 |
| 1 "Championship" Turf Field (Lighted) | |
| 2 Synthetic Fields (Lighted) | |
| 4 "Recreation" Fields (Non-Lighted) | |
| RR/Concessions Building | |
| Landscaping/Irrigation | |
| 490 Parking Spaces, Utilities, Fencing, Signage | |
| Maintenance Facility | |
| Business Plan | |
| Phase One Construction Total Estimate | $8,158,400 |

# Location Map for Future Houston Amateur Sports Park




February 2008

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

| **SUBJECT:** Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Rehabilitation or Replacement of Market Street Bridge Eastbound at Hunting Bayou; WBS No. N-001320-0008-3. | **Page** 1 of 2 | **Agenda Item** # 49 |
|---|---|---|

| **FROM (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date** 3/19/09 | **Agenda Date** MAR 2 5 2009 |
|---|---|---|

| **DIRECTOR'S SIGNATURE:** Michael S. Marcotte, P.E., D.WRE, BCEE, Director | **Council District affected:** E |
|---|---|
| **For additional information contact:** Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452 | **Date and identification of prior authorizing Council action:** Resolution: 2008-0030, 10/22/2008 |

**RECOMMENDATION: (Summary)**
Adopt an Ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and Texas Department of Transportation.

**Amount and Source of Funding:** N/A

**PROJECT NOTICE/JUSTIFICATION:** This bridge is currently in the approved off-state system federal-aid Highway Bridge Replacement and Rehabilitation Program which is administered by TxDOT. This program replaces or rehabilitates structurally deficient and functionally obsolete bridges located on public roads and streets not located on the designated state highway system.

**DESCRIPTION/SCOPE:** This project consists of replacing or rehabilitating the Market Street Bridge eastbound at Hunting Bayou which has been determined to be structurally deficient.

**LOCATION:** The project is located along the eastbound of Market Street Bridge at Hunting Bayou. It is located in Key Map Grids 496 K & L.

**SCOPE OF THIS AGREEMENT:** Under Minute Order No. 110479 dated March 30, 2006, the Texas Transportation Commission approved the reconstruction of Market Street Bridge eastbound at Hunting Bayou under the Federal Off-System Bridge Program. Under this Program, the usual fund participation for the Local Government is 10 percent of the total project direct cost. The Texas Administrative Code, Title 43, Section 15.55 (d) provides that under specified conditions, the 10 percent Local Government match requirement may be waived on these projects if the Local Government performs an equivalent dollar amount of structural improvement work on other deficient bridges within its jurisdiction (Equivalent-Match Projects). The local match participation required for this bridge is $72,358.00.

On October 22, 2008, Resolution 2008-0030 was approved which requested TxDOT to waive the local match participation on Market Street bridge eastbound by utilizing funds which the City has included in the FY 2009-2013 Capital Improvement Plan under the Bridge Rehabilitation Replacement Program (N-0845). Based on this resolution, TxDOT has agreed to waive the local match and is prepared to begin design on the project.

**REQUIRED AUTHORIZATION** **CUIC ID # 20TAA33**

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

| Date | SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Rehabilitation or Replacement of Market Street Bridge Eastbound at Hunting Bayou;<br>WBS No. N-001320-0008-3. | Originator's Initials<br>TAA | Page<br>2 of 2 |
|---|---|---|---|

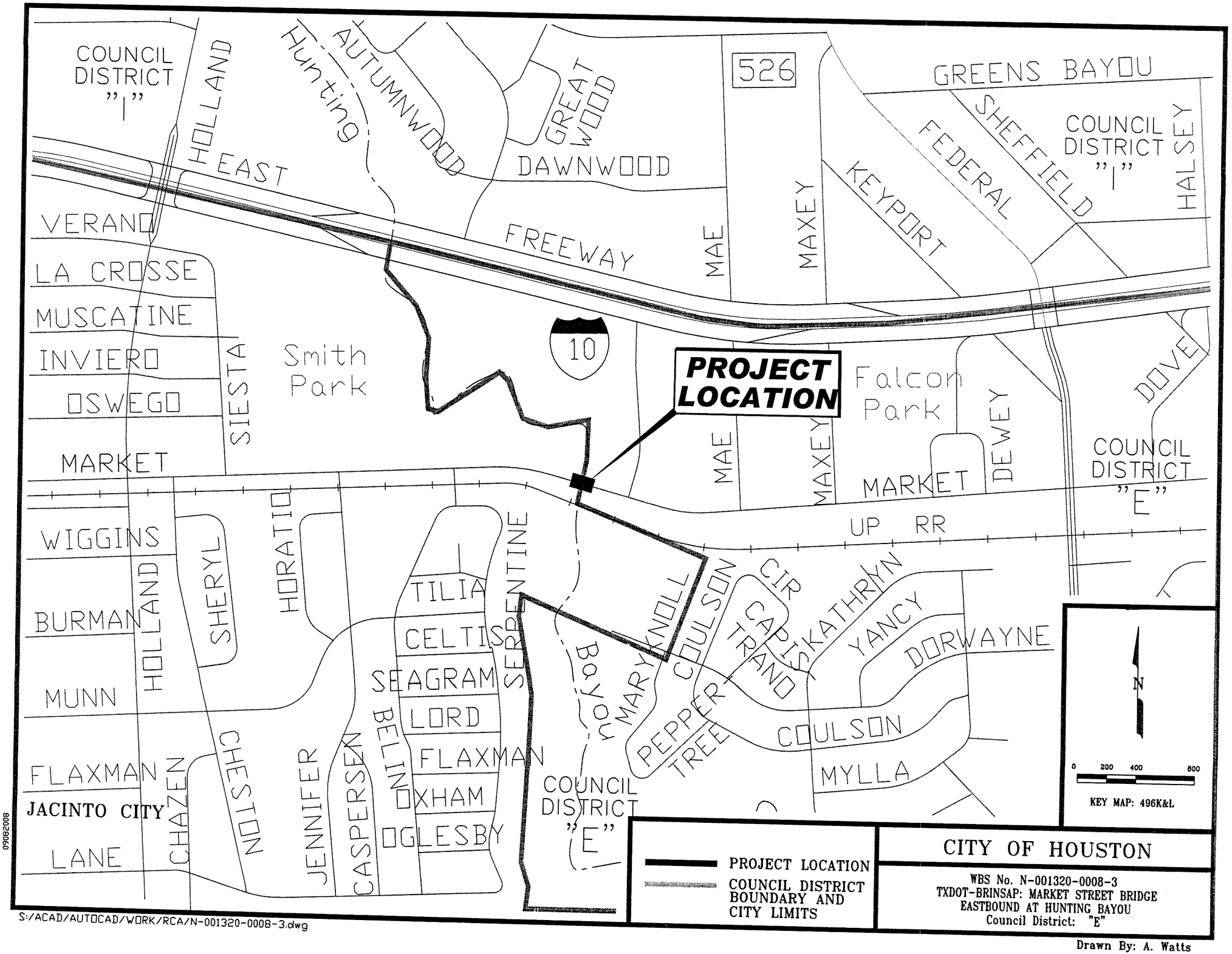
Under the terms of this agreement, TxDOT will design and construct the project. The City will be responsible for the provision and acquisition of all necessary right-of-way for the project and the relocation of utilities before the scheduled beginning of construction. The City will maintain the facilities upon the completion of construction.

**ACTION RECOMMENDED :** It is recommended that the City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

MSM:DRM:RKM:TAA:PNC:kdt

S:\constr\A-SB-DIV\Design\TxDOT\Projects\91271078\RCA\RCA 20TAA33.DOC

C: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File – TxDOT – Market Street Bridge Eastbound at Hunting Bayou.


COUNCIL DISTRICT "I"
HOLLAND
EAST
Hunting
AUTUMNWOOD
GREAT WOOD
DAWNWOOD
526
GREENS BAYOU
SHEFFIELD
FEDERAL
KEYPORT
COUNCIL DISTRICT "I"
HALSEY
VERANO
FREEWAY
MAE
MAXEY
LA CROSSE
MUSCATINE
INVIERO
OSWEGO
SIESTA
Smith Park
10
PROJECT LOCATION
Falcon Park
DOVE
DEWEY
MARKET
COUNCIL DISTRICT "E"
UP RR
WIGGINS
HORATIO
TILIA
CELTIS
SEAGRAM
LORD
FLAXMAN
OXHAM
OGLESBY
SERPENTINE
Bayou
MARYKNOLL
COULSON
CIR
CAPISTRANO
KATHRYN
YANCY
DORWAYNE
BURMAN
SHERYL
HOLLAND
MUNN
PEPPER TREE
COULSON
MYLLA
FLAXMAN
JACINTO CITY
CHAZEN
CHESTON
JENNIFER
CASPERSEN
BELINDA
COUNCIL DISTRICT "E"
LANE
N
0 200 400 800
KEY MAP: 496K&L
PROJECT LOCATION
COUNCIL DISTRICT BOUNDARY AND CITY LIMITS
CITY OF HOUSTON
WBS No. N-001320-0008-3
TXDOT-BRINSAP: MARKET STREET BRIDGE
EASTBOUND AT HUNTING BAYOU
Council District: "E"
Drawn By: A. Watts
S:/ACAD/AUTOCAD/WORK/RCA/N-001320-0008-3.dwg
8002080

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

| **SUBJECT:** Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Rehabilitation or Replacement of Market Street Bridge Westbound at Hunting Bayou; WBS No. N-001320-0009-3. | **Page** 1 of 2 | **Agenda Item** # 50 |
|---|---|---|

| **FROM (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date** 3-19-09 | **Agenda Date** MAR 25 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE:** Michael S. Marcotte, P.E., D.WRE, BCEE, Director | **Council District affected:** E | |
| **For additional information contact:** Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452 | **Date and identification of prior authorizing Council action:** Resolution: 2008-0030, 10/22/2008 | |

**RECOMMENDATION: (Summary)**
Adopt an Ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and Texas Department of Transportation.

**Amount and Source of Funding:** N/A

**PROJECT NOTICE/JUSTIFICATION:** This bridge is currently in the approved off-state system federal-aid Highway Bridge Replacement and Rehabilitation Program which is administered by TxDOT. This program replaces or rehabilitates structurally deficient and functionally obsolete bridges located on public roads and streets not located on the designated state highway system.

**DESCRIPTION/SCOPE:** This project consists of replacing or rehabilitating the Market Street Bridge westbound at Hunting Bayou which has been determined to be structurally deficient.

**LOCATION:** The project is located along the westbound of Market Street Bridge at Hunting Bayou. It is located in Key Map Grids 496 K & L.

**SCOPE OF THIS AGREEMENT:** Under Minute Order No. 110479 dated March 30, 2006, the Texas Transportation Commission approved the reconstruction of Market Street Bridge westbound at Hunting Bayou under the Federal Off-System Bridge Program. Under this Program, the usual fund participation for the Local Government is 10 percent of the total project direct cost. The Texas Administrative Code, Title 43, Section 15.55 (d) provides that under specified conditions, the 10 percent Local Government match requirement may be waived on these projects if the Local Government performs an equivalent dollar amount of structural improvement work on other deficient bridges within its jurisdiction (Equivalent-Match Projects). The local match participation required for this bridge is $72,358.00.

On October 22, 2008, Resolution 2008-0030 was approved which requested TxDOT to waive the local match participation on Market Street bridge westbound by utilizing funds which the City has included in the FY 2009-2013 Capital Improvement Plan under the Bridge Rehabilitation Replacement Program (N-0845). Based on this resolution, TxDOT has agreed to waive the local match and is prepared to begin design on the project.

**REQUIRED AUTHORIZATION** **CUIC ID # 20TAA32**

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

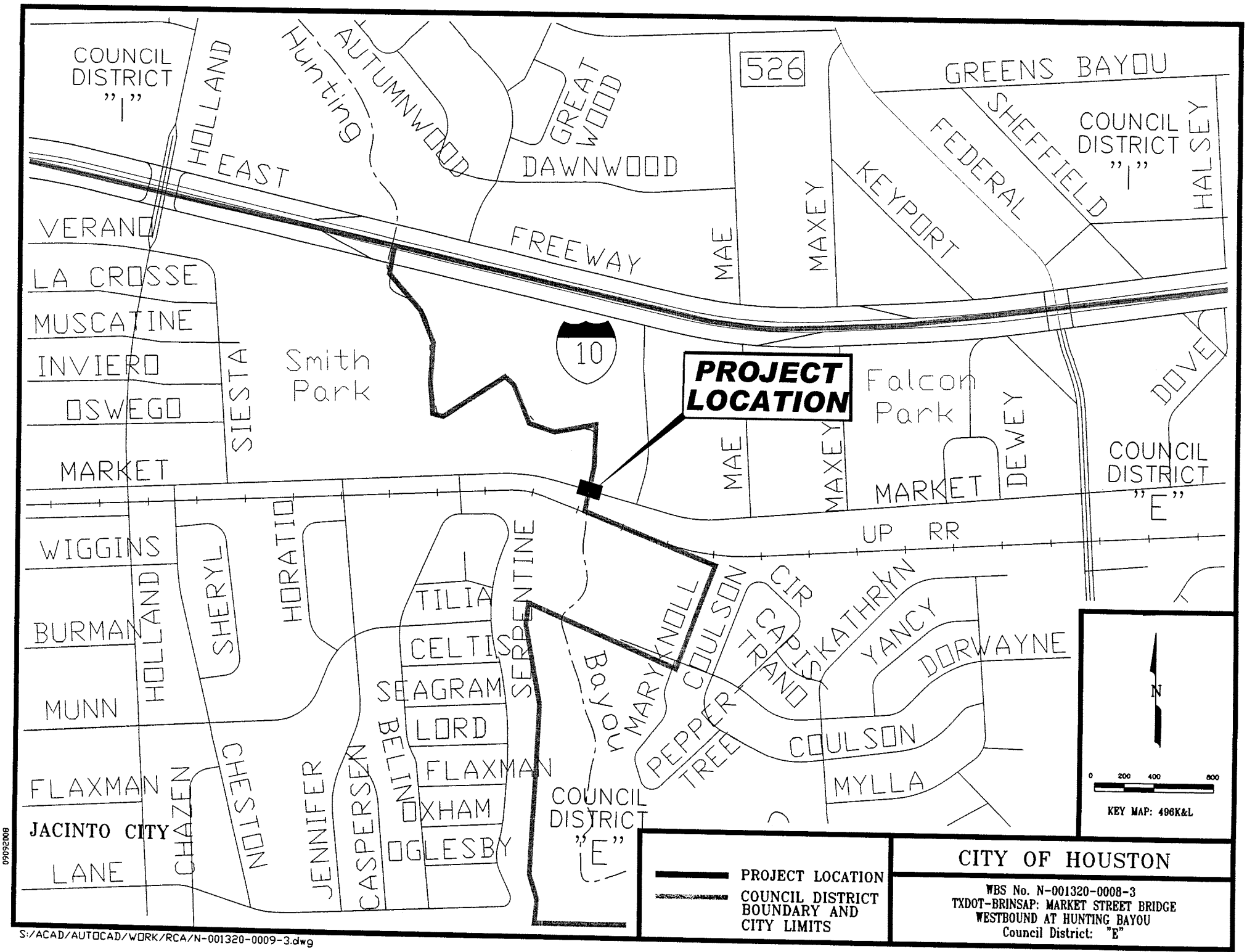
| Date | SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Rehabilitation or Replacement of Market Street Bridge Westbound at Hunting Bayou;<br>WBS No. N-001320-0009-3. | Originator's Initials<br>TAA | Page<br>2 of 2 |
|---|---|---|---|

Under the terms of this agreement, TxDOT will design and construct the project. The City will be responsible for the provision and acquisition of all necessary right-of-way for the project and the relocation of utilities before the scheduled beginning of construction. The City will maintain the facilities upon the completion of construction.

**ACTION RECOMMENDED:** It is recommended that the City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

MSM:DRM:RKM:TAA:PRC:kdt
S:\constr\A-SB-DIV\Design\TxDOT\Projects\91271079\RCA\RCA 20TAA32.DOC

C: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File – TxDOT – Market Street Bridge Westbound at Hunting Bayou.




# CITY OF HOUSTON

WBS No. N-001320-0008-3
TXDOT-BRINSAP: MARKET STREET BRIDGE
WESTBOUND AT HUNTING BAYOU
Council District: "E"

S:/ACAD/AUTOCAD/WORK/RCA/N-001320-0009-3.dwg

Drawn By: A. Watts

60026060

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

| **SUBJECT:** Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Rehabilitation or Replacement of Patterson Road Bridge at Langham Creek; WBS No. N-001320-0010-3. | **Page** 1 of 2 | **Agenda Item** # 57 |
|---|---|---|

| **FROM (Department or other point of origin):** | **Origination Date** | **Agenda Date** |
|---|---|---|
| Department of Public Works and Engineering | 3/19/09 | MAR 2 5 2009 |

| **DIRECTOR'S SIGNATURE:** | **Council District affected:** |
|---|---|
| Michael S. Marcotte, P.E., D.WRE, BCEE, Director | A |
| **For additional information contact:** Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452 | **Date and identification of prior authorizing Council action:** Resolution: 2008-0030, 10/22/2008 |

**RECOMMENDATION: (Summary)**
Adopt an Ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and Texas Department of Transportation.

**Amount and Source of Funding:** N/A

**PROJECT NOTICE/JUSTIFICATION:** This bridge is currently in the approved off-state system federal-aid Highway Bridge Replacement and Rehabilitation Program which is administered by TxDOT. This program replaces or rehabilitates structurally deficient and functionally obsolete bridges located on public roads and streets not located on the designated state highway system.

**DESCRIPTION/SCOPE:** This project consists of replacing or rehabilitating the Patterson Road Bridge at Langham Creek which has been determined to be structurally deficient.

**LOCATION:** The project is located at Patterson Road Bridge over Langham Creek. It is located in Key Map Grid 448 P.

**SCOPE OF THIS AGREEMENT:** Under Minute Order No. 110479 dated March 30, 2006, the Texas Transportation Commission approved the reconstruction of Patterson Road Bridge at Langham Creek under the Federal Off-System Bridge Program. Under this Program, the usual fund participation for the Local Government is 10 percent of the total project direct cost. The Texas Administrative Code, Title 43, Section 15.55 (d) provides that under specified conditions, the 10 percent Local Government match requirement may be waived on these projects if the Local Government performs an equivalent dollar amount of structural improvement work on other deficient bridges within its jurisdiction (Equivalent-Match Projects). The local match participation required for this bridge is $60,500.00.

On October 22, 2008, Resolution 2008-0030 was approved which requested TxDOT to waive the local match participation on Patterson Road bridge by utilizing funds which the City has included in the FY 2009-2013 Capital Improvement Plan under the Bridge Rehabilitation Replacement Program (N-0845). Based on this resolution, TxDOT has agreed to waive the local match and is prepared to begin design on the project.

**REQUIRED AUTHORIZATION** **CUIC ID # 20TAA34**

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

| Date | SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation (TxDOT) for the Rehabilitation or Replacement of Patterson Road Bridge at Langham Creek;<br>WBS No. N-001320-0010-3. | Originator's Initials<br>TAA | Page<br>2 of 2 |
|---|---|---|---|

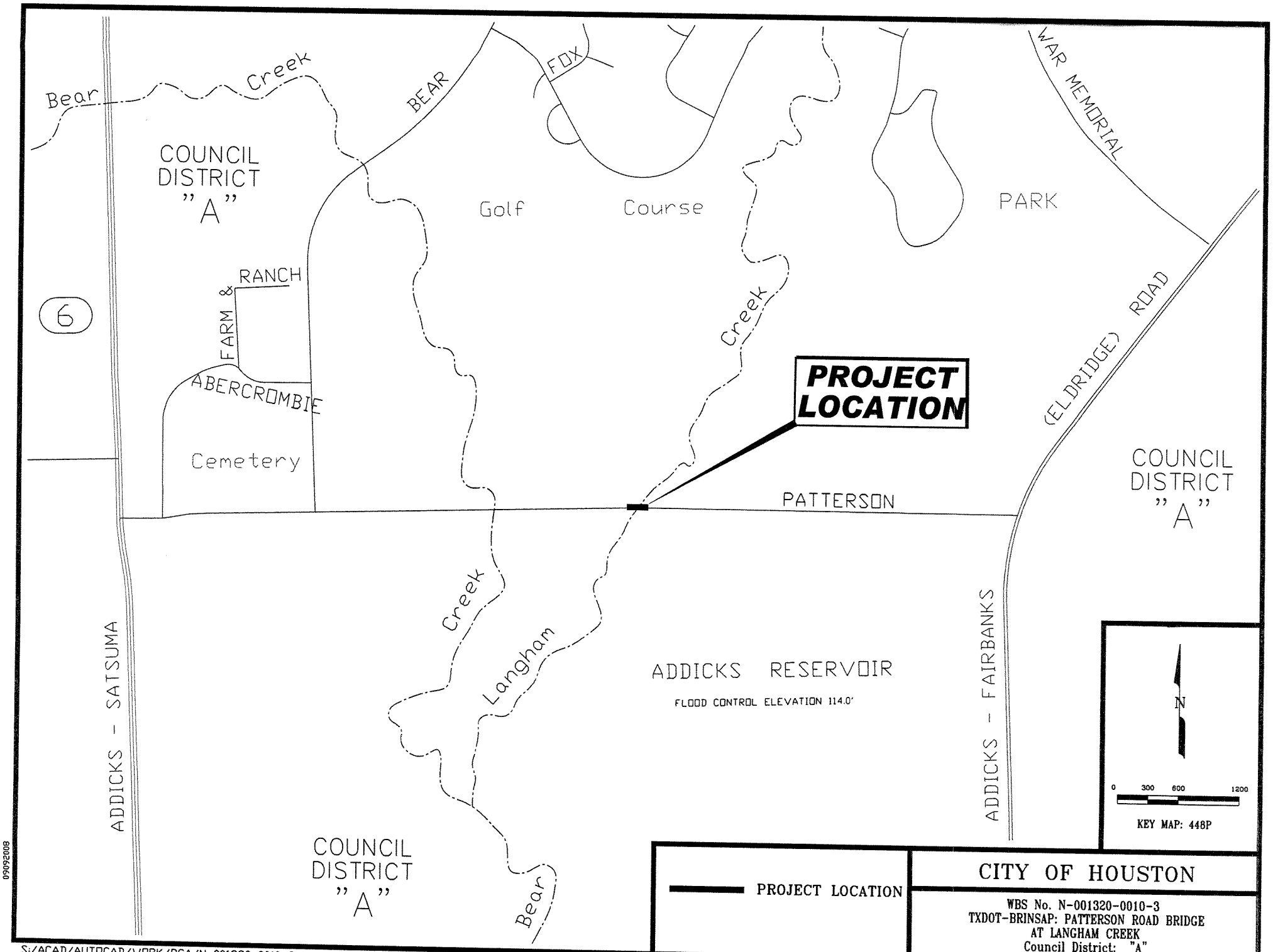
Under the terms of this agreement, TxDOT will design and construct the project. The City will be responsible for the provision and acquisition of all necessary right-of-way for the project and the relocation of utilities before the scheduled beginning of construction. The City will maintain the facilities upon the completion of construction.

**ACTION RECOMMENDED:** It is recommended that the City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT.

MSM:DRM:RKM:TAA:PKC:kat

S:\constr\A-SB-DIV\Design\TxDOT\Projects\91272209\RCA\RCA 20TAA34.DOC

C: Marty Stein
Susan Bandy
Velma Laws
Craig Foster
File – TxDOT – Patterson Road Bridge at Langham Creek.


Bear Creek
BEAR
FOX
WAR MEMORIAL
COUNCIL DISTRICT "A"
Golf Course
PARK
RANCH
FARM &
6
Creek
(ELDRIDGE) ROAD
PROJECT LOCATION
ABERCROMBIE
Cemetery
PATTERSON
COUNCIL DISTRICT "A"
ADDICKS - SATSUMA
Creek
Langham
ADDICKS RESERVOIR
FLOOD CONTROL ELEVATION 114.0'
ADDICKS - FAIRBANKS
N
0 300 600 1200
KEY MAP: 448P
COUNCIL DISTRICT "A"
Bear
PROJECT LOCATION
CITY OF HOUSTON
WBS No. N-001320-0010-3
TXDOT-BRINSAP: PATTERSON ROAD BRIDGE
AT LANGHAM CREEK
Council District: "A"
Drawn By: A. Watts
S:/ACAD/AUTOCAD/WORK/RCA/N-001320-0010-3.dwg
8002660

TO: Mayor via City Secretary

# REQUEST FOR COUNCIL ACTION

| | | |
|---|---|---|
| **SUBJECT:** Professional Engineering Services Contract between the City and Freese and Nichols, Inc. for Multiple Satellite Wastewater Treatment Plants Improvements. W.B.S. No. R-000265-0061-3. | **Page** 1 of 2 | **Agenda Item #** 52 |
| **FROM (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date** 3-5-09 | **Agenda Date** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** Michael S. Marcotte, P.E., D.WRE, BCEE | **Council District affected:** B2 B, D, & I | |
| **For additional information contact:** Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452 | **Date and identification of prior authorizing Council action:** | |

**RECOMMENDATION: (Summary)**

Approve Engineering Services Contract with Freese and Nichols, Inc. and appropriate funds.

**Amount and Source of Funding:** $953,700.00 Water and Sewer System Consolidated Construction Fund No. 8500.

02/04/09

**DESCRIPTION/SCOPE:** This project is part of the City's program to renew/replace inefficient components of the existing wastewater treatment plant (WWTP) and sludge processing facilities. This project consists of the design of various components at Easthaven, Greenridge, Northeast, Northwest and Intercontinental Airport Houston Wastewater Treatment Plants.

**LOCATION:** The facilities are located at:

| Facility | Address | Key Map | Council District |
|---|---|---|---|
| Northwest WWTP | 5423 Mangum Road | 451C | B |
| Intercontinental Airport Houston WWTP | 2450 Rankin Road | 373M | B |
| Greenridge WWTP | 6301 #1 W. Fuqua | 571X | D |
| Easthaven WWTP | 8545 Scranton | 575G | I |
| Northeast WWTP | 655 Maxey Road | 496G | I |

**SCOPE OF CONTRACT AND FEE:** Under the scope of the Contract, the Consultant will perform Phase I - Preliminary Design, Phase II - Final Design, Phase III -Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on cost of time and materials with not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum amount after the completion of Phase I. The negotiated maximum for Phase I Basic Services is $177,000.00. The total Basic Services appropriation is $668,000.00.

The Contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical, reproduction, etc. The total Additional Services appropriation is $199,000.00.

**REQUIRED AUTHORIZATION** **CUIC ID #20BZ80**

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|
| | Jun Chang, P.E., Interim Deputy Director Public Utilities Division | Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division |

REV. 11/06

The total cost of this project is $953,700.00 to be appropriated as follows: $867,000.00 for Contract services and $86,700.00 for project management.

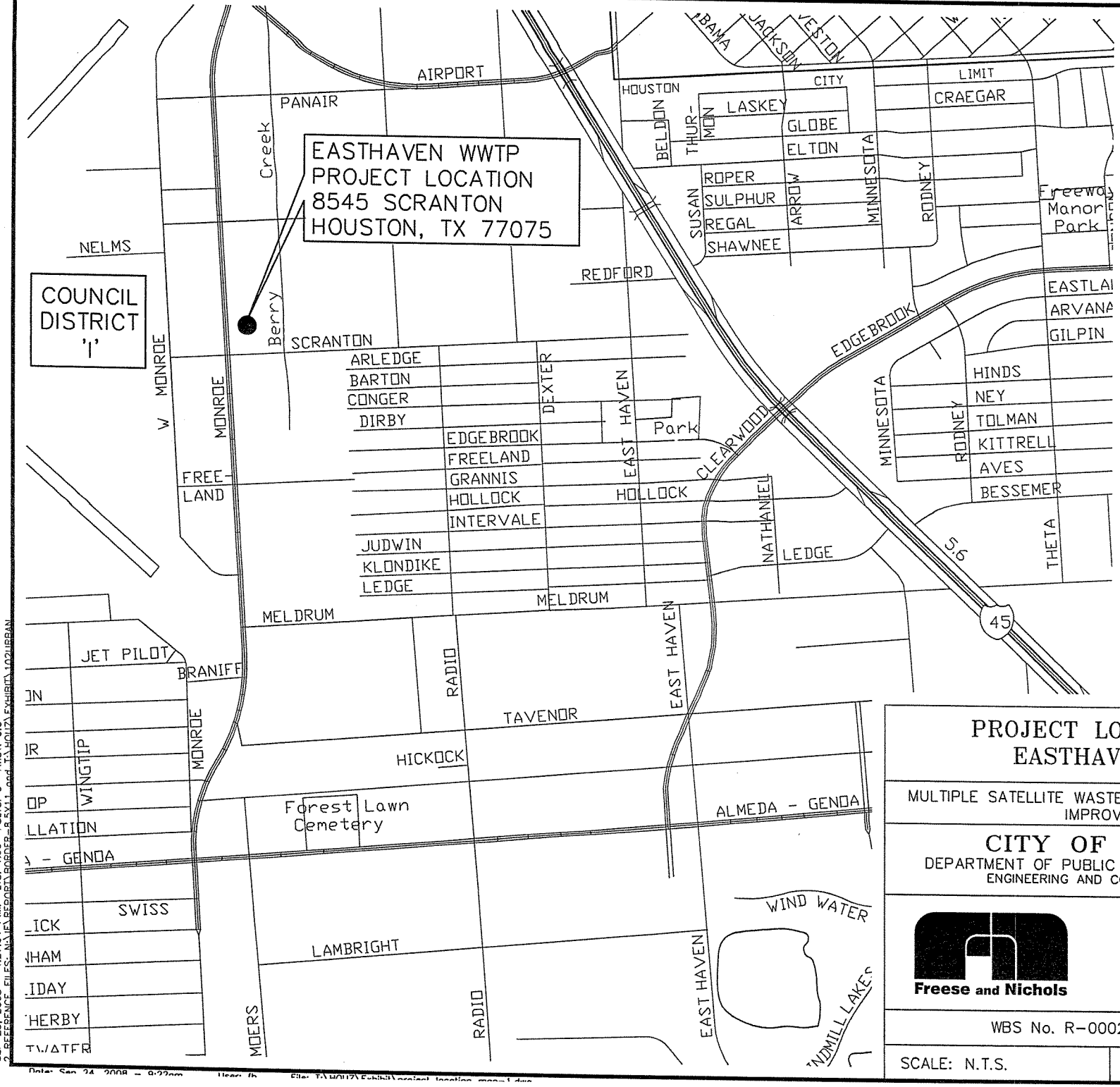
**PAY OR PLAY PROGRAM**:
The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides health benefits to eligible employees in compliance with City policy.

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

| Name of Firms | Work Description | Amount | % of Contract |
|---|---|---|---|
| 1. Kalluri Group, Inc. | Engineering Services | $128,180.00 | 14.78% |
| 2. Amani Engineering, Inc. | Surveying Services | $ 40,000.00 | 4.61% |
| 3. HVJ Associates, Inc. | Geotechnical Services | $ 9,365.00 | 1.08% |
| 4. Atser, LP | Engineering Services | $ 13,240.00 | 1.53% |
| 5. B & E Reprographics, Inc. | Reproduction Services | $ 18,000.00 | 2.08% |
| | **TOTAL** | **$208,785.00** | **24.08%** |

MSM:DRM:RKM:EN:BZ:pa

c: Marty Stein
Susan Bandy
Velma Laws
Mike Pezeshki, P.E.
Craig Foster
File No. R-000265-0061-3 (1.2)




# PROJECT LOCATION MAP
# EASTHAVEN WWTP

MULTIPLE SATELLITE WASTEWATER TREATMENT PLANTS IMPROVEMENTS

## CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION

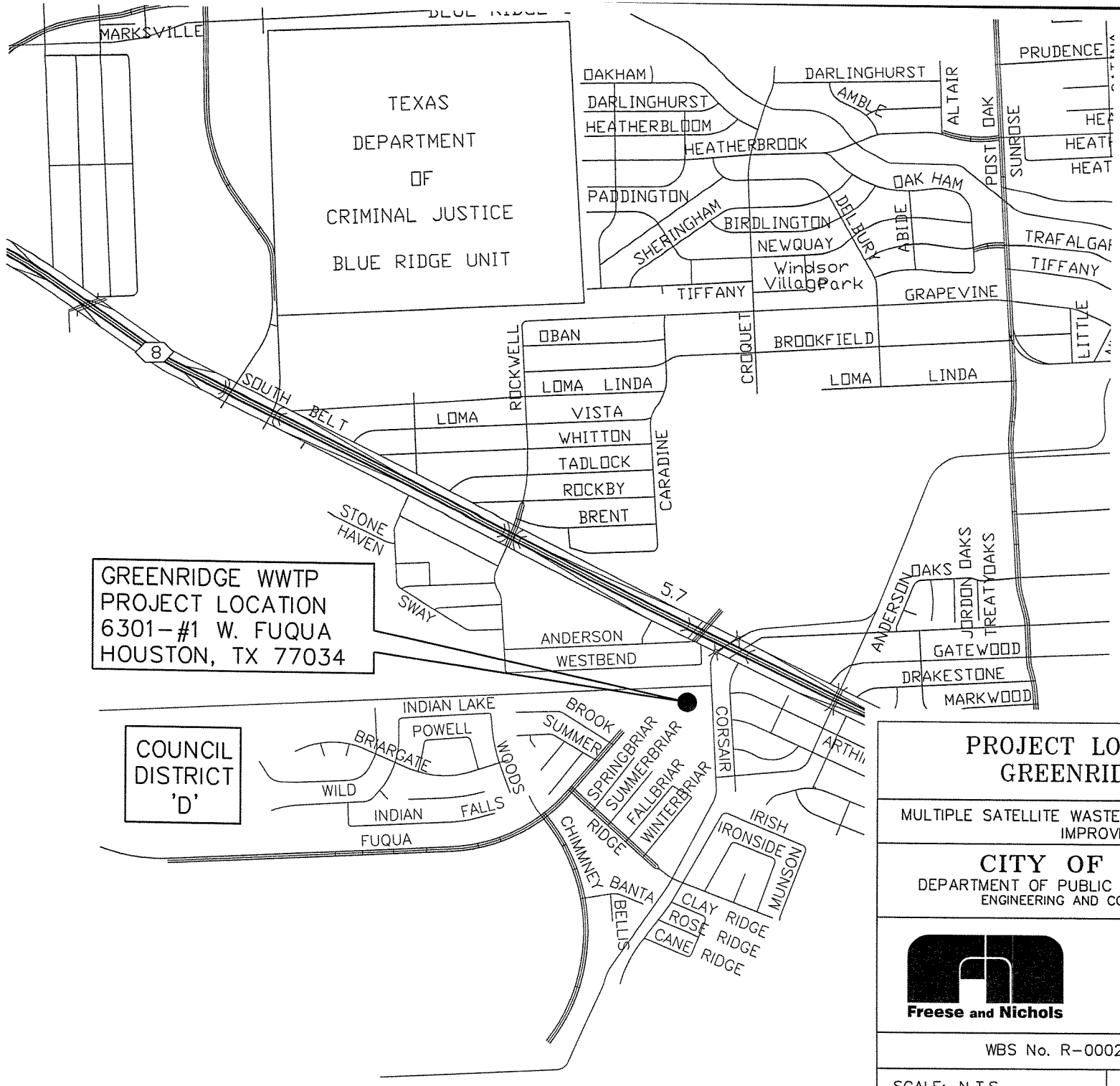
Freese and Nichols
3100 Wilcrest, Suite 200
Houston, Texas 77042
Phone – (713) 600-6800
Fax – (713) 600-6801

WBS No. R-000265-0061-3

SCALE: N.T.S.

DATE : SEPTEMBER 2008

ACAD Rel 17.0s (LMS Tech) User: FB
[OFF08041][NOT ON NETWORK]T:\HOUZ\EXHIBIT\PROJECT LOCATION MAP-1.DWG LAYOUT: Layout1
SEP 23, 2008 4:27:04 P.M. LTS: 1.00 PSLTS: 0 TWIST: 0.0
2 REFERENCE FILES- N:\VEL\REPORT\BORDER-B_5X11.dwg T:\HOUZ\EXHIBIT\102URBAN




# PROJECT LOCATION MAP
# GREENRIDGE WWTP

MULTIPLE SATELLITE WASTEWATER TREATMENT PLANTS IMPROVEMENTS

## CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION


Freese and Nichols

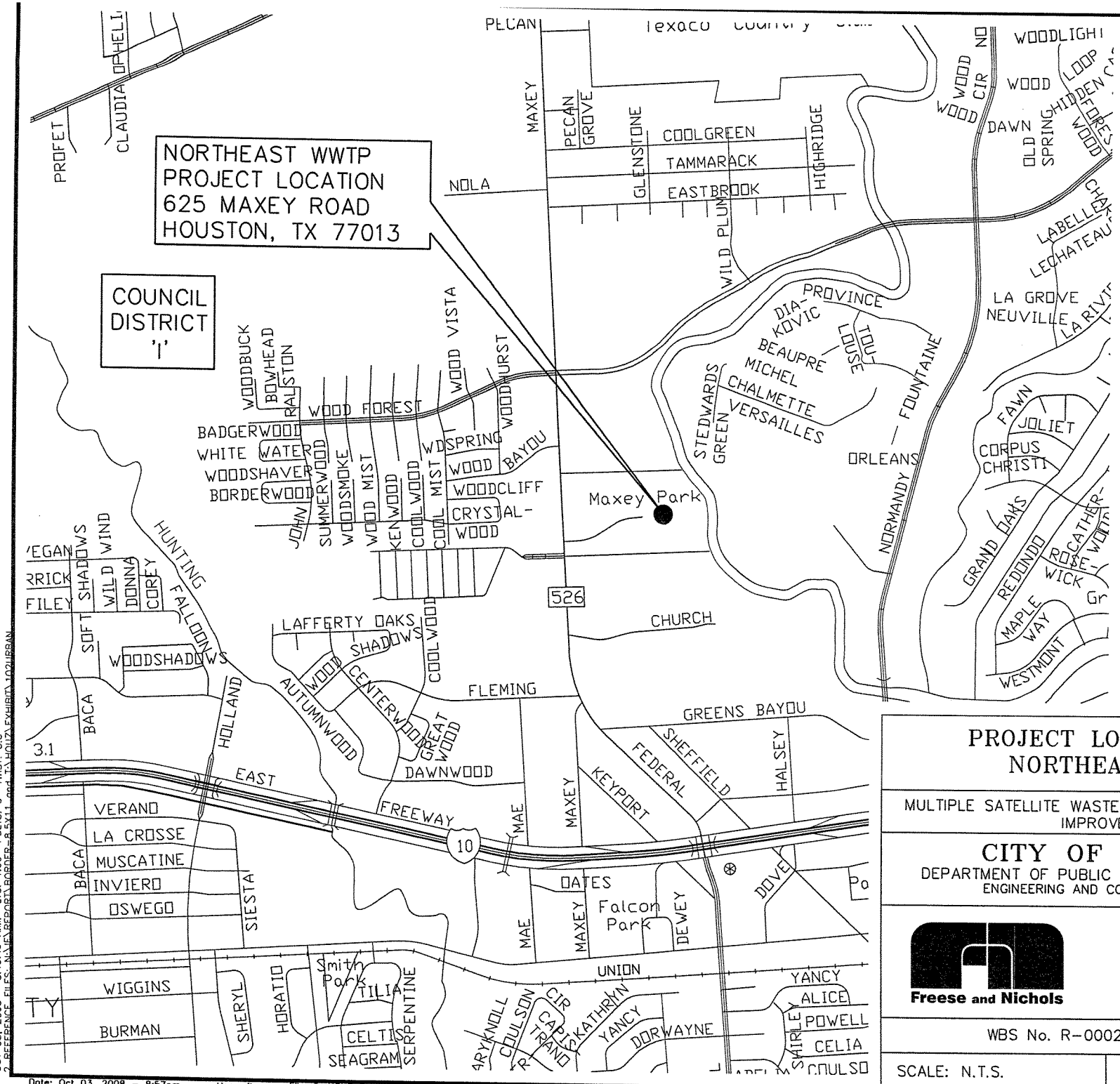
3100 Wilcrest, Suite 200
Houston, Texas 77042
Phone - (713) 600-6800
Fax - (713) 600-6801


WBS No. R-000265-0061-3

SCALE: N.T.S.

DATE : SEPTEMBER 2008


ACAD Rel 17.0s (LMS Tech) User: FB
[OFF08041]T:\PLSRV2]T:\HOUZ\EXHIBIT\PLM-GREENRIDGE-WWTP-2.DWG LAYOUT: Layout1
OCT 03, 2008 8:59:01 A.M. LTS: 1.00 PSLTS: 0 TWIST: 0.0
REFERENCE FILES: N:\FEXPORT\BORDER_8.5X11.dgn T:\HOUZ\EXHIBIT\102URBAN
Date: Oct 03, 2008 - 8:59am User: fb File: T:\HOUZ\Exhibit\plm-Greenridge-wwtp-2.dwg




# PROJECT LOCATION MAP
# NORTHEAST WWTP

MULTIPLE SATELLITE WASTEWATER TREATMENT PLANTS IMPROVEMENTS

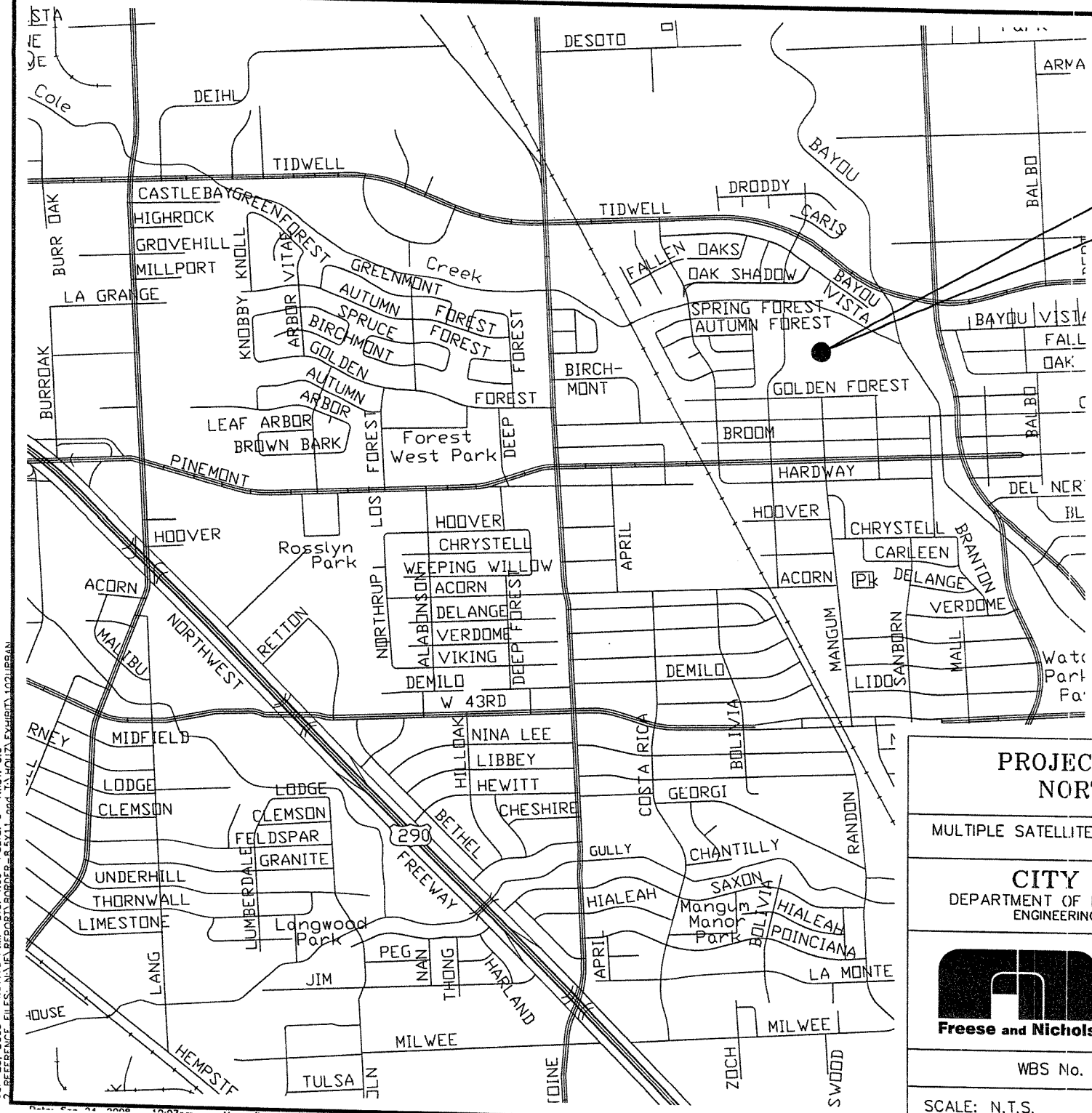
## CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION

Freese and Nichols
3100 Wilcrest, Suite 200
Houston, Texas 77042
Phone – (713) 600-6800
Fax – (713) 600-6801

WBS No. R-000265-0061-3

SCALE: N.T.S. | DATE : SEPTEMBER 2008

ACAD Rel 17.0s (LMS Tech) User: FB
[OFF08041][T:\HOUZ\EXHIBIT\PLM-NORTHEAST-WWTP-3.DWG LAYOUT: Layout1
OCT 03, 2008 8:45:49 A.M. LTS: 1.00 PSLTS: 0 TWIST: 0.0
REFERENCE FILES: K:\PJCT\SECTOR\BORDER-A.SXI1.dgn T:\HOUZ\EXHIBIT\100URBAN
Date: Oct 03, 2008 - 8:57am User: fb File: T:\HOUZ\Exhibit\plm-Northeast-wwtp-3.dwg




# PROJECT LOCATION MAP
# NORTHWEST WWTP

MULTIPLE SATELLITE WASTEWATER TREATMENT PLANTS IMPROVEMENTS

## CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION

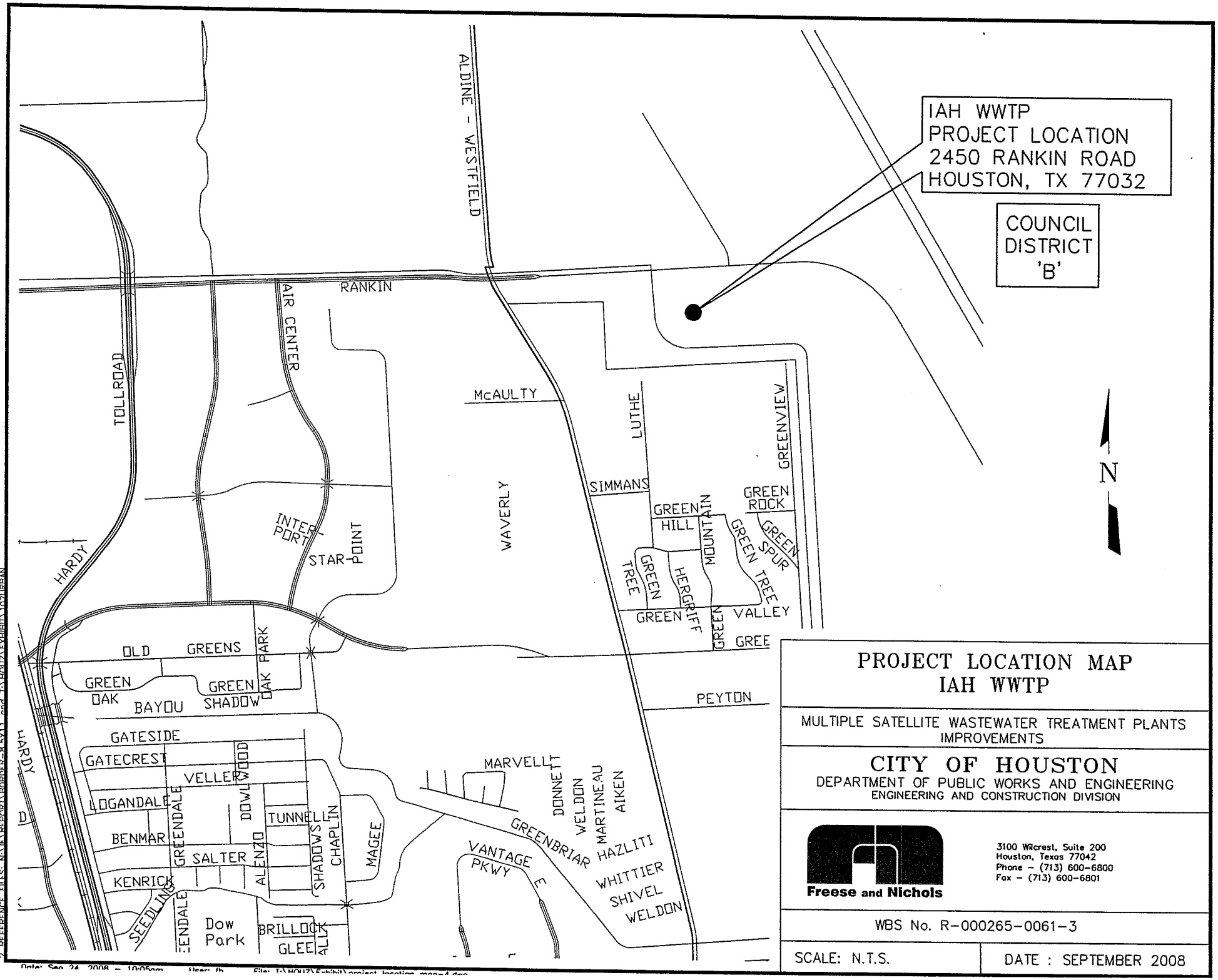
Freese and Nichols
3100 Wilcrest, Suite 200
Houston, Texas 77042
Phone – (713) 600-6800
Fax – (713) 600-6801

WBS No. R-000265-0061-3

SCALE: N.T.S.

DATE : SEPTEMBER 2008

ACAD Rel 17.0s (LMS Tech) User: FB
[OFF08041][PLSRV2]T:\HOUZ\EXHIBIT\PROJECT LOCATION MAP-5.DWG LAYOUT: Layout1
SEP 23, 2008 4:07:16 P.M. LTS: 1.00 PSLTS: 0 TWIST: 0.0
REFERENCE FILES: N:\EVERPORT BORDER-8.5X11.dgd T:\HOUZ\EXHIBIT\102URBAN




# PROJECT LOCATION MAP
# IAH WWTP

MULTIPLE SATELLITE WASTEWATER TREATMENT PLANTS IMPROVEMENTS

## CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING AND CONSTRUCTION DIVISION

Freese and Nichols
3100 Wicrest, Suite 200
Houston, Texas 77042
Phone – (713) 600-6800
Fax – (713) 600-6801

WBS No. R-000265-0061-3

SCALE: N.T.S.

DATE : SEPTEMBER 2008

ACAD Rel 17.0s (LMS Tech) User: FB
[OFF0804][PLSRV2]T:\HOUZ\EXHIBIT\PROJECT LOCATION MAP-4.DWG LAYOUT: Layout1
SEP 23, 2008 4:03:14 P.M. LTS: 1.00 PSLTS: 0 TWIST: 0.0
2-REFERENCE FILES: N:\ME\REPORT\BORDER-8.5X11.and T:\HOUZ\EXHIBIT\HOUURBAN

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

| | | |
|---|---|---|
| **SUBJECT:** Professional Engineering Services Contract between the City and Brown & Gay Engineers, Inc. for Engineering Services associated with the Rehabilitation of Water Storage Tanks at various locations. WBS No. S-000600-0035-3 | **Page 1 of 2** | **Agenda Item #** 53 |
| **FROM: (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date:** 2-12-09 | **Agenda Date:** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** Michael S. Marcotte, P.E., D.WRE, BCEE, Director | **Council District affected:** All | |
| **For additional information contact:** Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452 | **Date and identification of prior authorizing Council action:** | |

**RECOMMENDATION:** Approve Professional Engineering Services Contract with Brown & Gay Engineers, Inc. and appropriate funds.

**Amount and Source of Funding: $673,000.00** from Water and Sewer System Consolidated Construction Fund No. 8500. 01/12/09

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's water storage tank rehabilitation and replacement program. It is required to meet the area's water demand and also ensures compliance with the Texas Commission on Environmental Quality (TCEQ) regulations.

**DESCRIPTION/SCOPE:** This project consists of rehabilitation of twenty three (23) water storage tanks. Eight (8) water storage tanks will be rehabilitated under this appropriation and the remaining fifteen (15) water storage tanks will be rehabilitated as the money becomes available in the future CIP budget.

**LOCATION:** This project is located as follows:

The location of eight (8) water storage tanks is described below:

| TANK | ADDRESS | KEY MAP GRID |
|---|---|---|
| Acres Home No.4 | 1810 Dolly Wright St. | 412S |
| EWPP Tank No.1&2 | 12555 Clinton Dr. | 496Y |
| Hunterwood | 6310 S. Lake Houston PKWY | 456R |
| District 111 Tank No.2 | 10301 Sun City Ct. | 528V |
| Imperial Valley EST | 11900 Plaza Verde | 372U |
| Greens PUD -1 EST | 15330 W. Hardy | 373T |
| Greens PUD -2 EST | 15460 W. Hardy | 373P |

The location of fifteen (15) water storage tanks to be rehabilitated in future as CIP budget becomes available is described below:

| TANK | ADDRESS | KEY MAP GRID |
|---|---|---|
| Gulfway No.1 | 15004 McConn | 617M |
| Meyerland | 9020 S. Rice | 531U |
| Jersey Village No.2 | 7207 Fairview | 409N |
| District 223 | 13301 Sandbridge Dr. | 488K |
| White Oak No.2 | 9702 Deanwood | 410R |
| Enclave No.2 | 13135 Forkland | 488L |

**REQUIRED AUTHORIZATION** **CUIC# 20RS82** NDT

| Finance Dept | Other Authorization: | Other Authorization: |
|---|---|---|
| | Jun Chang, P.E. Interim Deputy Director Public Utilities Division | Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division |

| | | |
|---|---|---|
| District 54 | 8108 Richmond Ave. | 490Y |
| District 90 No.2 | 11607 Herald Square | 529P |
| Braes UD No.1&2 | 3710 S. Eldridge Pkwy | 528B |
| IAH 1 No. 1&2 | 3102 McKaughan | 374A |
| IAH 2 No.2 | 4304 Will Clayton Pkwy | 374C |
| District 266 | 4950 Aeropark | 374U |
| District 218 No.1 | 12705 Brant Rock | 528D |

**SCOPE OF CONTRACT AND FEE:** Under the scope of the contract, the consultant will perform Phase I – Preliminary Design, Phase II – Final Design, Phase III – Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services Fee for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is $160,841.00. The total Basic Services appropriation is $448,841.00.

The contract also includes certain Additional Services to be paid as either lump sum or on a reimbursable basis. The Additional Services include surveying, geotechnical investigation, environmental site assessments, coating assessments and debris hauling. The total Additional Services appropriation is $162,842.00.

The total cost of this project is $673,000.00 to be appropriated as follows: $611,683.00 for Contract Services and $61,317.00 for project management.

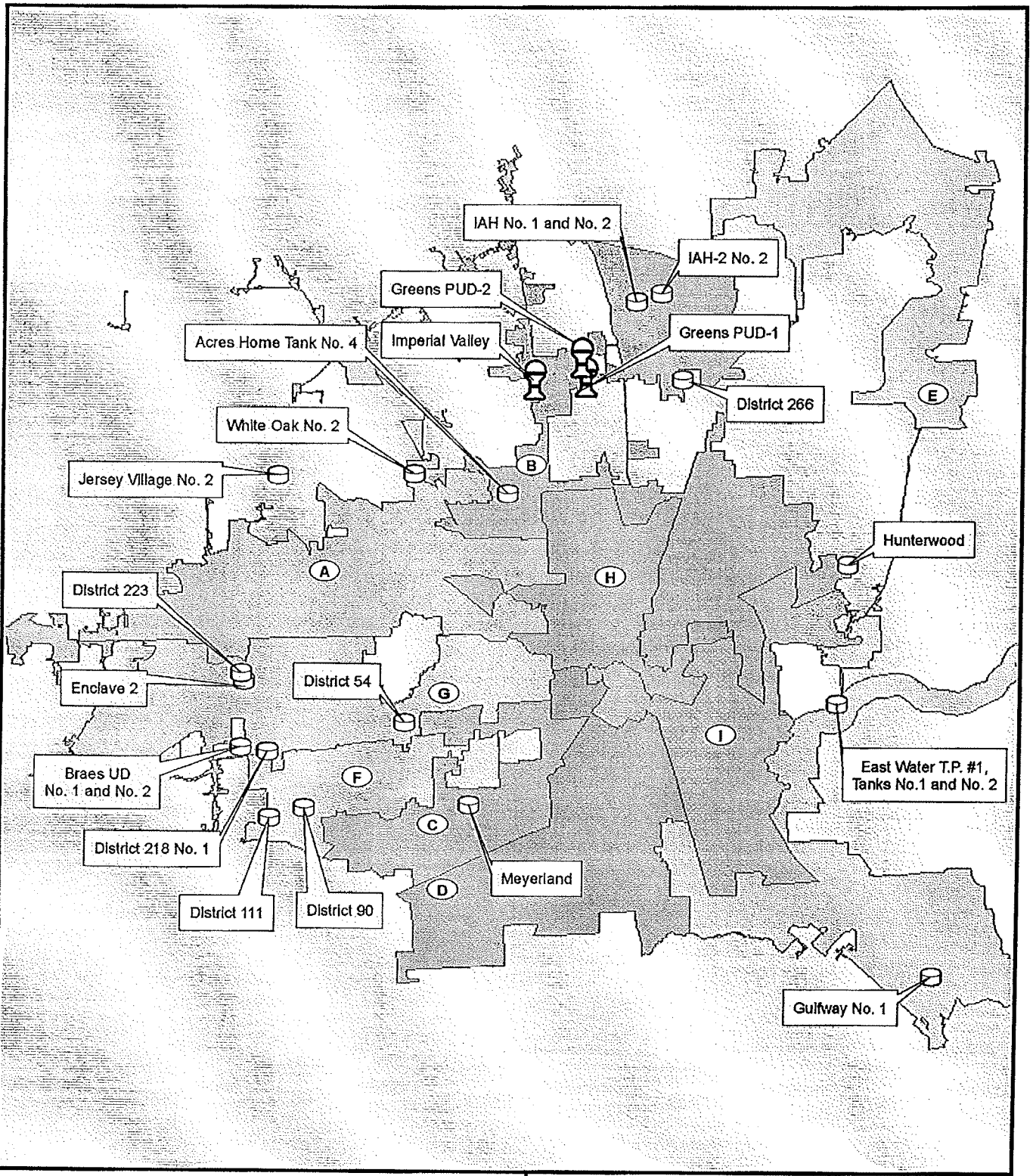
**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the city's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, contractor provides health benefits to eligible employees in compliance with the City policy.

**M/WBE PARTICIPATION:** The M/WBE goal for this project is set at 24%. The Engineer has proposed the following firms to achieve this goal.

| MWBE - Name of Firms | Work Description | Amount | % of Contract |
|---|---|---|---|
| 1. Kennedy Coating Inspection Services, Inc. | Tank Cleaning & Preparation | $84,705.90 | 13.85% |
| 2. KIT Professionals, Inc. | Engineering Consulting | $46,932.00 | 7.67% |
| 3. V&A Consulting Engineers, Inc. | Coating Assessment | $37,019.00 | 6.05% |
| 4. Aviles Engineering Corporation | Geotechnical Investigation | $13,289.65 | 2.17% |
| | **TOTAL** | **$181,946.55** | **29.74%** |

MSM:DRM:RKM:HH:SD:rs
S:\design\A-WS-DIV\WPDATA\RS\S-000600-35\design RCA.DOC

**c:** Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File S-000600-0035-3 (1.2)




M:\Projects\COH\COH24-60-Tank Inspection\GIS\Exhibits\COH24-60_02_20081002.mxd


BROWN & GAY ENGINEERS, INC.

Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-558-8700 Fax: 281-558-9701
- Civil engineers and surveyors -


Copyright 2007

# Project Location
# City Council Districts

| Date: | BGE Job No: | Exhibit: |
|---|---|---|
| October 2008 | COH24-60 | 2 |

**TO:** Mayor via City Secretary

**REQUEST FOR COUNCIL ACTION**

| | | |
|---|---|---|
| **SUBJECT:** Professional Engineering Services Contract between the City and SES Horizon Consulting Engineers, Inc. for Engineering Services associated with the design of New Water Lines in Unserved Minnetex Area.<br>Minnetex Phase I: S-000801-0019-3<br>Minnetex Phase II: S-000801-0023-3 | **Page** 1 of 2 | **Agenda Item #** 54 |

| | | |
|---|---|---|
| **FROM (Department or other point of origin):**<br>Department of Public Works and Engineering | **Origination Date**<br>2/12/09 | **Agenda Date**<br>MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:**<br>Michael S. Marcotte, P.E., D.WRE, BCEE | **Council District affected:** D MB | |
| **For additional information contact:**<br>Reid K. Mrsny, P.E. **Phone:** (713) 837-0452<br>Senior Assistant Director | **Date and identification of prior authorizing Council action:** | |

**RECOMMENDATION: (Summary)**

Approve Engineering Services Contract with SES Horizon Consulting Engineers, Inc. and appropriate funds.

**Amount and Source of Funding:**
$750,000 from the Water and Sewer System Consolidated Construction Fund No. 8500. 01/12/09

**PROJECT NOTICE/JUSTIFICATION:** This project is part of the City's Neighborhood Redevelopment program to meet the water capacity needs to promote redevelopment of small tracts in various City neighborhoods. Also, to provide water service to areas inside the city limits currently not served by the City.

**DESCRIPTION/SCOPE:** This project consists of the design of approximately 25,280 linear feet of 8-inch and 26,300 linear feet of 12-inch of water lines with all related appurtenances in unserved Minnetex area.

**LOCATION:** This project is divided in two areas: Phase I and II. These projects are located in the following key map grids:

| Project | Bounded By | Key Map Grid | Council District |
|---|---|---|---|
| Phase I: | Almeda-Genoa Road on the north, Beltway 8 on the south, South Wayside on the east and South Freeway 288 on the west. | 573 S,T,U,W,X,Z<br>574 S,T,U,W,X | D |
| Phase II: | Almeda-Genoa Road on the north, Beltway 8 on the south, South Freeway 288 on the east and Almeda FM 521 on the west. | 572 T,U,V,W,X,Y,Z<br>573 S,W,X | D |

REQUIRED AUTHORIZATION **CUIC ID #20MB95** NDT

| | | |
|---|---|---|
| **Finance Department:** | **Other Authorization:**<br>Jun Chang, P.E.<br>Interim Deputy Director<br>Public Utilities Division | **Other Authorization:**<br>Daniel R. Menendez, P.E., Deputy Director<br>Engineering & Construction Division |

F&A 011.A REV. 3/94
7530-010403-00

06/17/96

| Date | SUBJECT: | Originator's Initials | Page |
|---|---|---|---|
| | Professional Engineering Services Contract between the City and SES Horizon Consulting Engineers, Inc. for Engineering Services associated with the design of New Water Lines in Unserved Minnetex Area.<br>Minnetex Phase I: S-000801-0019-3<br>Minnetex Phase II: S-000801-0023-3 | MS | 2 of 2 |

**SCOPE OF CONTRACT AND FEE:** Under the scope of the contract, the consultant will perform Phase I - Preliminary Design, Phase II - Final Design and Phase III - Construction Phase Services and Additional Services. Basic Services Fee for Phase I is based on the cost of time and materials with a not-to-exceed agreed upon amount. The Basic Services fees for Phase II and Phase III will be negotiated on a lump sum basis after the completion of Phase I. The negotiated maximum for Phase I Basic Services is $75,672.00. The total Basic Services Fee is $424,000.00.

The contract also includes certain Additional Services to be paid either as lump sum or on a reimbursable basis. The Additional Services include Topographical Survey, Geotechnical Investigation, Environmental Site Assessment Phase I, Environmental Site Assessment Phase II, Storm Water Pollution Prevention Plans (SWPPP), Traffic Control Plans, TRC Meetings, Reproduction Services and Drug Testing. The total Additional Services appropriation is $258,000.00.

The total cost of this project is $750,000.00 to be appropriated as follows: $682,000.00 for contract services and $68,000.00 for project management.

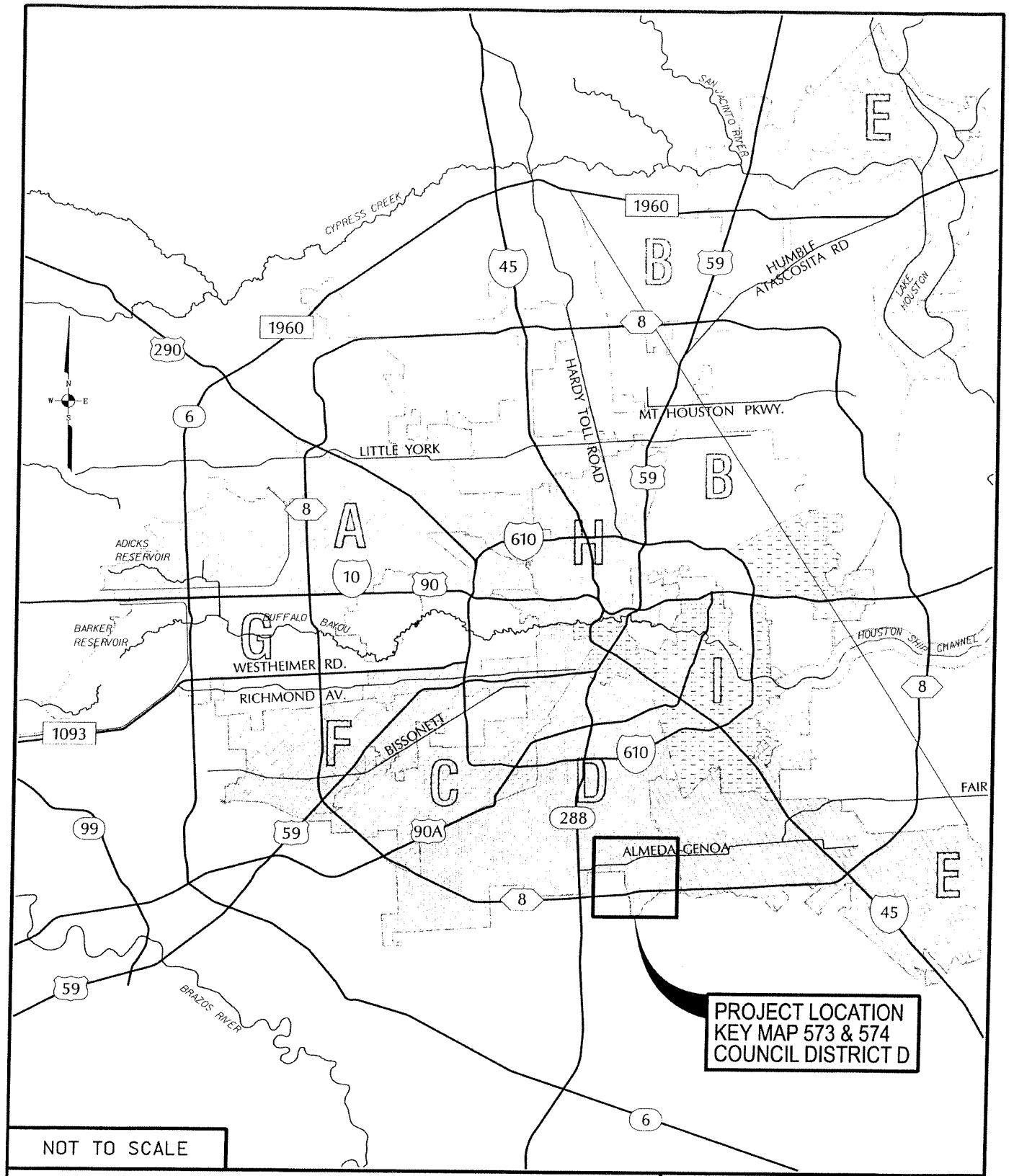
**PAY OR PLAY PROGRAM:** The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to play into the Contractor Responsibility Fund in compliance with the City policy.

**M/WBE INFORMATION:** The M/WBE goal for the project is set at 24%. The engineer has proposed the following firms to achieve this goal.

| | Name of Firms | Work Description | Amount | % of Contract |
|---|---|---|---|---|
| 1. | Accessibility Check | Engineering & Technical Services | $2,000.00 | 0.29% |
| 2. | Atser, LP | Geotechnical Investigations | $70,000.00 | 10.26% |
| 3. | IDCUS, Inc., DBA IDC Inc. | Engineering & Technical Services | $10,000.00 | 1.47% |
| 4. | Landtech Consultants, Inc. | Topographic Investigations | $140,000.00 | 20.53% |
| 5. | United Engineers, Inc. | Topographic Investigations | $50,000.00 | 7.33% |
| 6. | B & E Reprographics, Inc. | Reproduction Services | $10,000.00 | 1.47% |
| | | **TOTAL** | **$282,000.00** | **41.35%** |

MSM:DRM:RKM:HH:MB:mb
S:\design\A-WS-DIV\WPDATA\BM\801-SES Horizon\RCA Package-Design\RCA Design.DOC

c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File S-000801-0019-3 (1.2)
S-000801-0023-3 (1.2)




# CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WATER LINE DESIGN IN
UNSERVED AREAS-MINNETEX
WBS. No.S-000801-0019-3
PHASE I

DECEMBER, 2008

SES HORIZON
CONSULTING ENGINEERS, INC.
10101 Southwest Freeway, Suite 400 Houston, Texas 77074
(713) 988-5504, Fax (713) 988-1441 www.seshorizon.com

## PROJECT LOCATION COUNCIL DISTRICT MAP

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

| | | |
|---|---|---|
| **SUBJECT:** Contract Award for Water Line Replacement in Noble-South Area. WBS No. S-000035-00M2-4. | **Page** 1 of 2 | **Agenda Item #** 55 |

| | | |
|---|---|---|
| **FROM (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date** 3-19-09 | **Agenda Date** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** Michael S. Marcotte, P.E., D.WRE, BCEE, Director | **Council District affected:** B CM SD. | |
| **For additional information contact:** Reid K. Mrsny, P.E. **Phone:** (713) 837-0452 Senior Assistant Director | **Date and identification of prior authorizing Council action:** | |

**RECOMMENDATION: (Summary)**
Reject the first low bid, return bid bond and award construction contract to second low bidder and appropriate funds.

**Amount and Source of Funding:**
$1,626,600.00 from Water and Sewer System Consolidated Construction Fund No. 8500. 02/24/09

**PROJECT NOTICE/JUSTIFICATION:** This project is 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 consists of approximately 25,730 linear feet of 6-inch and 8-inch diameter water lines, valves and appurtenances. The contract duration for this project is 240 calendar days. This project was designed by ARCADIS, Inc.

**LOCATION:** The project area is generally bound by Campbell on the north, Brooks on the south, Brackenridge on the east and Semmes on the west. The project is located in Key Map Grids 493 D, H and 494 A, E.

**BIDS:** Bids were received on January 8, 2009. The ten (10) bids are as follows:

| | Bidder | Bid Amount |
|---|---|---|
| 1. | Sendero Industries, LLC (Non-responsive bidder) | $1,309,322.50 |
| 2. | R. K. Wheaton, Inc. | $1,415,825.00 |
| 3. | D. L. Elliott Enterprises, Inc. | $1,531,584.76 |
| 4. | TRCU, Ltd. | $1,663,851.00 |
| 5. | Pace Services, LP | $1,716,023.00 |
| 6. | C. E. Barker, Ltd. | $1,737,055.40 |
| 7. | Metro City Construction, L. P. | $1,740,355.43 |
| 8. | RWL Construction, Inc. | $1,795,919.26 |
| 9. | Carrera Construction, Inc. | $1,819,364.20 |
| 10. | Mar-Con Services, LLC | $1,867,716.80 |

**REQUIRED AUTHORIZATION** **CUIC ID #20SD88** NDT

| | | |
|---|---|---|
| **Finance Department:** Michelle Mitchell | **Other Authorization:** Jun Chang, Interim Deputy Director Public Utilities Division | **Other Authorization:** Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division |

REV. 3/06

**AWARD:** The apparent low bidder, Sendero Industries, LLC failed to provide a bid bond in the proper amount which is a major bid irregularity mandating disqualification of bid according to Legal Department's guidelines and according to the provisions of the bid document. Therefore, it is recommended that Sendero Industries, LLC bid be rejected and this construction contract be awarded to the responsive low bidder, R. K. Wheaton, Inc. with a second low bid of $1,415,825.00 and that no Addendum be made a part of this contract.

**PROJECT COST:** The total cost of this project is $1,626,600.00 to be appropriated as follows:

| | |
|---|---|
| • Bid Amount | $1,415,825.00 |
| • Contingencies | $ 70,792.00 |
| • Engineering and Testing Services | $ 55,000.00 |
| • Project Management | $ 84,983.00 |

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

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

**M/W/SBE PARTICIPATION:** The low bidder has submitted the following proposed MBE participation of 14%, WBE participation of 5% and SBE participation of 3% to satisfy the 22% M/W/SBE goal for this project.

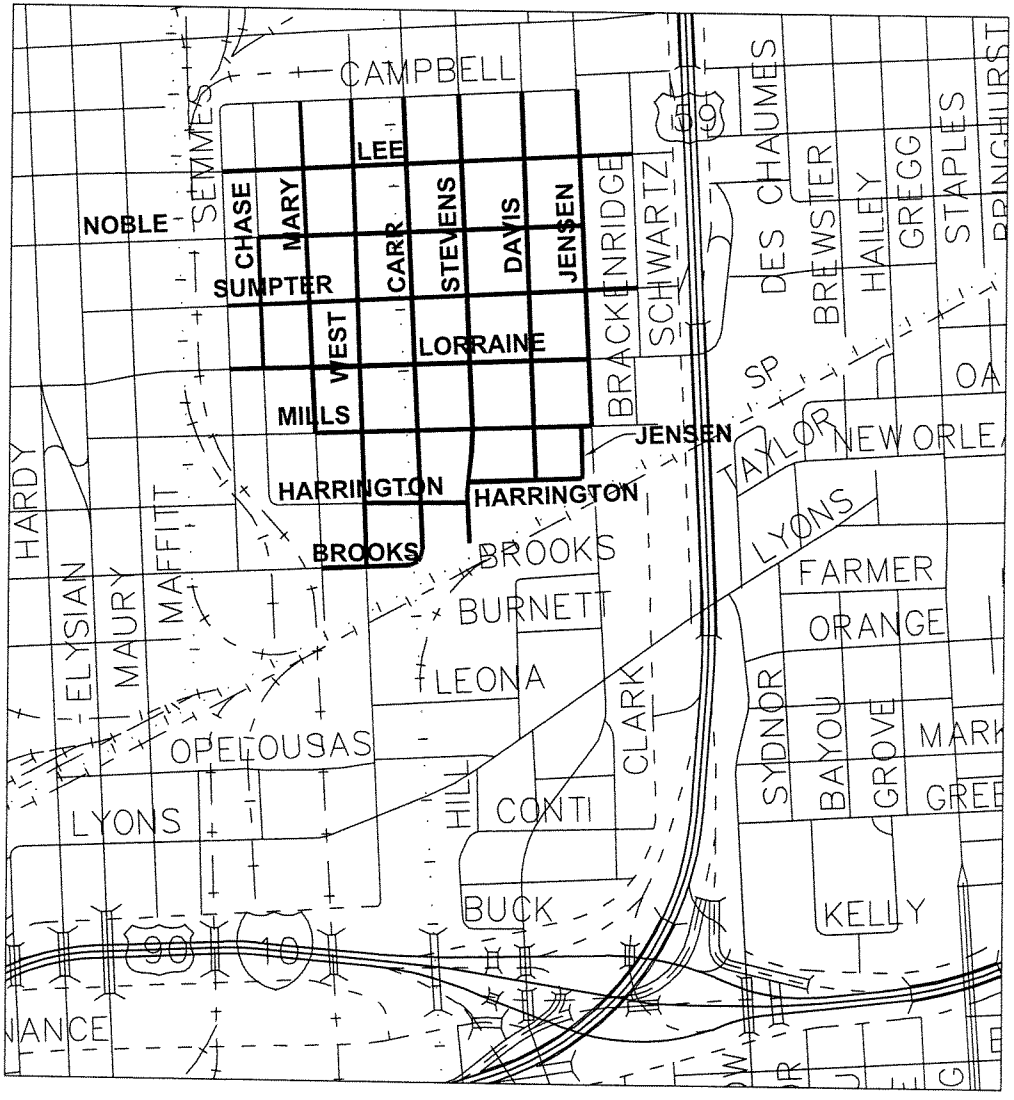
| Name of Firms | Work Description | Amount | % of Contract |
|---|---|---|---|
| Central Texas Hauling | Trucking Services | $198,500.00 | 14.02% |
| | **MBE Subtotal** | **$198,500.00** | **14.02%** |
| Name of Firms | Work Description | Amount | % of Contract |
| Gama Contracting Services | Water Line Installation | $ 72,500.00 | 5.12% |
| | **WBE Subtotal** | **$ 72,500.00** | **5.12%** |
| Name of Firms | Work Description | Amount | % of Contract |
| Mickie Service Company, Inc. | Water Mains & Hot Taps | $ 42,500.00 | 3.00% |
| | **SBE Subtotal** | **$ 42,500.00** | **3.00%** |
| | **TOTAL** | **$313,500.00** | **22.14%** |

MSM:DRM:RKM:HH:SD:MHC:mhc

S:\design\A-WS-DIV\WPDATA\TT\C61863\S-000035-00M1-3 (Fontaine Place Area)\PostBid\RCA.doc

c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File: S-000035-00M2-3 (3.7)

## DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
ENGINEERING & CONSTRUCTION DIVISION




# NOBLE-SOUTH AREA

KEY MAP: 493 – D,H 494 – A,E
COUNCIL DISTRICT – B

| STREET | ADDRESS | START STREET | END STREET | NEW SIZE | LENGTH IN FEET |
|---|---|---|---|---|---|
| Lee | 2100–2899 | Semmes | Brackenridge | 8 | 2,378 |
| Noble | 2400–2799 | West | Jensen | 8 | 1,295 |
| Sumpter | 2100–2899 | Semmes | Brackenridge | 8 | 2,278 |
| Lorraine | 2100–2799 | Semmes | Jensen | 8 | 1,990 |
| Mills | 2300–2799 | Mary | Jensen | 8 | 1,505 |
| Harrington | 2300–2599 | West | Stevens | 8 | 627 |
| Harrington | 2600–2701 | Stevens | Jensen | 8 | 663 |
| Brooks | 2300–2499 | Mary | Carr | 8 | 502 |
| Chase | 1900–2099 | Noble | Lorraine | 8 | 761 |
| Mary | 1900–2299 | Campbell | Lorraine | 8 | 1,935 |
| West | 1600–2299 | Campbell | Brooks | 8 | 2,527 |
| Carr | 1600–2299 | Campbell | Brooks | 8 | 2,522 |
| Stevens | 1700–2299 | Campbell | Harrington | 8 | 2,216 |
| Stevens | 1600–1699 | Harrington | RR | 6 | 225 |
| Davis | 1700–2299 | Campbell | Harrington | 8 | 2,128 |
| Jensen | 1800–2299 | Campbell | Mills | 8 | 1,873 |
| Jensen | 1700 blk | Mills | Harrington | 8 | 305 |
| TOTAL | | | | | 25,730 |

ARCADIS
11490 Westheimer
Suite 800
Houston, TX 77077
Tel: 281-497-6900 Fax: 281-496-2936
www.arcadis-us.com

CITY OF HOUSTON

WATER LINE REPLACEMENT IN
NOBLE-SOUTH AREA
WBS NO.: S-000035-00M2-4

PROJECT VICINITY MAP

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

| | | |
|---|---|---|
| **SUBJECT:** Contract Award for Water Line Replacement in Colonial Gardens Area. WBS No. S-000035-00N3-4 | **Page** 1 of 2 | **Agenda Item #** 56 |

| | | |
|---|---|---|
| **FROM: (Department or other point of origin):** Department of Public Works and Engineering | **Origination Date:** 3-20-09 | **Agenda Date:** MAR 25 2009 |
| **DIRECTOR'S SIGNATURE:** Michael S. Marcotte, P.E., D.WRE, BCEE | **Council District affected:** H | |
| **For additional information contact:** Reid K. Mrsny, P.E. Senior Assistant Director **Phone:** (713) 837-0452 | **Date and identification of prior authorizing Council action:** | |

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

**Amount and Source of Funding:**
$1,586,270.00 from the Water and Sewer System Consolidated Construction Fund No. 8500

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

**DESCRIPTION/SCOPE:** This project consists of approximately 21,112 linear feet of 8-inch diameter and 1,500 linear feet of 12-inch diameter water lines including valves, fittings, connections, fire hydrants and appurtenances. The contract duration for this project is 300 calendar days. This project was designed by SCL Engineering.

**LOCATION:** The project area is generally bound by E. Crosstimbers on the north, Bennington on the south, Cochran on the east and Roswell on the west. The project is located in Key Map Grids 453-L, M, Q, R.

**BIDS:** Bids were received on December 11, 2008. The nine(9) bids are as follows:

| | Bidder | Bid Amount |
|---|---|---|
| 1. | Collins Construction, LLC | $1,331,798.81 |
| 2. | R. K. Wheaton, Inc. | $1,337,165.56 |
| 3. | ACM Contractors, Inc. | $1,346,113.56 |
| 4. | D. L. Elliot Enterprises, Inc. | $1,373,868.24 |
| 5. | Sendero Industries | $1,546,747.25 |
| 6. | Metro City Construction, L.P. | $1,575,216.90 |
| 7. | C. E. Barker, Ltd. | $1,618,629.37 |
| 8. | RWL Construction, Inc. | $1,788,115.34 |
| 9. | TRCU, Ltd. | $2,279,374.84 |

**REQUIRED AUTHORIZATION** **20ACM59**

| | | |
|---|---|---|
| **Finance Department** | **Other Authorization:** Jun Chang, P.E. Interim Deputy Director Public Utilities Division | **Other Authorization:** Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division |

REV. 3/06

**AWARD:** It is recommended that this construction contract be awarded to Collins Construction, LLC with a low bid of $1,331,798.81 and that No Addendum be made a part of this contract.

**PROJECT COST:** The total cost of this project is $1,586,270.00 to be appropriated as follows:

| | |
|---|---|
| • Bid Amount | $1,331,798.81 |
| • Contingencies | $66,589.94 |
| • Engineering and Testing Services | $45,000.00 |
| • Project Management | $26,639.25 |
| • Construction Management | $116,242.00 |

Engineering and Testing Services will be provided by Austin-Reed Engineers, LLC under a previously approved contract.

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

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

**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.

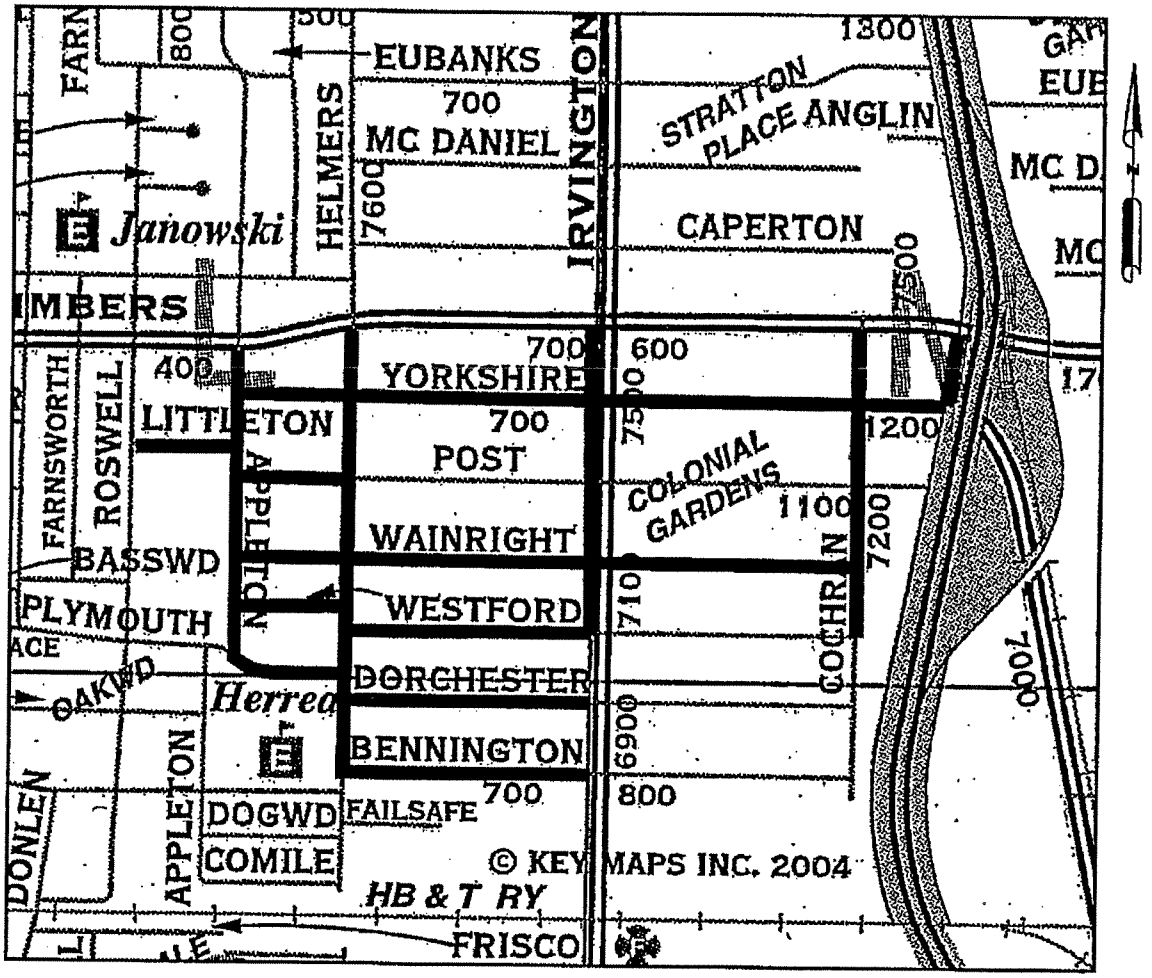
| MBE - Name of Firms | Work Description | Amount | % of Contract |
|---|---|---|---|
| 1. Briones Consulting & Engineering, LTD. | Construction Materials | $133,340.00 | 10.00% |
| 2. Fredith's Trucking | Hauling Services | $53,271.96 | 4.00% |
| | **TOTAL** | **$186,611.96** | **14.00%** |

| WBE - Name of Firms | Work Description | Amount | % of Contract |
|---|---|---|---|
| 1. Vikki's Service and Supply | Service Taps | $66,585.00 | 5.00% |
| | **TOTAL** | **$66,585.00** | **5.00%** |

| SBE - Name of Firms | Work Description | Amount | % of Contract |
|---|---|---|---|
| 1. Mickie Service Company, Inc. | Hot Taps & Fire Hydrants | $39,800.00 | 3.00% |
| | **TOTAL** | **$39,800.00** | **3.00%** |

MSM:DRM:RKM:HH:ACM
S:\ECRESHARE\PROJECTS\WATER\S-000035-00N3-4\POSTBID\RCA.DOC

**c:** Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File: S-000035-00N3-4 (3.7)




# VICINITY MAP

KEY MAP NO: 453 L, M, Q, R
GIMS MAP NO: 5360 D, 5460 C

| STREET NAME | FROM | TO | PROP SIZE (INCH) | LENGTH (FEET) |
|---|---|---|---|---|
| YORKSHIRE | APPLETON | COCHRAN | 8 | 4419 |
| LITTLETON | ROSWELL | APPLETON | 8 | 590 |
| POST | APPLETON | HELMERS | 8 | 677 |
| WAINRIGHT | APPLETON | COCHRAN | 8 | 3469 |
| WESTFORD | APPLETON | HELMERS | 8 | 680 |
| WESTFORD | HELMERS | IRVINGTON | 8 | 1342 |
| PLYMOUTH | APPLETON | HELMERS | 8 | 722 |
| DORCHESTER | HELMERS | IRVINGTON | 8 | 1347 |
| BENNINGTON | HELMERS | IRVINGTON | 8 | 1344 |
| APPLETON | PLYMOUTH | EAST CROSSTIMBERS | 8 | 1800 |
| HELMERS | BENNINGTON | EAST CROSSTIMBERS | 8 | 2530 |
| IRVINGTON | WESTFORD | EAST CROSSTIMBERS | 12 | 1695 |
| COCHRAN | WESTFORD | EAST CROSSTIMBERS | 8 | 1666 |
| | | | TOTAL | 22,281 |

**CITY OF HOUSTON**

**WBS S-000035-00N3-4**

**WATER LINE REPLACEMENT COLONIAL GARDENS AREA**

**DISTRICT H- ADRIAN GARCIA**

SCL ENGINEERING
HOUSTON, TEXAS

SCALE: N.T.S. | JOB No. 014-021A | EXHIBIT No. 2

014-021A-EXH-02 (1:1)

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

| **SUBJECT:** | **Category #** | **Page 1 of 1** | **Agenda Item#** |
|---|---|---|---|
| Ordinance granting a Commercial Solid Waste Operator Franchise 3RD Reading | | 57 | ~~35~~ ~~48~~ |

| **FROM: (Department or other point of origin):** | **Origination Date** | **Agenda Date** |
|---|---|---|
| Alfred J. Moran, Director<br>Administration & Regulatory Affairs | 2/25/09 | ~~MAR 0 4 2009~~ |

| **DIRECTOR'S SIGNATURE:** | **Council Districts affected:** | ~~MAR 1 1 2009~~ MAR 2 5 2009 |
|---|---|---|
| | ALL | |

| **For additional information contact:** | | **Date and identification of prior authorizing Council Action:** Ord. # 2002-526 – June 19, 2002; Ord. # 2002–1166-December 18, 2002. |
|---|---|---|
| Juan Olguin SFO | **Phone:** (713) 837- 9623 | |
| Nikki Cooper | **Phone:** (713) 837- 9889 | |

**RECOMMENDATION: (Summary)**

Approve an ordinance granting a Commercial Solid Waste Operator Franchise

| **Amount of Funding:** REVENUE | FIN **Budget:** |
|---|---|

**SOURCE OF FUNDING:** [ ] **General Fund** [ ] **Grant Fund** [ ] **Enterprise Fund** [ ] **Other (Specify)**

**SPECIFIC EXPLANATION:**

It is recommended that City Council approve an ordinance granting a Commercial Solid Waste Operator Franchise to the following solid waste operator pursuant to Article VI, Chapter 39. The proposed Franchisee is:

1. K & S Construction Services, LLC

The proposed ordinance grants the Franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, the Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of 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.

The Pay or Play Program does not apply to the Commercial Solid Waste Operator Franchise.

**REQUIRED AUTHORIZATION**

Finance Director:

F&A 011.A Rev. 5/11/98

38

MAR 2 5 2009

MOTION NO. 2009 0132

MOTION by Council Member Khan that an item be placed on the Agenda of March 25, 2009, to receive nominations for appointment to Position 4 of the Board of Directors of Reinvestment Zone Number One (St. George Place), City of Houston, Texas, for term to expire December 31, 2010.

Seconded by Council Member Lovell and carried.

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

Council Member Lawrence absent on City business

PASSED AND ADOPTED this 11th day of March, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is March 17, 2009.

City Secretary

# CITY OF HOUSTON

Office of the Mayor

37

**Interoffice**

Correspondence

To: Anna Russell
City Secretary

From: Christina Cabral
Boards and Commissions

Date: March 3, 2009

Subject: **REINVESTMENT ZONE NUMBER ONE (ST GEORGE PLACE)**

**NON-CONSENT AGENDA**
**MISCELLANEOUS**

Motion to set a date not less than seven (7) days from March 11, 2009, to receive nominations for appointment to Position 4 of the Board of Directors of Reinvestment Zone Number One (St. George Place), City of Houston, Texas for term to expire December 31, 2010.

| | | |
|---|---|---|
| Position 4 | Victoria Rockwell | Nominated by Council Member Clutterbuck |

CC/jsk

cc:
Ms. Marty Stein

RECEIVED
MAR
CITY SECRETARY

BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

59

MAR 2 5 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 3-4-09
date

COUNCIL MEMBER: _____

March 4, 2009

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to City of Houston Resolution No. 98-3, Subchapter D of Chapter 431 of the Texas Transportation Code and Chapter 394 of the Texas Local Government Code, I am nominating the following individual for reappointment to the St. George Place Redevelopment Authority Board of Directors, subject to Council confirmation:

Ms. Victoria A. Rockwell, reappointment to Position Four, for a term to expire December 31, 2010.

The résumé of the nominee is attached for your review.

Sincerely,

Bill White
Mayor

BW:CC:jsk

Attachment

RECEIVED
MAR 4 2009
CITY SECRETARY

60

# CITY OF HOUSTON

Legal Department

MAR 2 5 2009

**Interoffice** Correspondence

**To:** Barbara Guzman
Acting Assistant City Secretary

**From:** YuShan Chang
Assistant City Attorney

FOR TRANSCRIPT SEE BACKUP ON NET

**Date:** February 16, 2009

**Subject:** Electrical Board Appeal - Valco Instruments Company, L.P.

By the attached correspondence, you have requested the Legal Department to advise whether the appeal of the Electrical Board's ("Board") denial of Valco Instruments Company's request for a modification of the City of Houston Electrical Code as it pertains to Project No. 07065538, is timely filed and may be granted.

Pursuant to § 203.7 of the City of Houston Electrical Code, "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." The Board made its decision on January 27, 2009. The written request for an appeal to the City Secretary was received February 4, 2009, which is within the 10 day deadline. Furthermore, appeals brought under § 203.7 of the Electrical Code are subject to Rule 12 of section 2-2 of the Code of Ordinance, which requires an appeal before City Council to be based solely on certified court reporter's transcript of the Board hearing. A certified court reporter's record of the Electrical Board hearing has been provided. Therefore, the appeal is timely and may be granted.

If you have any questions concerning this memorandum, please advise.

cc: N.A. Weiman
Code Enforcement

Scott A. Lisman
Attorney at Law
1502 Augusta, #390
Houston, Texas 77057

RECEIVED
FEB 1 , 2009
CITY SECRETARY

60

# CITY OF HOUSTON

Legal Department

MAR 2 5 2009

**Interoffice** Correspondence

**To:** Barbara Guzman
Acting Assistant City Secretary

**From:** YuShan Chang
Assistant City Attorney

**Date:** February 16, 2009

**Subject:** Electrical Board Appeal - Valco Instruments Company, L.P.

By the attached correspondence, you have requested the Legal Department to advise whether the appeal of the Electrical Board's ("Board") denial of Valco Instruments Company's request for a modification of the City of Houston Electrical Code as it pertains to Project No. 07065538, is timely filed and may be granted.

Pursuant to § 203.7 of the City of Houston Electrical Code, "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." The Board made its decision on January 27, 2009. The written request for an appeal to the City Secretary was received February 4, 2009, which is within the 10 day deadline. Furthermore, appeals brought under § 203.7 of the Electrical Code are subject to Rule 12 of section 2-2 of the Code of Ordinance, which requires an appeal before City Council to be based solely on certified court reporter's transcript of the Board hearing. A certified court reporter's record of the Electrical Board hearing has been provided. Therefore, the appeal is timely and may be granted.

If you have any questions concerning this memorandum, please advise.

cc: N.A. Weiman
Code Enforcement

Scott A. Lisman
Attorney at Law
1502 Augusta, #390
Houston, Texas 77057

RECEIVED
FEB 1 · 2009
CITY SECRETARY

LAW OFFICE OF

JOHN H. POLK

A PROFESSIONAL CORPORATION

1502 Augusta #390
Houston, Texas 77057
(713) 266-0846
Facsimile - (713) 266-9260
E-mail - john@polkfirm.com
www.polkfirm.com

★JOHN H. POLK, CPA, LLM - TAXATION

Board Certified - Tax Law
Texas Board of Legal Specialization

Board Certified - Estate Planning & Probate
Texas Board of Legal Specialization

Board Certified - Commercial Real Estate
Texas Board of Legal Specialization

★Admitted to
Practice Law in
State of Washington

February 4, 2009




**Via Federal Express #861392398651**
Anna Russell, City Secretary
City of Houston
900 Bagby Street
Office P-101
Houston, Texas 77002

Re: Valco Instruments Company, L.P. - Central Shop Electrical Permit Certification

Dear Ms. Russell:

As allowed by Section 203 of the City of Houston Electrical Code and in compliance with the City of Houston Administration Rule 12 regarding appeals to City Council, Valco Instruments Company, L.P. is hereby requesting an appeal of the City of Houston Electrical Board denial of Valco Instruments Company, L.P.'s request for a modification of the City of Houston Electrical Code as it pertains to Project No. 07065538. A copy of the transcript of the City of Houston Electrical Board meeting dated January 27, 2009 is attached. An additional copy of the transcript is attached for your reference as well. It is the contention of Valco Instruments Company, L.P. that the City of Houston Electrical Board was incorrect in denying Valco Instruments Company, L.P.'s request for a modification of the City of Houston Electrical Code, and is hereby requesting that the City Council review this and grant Valco Instruments Company, L.P.'s request for a modification. If there are any additional documents that are required, please feel free to contact me at any time at 713-266-0846 or at scott@polkfirm.com.

Thank you for your attention to this matter.

Sincerely yours,

Scott A. Lisman
Attorney at Law

SAL/amp
Attachment (as stated)



AcuScribe
COURT REPORTERS
When accuracy means everything.

# ADMINISTRATIVE LAW HEARING

# BEFORE THE

# CITY OF HOUSTON ELECTRICAL BOARD

IN RE:
PROJECT NO. 7065538
VALCO INSTRUMENTS COMPANY, L.P.
7260-B LANGTRY, HOUSTON, TEXAS

**********

## TRANSCRIPT OF PROCEEDING

**********

1601 Rio Grande
Suite 443
Austin, Texas 78701
512-499-0277
800-497-0277
512-499-0298 (fax)
www.acuscribe.com

ORIGINAL

ADMINISTRATIVE LAW HEARING

BEFORE THE

CITY OF HOUSTON ELECTRICAL BOARD

. . . . . .

IN RE:
PROJECT NO. 7065538
VALCO INSTRUMENTS COMPANY, L.P.
7260-B LANGTRY, HOUSTON, TEXAS

. . . . . .

TRANSCRIPT OF PROCEEDINGS

. . . . . .

DATE: JANUARY 27, 2009 TIME: 5:04 TO 6:07 P.M.

LOCATION: 3300 Main Street - Second Floor
Houston, Texas

REPORTED BY: Mary C. Dopico, CSR, RPR, CRR
AcuScribe Court Reporters
1601 Rio Grande, Suite 443
Austin, Texas 78701
(P) 512/499-0277 800/499-0277
(F) 512/499-0298

A P P E A R A N C E S

CITY OF HOUSTON ELECTRICAL BOARD MEMBERS:

Mr. E.T. Dickerson - Chairman - Pos. # 6
Mr. Eliot Doucet - Pos. # 2
Mr. Antonio A. Orta - Pos. # 4
Mr. Larry Neal - Pos. # 5
Mr. Santosh Mukerji, Pos. # 7
Mr. Charles S. Prichard - Pos. # 9
Mr. Javier M. Ramos - Pos. # 10
Mr. N.A. Weiman - Pos. # 11

COUNSEL FOR THE BOARD:

Ms. YuShan Chang
Assistant City Attorney
P.O. Box 368, Houston, Texas 77001-0368
900 Bagby, 4th Floor, Houston, Texas 77002
(T) 832/393-6442 (F) 832/393-6259
yushan.chang@cityofhouston.net

COUNSEL FOR THE APPLICANT:

Mr. Scott Lisman
Law Office of John H. Polk
1502 Augusta, Suite 390
Houston, Texas 77057
(P) 713/266-0856

ALSO PRESENT:

Gary Yates - Valco maintenance manager
Mr. John Minik - NEMA representative

REPORTED BY:
Mary C. Dopico, CSR, RPR, CRR
AcuScribe Court Reporters
1601 Rio Grande, Suite 443
Austin, Texas 78701
(P) 512/499-0277 800/499-0277
(F) 512/499-0298

INDEX

PAGE

OPENING STATEMENTS
By Mr. Dickerson..... 2
By Mr. Weiman..... 5
By Mr. Lisman..... 5

APPLICANT'S EXHIBITS

Exhibit A..... 9
Valco Instruments Company, L.P.
Presentation packet

Exhibit B..... 13
01-27-2009 e-mail to Scott Lisman from Kevin Kubinsky, Subject: UL

CITY'S EXHIBITS

Exhibit 1..... 5
Printout regarding 7-17-2008 inspection

Exhibit 2..... 19
Packet of multiple permits for 7814 Bobbitt, 7827 Bobbitt, 7812 Bobbitt, 7806 Bobbitt, and 7806 Bobbitt parking lot

Motion by Mr. Prichard..... 31

Board Vote..... 44

Reporter's Certificate..... 46

P R O C E E D I N G S

MR. DICKERSON: I'm going to go ahead and start the meeting by approving the minutes and then we'll delay testimony until this individual gets here.

Do I have a motion to approve the minutes?

MR. PRICHARD: I'll make it.

MR. DICKERSON: Chuck?

MR. ORTA: Second.

MR. DICKERSON: Second. All in favor?

(Affirmative responses.)

MR. DICKERSON: Now we'll go off the record until he gets here.

(Off the record.)

MR. DICKERSON: One thing I forgot to say before is that when you are recognized to speak, please state your name clearly. I know that court reporters put names and faces together pretty quick, but it is better for her not to have to juggle that.

Okay. Having said that, Mr. Scott Lisman, attorney, and Mr. Yates, supervisor for Valco Instrument Company, L.P., will appear before the City

P R O C E E D I N G S

MR. DICKERSON: I'm going to go ahead and start the meeting by approving the minutes and then we'll delay testimony until this individual gets here.

Do I have a motion to approve the minutes?

MR. PRICHARD: I'll make it.

MR. DICKERSON: Chuck?

MR. ORTA: Second.

MR. DICKERSON: Second. All in favor?

(Affirmative responses.)

MR. DICKERSON: Now we'll go off the record until he gets here.

(Off the record.)

MR. DICKERSON: One thing I forgot to say before is that when you are recognized to speak, please state your name clearly. I know that court reporters put names and faces together pretty quick, but it is better for her not to have to juggle that.

Okay. Having said that, Mr. Scott Lisman, attorney, and Mr. Yates, supervisor for Valco Instrument Company, L.P., will appear before the City

of Houston Electrical Board regarding 7260 Langtry, number B, Project Number 7065538 concerning the listing and labeling of equipment at that location.

I would call on N.A. Weiman of the City of Houston first to kind of describe what all the situation is about, and then we'll give you the opportunity to make the argument that you want to make. Okay, Mr. Lisman?

MR. LISMAN: Thank you, sir.

MR. DICKERSON: You're welcome. N.A.

MR. WEIMAN: Yes, sir. My inspector went out on July the 17th -- Oh, I'm N.A. Weiman City of Houston electrical inspections.

My inspector went out on July the 17th, 2008 for a final inspection for 7260 Langtry, space B. He defected the final asking that the equipment -- or stating that the equipment was not listed for its use. So he was asking that the equipment get listed and labeled for its use.

(City Exb. No. 1 was subsequently marked.)

MR. DICKERSON: Okay. Is that all?

MR. WEIMAN: Yes, sir.

MR. DICKERSON: Okay. Mr. Lisman?

MR. LISMAN: Scott Lisman, counsel for

Valco Instruments. As last time, I have a presentation; and I'm going to apologize for those of you who were here last time, but because of the court reporter, I am going to have to go through the presentation again. I expect all of you to take these home, because they're I'm sure they're extremely riveting.

There we go.

MR. DICKERSON: You cut down several trees to do that; didn't you?

MR. LISMAN: I did use several of them from last time.

MR. WEIMAN: Have you got any more?

MR. LISMAN: I should have an extra copy. I left you with one.

MR. WEIMAN: Yes, and I've put it in a very safe place.

MR. LISMAN: Okay. There you are.

Now, what I would like to do is just quickly go through this presentation; and if you have questions, please feel free to ask me any time. Just make sure to get my attention, just so we can get a good record of it.

All right. This is for Project Number 7065538. My client is Valco Instruments Company,

L.P.. They are a leading designer and manufacturer of standard and custom valves for precision analytic, biomedical and biocompatible instrumentation.

These products are labor-intensive, requiring several different machines for production. And all of the -- and the main manufacturing tools are located at Valco's central shop.

This central shop facility was at the same location for over 20 years at 7814 Bobbitt Lane and then was moved last year to a new location at 7260B Langtry.

While at the previous facility, Valco purchased dozens of machines, growing from a small shop to a medium-sized corporation.

The project currently expired on January 13, 2009, the date of the last meeting, and the electrical permit is the last permit needed to finish this project.

This -- The purpose of this entire project is to move all the machines to a new space, to allow for a more growth and to allow for a better working atmosphere for the production, for the employees and for safety purposes, just because a newer building that you can outfit yourself allows you to have a better space.

As Mr. Weiman previously stated, the electrical permit was not allowed because the -- because the machines were not listed and labeled for their use.

Valco has 58 machines that could be -- that are currently affected by this rejected electrical permit, and these machines have been manufactured by manufacturers such as Tsugami, Miyano, Hardinge, Brown and Sharpe, Unison, Hybco and True-Tech, among others; and these machines are primarily composed of grinders and lathes, and there are some other assorted machines in there as well.

We've got an exhibit or exhibits which contain a list of the machines affected, digital photo -- and digital photographs of the machines, as well as the letter that we received regarding the electrical permit on this matter.

If you look at the digital photographs, you can see -- and these are in the few facility. I want to be clear about that. These are in the new facility. -- you can see that these machines have been well kept up, that the entire area is clean and that there -- that they've been properly installed. Now I'm not trying to say you can see all that from the photographs; but if you can look at

that generally, you can see the general layout for the space.

MR. DICKERSON: For the record, do you want to mark these exhibits for the record?

MR. LISMAN: Yes, sir. What I was planning to do would be to give -- provide a full copy of the presentation to the court reporter. And I think what we should do is call that Exhibit A, if that's all right with the chairman.

MR. DICKERSON: Yes, that's fine.

(Applicant's Exb. A was subsequently provided and marked.)

MR. LISMAN: These machines are primarily over five years old, but they still function well. And approximately everybody five to seven years, they are taken out of service and all -- and rebuilt.

Valco has had no accidents with any of these machines. We have had no Workers' Compensation claims associated with any of these machines, even -- We have had no problem with fires, shorts, power surges, any types of problems with these machines.

We have looked at having a nationally-recognized testing laboratory come in to label these machines; and they've given -- they've told us that

it would cost 50 to 90 thousand dollars. The only one that they would -- that they told us that they were willing to come in and look at that many machines was Underwriters Laboratory.

There are 18 nationally-recognized testing laboratories. I've contacted five of them. Two of them said that they do not -- that they would not come out and do field inspections. The other three said that they wouldn't -- they can't do this big of a project. Underwriters Laboratory was the only one that told me they could take on this big a project.

These machines are quite expensive to replace and can range in cost from 400,000 to upwards of 200,000; and, therefore, the cost to replace the machines or have the machines inspected is extremely high and burdensome.

Section 1.06 of the City of Houston Electrical Code allows for a modification to be granted when the following conditions are met:

A special individual reason makes the strict letter of the code technically impossible; the modification is in conformity with the intent requirements of the code; and the modification does not lessen health, life safety, and fire

requirements.

The cost and number involved in this machining makes -- in this inspection, makes the strict letter of the interpretation impractical. The cost of the inspection is at least $50,000. The cost of replacement would be at least $500,000. And this -- We are a -- We are a taxpayer and we have no interest whatsoever in not being in non-compliance with the code.

The modification is in -- is in conformity with the intent and purpose of the code. According to the national electric -- According to the IEEE the National Electric Code is designed to safeguard person, quote, during the installation, operation or maintenance of electrical supply and communication lines and associated equipment.

These machines have been safely installed in both their prior location and their new location at 7020B Langtry.

We've had no accidents with these machines and their safeguards have all been completely maintained. And for these same reasons, the modifications does not lessen health, life, safety and fire requirements.

So what we're asking the Houston --

the City of Houston Electrical Board to do is to grant us the modification so that we can have the electrical permit allowed -- granted and we can finish up this project.

Now, in order to get a good record, I think now would be a great time to have questions; but I appreciate everybody letting me get through that so we can get that presentation on the record.

In addition, I wanted to do one other thing. After last -- After the last meeting, I contacted the -- seven of the manufacturers that we were -- of the machines. Four did not return my phone calls; two said that for legal reasons, they were not able to discuss their policies regarding labeling their machines. One did tell me that he was able and willing to do it; and unfortunately I was not able to include it in the -- his letter in the presentation, because it was an e-mail I got at 3.59 p.m. today. And what I would like to do is to hand it out to -- in addition to the presentation, if that would be acceptable. Thank you.

MR. DICKERSON: And mark that as Exhibit B?

MR. LISMAN: We'll mark this as Exhibit B.

(Applicant Exb. B was marked.)

MR. LISMAN: What I would like to do is quickly read this. This is from Kevin Kubinski at Hardinge.com. He is in the sales management department, and he is the individual who had -- who is responsible for compliance with the -- of their Hardinge machines. And after I spoke with him, he sent me this e-mail, though it was a week and a half later. According to what this says, Hardinge has not built machines to meet a UL standard at any time in the past 20 years. And they're aware of -- unaware of any requirement to do so.

Now, you know, this is a major manufacturer. They are -- They have 14 of the machines that are on this list. So the reason I'm putting this in here is so that you-all are aware of the fact that there are manufactures out there that are selling machines that are -- do not have UL markings on them. We're not some type of rogue company that's going out and finding generic machines or machines from abroad. These are major manufacturers.

And he didn't say this in the letter, but when I talked to him, he told me that there -- he has had customers -- he has had a small number of

customers in the last few years ask about it, but that none -- but that nobody has actually come and said: We can't buy from you because you are not UL approved.

Again, two individuals -- I did talk to two manufacturers who said that their machines are not UL approved; but again they refused -- they refused to provide me any written documentation, so I -- I mean, I can tell you who they are, but I don't -- without any written documentation, I'm not sure its of much value to you.

So what -- what we're trying to do is we're trying -- you know, we're trying to put forth a reasonable request for a modification and to -- and in the future, I mean, we're -- we're aware of everything now and we will make sure that any further purchases comply with the electrical code.

All we're trying to do is to allow -- is to allow our client -- allow my client to continue operating with the machines that he has.

I would like to take any questions or -- I don't know if you -- Mr. -- I didn't catch your name, sir. Did you want --

MR. MINIK: Minik. John Minik.

MR. LISMAN: Did you want to speak,

sir?

MR. MINIK: Oh, I'm just listening.

MR. LISMAN: I'd like to take any questions.

MR. WEIMAN: N.A. Weiman, City of Houston Electrical Inspections.

I guess, Mr. Lisman, when -- did you ever get -- did you by chance get back with your customer this last week or two and talk to them about their previous address at 7814 Bodgett -- or Bobbitt and ask them about -- the reason why they didn't permit their equipment that they had purchased over the last five years?

MR. LISMAN: Well, I mean, I can -- Gary can speak to that.

MR. YATES: Yeah.

MR. LISMAN: The machines at Bobbitt, why weren't they inspected?

MR. YATES: We -- Well, they were inspected by the manufacturer at the time of installation. There was never any prob -- We have not had any knowledge of any permit required to install the machines. You know, we permitted all the electrical services and everything.

MR. WEIMAN: Right.

MR. YATES: But for the individual machines, no, they were inspected by the manufacturer when they started them.

MR. WEIMAN: Who installed the electrical equipment or the electrical feeders or the electrical services to the equipment?

MR. YATES: To the equipment, a lot of it we did ourselves or the manufacturer.

MR. PRICHARD: Chuck Prichard. Of the 58 machines that you have there, how many are labeled?

MR. LISMAN: None of them.

MR. PRICHARD: None of them?

MR. LISMAN: Well, you've got -- How many machines do you have at that shop that are considered labeled and unlabeled?

MR. YATES: Well, there's 58 all total, that are involved. And just the little small -- like bench grinders and things like that, now they're labeled.

MR. PRICHARD: Are they included in this 58?

MR. YATES: No. They're included on the list.

MR. PRICHARD: Do you have any idea of

how many of the 58 are not labeled or are labeled? How many machines are we talking about?

MR. YATES: Probably -- I would say probably 10 of them, maybe, are labeled.

MR. PRICHARD: 10 are labeled.

MR. YATES: Right. You see, the thing of it is, if you will look on those pictures, some of the machines, they'll have like motors on them or coolant pumps on them that have a UL sticker on it, but it is just for that one device, not for the whole machine. It is just for components.

MR. LISMAN: And that is one thing that the manufacturer for Hardinge -- that Mr. Kubinski told me. He said most of their machines have-- the majority of their components that are UL approved; but their entire machine as a whole is not considered to be UL approved.

MR. DICKERSON: Are all the electric -- oh, E.T. Dickerson. Are all the electrical components UL approved -- I mean, UL listed?

MR. LISMAN: For each and every machine?

MR. DICKERSON: Yes.

MR. LISMAN: No. Some of them --

Some of them are, some are not. Some of the machines, most or all of them are, but some of them are not, no.

MR. DICKERSON: N.A., do you want --

MR. WEIMAN: N.A. Weiman, City of Houston. I just -- I would like to read through the ordinance just for the record. The City of Houston Electrical Code, Section 508, electrical material and equipment.

No electrical materials apparatuses, devices, appliances, fixtures or equipment shall be sold or installed in the City of Houston or in the city unless they are 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 of -- state statute.

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

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

That's Section 508 of the City of Houston Electrical Code.

And I would like to present an exhibit. This is multiple permits for 7814 Bobbitt, 7827 Bobbitt, 7812 Bobbitt, 7806 Bobbitt, and 7806 Bobbitt parking lot; and these are multiple project numbers that we have went through, my seniors went through, and printed all this for me. I've looked at it. And this --

MR. LISMAN: Can I be given a copy?

MR. WEIMAN: Sir?

MR. LISMAN: Can I be given a copy?

MR. WEIMAN: Sure, I can get you a copy of it.

(City Exb. No. 2 was subsequently marked.)

MR. WEIMAN: None of the electrical equipment, as far as the motors, have been permitted -- or the equipment. Multiple services have been permitted, but not the equipment itself.

So, you know, like Mr. Lisman stated, you know, most of this equipment was new, in the last five years. I would think if the electrical contractor -- or if they had hired an electrical contractor, permitted the work, we would have

inspected the work, we would have probably prevented this five years ago. Now we've got five years of new equipment that's in -- that's not listed and labeled.

And I would also like to clear up that we look at the National Recognized Testing Laboratory which is regulated by OSHA. We're not strictly UL.

We don't look -- UL is just a common name out there, but we don't -- We'll accept any of them that will fall under the National Recognized Testing Lab.

MR. DICKERSON: Mr. Lisman?

MR. LISMAN: I would like to clarify something. At no time did I state that the equipment was less than -- was five years or less. The equipment is 2 to 20 years old. Probably, what, 10 to 15 percent of it is five years or less.

MR. YATES: Yeah.

MR. LISMAN: I also wanted to find out when was Section 508 added to the City of Houston Electrical Code.

MR. DICKERSON: It's been there at least 20 years or 30.

MR. WEIMAN: Yeah.

MR. LISMAN: At least? So it's been there...

MR. DICKERSON: That particular statement's been in there -- possibly could have changed sections, but that's been in there for, I know, since 1980.

MR. LISMAN: But what section would it have been previously? I mean, I'm just -- I was trying to determine when it was added; because there -- in 2005, there -- that Section 508, there was no Section 508, and I was just trying to determine before 2008 when -- what section that came under. And the reason I was trying to do that was I was trying to retrace the history of this to determine when that was added. But you're telling me that that's been in there since 1980?

MR. DICKERSON: Been in there a long time. I know it was in there when I was studying for my Master's license and that was in the late Seventies and early Eighties.

MR. WEIMAN: N.A. Weiman City of Houston Electrical Inspections.

I've been with the city since '91. I know it's section -- The "electrical material and equipment shall be listed and labeled for its intended use" has been in there since then. I know there's been some changes to that section.

Now, actually Section 508, we've changed the ordinance up quite a bit, we've extended, we've extracted.

I know there was a time that some of that verbiage was changed, but I couldn't tell you exactly when; but my computer records also go back to 1988. And like I say, I don't know how long your customer's been at Bobbitt, but I don't see any electrical permits other than electrical services, other than there was an office remodel.

MR. LISMAN: Right. My customer's been at Bobbitt since the mid-Seventies.

MR. WEIMAN: Since the mid-Seventies?

MR. LISMAN: Since the mid-Seventies.

MR. WEIMAN: And there's been no permits for electrical work, as far as a machine shop, for electrical equipment.

MR. LISMAN: And your records only go back to 1988; is that correct?

MR. WEIMAN: Right. That's correct.

MR. LISMAN: So if there was an original permit in 1975 or so, that would not be reflected; is that correct?

MR. WEIMAN: That's correct.

MR. LISMAN: All right.

MR. WEIMAN: But your --

MR. LISMAN: I'm just trying to get the facts out there. I mean, at the end of the day, what I'm trying -- All I'm trying to do is I'm trying to tell you that we've got machines that are safe. We've got -- I've got a manufacturer out there who -- a major manufacturer who sold us 14 of the machines and is still not putting UL markings on them. I mean maybe -- I don't know what -- I'm happy to provide any additional information you-all want, if -- you know, if you need anything to help you make this decision. But the modification is out there for a reason. You know, this code -- it does not have to be strictly interpreted, otherwise you wouldn't have a modification provision in there.

MR. PRICHARD: Chuck Prichard. Of the approximate 48 machines that are not labeled, how many of those are available from manufacturers that label them?

MR. LISMAN: We couldn't get an answer to that because either the manufacturers wouldn't let -- wouldn't tell us if they were labeled for legal reasons or they refused to -- or they didn't call-- wouldn't call us back. So I don't know the answer to that question.

MR. PRICHARD: But did you look at other manufacturers who make similar machines to see if their product was labeled?

MR. LISMAN: So -- Well, but the problem with that is in terms of finding -- You know, the question would be: Were they labeled when the machines were bought?

MR. PRICHARD: No. If brand X, which you own, is not labeled, did you look for brand Y that did offer a labeled product?

MR. LISMAN: When they were originally purchased like 20 years ago, 10 years ago is that what you are asking?

MR. PRICHARD: Before even today.

MR. LISMAN: Well, we haven't bought any machines that would fall under this in, what, the last six months or so?

MR. YATES: Yes, but I take -- I don't mean to interrupt. Gary Yates, maintenance manager for Valco Instruments.

But the thing about it is most of the manufacturers you talk to, they -- they don't do it. What they say -- even -- There was a provision in there where your loss -- your insurance company, if they had someone that would -- could inspect the

equipment, the city inspector could accept that; but the thing about it is, when you approach them, I ask them about it, they go, "what in the world are they trying to do? I've never heard of this before."

MR. DICKERSON: E.T. Dickerson. They have never heard of the National Electric Code?

MR. YATES: Yeah, they've heard of it, but they've never --

MR. DICKERSON: Never read it?

MR. YATES: -- Had to -- None of the machine manufacturers have said they had to conform to that.

MR. DICKERSON: This is a national code.

MR. YATES: Huh-uh.

MR. DICKERSON: Let me read article 110.3B, Installation and Use of Equipment.

"Listed or labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling."

And there's more in here somewhere. I haven't found it yet. But this is -- This is -- this supersedes the Houston code.

MR. LISMAN: Well, actually that has -- that has to be adopted by a city I mean,

it's --

MR. DICKERSON: It was.

MR. LISMAN: -- not --

MR. DICKERSON: That's true.

MR. LISMAN: I understand that. But if the city doesn't adopt it, it doesn't supersede anything. It is not like every city in the United States has adopted the NEC. Only a small number of cities have.

MR. DICKERSON: Are you sure?

MR. LISMAN: Well, according to the information I have, 10 to 15 percent. Nobody's able to go out there and quantity it.

MR. WEIMAN: N.A. Weiman, City of Houston Electrical Inspections.

The State of Texas adopted the National Electric Code in 2004. I believe it was in 2004 they adopted the National Electric Code. So at that point, every three years the state adopts the current code.

We adopted the 2008 on September the 1st with the State of Texas. The State of Texas adopted the 2008 code September the 1st, so did the City of Houston. So' it is a state code.

MR. LISMAN: I'm not -- I'm not

trying to challenge that. What I am saying is Texas is ahead of the -- is way ahead of the curve on that because a number of other states have not adopted it, according to information that I have been provided by manufacturers.

MR. DICKERSON: Okay. Do we call on your --

MR. MINIK: Mr. Chairman, John Minik with NEMA.

That is far from the truth. Now, I'm not calling you a liar, sir, I want you to understand that. What I am saying is that's not a truthful statement.

Right now the 2008 code in itself has been adopted by more than half the states in the continental United States -- 2008 code. Most of them are under some version of that code, whether it be 2002, 2005. I don't know of a state or jurisdiction that has not adopted some edition of the code. So to say that only 10 or 15 percent of the city of the United States have adopted the National Electric Code is not true.

MR. LISMAN: I'm sorry. That is not what I said.

MR. MINIK: What did you say?

MR. LISMAN: I said they did not adopt this aspect of the code --

MR. MINIK: What aspect?

MR. LISMAN: -- requiring labeling and -- of all these machines.

MR. MINIK: Okay.

MR. LISMAN: I don't know about the National Electric Code. I'm just this -- What we're talking about here is -- I have no knowledge of the entire National Electric Code. I only centered on this one issue, and that was hard enough.

MR. MINIK: Mr. Chairman, I would like to continue and finish.

MR. DICKERSON: Okay.

MR. MINIK: As far as listing and labeling is concerned, this is pretty common throughout the United States, whether you go to Orlando or you go to Tampa, you go to Phoenix or San Francisco, LA. LA has their own laboratory. You go to Chicago, go to New York, Philadelphia, Pittsburgh, I don't care where you go, this is the listing or labeling of equipment -- North Carolina, the state has it adopted by a state law. Tennessee, it's adopted by a state law.

So when you start looking at labeling,

listing and labeling, most cities do have a system of listing and labeling within their ordinance.

Now, I cover practically -- I cover 11 states as a primary and I cover the United States as a whole; so many, many, many states cover this by state law and, also, many cities cover it by state law, which adopt -- The only thing I'm trying to point out here is that this is not unique to Houston. Now, that's kind of the gist of what I got out of the conversation.

So if we're saying this is unique to Houston, it is not unique to Houston.

MR. DICKERSON: Okay.

MR. LISMAN: Can I ask him a question?

MR. DICKERSON: Sure.

MR. LISMAN: Do you -- Then how do you explain the fact that a major American manufacturer has stated that they don't -- they don't see a need and they don't have -- aren't required to comply with the UL code? I mean, Hardinge is a major manufacturer; wouldn't you agree?

MR. MINIK: Which code?

MR. LISMAN: The labeling code. The fact that you have got Hardinge, they are a major manufacturer who has -- who has stated that they

don't pre -- they don't have their projects -- their products UL approved.

MR. MINIK: I don't know how to answer for that company, because the company, they can say whatever they want to say; so I don't know how to answer to what they would say.

I was sitting here kind of thinking over what you said and I was thinking they must not have ever sold anything in Phoenix or the State of North Carolina or the State of Tennessee. I don't know where their market is, but you can sit here and look at all the states -- North Dakota, South Dakota, Minnesota, obviously they have a very limited market, then.

MR. LISMAN: With your permission I would like to read in the code -- I would like to read in the record a website printout on what -- on Hardinge, Incorporated.

MR. DICKERSON: Okay.

MR. LISMAN: They have 2007 revenues of $356 million, and they state that they are a leader in providing highly-reliable turning, milling, grinding and workhold solutions. And they are based Elmira, New Jersey and have over 1500 employees.

MR. DICKERSON: Anybody else? I'll

entertain a motion of how we want to resolve this issue.

MR. PRICHARD: I would make a motion that we do not allow the exemption to this rule.

MR. ORTA: Second.

MR. DICKERSON: Who seconded? Tony?

MR. ORTA: Tony Orta.

MR. DICKERSON: Okay. Now, discussion?

MR. MUKERJI: But they operated before; right? San Mukerji. They were operating before, right, the machines? Like a grandfather law, cannot we use that?

MR. PRICHARD: How does that matter?

MR. ORTA: I don't think it was inspected at that time.

MR. MUKERJI: It what?

MR. ORTA: It wasn't inspected when it was installed back at the old address.

MR. MUKERJI: Even sometimes if they certify the company, a manufacturer sometimes comes to the job site, like a lot of petrochemicals, they come and certify it. It is -- You know, it is okay; but I don't know the --

MR. PRICHARD: If it's listed by an

approved agency, then that would be acceptable.

MR. MUKERJI: If it is certified, it may be acceptable. You know, if somebody can come -- Like petrochemicals they do it all over -- This is national. Then the manufacturer comes and certifies that that is acceptable to the city. It happens many times.

MR. PRICHARD: There's 13 agencies, by your count, that had not been contacted by you. I would suggest you come contact them to see if one can do it for a reasonable price.

MR. MUKERJI: Yeah. They do -- Petrochemical people, they do.

MR. LISMAN: I'm sorry? I can't hear you.

MR. MUKERJI: Petrochemical companies, they hire an agency that certify it on the spot. You know, this machine is okay and all this. So your company, they can come and certify and the city accepts that, then...

MR. LISMAN: Well, the other thing that we -- that, you know, hasn't been mentioned, and I don't have any way of quantifying it is if these -- if these machines are not UL approved and -- I mean is there conformity to us? I don't know what that

would be. I mean, if there is any. And that could be substantially higher. I don't know.

Hardinge did tell me that's the reason that they don't approve theirs, is that they don't -- to conform to UL would simply raise the prices so they wouldn't be competitive, and they can't do that until they're forced to.

MR. PRICHARD: I thought you said they were not aware of a need to conform.

MR. LISMAN: They said -- They are not aware of any need to conform. They said that they are not aware of any need to conform; and if they -- And they've had clients who have called them in the past wanting to know if they conform and they've told them we've looked at it and the conforming cost would be too high.

MR. DICKERSON: Not near as high as if some one person gets killed on some of that equipment and then they would no larger have $207 million worth of business or 1500 employees. They would have none.

Okay. Larry, you wanted to ask Mr. Minik.

MR. NEAL: I had a question. Larry Neal, Electrical Board.

I had a question for Mr. Minik, as a member of the National Electrical Manufacturers Association. Is it your understanding that -- or your experience -- that manufacturers are supposed to list and label their equipment for sale if it's sold in the United States?

MR. MINIK: Larry, let me answer this -- John Minik, NEMA -- there is listed and unlisted equipment. Okay? And a lot of it depends on what is considered end use equipment.

End use equipment would be like a motor. A motor is generally not listed in itself because it is not end use equipment. But when that motor is applied within an end use equipment, then that is where the -- seems like listing and labeling comes in.

There is certain requirements in the National Electrical Code that different equipment be listed. For instance, conduit, there is a requirement right now in the code that it be listed, period. In other words, I don't care what the use of it is, it must be listed. Several items in the National Electric Code have to be listed in the code itself individually, so they require a listing.

Listing is becoming a -- more of a way

of life, not with the electrical code but with the building code simply because they are putting more emphasis on third-party certification of products where the cities do not have jurisdictions that enforce the code, do not have the forwith to do those types evaluations. So they look at the third parties to do those kinds of things.

You can take -- It is just like panel boards. I don't know of a panel board manufacturer in the United States that does not meet UL 49 standards and does list their panel board with UL along with their breakers, fuses. Busmen list all their fuses, you know, with the manufacturer under the fuse standard.

Now, there are many testing agencies -- and we do have products that are listed by Intertek, better known as ETL. Manufacturers use that organization, they use UL, they use MET Laboratories. As far as field evaluations is concerned MET, Intertek, UL, TUV, TUV America, all of these are prominent companies that, you know, do field labeling everywhere in the U.S.

I would also like to an add one other thing, that machinery in itself is not an issue, and I think that's misunderstood sometimes. We are not

looking from an OSHA standpoint of finger safe or something like that. If that -- if that's an evaluation, then there are testing laboratories that can make that evaluation. OSHA can make that evaluation. But what the issue is here generally, with the city, the electrical equipment on the machine itself, the type of cord, the insulation of that cord, conductors that are on there, over -- any overcurrent devices that come with the machine, overloads and things like that. So all of that is what really it's evaluated. Again, all of those materials are generally listed and labeled by manufacturers.

When you build a machine, you have an assembly listing, also, for those machines that says that all of this is fit together, everything is grounded, we've done heat syncs, things like that. So that's more or less how the listing and labeling comings about.

It's not a code requirement, this gentleman is direct. 90.7 suggests that a machine that is listed in labeling does not need further inspection of that machine.

110.3B says that you will apply any listing -- Part of the manufacturer's instructions

that are involved in the listing of that machine, you know, must be adhered to; but there is nothing in the code that says you must list everything. And that again goes back to the individual cities, jurisdictions that may enforce the code. Some of that is by state law some of that, of course, is by the individual cities.

Texas has not had a state law that says you must list it; but I do know that the City of Dallas still has that. I'm from that area. The city I live in, Grand Prairie, has that requirement. Fort Worth has the requirement. Houston, I know, has had the requirement. So that is generally left to a jurisdiction to decide what they will accept with equipment and how much they want their people to make those inspections of that type of equipment. And generally that's how that gets into the ordinances.

I hope I've answered your question.

MR. MUKERJI: Can you get all this UL listed, if you want to replace can you get -- sorry Santosh Mukerji.

MR. DICKERSON: Hardinge doesn't make their own motors; do they?

MR. LISMAN: I don't know if they make their own motors or not. I don't know.

MR. MUKERJI: Most of them, you're right, they don't do. Other sites --

MR. DICKERSON: It would be hard -- The motors should be listed.

MR. MINIK: Sir?

MR. DICKERSON: The motors should be listed.

MR. MINIK: Well, again, you're going back to end use on that. There are some motors listed; okay? But what I am saying is as a general rule, the motor is considered a component part that's going to go into -- In other words, I wouldn't go down and buy a motor and use it. I've got to apply some way to disconnect it, some way to hook it up, all these kinds of things. You end up either built as a fan or built as a machine of some type or something like that. So the motor in itself is not something that's generally listed as a component.

And it is -- These are listed more -- Fire pump motors are listed. Now that's one right there you can say are listed. But the reason they're listed is that the manufacturers of fire pump equipment want that extra help, you know, we'll call it, in liability, that this meets the demand of what the fire department would ask for in a fire pump

motor. So you do get fire pump motors listed.

But in a lot of cases, the motors themselves, if I go down and just buy a type B design motor application and I want to put it in a fan or something like that, if you asked for a listed motor, generally what you are going to get is a motor that in some cases, depending upon the seller of that, will ask for listed equipment, which you can get; but I'm just saying all motors in themselves, as component parts, where they make them and sell them directly to a manufacturer of equipment are not listed in themselves.

MR. NEAL: But the final product is listed.

MR. MINIK: Final product generally is if I build a refrigerator, I put a hermetic motor in there, also probably put a lamp holder in there for a light in there, I've got relays, I've got wire, all of that would come together and then some testing agency would come in and list that and say that it's safe for grounding, we've tested the heat syncs on the motors, the cords, everything like that, and it all fits together as an assembly. Then you would get an overall listing on the refrigerator itself.

You see more listing of motors when

they're sold across the counter as replacement; like if I have a fan motor and an air-conditioner go out, I go down to Grainger's, I give them a frame size and an RPM, they will give me a motor that will fit back in there. Now that would be a listed product because they have not built that product for an end use product. In other words, they have built that to sell across the counter. So in a lot of cases you could have motors that are listed.

MR. NEAL: But my question goes back to the -- if I built a machine, say it was a lathe, and it's got many components in it; right?

MR. MINIK: Yes, sir.

MR. NEAL: The motor's one of them, you got push buttons, all kinds of stuff. Okay. Would the manufacturer of that lathe in an industrial application, would he -- would he know that he was supposed to have that listed --

MR. MINIK: That I --

MR. NEAL: -- as an assembly?

MR. MINIK: I wouldn't know, you know, whether he knows that or not.

MR. NEAL: Well --

MR. MINIK: I would say at some point in time -- There's too many cities in the U.S. --

now, this is conjecture -- subjective on my part. I think there is too many cities that have listing and labeling requirements that at some point he's got to sell something in that city and I think that he would know at some point -- Now, if this is manufacturer in New Jersey doesn't know that, I know New York has their own evaluation board. Okay? So when you start talking there, when that comes in, that has to be under their evaluation. And they, also, of course do list it, you know, accept listed equipment as part of their evaluation.

So if he's in New Jersey, he's got to have sold something around there that at least somebody, I think, would have brought this up. So I would think so. I would just have to say it that way.

MR. MUKERJI: I'm asking they have a manufacturing company, they don't know that you have to certify it as UL in the USA. The question that you asked, I think it would be something -- There is some kind of label -- Any equipment they have a label, you know.

MR. RAMOS: Javier Ramos. Article 670 talks about industrial machines.

MR. MUKERJI: Are you sure they don't

have label?

MR. RAMOS: 670.2 and 670.3.

MR. DICKERSON: What?

MR. NEAL: 670.2 and 670.3.

MR. RAMOS: Talks about the nameplate there.

MR. MUKERJI: What's it say?

MR. ORTA: Does it say anything about listing on there, the label?

MR. RAMOS: Yes.

MR. PRICHARD: The thumbprint note offers the UL section as an example, not as a mandate.

MR. ORTA: It's --

MR. MUKERJI: You know, nowadays --

MR. ORTA: As far as being known --

MR. MUKERJI: -- remodel specifications it has to be UL listed, but this job is old. Right now -- in all jobs, nowadays they write you have to be UL listed, any job we write the specification. But this job is, I don't know who wrote the specification.

MR. DICKERSON: Okay. They more or less -- they don't say that it has to be UL. They just use UL as an example.

MR. MUKERJI: Yeah, right.

MR. DICKERSON: But it still has to be listed or labeled.

MR. MUKERJI: Yeah.

MR. DICKERSON: It says short current rating of machines and industrial control panel based on one of the following: Short circuit current rating of a listed and labeled machine, controlled enclosure or assembly; B, short circuit current and rating established using an approved method. And then they give Supplement SB as an example of an approved method.

MR. MUKERJI: Yeah.

MR. DICKERSON: So it would -- It's got to be either approved by somebody.

MR. MUKERJI: Yeah, that's right.

MR. DICKERSON: Doesn't have to be UL.

MR. MUKERJI: Right. I agree. A lot of companies they do -- the board agency certifies. I agree with it.

MR. DICKERSON: N.A.?

MR. WEIMAN: (Shakes head negatively.)

MR. DICKERSON: Any further discussion?

(No response.)

MR. DICKERSON: All in favor of the motion?

THE REPORTER: Who made the motion?

MR. DICKERSON: All opposed?

THE REPORTER: I was just asking, who made the motion? I didn't hear who made the motion.

MR. PRICHARD: I did, Chuck Prichard.

MR. DICKERSON: Second by Tony Orta. And I guess was that unanimous? N.A. didn't vote because it was a city issue.

MR. WEIMAN: No, I don't.

MR. ORTA: I voted for the motion.

MR. PRICHARD: For the motion.

MR. DICKERSON: Okay. Motion carried.

Now, N.A., does he -- has he been informed as to how long he has to file an appeal to council?

MR. WEIMAN: I believe that -- You received that -- that paperwork from is Isabel; right?

MR. LISMAN: Yeah. I got all that.

MR. WEIMAN: Okay.

MR. NEAL: I'd just like I say, I think it's pretty sad that a national manufacturer is not aware of the listing requirements; and I -- I

mean your company, I'm sure, bought this in good faith that this is all safe operating equipment and that sort of stuff, but --

MR. ORTA: Point of information. Are we still on the record?

MR. NEAL: Yes. I just -- I just wanted to say that. I --

MR. MUKERJI: I think you're right. A national manufacturer has to get more -- You cannot get out this until they certify something. This is their responsibility.

MR. NEAL: But I think clearly, clearly our code, the ordinance states that it has to be listed and labeled.

MR. MUKERJI: Yeah.

MR. NEAL: That's why we have a unanimous verdict here.

MR. MUKERJI: Yeah.

MR. DICKERSON: Any other discussion or comments before we go off the record?

(No response.)

MR. DICKERSON: Off the record.

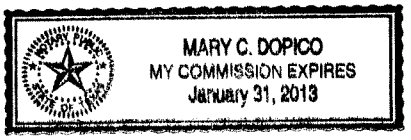
(The proceedings concluded at 6:07 p.m.)

--oOo--

STATE OF T E X A S:
:
COUNTY OF GALVESTON:

I, Mary C. Dopico, a Certified Shorthand Reporter and Notary Public in and for the State of Texas, do hereby certify that the facts as stated by me in the caption hereto are true; that the above and foregoing proceedings as indicated herein were reported by me and that same were thereafter reduced to typewriting by me or under my direction; that the above and foregoing pages constitute a true and correct transcript of said proceedings.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 30th day of January, 2009.




Mary C. Dopico, CSR, RPR, CRR
CSR No. 463, Exp. 12-31-2011
Notary Public, State of Texas
Commission Expires 1-31-2013

AcuScribe Court Reporters
Firm Registration No. 241
Expires 12/31/2011
1601 Rio Grande, Suite 443
Austin, Texas 78701
(P) 512/499-0277 800/499-0277
(F) 512/499-0298

# Valco Instruments Company, L.P.

Presentation to City of Houston Electrical Board for Project No. 07065538

Applicant
EXHIBIT A
1-27-09
MARY DOPICO, CSR

# Valco Instruments Company, L.P.

- A leading designer and manufacturer of standard and custom valves and fittings for precision analytical, biomedical, and biocompatible instrumentation.
- Valco Instruments Company, LPs products are labor intensive, requiring many different machines for production.
- The main manufacturing tools are located at Valco's Central Shop.

# Valco Instruments Company, L.P.

- Valco's Central Shop facility was at the same location for over 20 years at 7814 Bobbitt Lane and then was moved to a new facility in 2008 at 7260B Langtry.
- While at the previous facility, Valco purchased dozens of machines and grew from a small company to a medium size corporation.

# Status of Project

- Currently the project expires on January 13, 2009.
- The electrical permit is the last permit needed to finish the project. (See Exhibit 1).
- These permits are the last permits required to allow Valco's new central shop to complete the transfer to its new facility.

# Electrical Permit Status

- The City of Houston determined that the machines were not in compliance with the City of Houston Electrical Code Section 508:
  - **No 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 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.**

# Electrical Permit Status Cont.

- Valco Instruments Company, LP currently has **58** machines that may be affected by this rejected electrical permit. (See Exhibit 2-List of Machines on Client's Premises)
- These machines have been manufactured by well-known and regarded manufacturers such as Tsugami, Miyano, Hardinge, Brown and Sharpe, Unison, Hybco and True-Tech.
- These machines are composed of grinders, lathes and other electrical machine shop equipment.

# Electrical Permit Status Cont.

- Exhibit 3 contains digital photographs of the machines.
  - As you can see from the digital photographs, these machines have been properly maintained, installed correctly and their safety features are still functional.
  - Although these machines are primarily over 5 years old, they still function well and there is no need to replace these machines.

# Electrical Permit Status Cont.

- Valco has had no accidents with any of these machines ever!!!,
  - These machines have never had any problems, such as fires, shorts or power surges,
  - Exhibit 3 shows how the machines are in proper working order.

# Electrical Permit Status Cont.

- The cost to have these machines certified by a Nationally Recognized Testing Laboratory is $50,000.00- $90,000.00, according to Underwriters Laboratory.
- These machines are quite expensive to replace and range in cost (when purchased) from $4000.00-$200,000.00.
- Therefore, the cost to replace these machines or to have the machines inspected is extremely high and burdensome.

# Request

- Section 1.06 of the City of Houston Electrical Code allows for a modification to be granted when the following conditions are met:

1. A special individual reason makes the strict letter of this code technically impossible,
2. The modification is in conformity with the intent and requirements of the code, and
3. The modification does not lessen health, life safety and fire requirements.

# Argument, Part 1

- We are requesting a modification of this code because all of the requirements of Section 1.06 are met:

1. The cost and number of machines involved in this inspection makes the strict letter interpretation of this code impracticable,
   - The cost of inspection is over $50,000.00,
   - The cost of replacement is over $500,000.00,
   - The cost of noncompliance is too high.

# Argument, Part 2

2. The modification is in conformity with the intent and purpose of the code:
   - According to the IEEE, the National Electrical Code is designed to safeguard persons "during the installation, operation or maintenance of electric supply and communication lines and associated equipment."
   - These machines have been safely installed in both their prior location and their new location at 7260B Langtry,
   - There have been no accidents with any of these machines and all of their safeguards have been maintained and currently function normally,
   - **These machines are safe and remain safe.**

# Argument, Part 3

3. The Modification does not lessen health, life, safety and fire requirements:

- For the same reasons put forth in Argument, Part 2, these machines are safe and comply with all fire and safety requirements or Valco Instruments Company, LP would not use them.

# Summary

- Valco Instruments Company, LP requests a modification for the electrical permit for project no. 07065538, to allow the client's machines to be installed at 7260B Langtry and the project can be approved and closed.

# EXHIBIT 1

## LETTER FROM CITY OF HOUSTON ELECTRICAL BOARD TO VALCO INSTRUMENTS COMPANY, L.P.

**CITY OF HOUSTON**
**CODE ENFORCEMENT DIVISION**
3300 MAIN STREET
HOUSTON, TEXAS 77002

**Forward Service Requested**

11/17/08

*VALCO
Or CURRENT OCCUPANT
7260 LANGTRY ST B
HOUSTON TX, 77040

Dear Owner/Occupant:

According to our records, the above address had the following inspection(s) that are not finalled:

Project number: 07066698.

(1) CO CERT OF OCCUP.
Purchase Date: 20080118 Receipt #: 4060161
Contractor/Purchaser Information
Name: VALCO
Company:
Address: 7811 WESTVIEW ST B
City, ST, ZIP: HOUSTON, TX 77055
Phone: 7136869591

(2) 11 ELECTRICAL PMT
Purchase Date: 20080122 Receipt #: 4060712
Contractor/Purchaser Information
Name: JOHN R. KLOSS
Company: PIEPER-HOUSTON ELECTRIC
Address: 6818 SEINFELD CT
City, ST, ZIP: HOUSTON, TX 77069
Phone: 7138848342

You may wish to contact the contractor and have them schedule the final inspection before your project expires on 01/13/09.

If you are still working on this project, please be aware that an inspection must be made before the expiration date mentioned above. Otherwise, additional permit fees may be required.

If you have any questions, please contact the appropriate section below for further information.

Sincerely,

City of Houston Code Enforcement

(1) Occupancy Division (713) 535-7730
(2) Electrical Division (713) 535-7600

# EXHIBIT 2

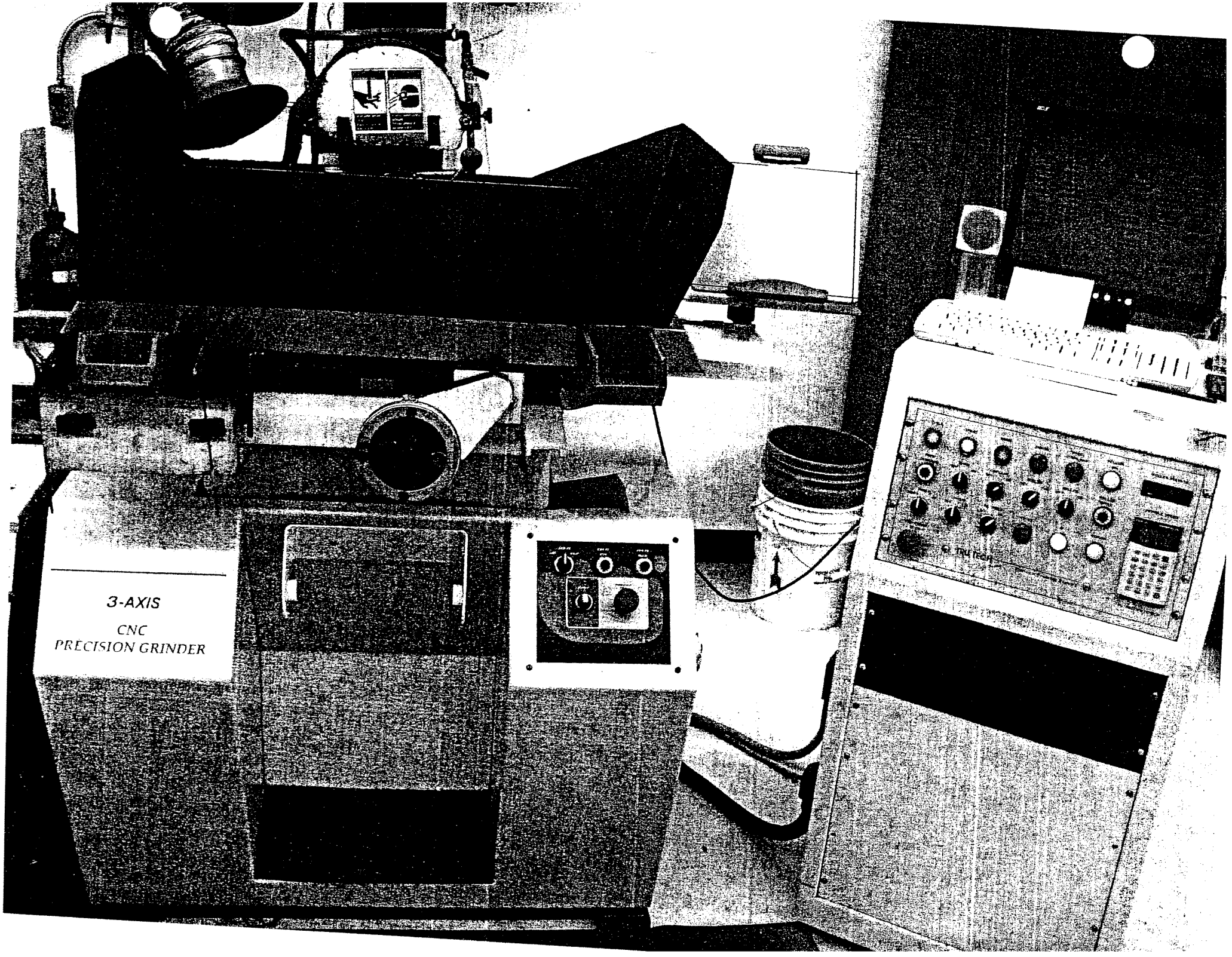
# LIST OF MACHINES AT VALCO CENTRAL SHOP

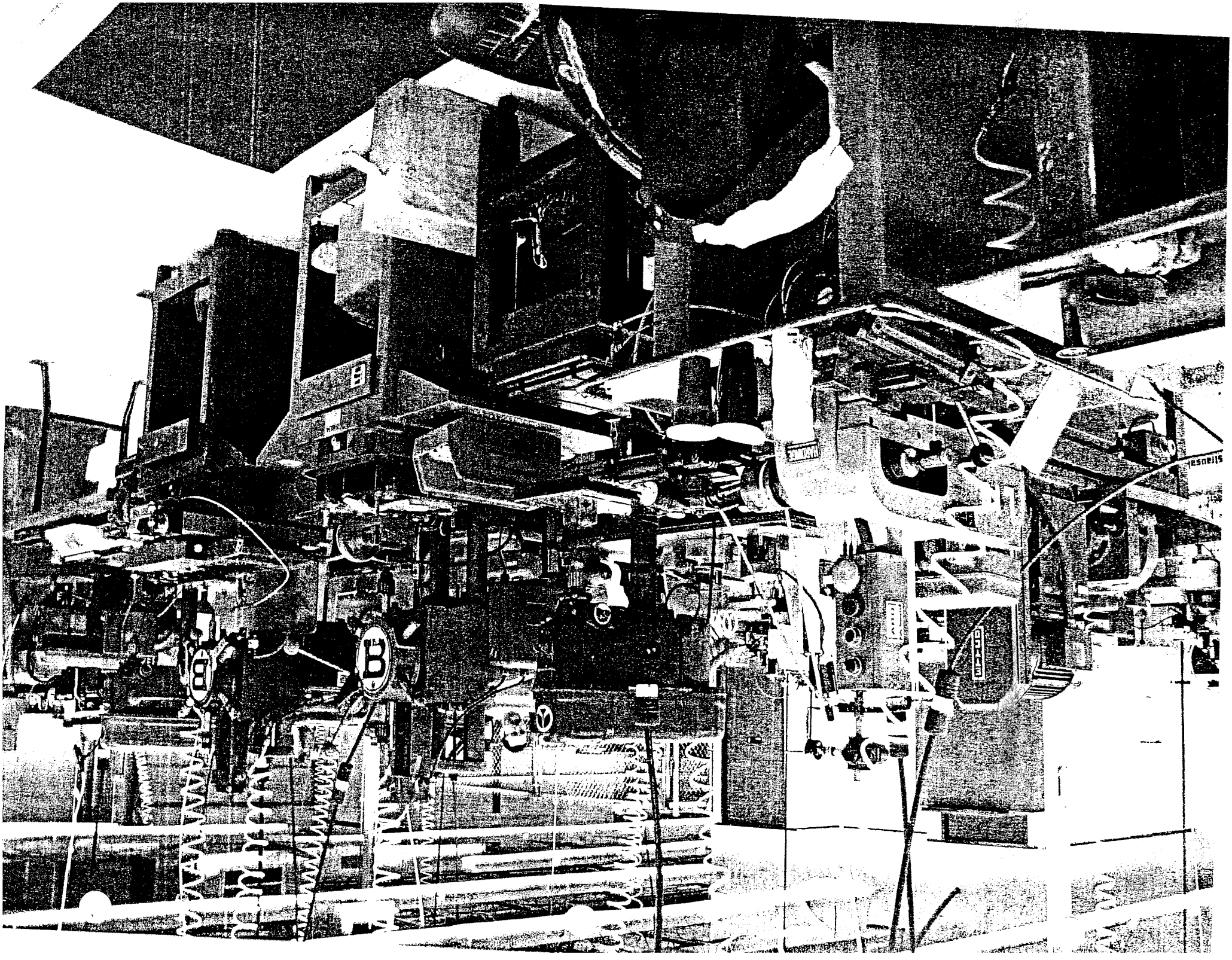
Hardinge Lathe
Hardinge Lathe
Miyano BNC 20
Miyano BNC 20
Miyano BNC 20
Miyano BNC 20
Miyano BNC 34
Miyano BNC 34
Miyano BND 34
Miyano BND 34
Tusgami Lathe
Tusgami Lathe
Christen Grinder
Sullair Air Compressor
Supra Grinder
Sunnen Hone
Brown & Sharpe Grinder
Christen Grinder
Accu Finish Grinder
True Tech Grinder
True Tech Grinder
Hardinge Lathe
Hardinge Lathe
Hardinge Speed Lathe
Hardinge Speed Lathe
Hardinge Lathe
Klockner Moeler Grinder
Air Flow Systems Dust Collector
Air Flow Systems Dust Collector
Unison 2700 Grinder
Unison 2700 Grinder
Hybco Grinder
Hybco Grinder
Hardinge Lathe
Hardinge Lathe
Band Saw
Belt Sander
Burnsbor Chamfer Machine
Bridgeport Mill
Hardinge Speed Lathe
Biidgeport Mill
Hardinge Lathe
Bridgeport Mill
Bridgeport Mill
Hardinge Speed Lathe
Tusgami Lathe

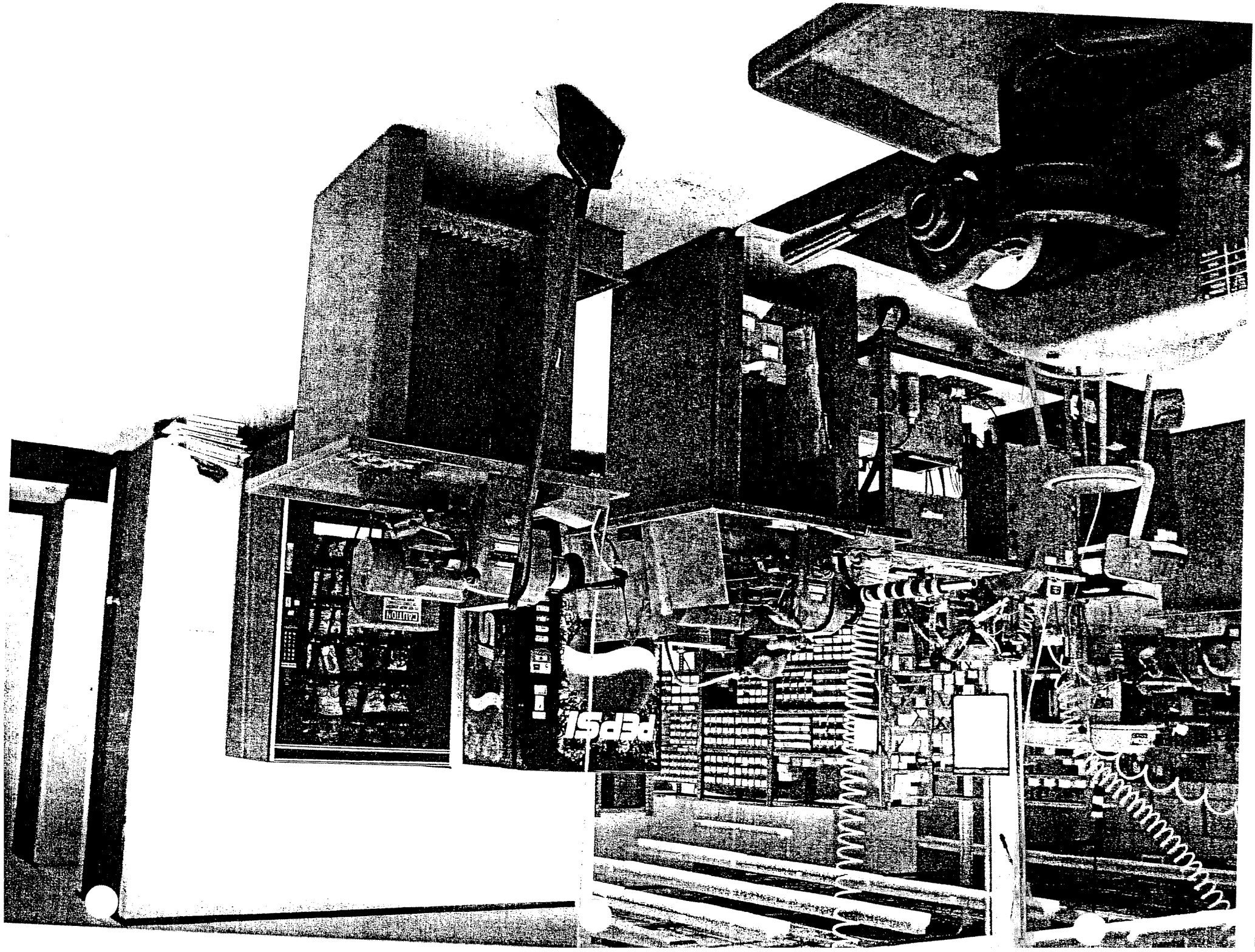
Reimer Steamer
Strauska Gear Hobb
Strauska Gear Hobb
CLC Control Lazer
CLC Control Lazer
Hardinge Speed Lathe
Hardinge Speed Lathe

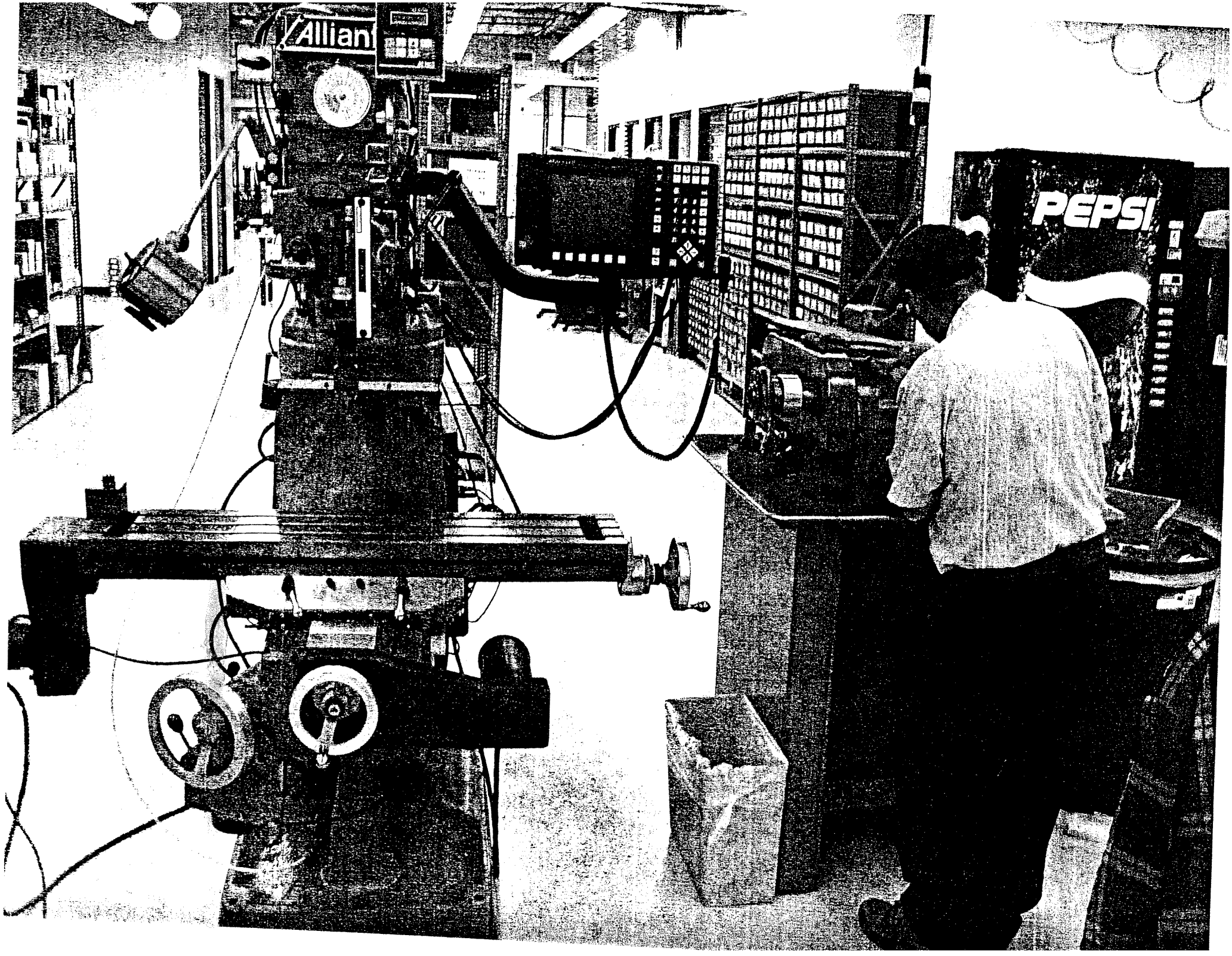
# EXHIBIT 3

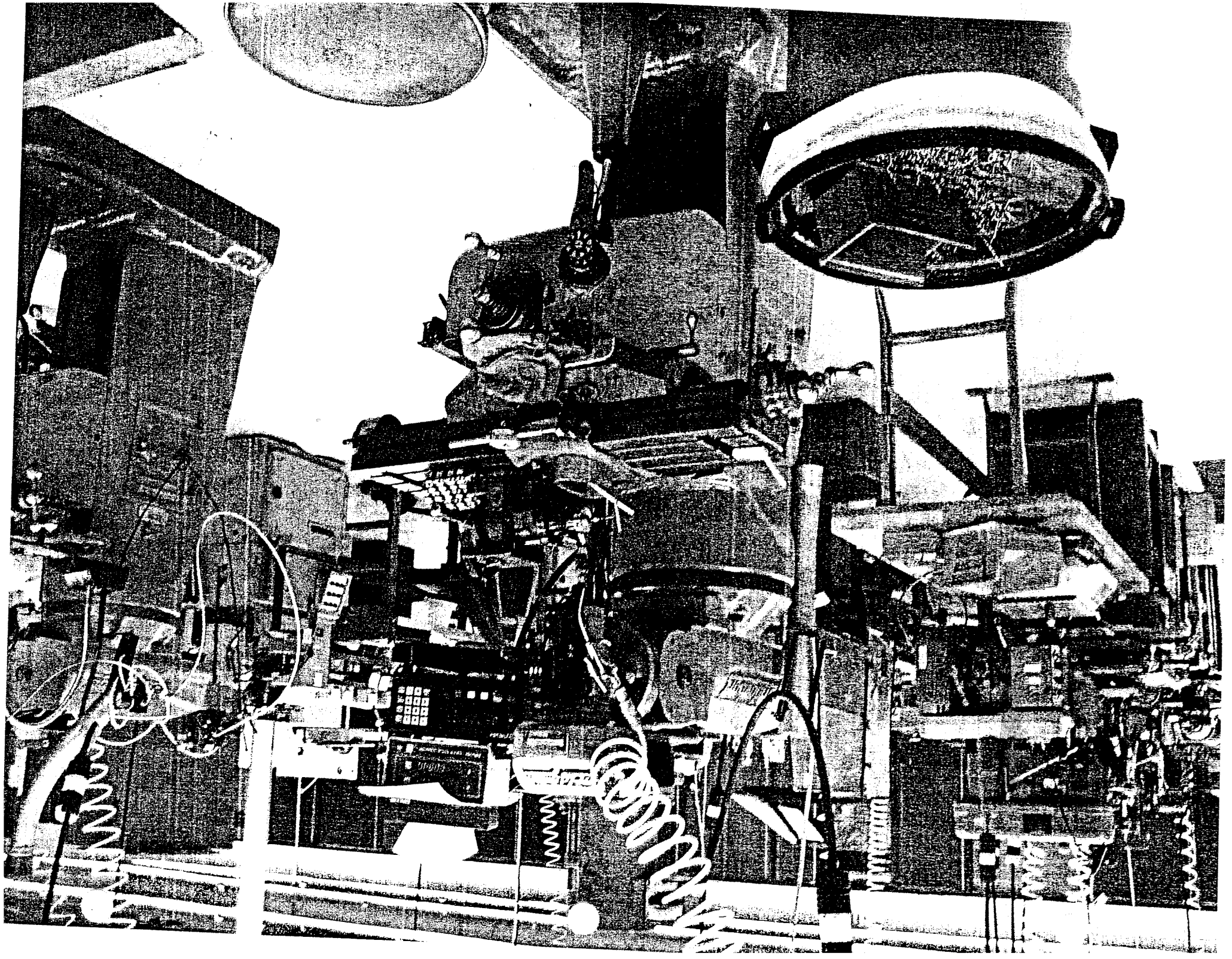
# PICTURES OF MACHINES AT VALCO CENTRAL SHOP


3-AXIS
CNC
PRECISION GRINDER



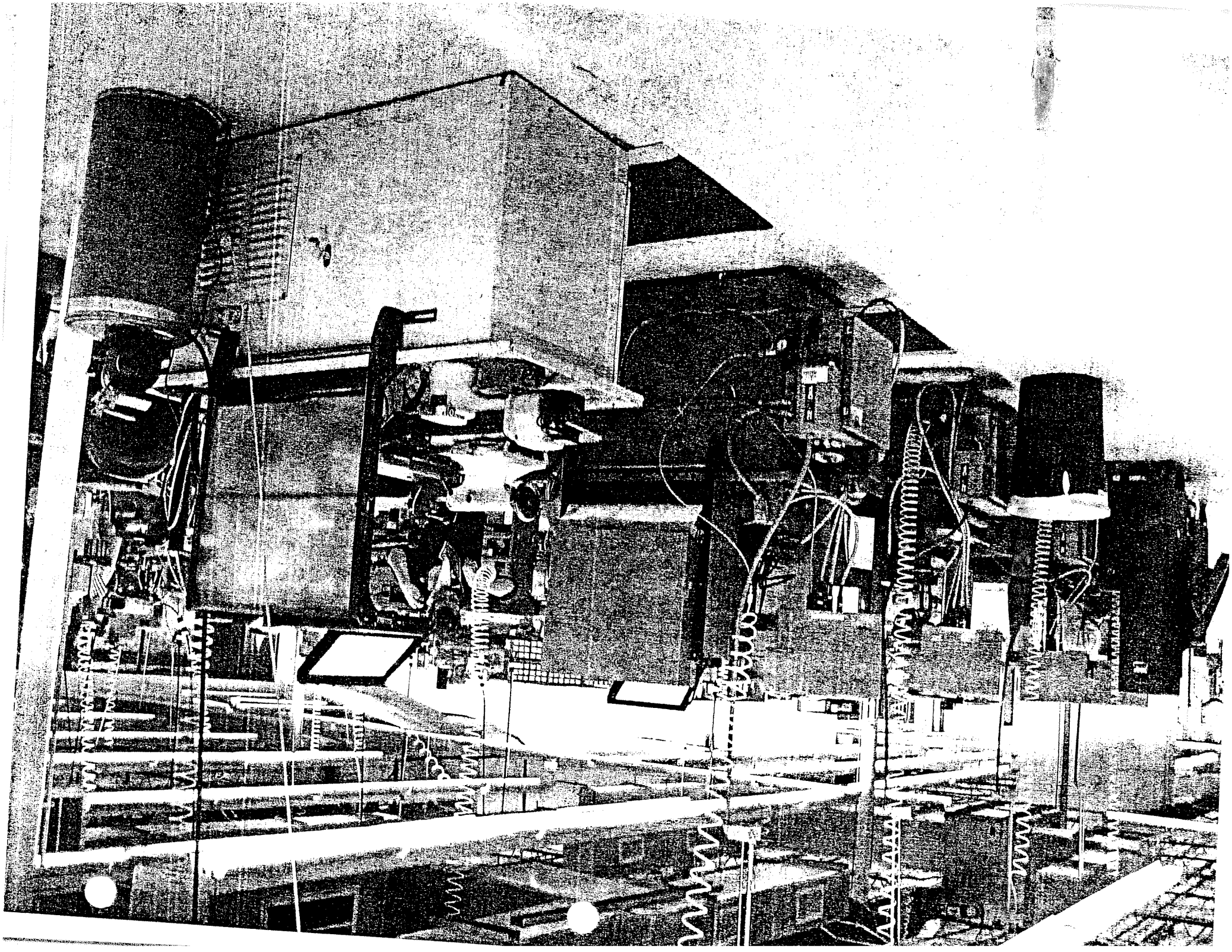

CAUTION
PEPSI


Alliant
PEPSI




willcopy
willcopy
willcopy

HARDINGE
SUPER PRECISION

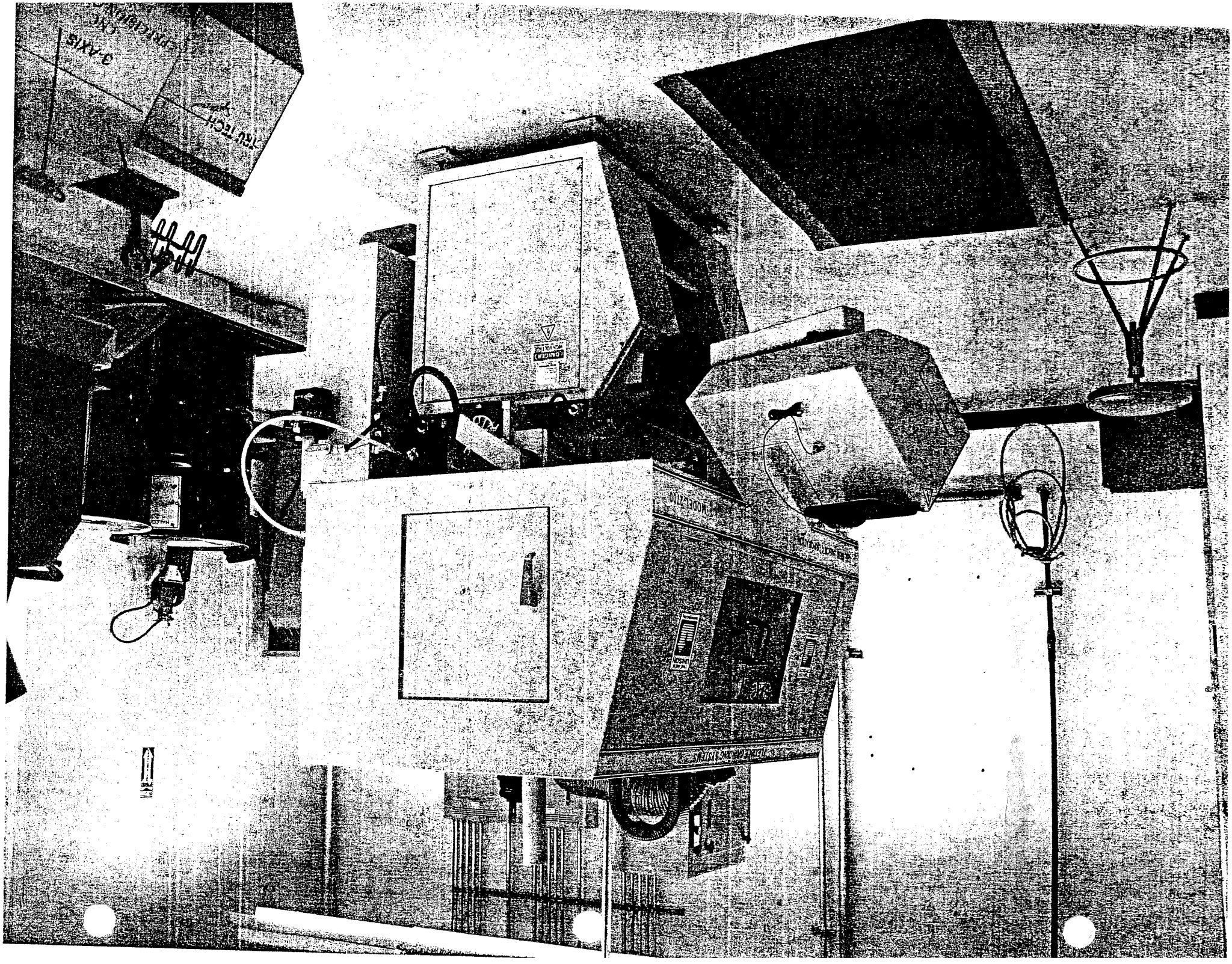


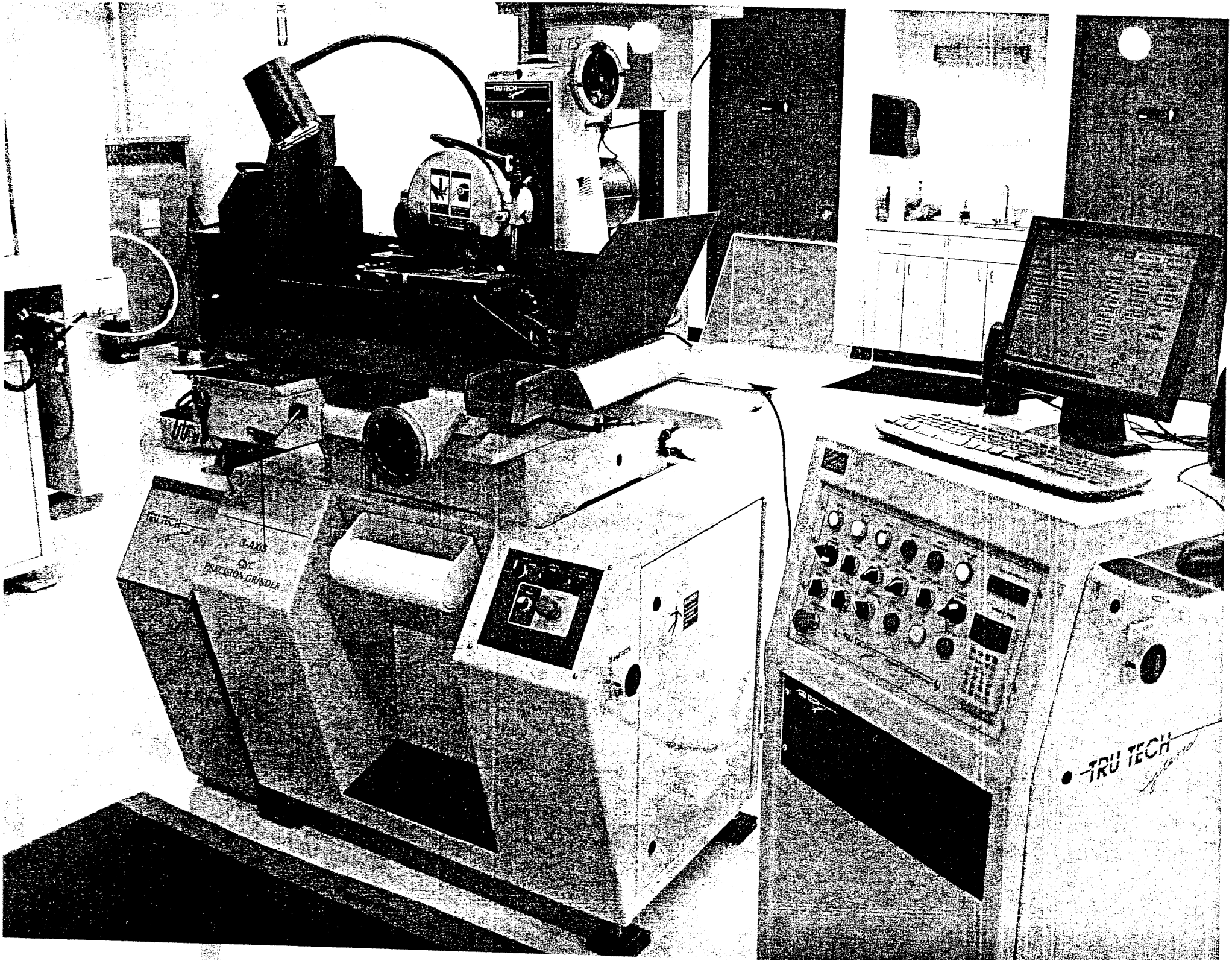
WASTE
OIL

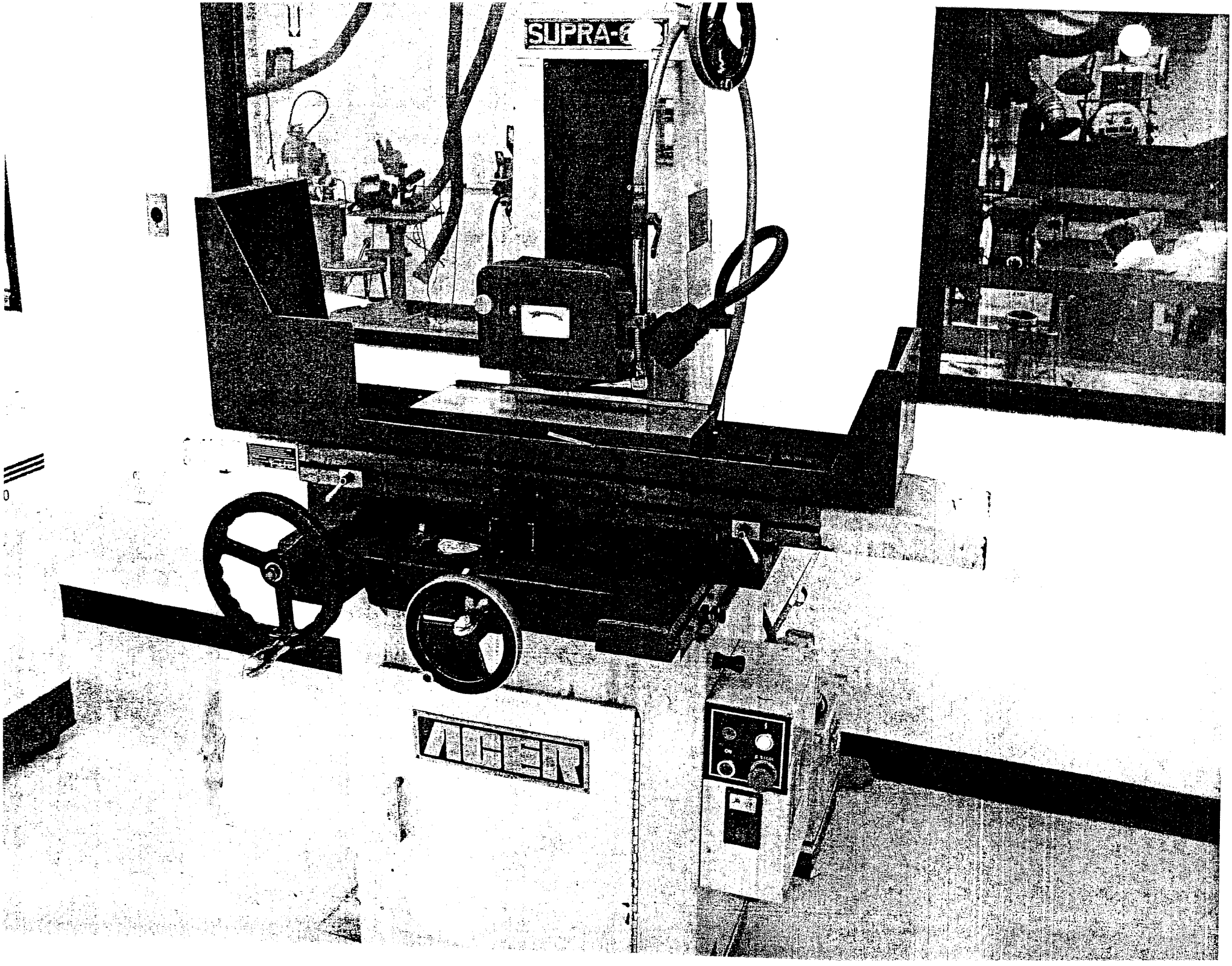
HYBCO

HYBCO
HYBCO

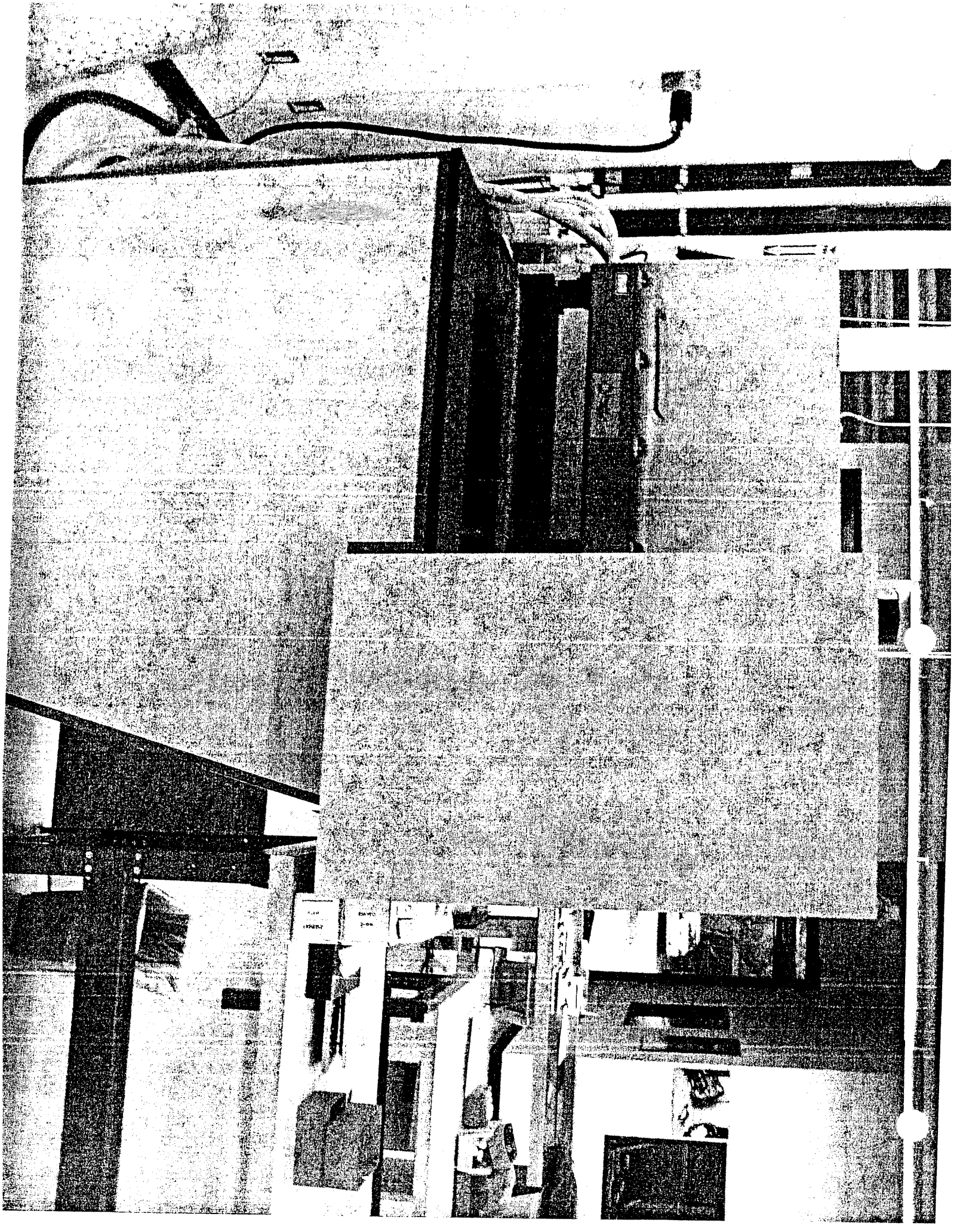
CHRISTEN

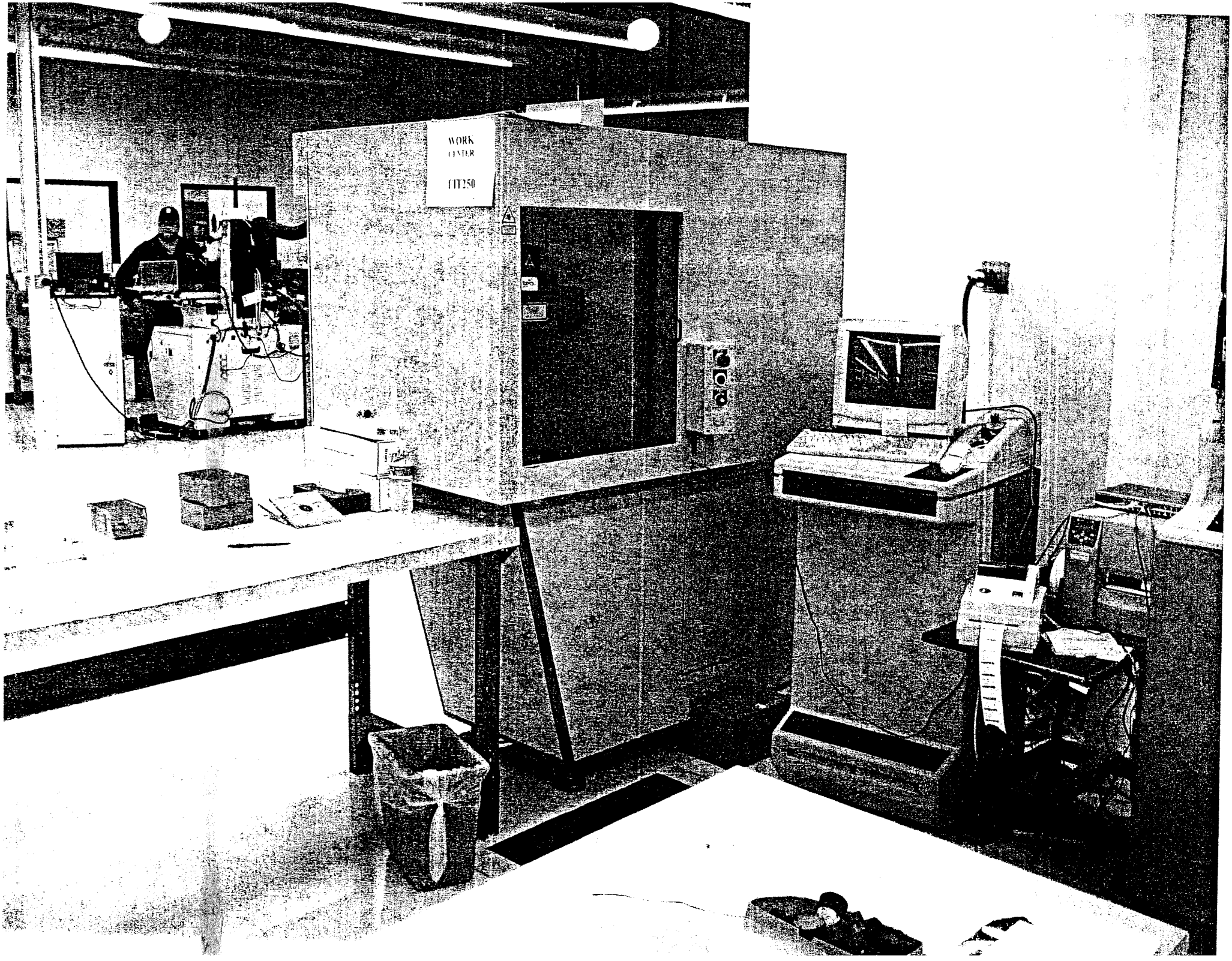


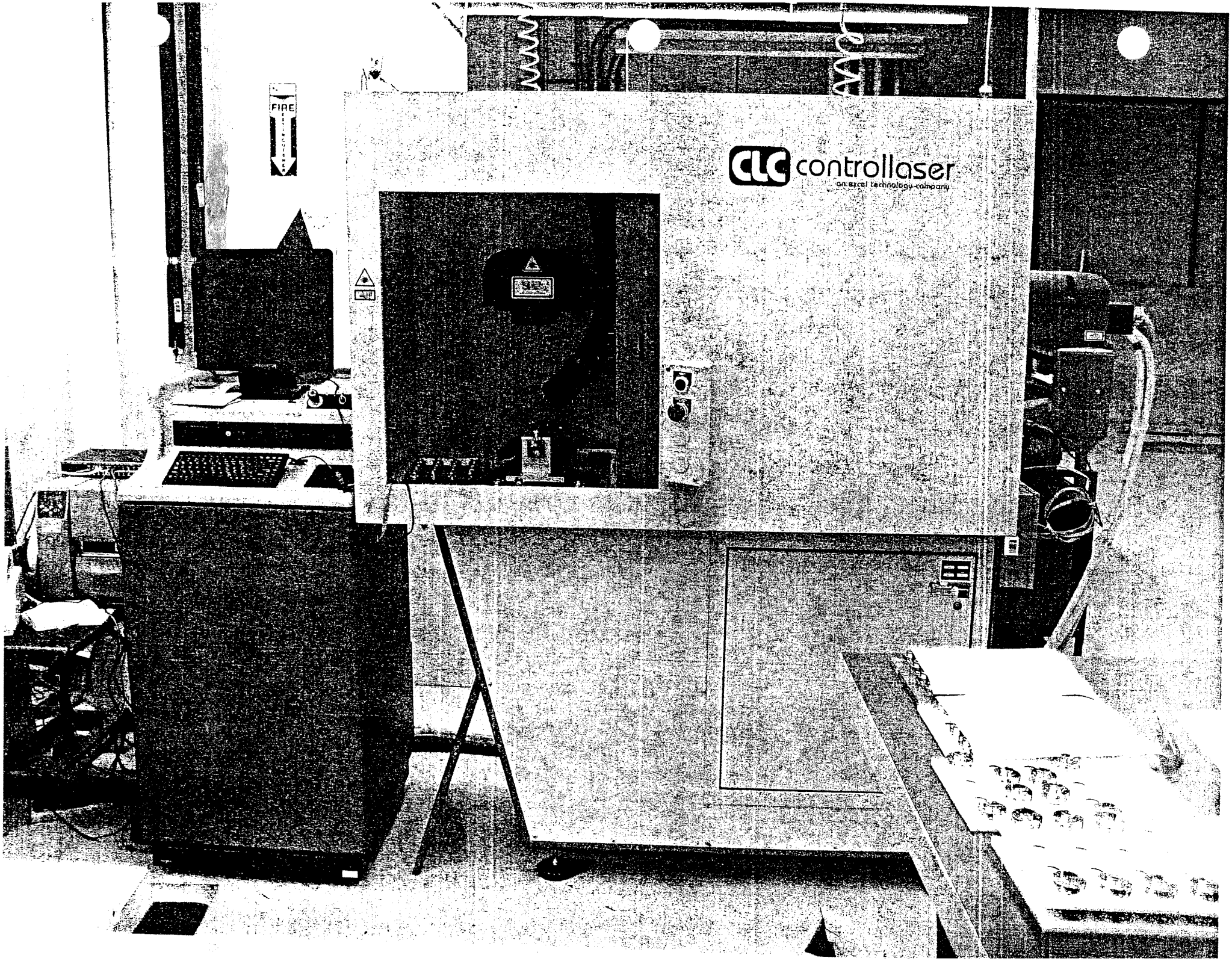

TRU TECH
3-AXIS
CNC
PROFILE GRINDER
TRU TECH

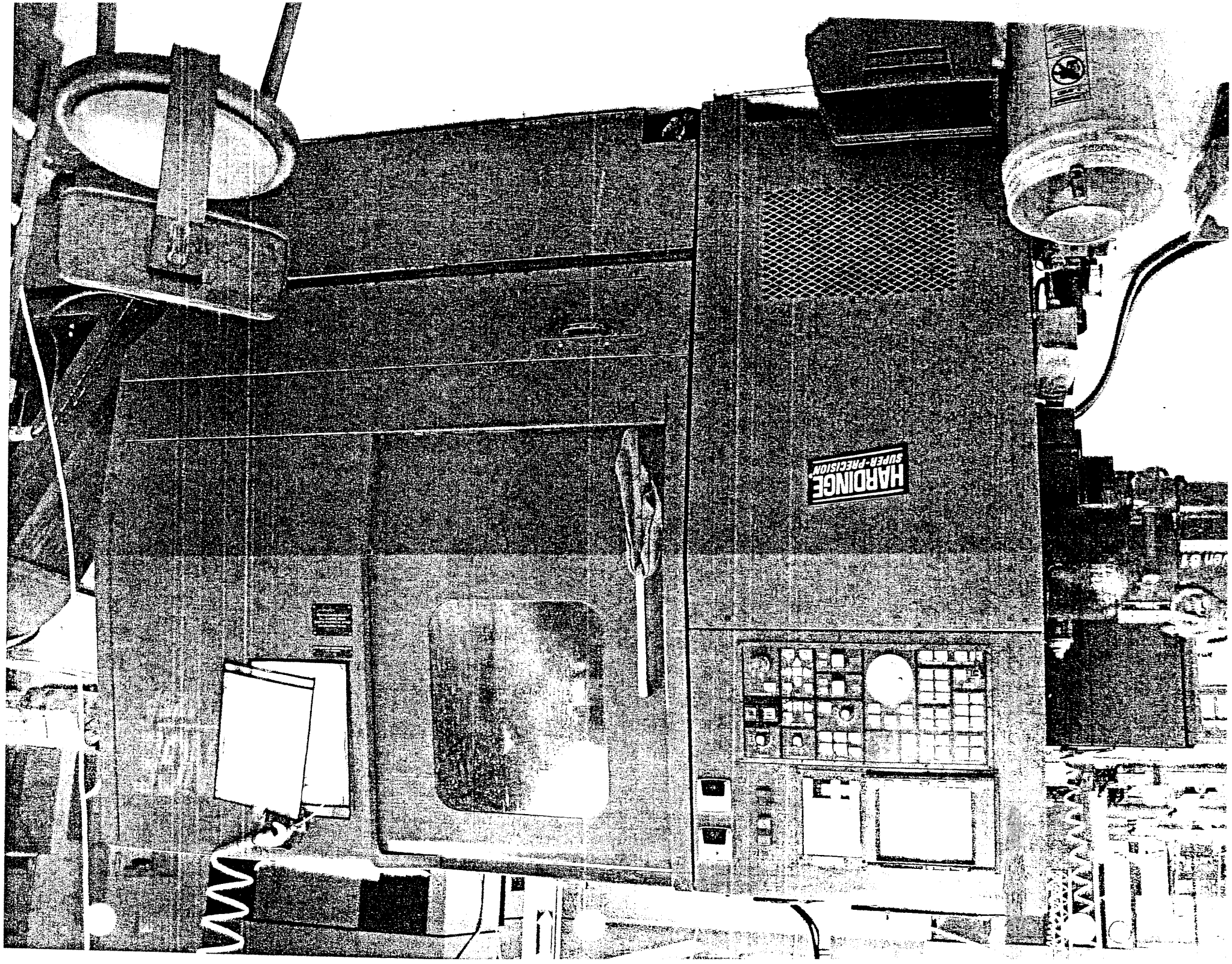

SUPRA-6
ACER

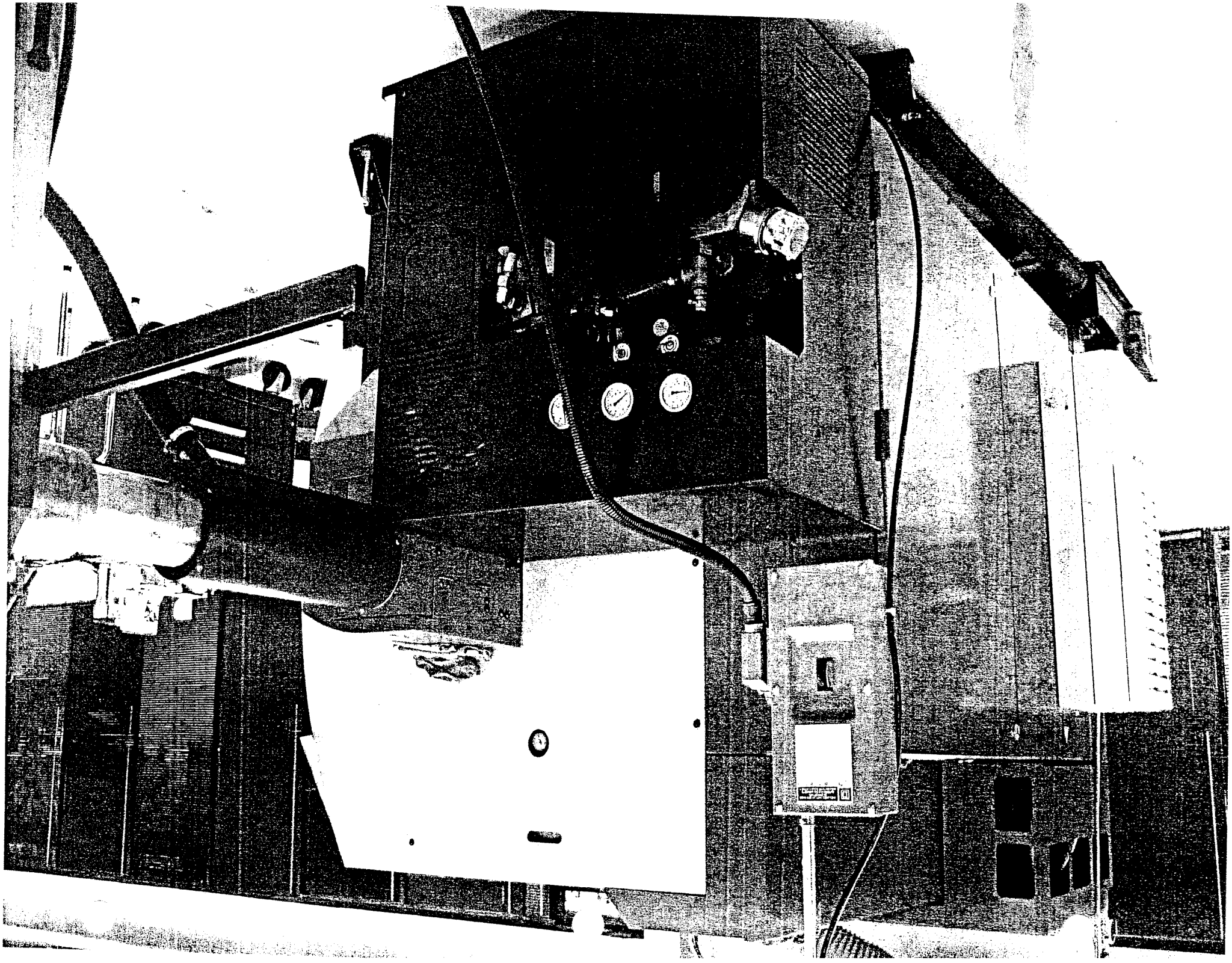
285440

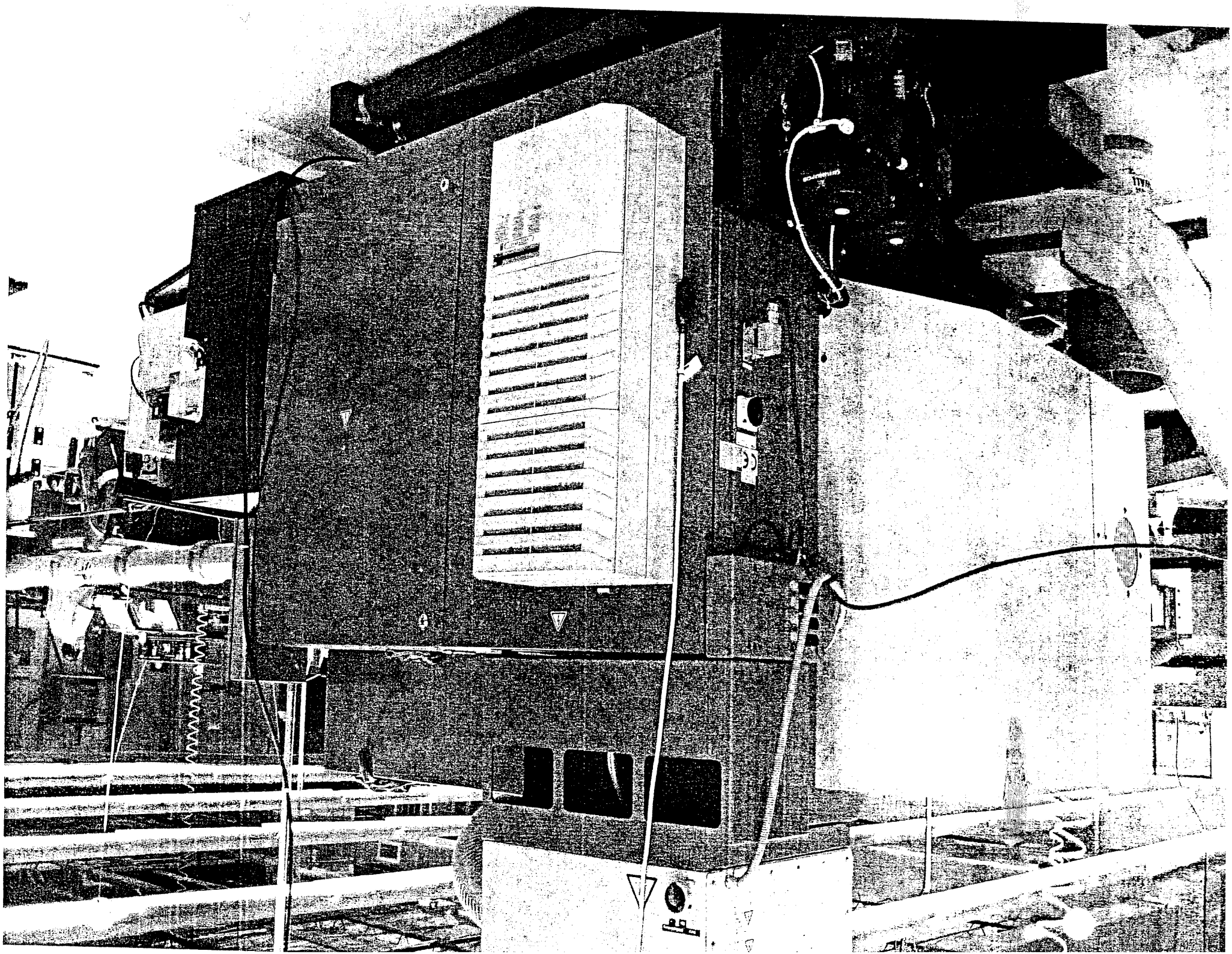


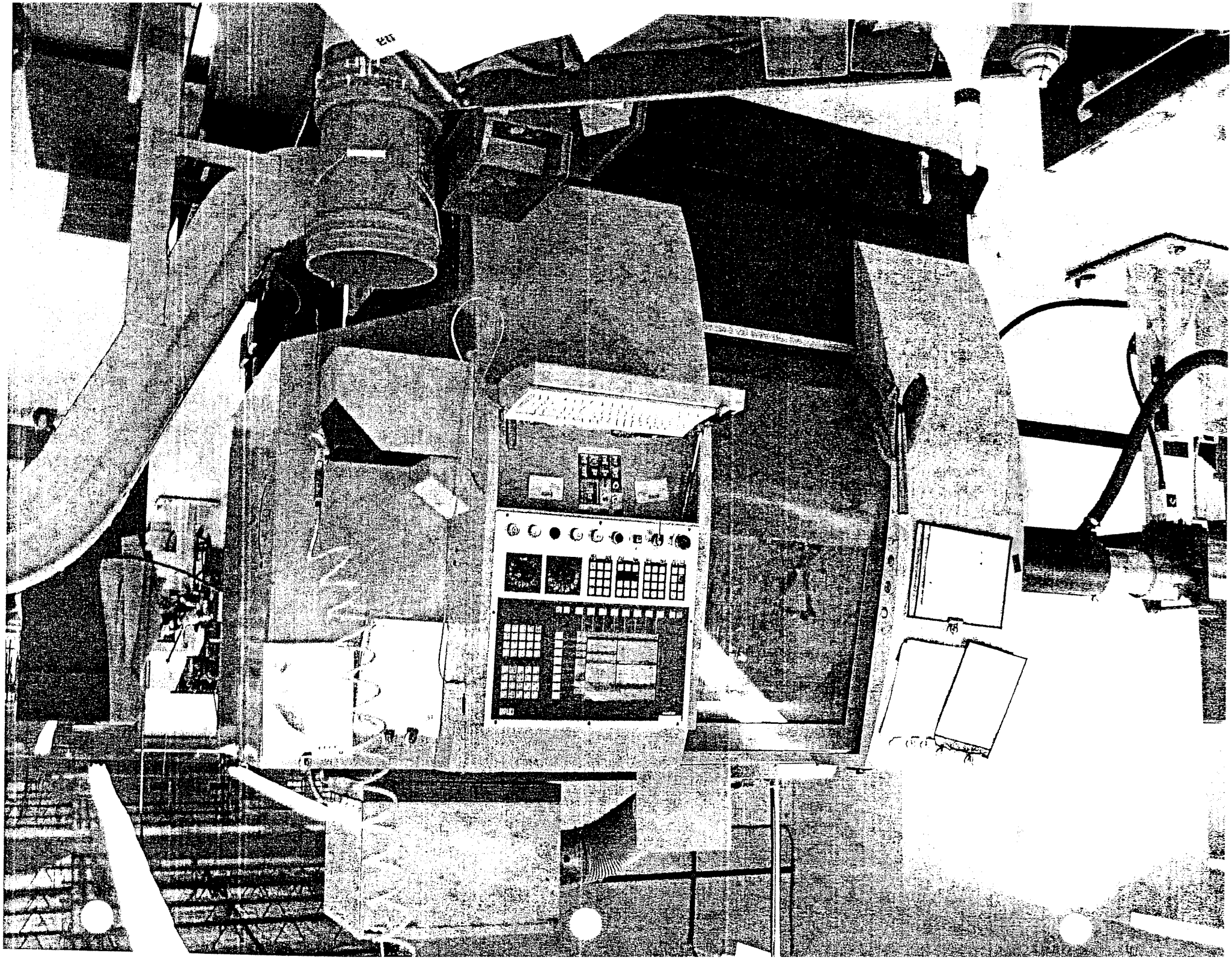

WORK
CENTER
FIT250

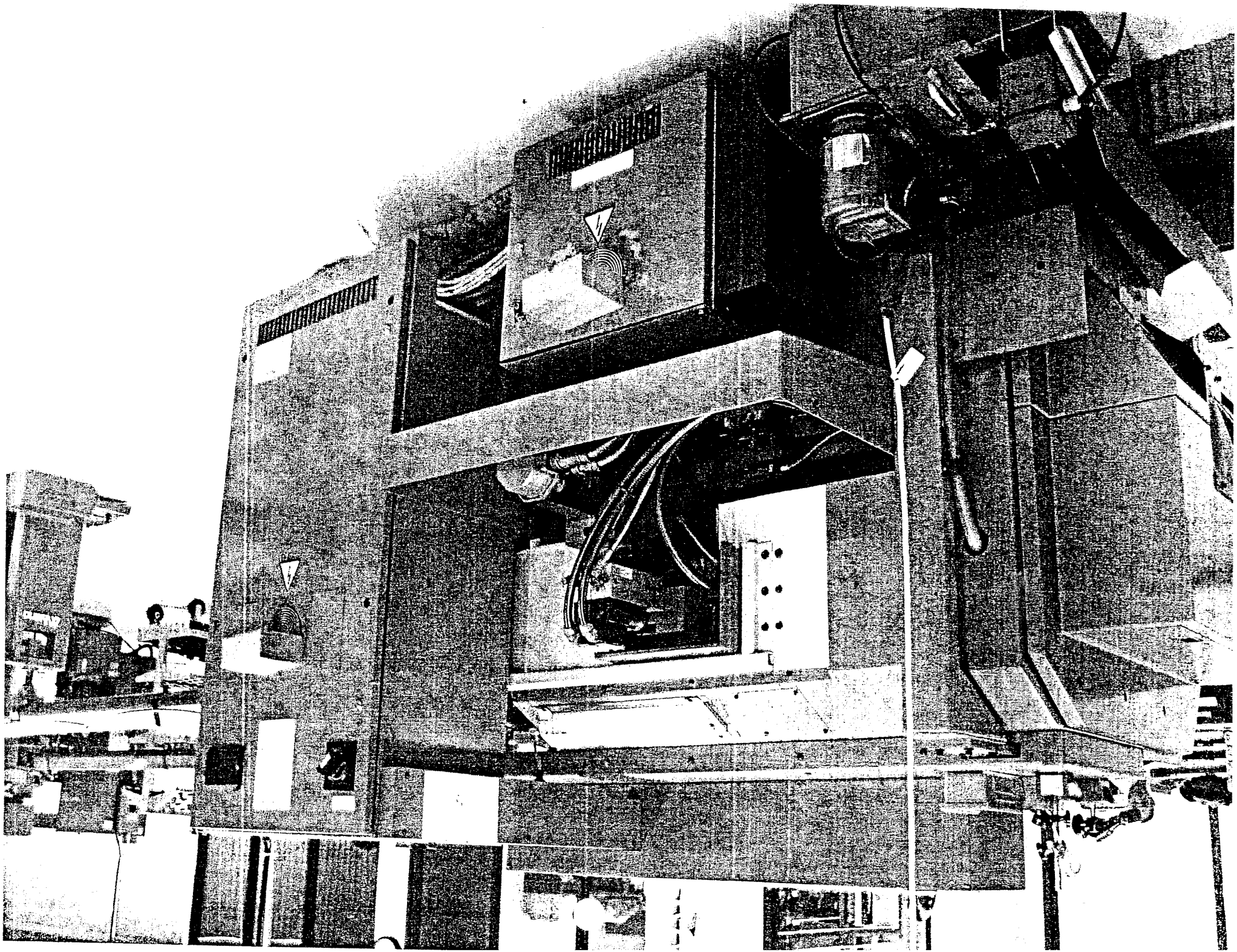

FIRE
CLC controllaser
an axcel technology company

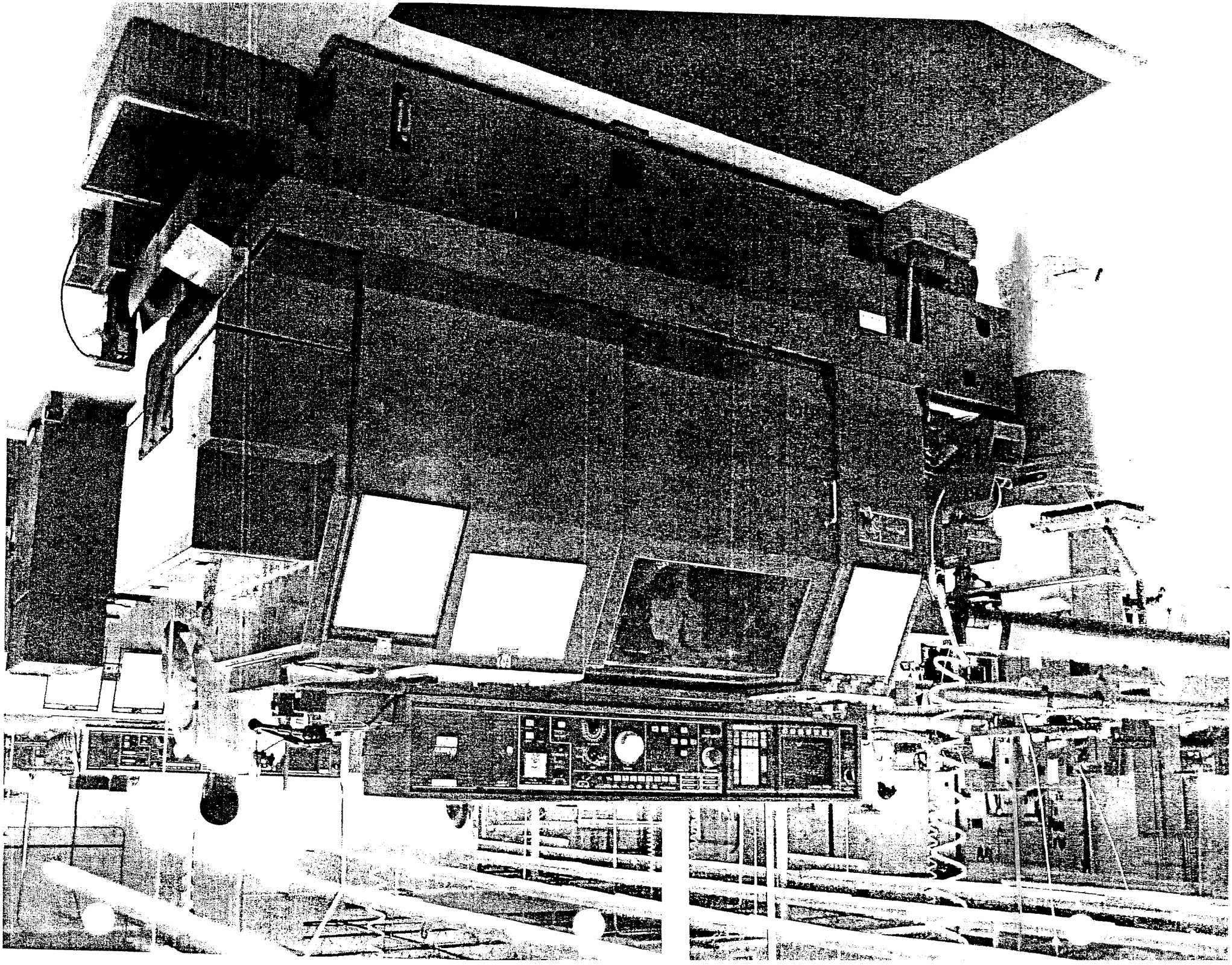

HARDINGE
SUPER-PRECISION












FLEXIL GRINDING SYSTEMS
UNISON
UNISON CORPORATION
MO 2700

**Scott Lisman**

**From:** Kevin Kubinski [Kevin.Kubinski@hardinge.com]
**Sent:** Tuesday, January 27, 2009 3:59 PM
**To:** scott@polkfirm.com
**Subject:** UL

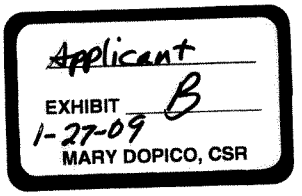
Scott,

Hardinge has not built machines to meet a UL standard at any time in the past 20+ years. There is no requirement to meet UL that we are aware of.

Best regards,

Kevin Kubinski
Dir. of Engineering, US Machine Operations
Hardinge Inc.
607-378-4342

"The contents of this e-mail and any attachments are intended solely for the use of the named addressee(s) and may contain confidential and/or privileged information. Any unauthorized use, copying, disclosure, or distribution of the contents of this e-mail is strictly prohibited by the sender and may be unlawful. If you are not the intended recipient, please notify the sender immediately and delete this e-mail."



Project Number : 07065538 Screen Printed: 1/26/2009 3:07:21 PM by ISABEL

Desc. : WAREHOUSE REMODEL 1-1-2-F2-B 2003 IBC

Address: 7260 LANGTRY ST # B 77040

Occupant: VALCO

Applicant: VALCO
7811 WESTVIEW ST # B
HOUSTON, TX 77055

ILMS

Additional Functions Recent Selection Options

Project is: INACTIVE

Situs Address: 7260 LANGTRY ST # B 77040 100 Search

Project Number: 7065538 Look Up 110 Project History Recent Selections Permit Type:

205 Fee Collection | 208/599/Other | 109 Project Holds | 101/103 Comments

100 Situs Info | 102 Application | 114 Plan Review | 115/297 Permits | 399 Inspections

| Permit-Type | Description | Status | Receipt | Review-Fee | Permit-Fee |
|---|---|---|---|---|---|
| 11 | ELECTRICAL PMT | Fees Paid | 4050712 | .00 | 1,483.00 |
| 13 | BUILDING PMT | Fees Paid | 4050161 | 161.13 | 493.37 |
| 14 | HVAC PERMIT | Canceled | N/A | .00 | .00 |
| C1 | C1-DUP/CHNG | Fees Paid | 4050161 | .00 | 65.00 |
| C2 | DUP CO/CHNG #2 | Fees Paid | 4107539 | .00 | 65.00 |
| CO | CERT OF OCCUP. | Fees Paid | 4050161 | .00 | 55.00 |
| GE | GENERAL HOLD | No Plan Rev. Fee | N/A | .00 | .00 |
| PX | PLAN CHECK FEE | Fees Paid | 3949903 | .00 | 171.13 |

115 Permit Type Maintenance 297 Permit Fee Maintenance

Cisty
EXHIBIT 1
1-27-09
MARY DOPICO, CSR

Project Number : 07065538 Screen Printed: 1/26/2009 3:08:18 PM by ISABEL

Desc. : WAREHOUSE REMODEL 1-1-2-F2-B 2003 IBC

Address: 7260 LANGTRY ST # B 77040

Occupant: VALCO

Applicant: VALCO
7811 WESTVIEW ST # B
HOUSTON, TX 77055

## (103) Project Comments - Project: 07065538 WAREHOUSE REMODEL...

Additional Functions Toggle Display Select Database Canned Comment Mode

| Comment... | Permit | IS-Ty... | Comment |
|---|---|---|---|
| 03/31/2008 | 11 | 117 | TCI. EM 211. 4/4000 AMP BUSS ------ OUTAGE ------ |
| 04/01/2008 | 11 | | NEED T.L.I.F AND HVAC PMT FOR TCI RELEASE |
| 04/14/2008 | 11 | | T.L.I.F |
| 04/16/2008 | 11 | | TCI CUT IN #065538 SENT @ 8:35AM *OUTAGE* |
| 04/16/2008 | 11 | | TCI CUT IN #065538 SENT @ 2:35PM |
| 04/17/2008 | 11 | | TCI CUT IN # 065538 11AM |
| 04/17/2008 | 11 | 117 | RE-RELEASE AS REGULAT T.C.I.,,NOT OUTAGE |
| 07/01/2008 | 11 | 117 | TEMP ELEC LTR TO OCPT |
| 07/17/2008 | 11 | 11F | Need to support all pipe mounted below bar joist with approved support-Some |
| 07/17/2008 | 11 | 11F | panels or breakers are not labled- Most equipment is not Listed. |
| 11/17/2008 | 11 | 11F | OPEN FNL LTR TO OCPT AND JOHN R. KLOSS |
| 08/14/2007 | 13 | PRN | WAREHOUSE REMODEL 1-1-2-F2-B 2003 IBC |
| 08/14/2007 | 13 | PRN | ADDITIONAL PERMITS REQUIRED:ELECTRICAL,PLUMBING,HVAC |
| 08/14/2007 | 13 | PRN | ARCHITECT OF RECORD:LEE T. ALEXANDER # 15099 |
| 08/13/2007 | C1 | PRN | AS PER RAY YATES WANTS TO CHANGE ADDRESS FROM 7260 LANGTRY ROAD SPACE B |
| 08/13/2007 | C1 | PRN | 7255 LANGTRY ROAD SP. B . 713/688-9345 |
| )4/09/2008 | C2 | | REQUEST ADDRESS CHANGE BY GARY YATES AGENT, 713-688-9345 CHANGE |
| 04/09/2008 | C2 | | ADDRES FROM: 7255 LANGTRY #B TO: 7260 LANGTRY #B |
| 04/09/2008 | C2 | PRN | CORRECT ADDRESS: 7260 LANGTRY #B |
| 08/14/2007 | CO | PRN | WAREHOUSE REMODEL 1-1-2-F2-B 2003 IBC |
| 08/14/2007 | CO | PRN | OCCUPANT LOAD:109 |
| 11/17/2008 | CO | | OPEN FNL LTR TO OCPT AND VALCO |
| 07/27/2007 | GE | | Plans exceed or do not meet the one stop guide lines and therefore do not |
| 07/27/2007 | GE | | qualify for the one stop review process. Plans must be submitted for a |
| 07/27/2007 | GE | | complete review of all necessary departments. |

Project Number : 94112425 Screen Printed: 1/27/2009 1:13:50 PM by DWHITE

Desc. : ELECT PRMT/COMM

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055

(110) Projects Associated with Address: 7814 BOBBITT LN

Special Functions

| Project | Gro... | Status | Description-Use | App-Date | Film-No |
|---|---|---|---|---|---|
| 05033557 | F | ACTIVE | CW | 03/31/2005 | |
| 04048244 | F | ACTIVE | FH,CW | 06/25/2004 | |
| 94112425 | B | INACTIVE | ELECT PRMT/COMM | 12/19/1994 | |
| 91013309 | B | FINALED | VOID PROJECT ISSUED IN ERROR | 04/02/1991 | |
| 90018652 | B | FINALED | ELEC. PERMIT | 06/06/1990 | |

[redacted]

City
EXHIBIT 2
1-27-09
MARY DOPICO, CSR

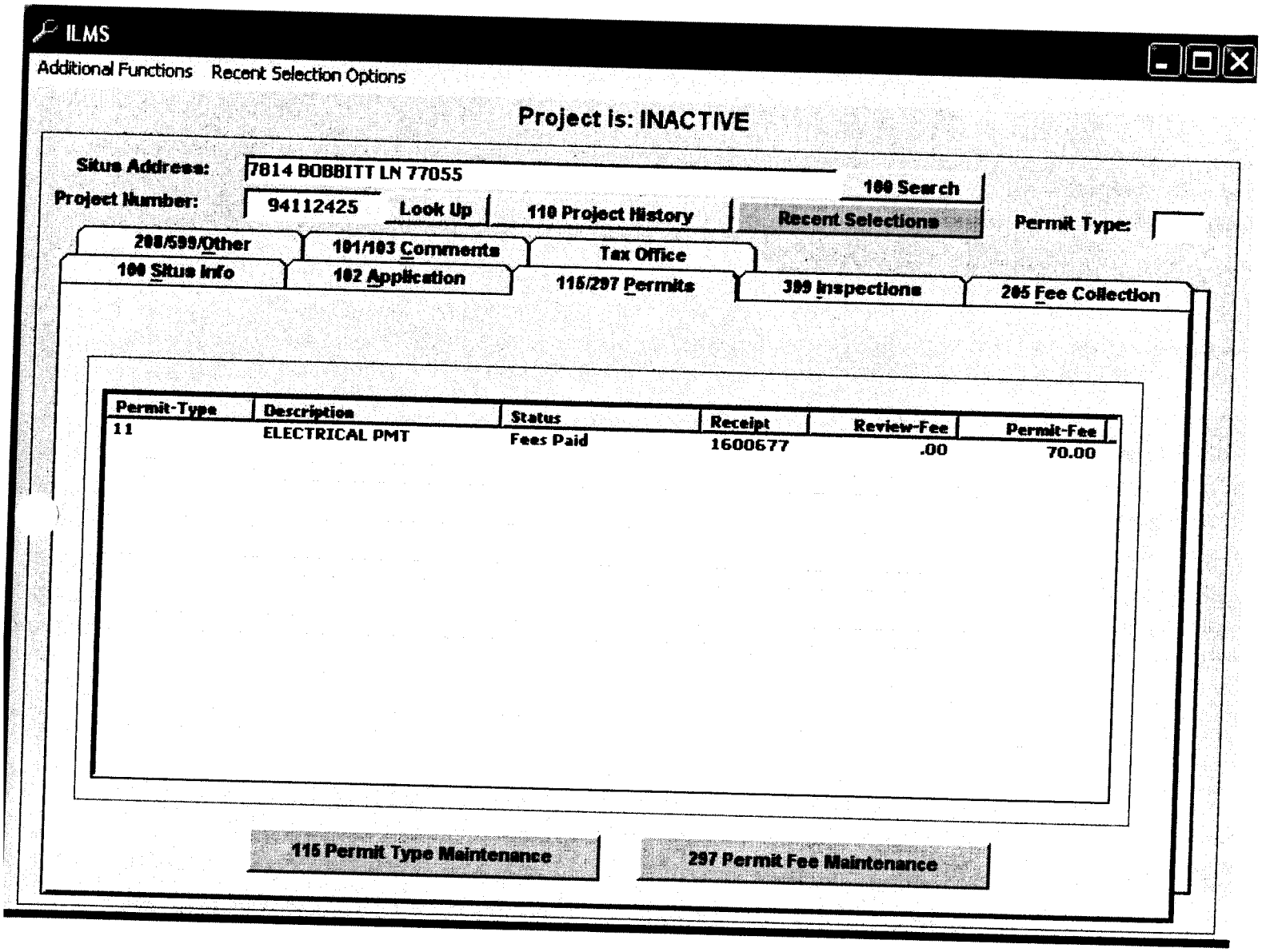
Project Number : 94112425 Screen Printed: 1/27/2009 1:12:23 PM by DWHITE

Desc. : ELECT PRMT/COMM

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055



Project Number : 94112425 Screen Printed: 1/27/2009 1:12:30 PM by DWHITE

Desc. : ELECT PRMT/COMM

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055

(299) Permit Fees - Item Maint - Project: 94112425 ELECT PRMT/COMM

Additional Functions

GrandFathered Fee Calculations are in Effect

Permit Type 11 Description ELECTRICAL PMT

Status

| Count | Title | Count | Title | Count | Title | Sub-Total |
|---|---|---|---|---|---|---|
| | MLS 0-50 KW | | MLS 50-250 KW | 1 | MLS OVER 250KW | 25.00 |
| 1 | TEMP CUT IN | | RANGE RECEPTCL | | 0-1 HP MOTORS | 25.00 |
| 1 | RECONNECT FEE | | CLOTHES DRYER | | 1-10 HP MOTOR | 15.00 |
| | PANELS 8+ CIRC | | COOKING TOPS | | OVR 10 HP MTR | 0.00 |
| | OUTLETS | | OVENS | | 0-1 KW HEATER | 0.00 |
| | FIXTURES | | GARBAGE DISP | | 1-10 KW HEATER | 0.00 |
| | WINDOWN AC | | DISHWASHERS | | OVR 10 KW HTR | 0.00 |
| | WILL CALL | 1 | NOW | | 0-1 KVA XFRMR | 0.00 |
| | EL SHOP INSP | | ELECT SIGN | | 1-10 KVA XFMR | 0.00 |
| | PARK LIGHTS | | MISCELLANEOUS | | OVR 10 KVA XFM | 0.00 |
| | GUY WIRES | | STREAMR/FESTON | | | 0.00 |

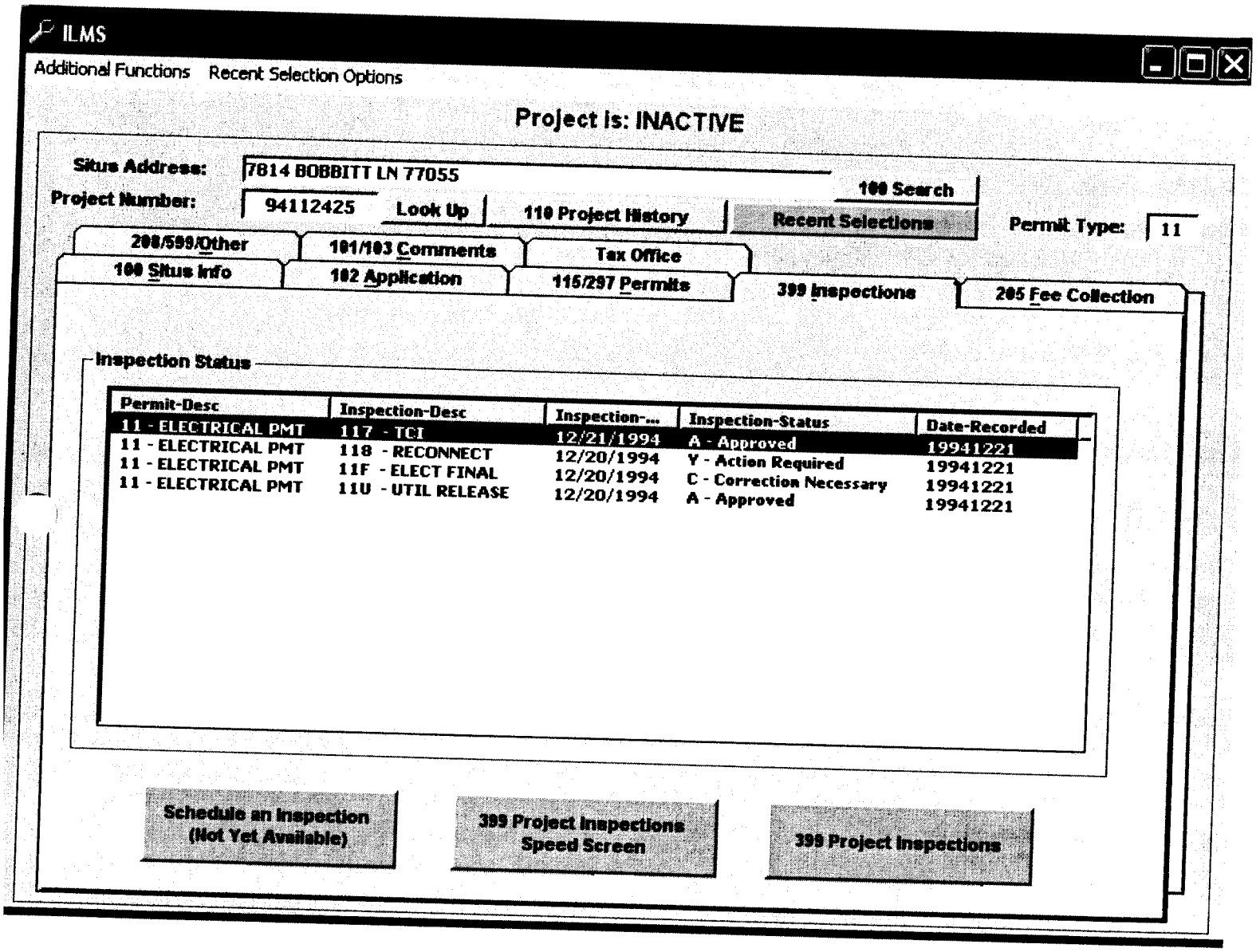
Project Number : 94112425 Screen Printed: 1/27/2009 1:13:00 PM by DWHITE

Desc. : ELECT PRMT/COMM

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055



Project Number : 94112425 Screen Printed: 1/27/2009 1:13:29 PM by DWHITE

Desc. : ELECT PRMT/COMM

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055

(103) Project Comments - Project: 94112425 ELECT PRMT/COMM

Additional Functions Toggle Display Select Database Canned Comment Mode

| Comment... | Permit | IS-Ty... | Comment | Co... | Permit-Desc | Inspn-D |
|---|---|---|---|---|---|---|
| 12/21/1994 | 11 | 117 | TCI 4-500 MCM PARALLEL 2EACH EM-211 | 120 | ELECTRICAL PMT | TCI |
| 12/21/1994 | 11 | 117 | J R KLOSS 211EM | 100 | ELECTRICAL PMT | TCI |
| 12/21/1994 | 11 | PRN | TCI CUT IN #112425 | VC | ELECTRICAL PMT | PRINT |
| 12/19/1994 | 11 | PRN | J R KLOSS 211EM | CM | ELECTRICAL PMT | PRINT |

Project Comment Details

Permit Type 11 ELECTRICAL PMT

Inspection Type 117 TCI

Comment
TCI 4-500 MCM PARALLEL 2EACH EM-211
J R KLOSS 211EM

Date 12/21/1994 Authorized By 120

Add Additional Comments

Line 1 Column 1

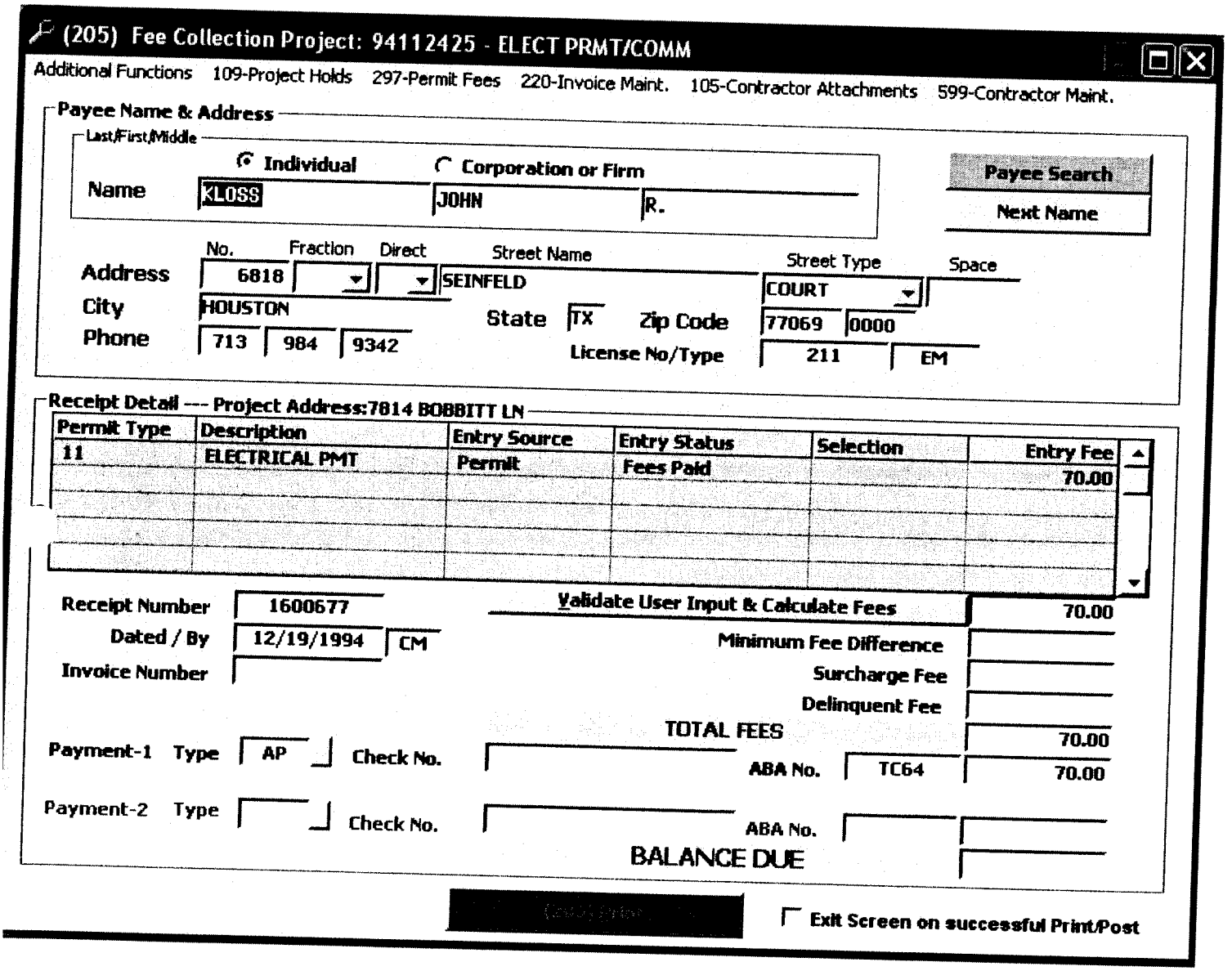
Project Number : 94112425 Screen Printed: 1/27/2009 1:13:43 PM by DWHITE

Desc. : ELECT PRMT/COMM

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055



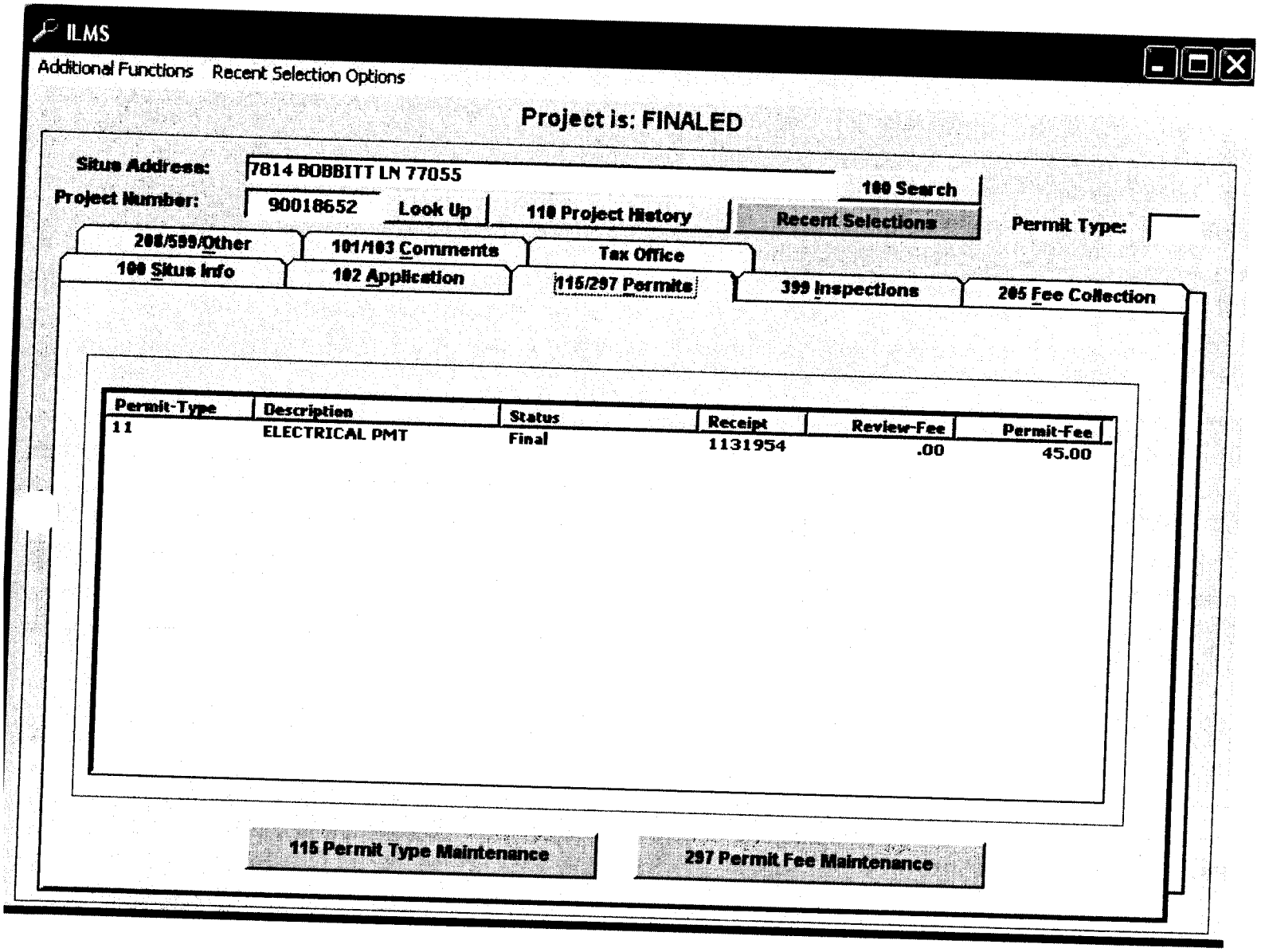
Project Number : 90018652 Screen Printed: 1/27/2009 1:20:50 PM by DWHITE

Desc. : ELEC. PERMIT

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055



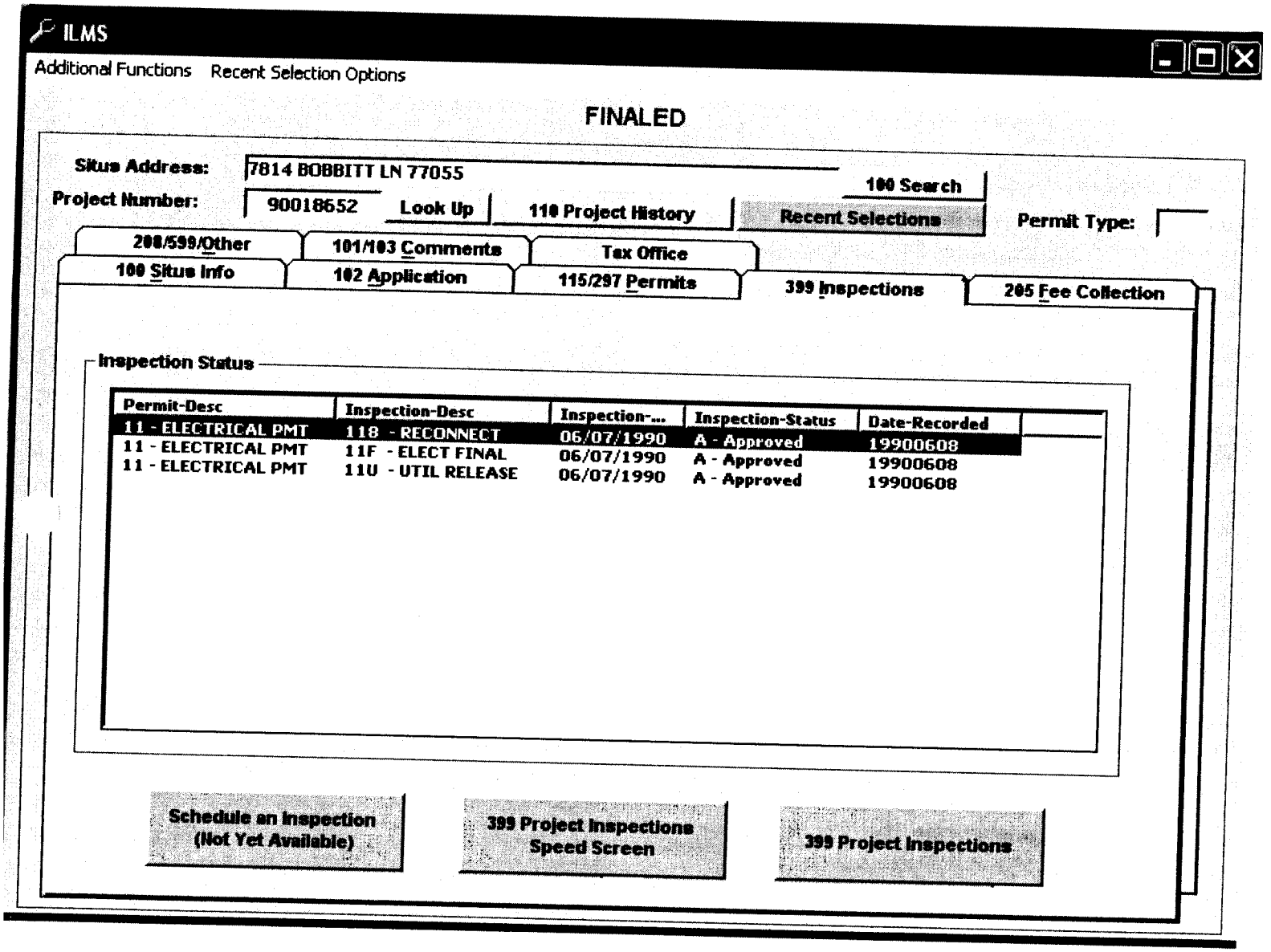
Project Number : 90018652 Screen Printed: 1/27/2009 1:21:09 PM by DWHITE

Desc. : ELEC. PERMIT

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055



Project Number : 90018652 Screen Printed: 1/27/2009 1:21:31 PM by DWHITE

Desc. : ELEC. PERMIT

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055

(103) Project Comments - Project: 90018652 ELEC. PERMIT

Additional Functions Toggle Display Select Database Canned Comment Mode

| Comment... | Permit | IS-Ty... | Comment | Com... | Permit-Desc | Inspn-Desc |
|---|---|---|---|---|---|---|
| 06/08/1990 | 11 | | REC CI 5294 | 117 | ELECTRICAL PMT | |
| 06/08/1990 | 11 | 118 | REC. 4-500MCM EM177 | 117 | ELECTRICAL PMT | RECONNECT |

Project Comment Details

Permit Type 11 ELECTRICAL PMT

Inspection Type

Comment REC CI 5294

Date 06/08/1990 Authorized By 117

Add Additional Comments

Line 1 Column 1

Project Number : 90018652 Screen Printed: 1/27/2009 1:21:41 PM by DWHITE

Desc. : ELEC. PERMIT

Address: 7814 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7814 BOBBITT LN
HOUSTON, TX 77055

(299) Permit Fees - Item Maint - Project: 90018652 ELEC. PERMIT

Additional Functions

GrandFathered Fee Calculations are in Effect

Permit Type 11 Description ELECTRICAL PMT

Status

| Count | Title | Count | Title | Count | Title | Sub-Total |
|---|---|---|---|---|---|---|
| | MLS 0-50 KW | | MLS 50-250 KW | | MLS OVER 250KW | 0.00 |
| 1 | TEMP CUT IN | | RANGE RECEPTCL | | 0-1 HP MOTORS | 25.00 |
| 1 | RECONNECT FEE | | CLOTHES DRYER | | 1-10 HP MOTOR | 15.00 |
| | PANELS 8+ CIRC | | COOKING TOPS | | OVR 10 HP MTR | 0.00 |
| | OUTLETS | | OVENS | | 0-1 KW HEATER | 0.00 |
| | FIXTURES | | GARBAGE DISP | | 1-10 KW HEATER | 0.00 |
| | WINDOWN AC | | DISHWASHERS | | OVR 10 KW HTR | 0.00 |
| | WILL CALL | 1 | NOW | | 0-1 KVA XFRMR | 0.00 |
| | EL SHOP INSP | | ELECT SIGN | | 1-10 KVA XFMR | 0.00 |
| | PARK LIGHTS | | MISCELLANEOUS | | OVR 10 KVA XFM | 0.00 |
| | GUY WIRES | | STREAMR/FESTON | | | 0.00 |

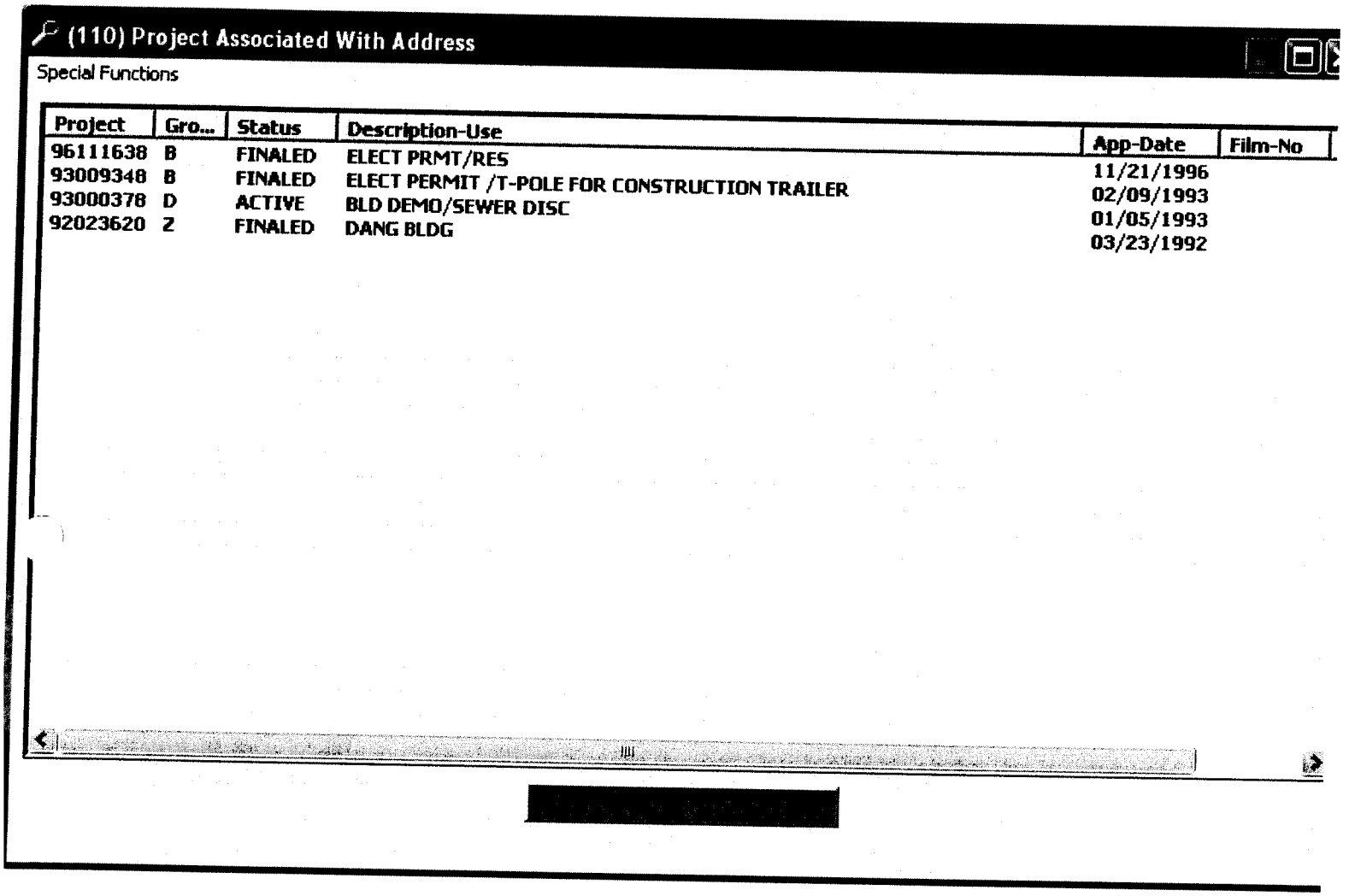
Project Number :

Screen Printed: 1/27/2009 3:11:39 PM by DWHITE

Desc. :

Address: 7827 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS



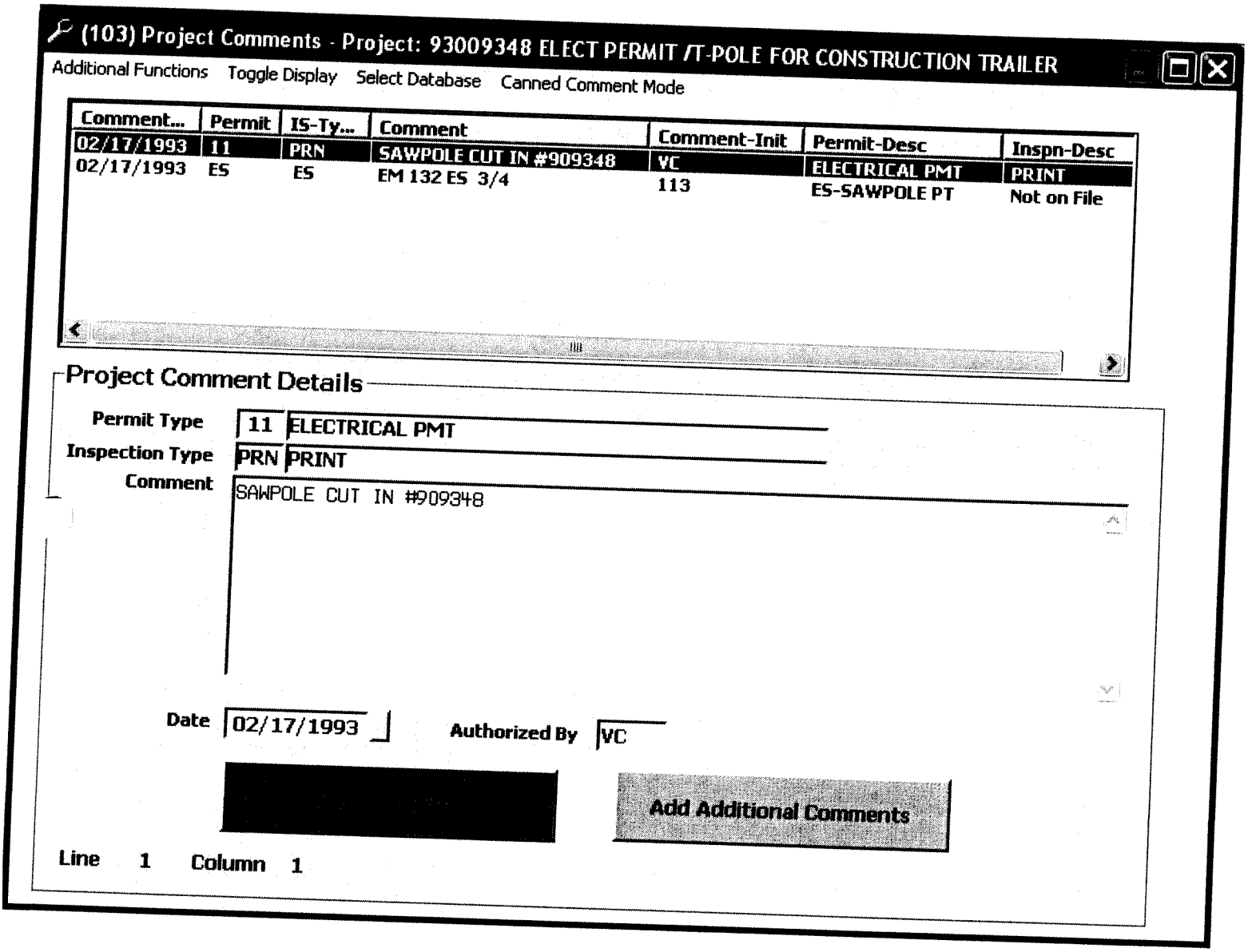
Project Number : 93009348 Screen Printed: 1/27/2009 3:39:52 PM by DWHITE

Desc. : ELECT PERMIT /T-POLE FOR CONSTRUCTION TRAILER

Address: 7827 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS

Applicant: VALCO INSTRUMENTS
7827 BOBBITT LN
HOUSTON, TX 77055



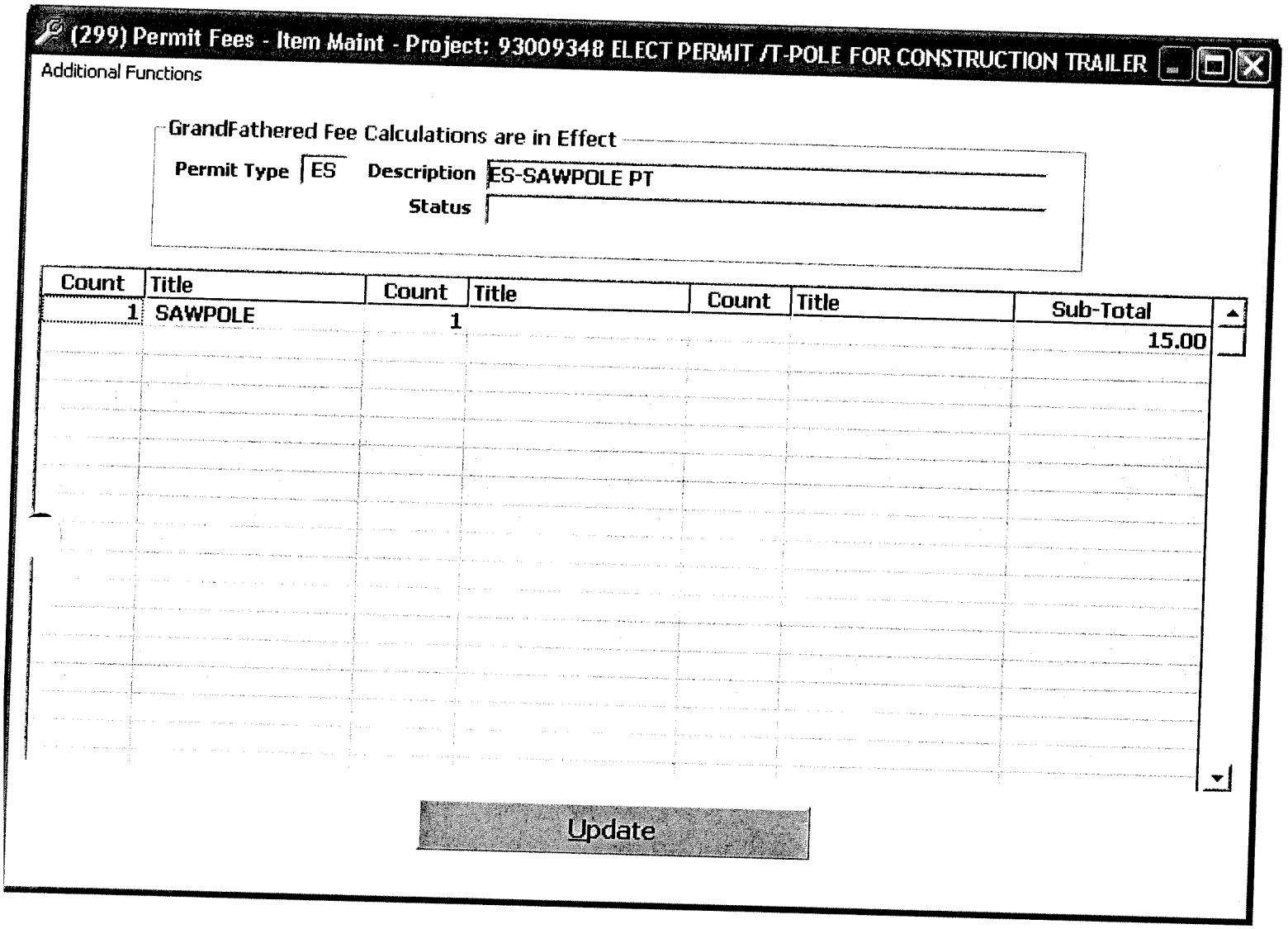
Project Number : 93009348 Screen Printed: 1/27/2009 4:50:00 PM by WEIMAN

Desc. : ELECT PERMIT /T-POLE FOR CONSTRUCTION TRAILER

Address: 7827 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS

Applicant: VALCO INSTRUMENTS
7827 BOBBITT LN
HOUSTON, TX 77055



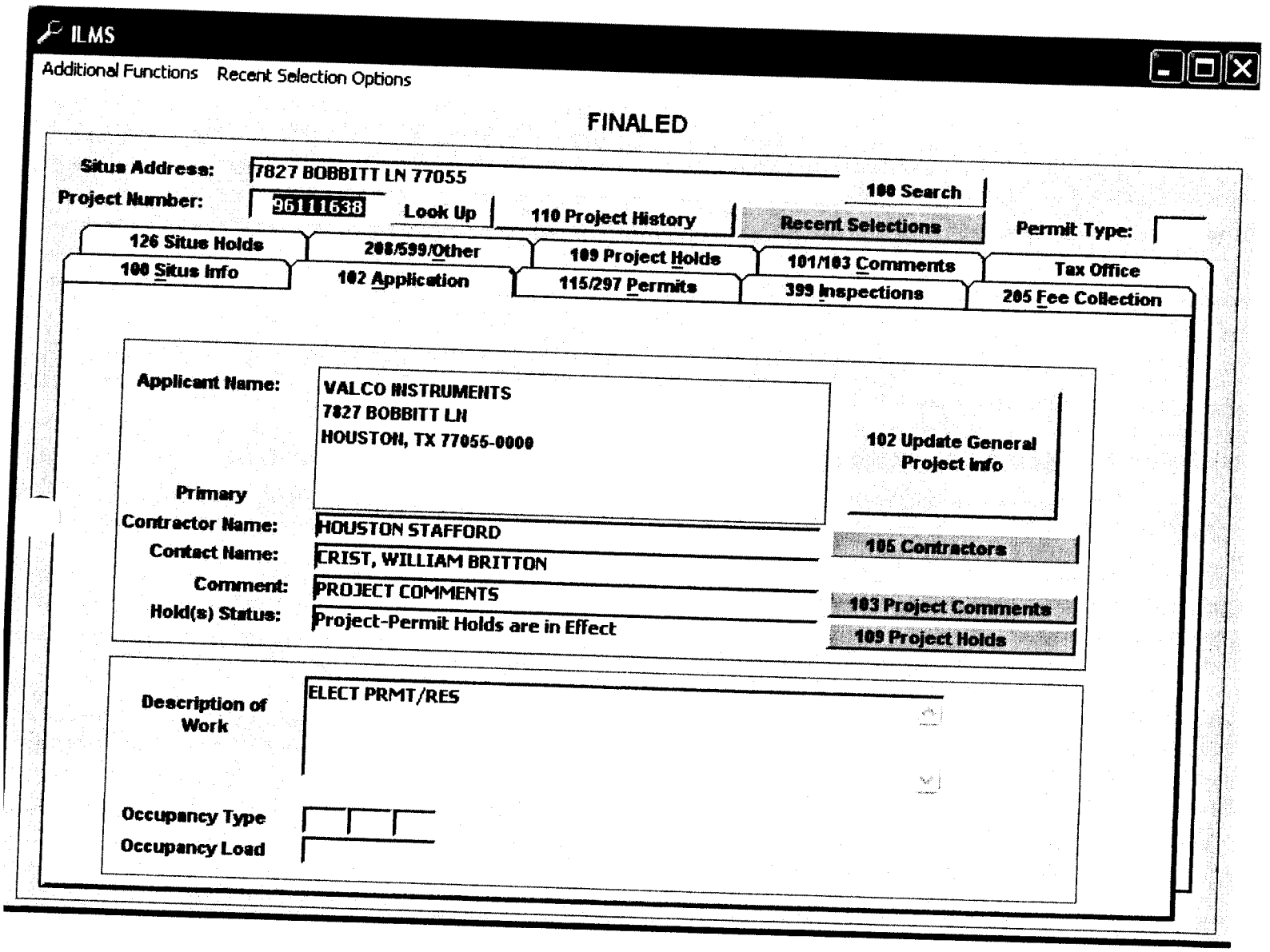
Project Number : 96111638 Screen Printed: 1/27/2009 3:11:48 PM by DWHITE

Desc. : ELECT PRMT/RES

Address: 7827 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS

Applicant: VALCO INSTRUMENTS
7827 BOBBITT LN
HOUSTON, TX 77055



Project Number : 96111638 Screen Printed: 1/27/2009 3:12:01 PM by DWHITE

Desc. : ELECT PRMT/RES

Address: 7827 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS

Applicant: VALCO INSTRUMENTS
7827 BOBBITT LN
HOUSTON, TX 77055

(103) Project Comments - Project: 96111638 ELECT PRMT/RES

Additional Functions Toggle Display Select Database Canned Comment Mode

| Comment... | Permit | IS-Ty... | Comment | Comment-Init | Permit-Desc | Inspn-Desc |
|---|---|---|---|---|---|---|
| 12/03/1996 | 11 | PRN | MLS CUT IN #111638 | VC | ELECTRICAL PMT | PRINT |
| 11/26/1996 | 11 | 11F | MLS 3-2 EM-30 | 119 | ELECTRICAL PMT | ELECT FINAL |
| 11/21/1996 | 11 | PRN | CRIST 30EM | CM | ELECTRICAL PMT | PRINT |

Project Comment Details

Permit Type 11 ELECTRICAL PMT

Inspection Type PRN PRINT

Comment MLS CUT IN #111638

Date 12/03/1996 Authorized By VC

Add Additional Comments

Line 1 Column 1

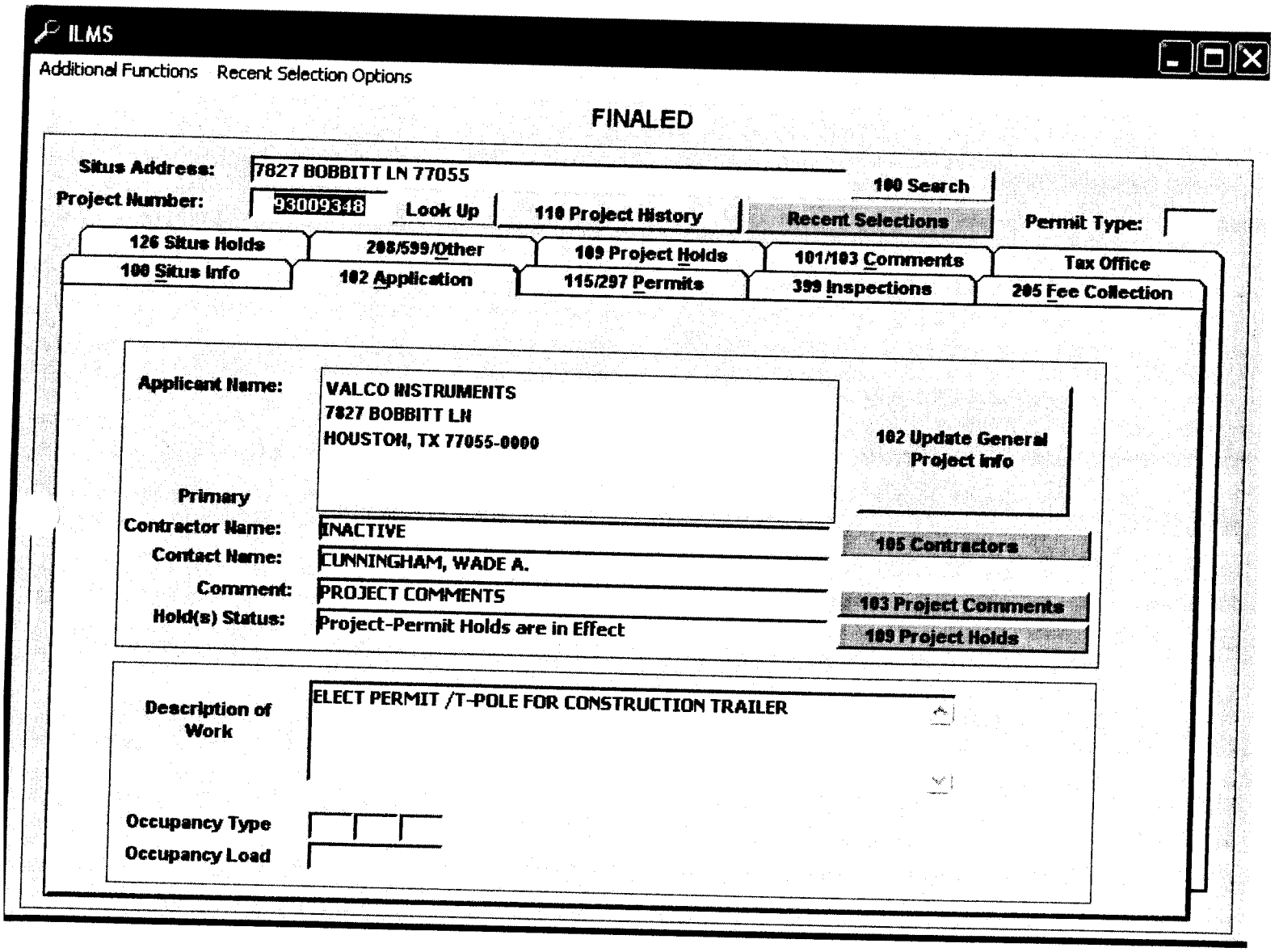
Project Number : 93009348 Screen Printed: 1/27/2009 3:39:37 PM by DWHITE

Desc. : ELECT PERMIT /T-POLE FOR CONSTRUCTION TRAILER

Address: 7827 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS

Applicant: VALCO INSTRUMENTS
7827 BOBBITT LN
HOUSTON, TX 77055



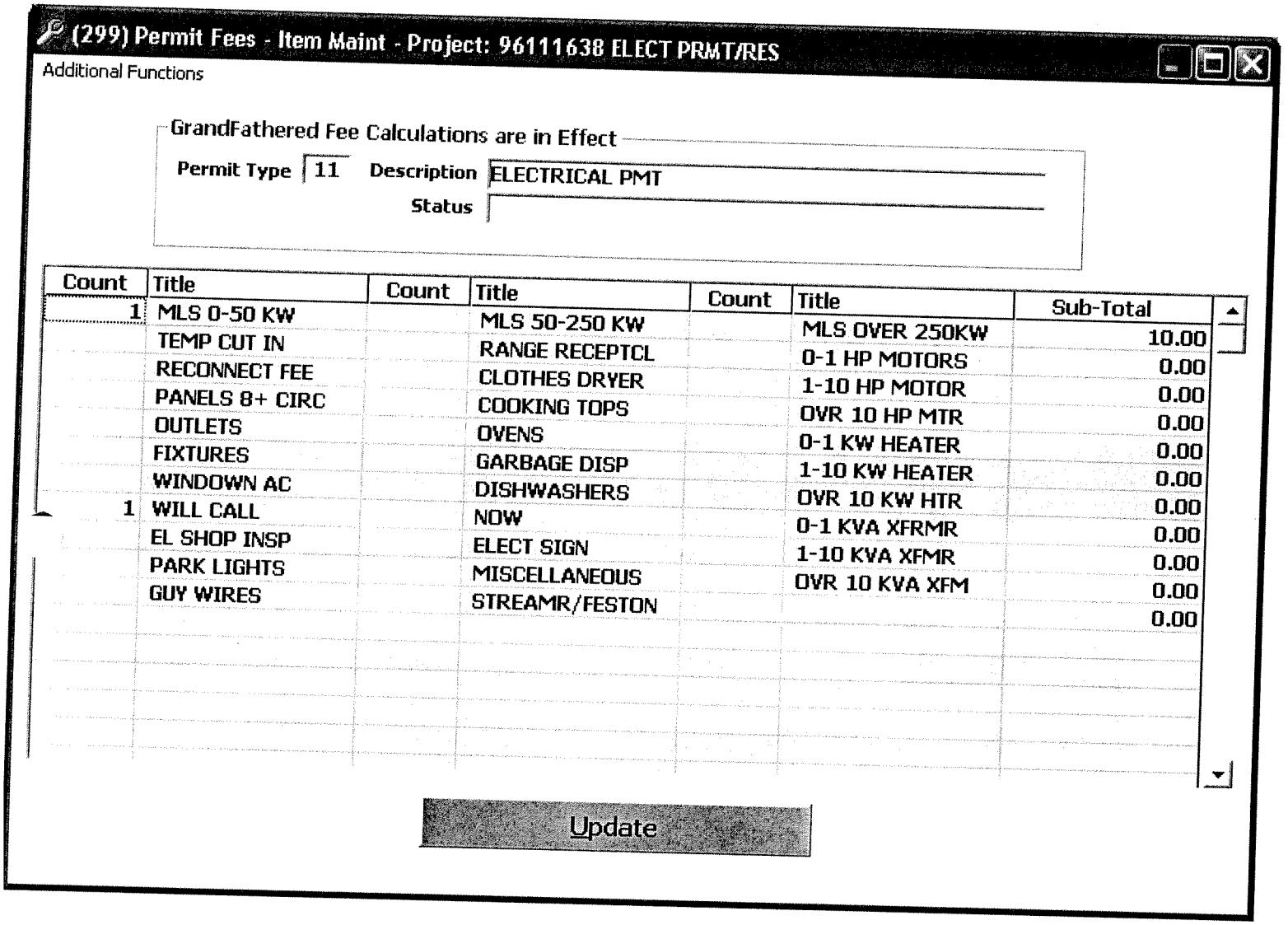
Project Number : 96111638 Screen Printed: 1/27/2009 4:51:39 PM by WEIMAN

Desc. : ELECT PRMT/RES

Address: 7827 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS

Applicant: VALCO INSTRUMENTS
7827 BOBBITT LN
HOUSTON, TX 77055




| Count | Title | Count | Title | Count | Title | Sub-Total |
|---|---|---|---|---|---|---|
| 1 | MLS 0-50 KW | | MLS 50-250 KW | | MLS OVER 250KW | 10.00 |
| | TEMP CUT IN | | RANGE RECEPTCL | | 0-1 HP MOTORS | 0.00 |
| | RECONNECT FEE | | CLOTHES DRYER | | 1-10 HP MOTOR | 0.00 |
| | PANELS 8+ CIRC | | COOKING TOPS | | OVR 10 HP MTR | 0.00 |
| | OUTLETS | | OVENS | | 0-1 KW HEATER | 0.00 |
| | FIXTURES | | GARBAGE DISP | | 1-10 KW HEATER | 0.00 |
| | WINDOWN AC | | DISHWASHERS | | OVR 10 KW HTR | 0.00 |
| 1 | WILL CALL | | NOW | | 0-1 KVA XFRMR | 0.00 |
| | EL SHOP INSP | | ELECT SIGN | | 1-10 KVA XFMR | 0.00 |
| | PARK LIGHTS | | MISCELLANEOUS | | OVR 10 KVA XFM | 0.00 |
| | GUY WIRES | | STREAMR/FESTON | | | 0.00 |

Project Number : 96058752 Screen Printed: 1/27/2009 3:10:04 PM by DWHITE

Desc. : COMM ELECT PERMIT/JOHN R KLOSS 211

Address: 7812 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7812 BOBBITT LN
HOUSTON, TX 77055

(110) Projects Associated with Address: 7812 BOBBITT LN

Special Functions

| Project | Gro... | Status | Description-Use | | App-Date | Film-No |
|---|---|---|---|---|---|---|
| 96058752 | B | FINALED | COMM ELECT PERMIT/JOHN R KLOSS 211 | | 06/20/1996 | |
| 95058821 | B | FINALED | COMMERCIAL PLUMBING PERMIT | | 07/05/1995 | |
| 93091103 | B | FINALED | COMMERCIAL PLUMBING PERMIT | | 10/27/1993 | |
| 91041335 | B | FINALED | VOID PROJECT ISSUED IN ERROR | | 10/02/1991 | |
| 89022550 | B | FINALED | REMODEL OFFICE , MACHINE SHOP | 60000 | 08/08/1989 | 87-5520 |
| 00332803 | B | FINALED | VOID PROJECT ISSUED IN ERROR | | 02/14/1989 | 000027... |
| 00291399 | B | FINALED | PLBG. PMT. (TEMP. GAS) | | 11/28/1988 | 000027... |
| 88015423 | B | FINALED | VOID PROJECT ISSUED IN ERROR | | 01/22/2004 | 000027... |

[redacted]

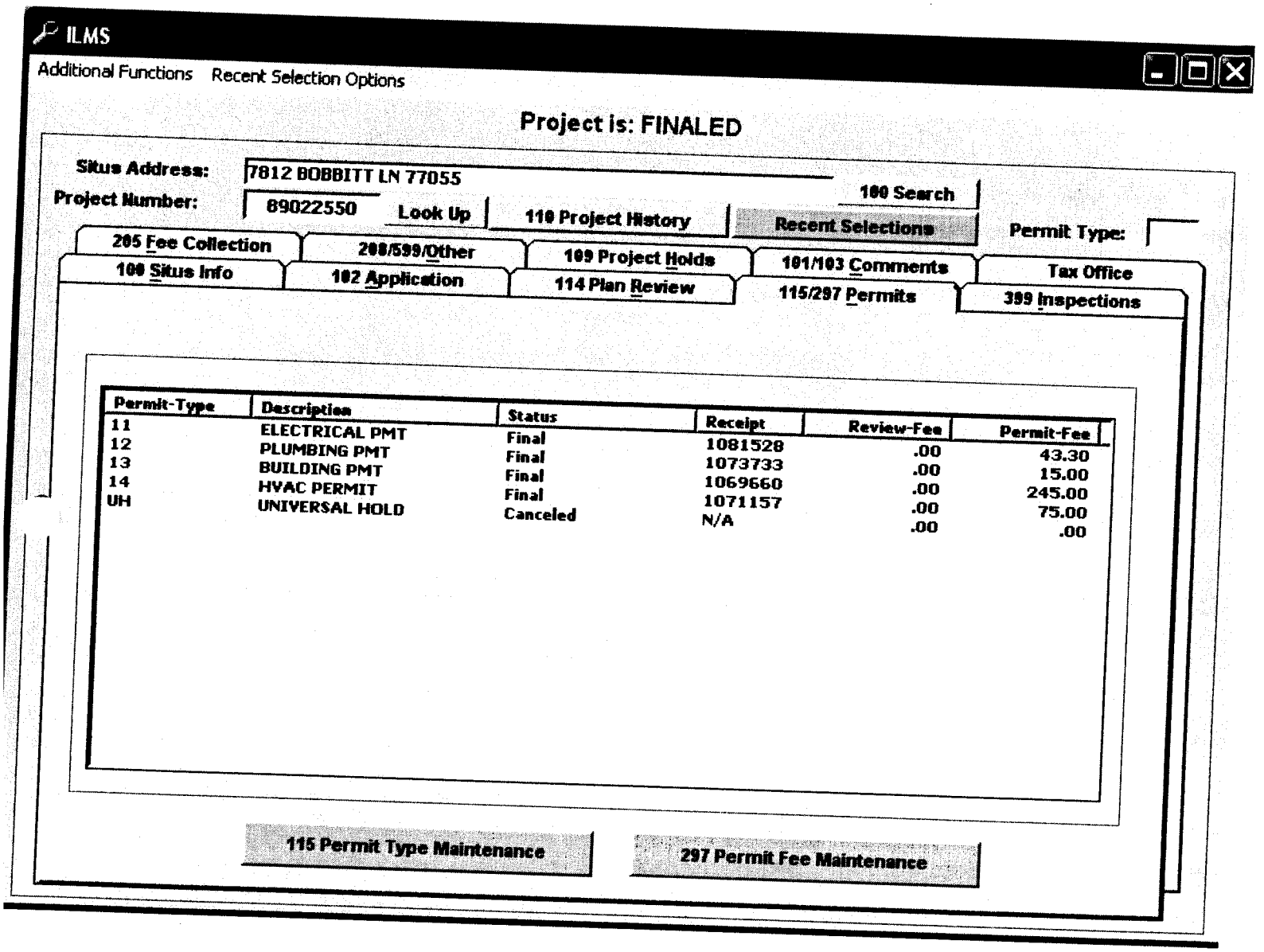
Project Number : 89022550 Screen Printed: 1/27/2009 3:10:21 PM by DWHITE

Desc. : REMODEL OFFICE , MACHINE SHOP 60000

Address: 7812 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC (JOE)
7812 BOBBITT LN
HOUSTON, TX 77055



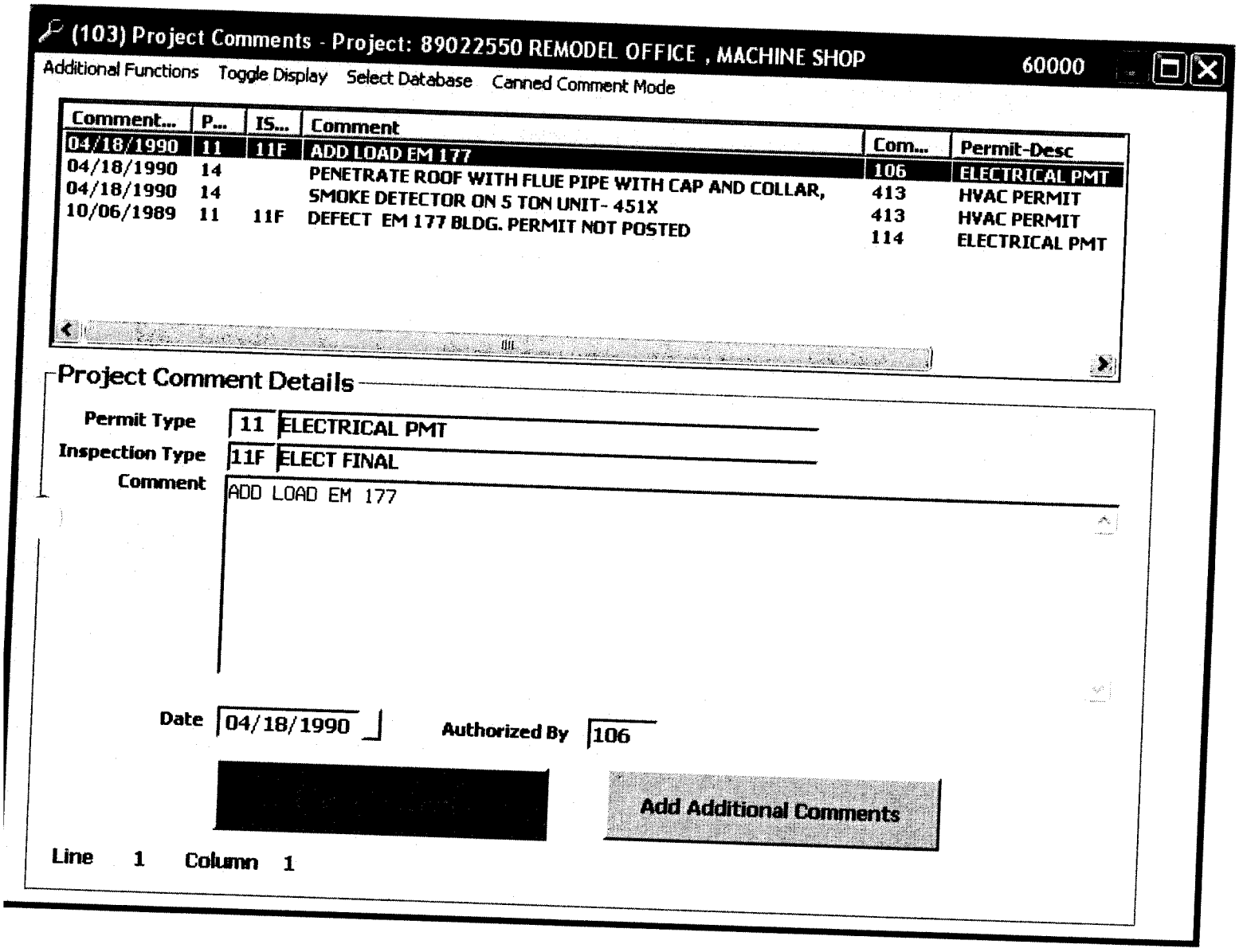
Project Number : 89022550 Screen Printed: 1/27/2009 3:10:46 PM by DWHITE

Desc. : REMODEL OFFICE , MACHINE SHOP 60000

Address: 7812 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC (JOE)
7812 BOBBITT LN
HOUSTON, TX 77055



Project Number : 89022550 Screen Printed: 1/27/2009 3:34:38 PM by DWHITE

Desc. : REMODEL OFFICE , MACHINE SHOP 60000

Address: 7812 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC (JOE)
7812 BOBBITT LN
HOUSTON, TX 77055

(299) Permit Fees - Item Maint - Project: 89022550 REMODEL OFFICE , MACHINE SHOP

Additional Functions

GrandFathered Fee Calculations are in Effect

Permit Type 11 Description ELECTRICAL PMT

Status

| Count | Title | Count | Title | Count | Title | Sub-Total |
|---|---|---|---|---|---|---|
| | MLS 0-50 KW | | MLS 50-250 KW | | MLS OVER 250KW | 0.00 |
| | TEMP CUT IN | | RANGE RECEPTCL | 4 | 0-1 HP MOTORS | 4.00 |
| | RECONNECT FEE | | CLOTHES DRYER | 2 | 1-10 HP MOTOR | 10.00 |
| | PANELS 8+ CIRC | | COOKING TOPS | | OVR 10 HP MTR | 0.00 |
| 49 | OUTLETS | | OVENS | | 0-1 KW HEATER | 14.70 |
| 32 | FIXTURES | | GARBAGE DISP | | 1-10 KW HEATER | 9.60 |
| | WINDOWN AC | | DISHWASHERS | | OVR 10 KW HTR | 0.00 |
| | WILL CALL | 1 | NOW | | 0-1 KVA XFRMR | 0.00 |
| | EL SHOP INSP | | ELECT SIGN | | 1-10 KVA XFMR | 0.00 |
| | PARK LIGHTS | | MISCELLANEOUS | | OVR 10 KVA XFM | 0.00 |
| | GUY WIRES | | STREAMR/FESTON | | | 0.00 |

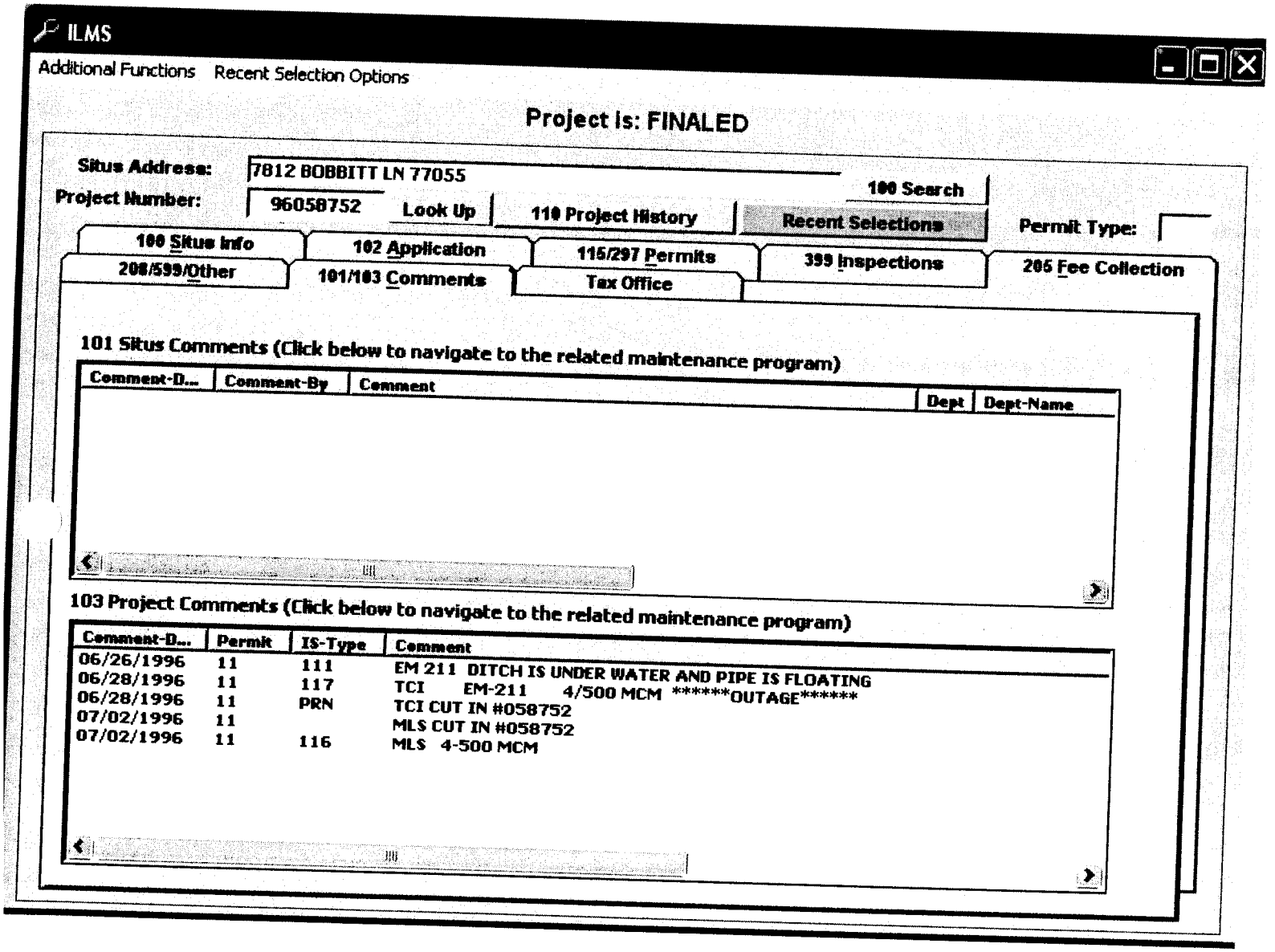
Project Number : 96058752 Screen Printed: 1/27/2009 3:09:59 PM by DWHITE

Desc. : COMM ELECT PERMIT/JOHN R KLOSS 211

Address: 7812 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7812 BOBBITT LN
HOUSTON, TX 77055



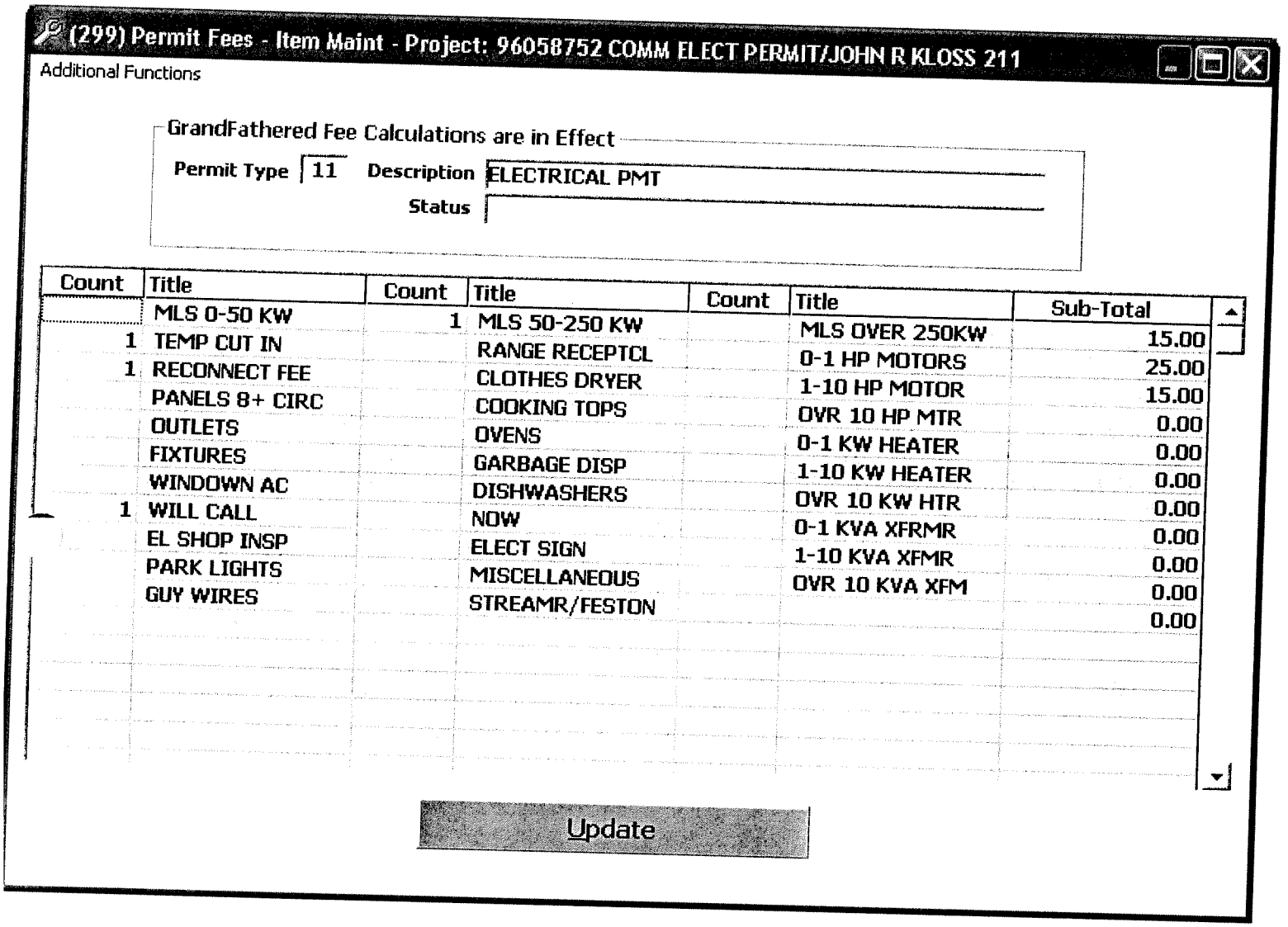
Project Number : 96058752 Screen Printed: 1/27/2009 4:48:34 PM by WEIMAN

Desc. : COMM ELECT PERMIT/JOHN R KLOSS 211

Address: 7812 BOBBITT LN 77055

Occupant: VALCO INSTRUMENTS CO INC

Applicant: VALCO INSTRUMENTS CO INC
7812 BOBBITT LN
HOUSTON, TX 77055




| Count | Title | Count | Title | Count | Title | Sub-Total |
|---|---|---|---|---|---|---|
| | MLS 0-50 KW | 1 | MLS 50-250 KW | | MLS OVER 250KW | 15.00 |
| 1 | TEMP CUT IN | | RANGE RECEPTCL | | 0-1 HP MOTORS | 25.00 |
| 1 | RECONNECT FEE | | CLOTHES DRYER | | 1-10 HP MOTOR | 15.00 |
| | PANELS 8+ CIRC | | COOKING TOPS | | OVR 10 HP MTR | 0.00 |
| | OUTLETS | | OVENS | | 0-1 KW HEATER | 0.00 |
| | FIXTURES | | GARBAGE DISP | | 1-10 KW HEATER | 0.00 |
| | WINDOWN AC | | DISHWASHERS | | OVR 10 KW HTR | 0.00 |
| 1 | WILL CALL | | NOW | | 0-1 KVA XFRMR | 0.00 |
| | EL SHOP INSP | | ELECT SIGN | | 1-10 KVA XFMR | 0.00 |
| | PARK LIGHTS | | MISCELLANEOUS | | OVR 10 KVA XFM | 0.00 |
| | GUY WIRES | | STREAMR/FESTON | | | 0.00 |

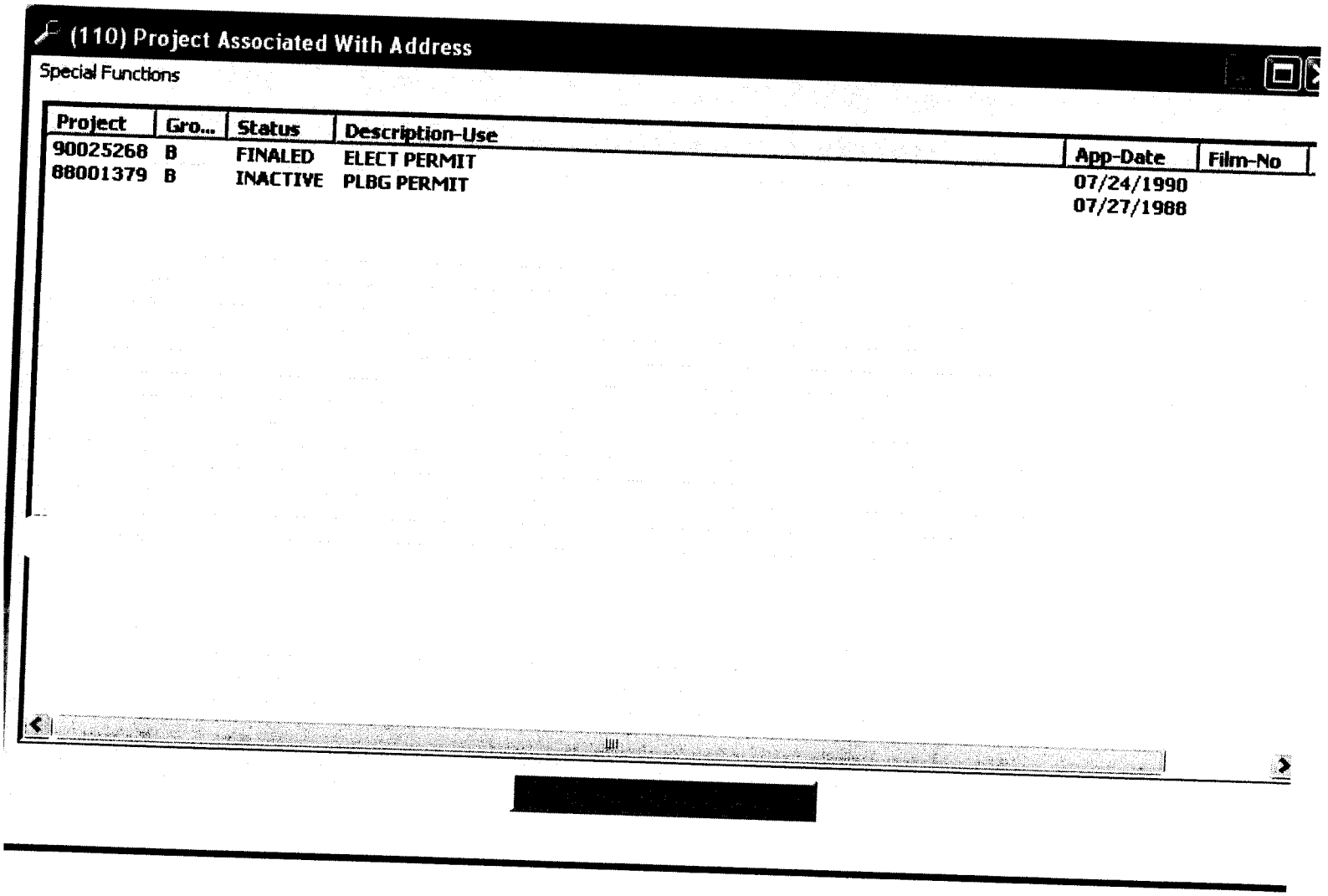
Project Number :

Screen Printed: 1/27/2009 3:32:39 PM by DWHITE

Desc. :

Address: 7806 BOBBITT LN 77055

Occupant: M L TRENT



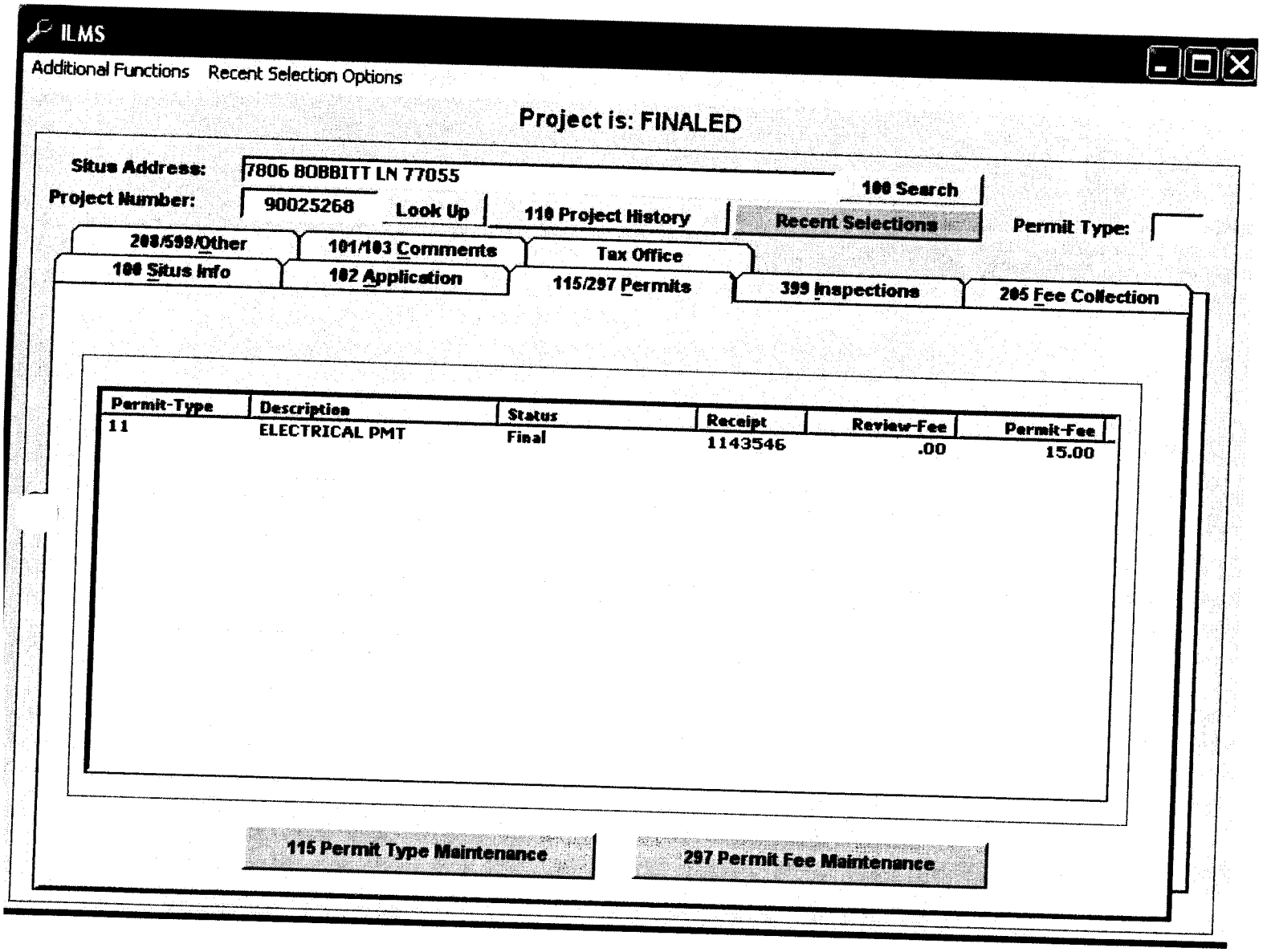
Project Number : 90025268 Screen Printed: 1/27/2009 3:33:20 PM by DWHITE

Desc. : ELECT PERMIT

Address: 7806 BOBBITT LN 77055

Occupant: M L TRENT

Applicant: TRENT, M L
7806 BOBBITT LN
HOUSTON, TX 77055



Project Number : 90025268 Screen Printed: 1/27/2009 3:33:26 PM by DWHITE

Desc. : ELECT PERMIT

Address: 7806 BOBBITT LN 77055

Occupant: M L TRENT

Applicant: TRENT, M L
7806 BOBBITT LN
HOUSTON, TX 77055

(299) Permit Fees - Item Maint - Project: 90025268 ELECT PERMIT

Additional Functions

GrandFathered Fee Calculations are in Effect

Permit Type 11 Description ELECTRICAL PMT

Status

| Count | Title | Count | Title | Count | Title | Sub-Total |
|---|---|---|---|---|---|---|
| 1 | MLS 0-50 KW | | MLS 50-250 KW | | MLS OVER 250KW | 10.00 |
| | TEMP CUT IN | | RANGE RECEPTCL | | 0-1 HP MOTORS | 0.00 |
| | RECONNECT FEE | | CLOTHES DRYER | | 1-10 HP MOTOR | 0.00 |
| | PANELS 8+ CIRC | | COOKING TOPS | | OVR 10 HP MTR | 0.00 |
| | OUTLETS | | OVENS | | 0-1 KW HEATER | 0.00 |
| | FIXTURES | | GARBAGE DISP | | 1-10 KW HEATER | 0.00 |
| | WINDOWN AC | | DISHWASHERS | | OVR 10 KW HTR | 0.00 |
| | WILL CALL | 1 | NOW | | 0-1 KVA XFRMR | 0.00 |
| | EL SHOP INSP | | ELECT SIGN | | 1-10 KVA XFMR | 0.00 |
| | PARK LIGHTS | | MISCELLANEOUS | | OVR 10 KVA XFM | 0.00 |
| | GUY WIRES | | STREAMR/FESTON | | | 0.00 |

Project Number : 89030379 Screen Printed: 1/27/2009 3:11:13 PM by DWHITE

Desc. : PARKING LOT (PAVING 5") 25000

Address: 7806 BOBBITT LN # P-LOT 77055

Occupant: VALCO INSTRUMENTS

Applicant: PATTERNED CONCRETE
7806 BOBBITT LN # P-LOT
HOUSTON, TX 77055

1 permit AT THIS ADDRESS

ILMS

Additional Functions Recent Selection Options

FINALED

Situs Address: 7806 BOBBITT LN # P-LOT 77055

Project Number: 89030379 Look Up 110 Project History Recent Selections 100 Search Permit Type:

205 Fee Collection | 208/599/Other | 109 Project Holds | Tax Office

100 Situs Info | 102 Application | 114 Plan Review | 115/297 Permits | 399 Inspections

| Permit-Type | Description | Status | Receipt | Review-Fee | Permit-Fee |
|---|---|---|---|---|---|
| 13 | BUILDING PMT | Final | 1091674 | .00 | 42.50 |
| UH | UNIVERSAL HOLD | Canceled | N/A | .00 | .00 |

115 Permit Type Maintenance 297 Permit Fee Maintenance

Project Number : 89030379 Screen Printed: 1/27/2009 3:11:18 PM by DWHITE

Desc. : PARKING LOT (PAVING 5") 25000

Address: 7806 BOBBITT LN # P-LOT 77055

Occupant: VALCO INSTRUMENTS

Applicant: PATTERNED CONCRETE
7806 BOBBITT LN # P-LOT
HOUSTON, TX 77055

102 - Revise the Current Project's Primary Control Information

Additional Functions

Application Date: 10/17/1989 Project Number: 89030379

Project Address

Occupant: VALCO INSTRUMENTS

Project Address: 7806 BOBBITT LN # P-LOT, HOUSTON, TX, 77055

Tax Assessor Parcel: 040-064-183-000-0038 Tract ID: CLAY ESTATES

Description: PARKING LOT (PAVING 5") 25000 City Master:

Applicant Name & Address Information

Last/First/Middle

Individual Corporation or Firm

Name: PATTERNED CONCRETE Show OwnerBuilder

Address: No. 7806 Fraction Direct Street Name BOBBITT Street Type LANE Space P-LOT

City: HOUSTON State: TX Zip Code: 77055 0000

Phone: 713 956 4195

E-Mail:

Copy Name & Address from Master Entry

Org. Group / Value-Basis / Building Category

B Building

N New Construction

B Other Building(s)

Inspection Class/ Certificate Required/ Plans Submitted

S Specialty

N Certificate Not Required

FCC Code / FPU Code

020 Structures Other than Building

Estimated Valuation: 25,000

Occupancy Code -- Material Type/Group/Fire Rating

Occupancy Load:

Plan Review Approval Required

Required Date Initials

Project Extension (Check for Automatic 180 Extension)

Enable 180 Extension Expiration Date

HCD09-096

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

| SUBJECT: An Ordinance amending Ordinance No.2007-1193, as amended by Ordinance No.2008-661 and appropriating $2,026, 000 out of TIRZ Affordable Housing Fund (Fund 2409) for the Workforce Housing Downpayment Assistance Program; and approving use of the funds. | Category # | Page 1 of 1 | Agenda Item # 161 #14 |
|---|---|---|---|

| FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department | Origination Date 02/10/09 | Agenda Date MAR 25 2009 ~~MAR 11 2009~~ |
|---|---|---|
| DIRECTOR'S SIGNATURE: | Council District affected: "All" | |
| For additional information contact: Juan Chavez Phone: 713-865-4196 | Date and identification of prior authorizing Council action: Ordinance# 2007-1193 dated July 23, 2008; Ordinance #2008-661 dated October 24, 2008. | |

RECOMMENDATION: (Summary) An Ordinance amending Ordinance No.2008-661 and appropriating $2,026,000 out of TIRZ Affordable Housing Fund (Fund 2409) for the Workforce Housing Downpayment Assistance Program; and approving use of the funds.

| Amount of Funding: $2,026,000 TIRZ Affordable Housing Fund 2409-300001508 | Finance Department Budget: |
|---|---|

SOURCE OF FUNDING [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [ ] CDBG

[ X ] Other (Specify) TIRZ AFFORDABLE HOUSING FUND # 2409-300001508

SPECIFIC EXPLANATION:

The City Of Houston Housing and Community Development Department (HCDD) created the Workforce Housing Downpayment Assistance Program (Workforce Program) to assist qualified applicants with purchasing new affordable housing in areas designated by the Mayor for revitalization. Unlike existing downpayment assistance programs that use federal funds and target lower income applicants, the Workforce Program provides assistance to potential homebuyers earning from 80% to 110% of area median income adjusted for family size.

Since the inception of the Workforce Program in March of Fiscal Year 2008, HCDD has provided 42 loans to eligible applicants. Demand for the program has grown from an average of 4 loans per month since the program began, to 9 loans per month over the last 3 months, with a high of 11 loans for December. With increased emphasis on marketing, HCDD anticipates maintaining the current level of 11 loans per month or 132 loans over the next year, this funding will support ½ year funding of 66 (sixty-six) homes at $30,000 per home.

HCDD is requesting $2,026,000 (out of which $35,000 will be set aside for project delivery costs) to cover six months of operations.

Approval is recommended.

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

**REQUIRED AUTHORIZATION**

| Finance Department Director: | Other Authorization: | Other Authorization: |
|---|---|---|

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary **RCA# 8157**

| **Subject:** Approve and Authorize a Contract Extension, and Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract #C52176 for Computer Hardware, Software Licenses, Mainframe and Prof. Svcs. for Various Depts./TC13097-A8 | Category # 4 & 5 | Page 1 of 2 | Agenda Item 62 24 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Calvin D. Wells, City Purchasing Agent, Administration & Regulatory Affairs Department | **Origination Date** February 11, 2009 | **Agenda Date** ~~MAR 11 2009~~ MAR 25 2009 |
|---|---|---|
| **DIRECTOR'S SIGNATURE** for Kevin M. Colmenero | **Council District(s) affected** All | |
| **For additional information contact:** Joseph Fenninger 2/24/09 **Phone:** (713) 308-1708; Douglas Moore **Phone:** (832) 393-8724 | **Date and Identification of prior authorizing Council Action:** CM 2000-1147, 12/20/00; Addtl CM's below | |

**RECOMMENDATION: (Summary)**

Approve and authorize the five-year option to extend the contract term from July 1, 2010 to June 30, 2015, and approve an amending ordinance to increase the maximum contract amount from $8,800,907.24 to $11,122,880.24 for the contract between the City of Houston and Unisys Corporation for computer hardware, software licenses, mainframe and professional services for various departments.

| Maximum Contract Amount Increased by: $2,321,973.00 | **Finance Budget** |
|---|---|
| $2,321,973.00 - General Fund (1000) | |

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve and authorize the five-year option to extend the contract term from July 1, 2010 to June 20, 2015, and approve an amending ordinance to increase the maximum contract amount from $8,800,907.24 to $11,122,880.24 for the contract between the City of Houston and Unisys Corporation (Unisys). The City Purchasing Agent may terminate this contract at any time upon 30-day written notice to the contractor.

The extension of the contract will include the continued leasing of a Dorado 320 system from Unisys that is HPD's main system for Online Offense reports and other day-to-day operations. Also included are 1) maintenance of a Disaster Recovery disk system, 2) maintenance of data switches and communication lines for replication of data, 3) other miscellaneous software maintenance. The contract also includes a small component for maintenance of software for the Houston Parks and Recreation Department.

Over the last several years the administration has begun the move away from the Unisys system toward a new data management system. HPD is pleased that it is nearing an end to the process of procuring a new system, but notes that the complete migration to that system will take up to 3 years. Until the new system is up and fully functional, HPD must maintain and operate the current Unisys system, which would be accomplished by this contract extension.

This Council action will fund the contract through the end of 2012. If necessary, the department will return to Council before that time to request additional funding.

The Unisys Master Agreement and its associated supplemental schedule were awarded on December 20, 2000 by Ordinance No. 2000-1147 for a five-year term, with five one-year options to renew, in the original contract amount of $4,618,319.00. Subsequent amendments were approved on January 30, 2002 by Council Motion 2002-0140 to increase the maximum contract amount from $4,618,319.00 to $4,756,488.95; on August, 7, 2002 by Ordinance No. 2002-0754 to increase the maximum contract amount from $4,756,488.95 to $4,878,068.95; on August 14, 2002 by Council Motion 2002-0971 to increase the maximum contract amount from $4,878,068.95 to $5,093,273.47; on July 30, 2003 by Council Motion 2003-0951 to increase the maximum contract amount from $5,093,273.47 to $5,360,357.47; on October 13, 2004 by Council Motion

**REQUIRED AUTHORIZATION** 10 CM 8157 C

| Finance Department: | Other Authorization: 2/26/09 | Other Authorization: |
|---|---|---|

2004-1076 to increase the maximum contract amount from $5,360,357.47 to $5,645,904.47, on November 9, 2005 by Council Motion 2005-1078 to increase the maximum contract amount from $5,645,904.47 to $8,546,609.24; and on November 29, 2006 by Council Motion 2006-1068 to increase the maximum contract amount from $8,546,609.24 to $8,800,907.24. Additionally, Council Motion 2006-1068 allowed the Houston Police Department (HPD) to lease a Unisys ClearPath Dorado 320 to replace a system that had reached the end of its product support life. The ClearPath Dorado 320 provided the required technology to support HPD's present operation of the Online Offense (OLO) system, and ensured the level of reliability and availability needed to prepare for the new Records Management System (RMS) that will replace current HPD technology in FY2011.

The hardware and software provided by Unisys are proprietary components. This contract was awarded with a 17% M/WBE participation goal for post-warranty hardware maintenance. Unisys is currently achieving a 3.32% M/WBE Goal. The Affirmative Action Division will continue to work with the contractor to achieve the required goal.

Buyer: Conley Jackson

# CITY OF HOUSTON

Office of the Mayor

**Interoffice**

Correspondence
Affirmative Action and
Contract Compliance
Division

**To:** Marty Stein
Agenda Director

**From:** Velma Laws
Director

**Date:** March 10, 2009

**Subject:** **Agenda Item #24 - Unisys**

This contract was awarded with a 17% MWDBE goal in 2001. At the time of award, there was an opportunity for an MWDBE to provide maintenance on various printers & terminals being utilized by HPD. Approximately one year into the contract, HPD began to remove the Sperry terminals and printers, as newer technology was acquired. Eventually, all of the terminals & printers were removed, leaving only Unisys' proprietary items. Unisys is the only authorized servicer allowed to perform maintenance on this equipment, or the warranty would be voided. This change in scope eliminated future MWBE participation on this contract.

In October 2005, HPD formally requested that Affirmative Action re-evaluate the MWBE goal, based on the change in the scope of work. The re-evaluation was approved, pursuant to Article V, Section 15-83 of the Code of Ordinances, which states that MWBE provisions do not apply in instances in which "the services or goods requested are of...a specialized, technical or unique nature as to require the...department to be able to select its contractor without application of MBE/WBE provisions." Additionally, this issue was addressed when the contract came before Council in 2005.

Although there were no additional opportunities for the scheduled MWBE to participate on the City contract, Unisys continued to use them on other projects. To date, Unisys has spent over $254,000 with the original MWBE, Key People Resources, Inc.

If you have any questions or need additional information, contact Morris Scott at 713.837.9017.

03/09:19

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 7996**

| **Subject:** Approve an Ordinance Awarding a Contract to the Best Value Respondent for Wood Waste Removal Services for the Solid Waste Management Department S30-T22947 | Category # 4 | Page 1 of 2 | Agenda Item 63 |
|---|---|---|---|

| **FROM (Department or other point of origin):** Calvin D. Wells, City Purchasing Agent, Administration & Regulatory Affairs Department | **Origination Date** December 01, 2008 | **Agenda Date** MAR 25 2009 ~~MAR 11 2009~~ |
|---|---|---|
| **DIRECTOR'S SIGNATURE** Calvin D Wells | **Council District(s) affected** All | |
| **For additional information contact:** Harry Hayes **Phone:** (713) 837-9103; Ray DuRousseau **Phone:** (832) 393-8726 | **Date and Identification of prior authorizing Council Action:** | |

**RECOMMENDATION: (Summary)**

Approve an ordinance awarding a contract to the best value respondent, Angelina Fuels, LLC in an amount not to exceed $770,000.00 for wood waste removal services for the Solid Waste Management Department.

| Maximum Contract Amount: $770,000.00 | **Finance Budget** |
|---|---|
| $770,000.00 General Fund (1000) | |

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options, to Angelina Fuels, LLC in an amount not to exceed $770,000.00 for wood waste removal services for the Solid Waste Management Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. Under this contract, the contractor shall be responsible for a establishing clean wood waste collection site in the City's Southeast quadrant to deliver "clean wood waste" materials (consisting of tree limbs, branches, stumps, and other organic materials generated from routine grounds maintenance) for the City of Houston.

The scope of work requires the contractor to provide all supervision, labor, materials, equipment and transportation necessary to provide wood waste removal services. The contractor will be required to grind and compost the "clean wood waste" material at its collection site. The contractor will also ensure that the composed materials and wood chips are marketed and distributed, and that no "clean wood waste" material is disposed of in a landfill. Title to, and all risks and responsibilities of ownership of the "clean wood waste" materials delivered by the City to the contractor's collection site shall be transferred to, and vested in the contractor at the time the "clean wood waste" is fully unloaded at the designated "collection site", and the City's vehicle has departed the "collection site".

This "Best Value" invitation to bid was advertised in accordance with the State of Texas bid laws and, as a result, offers were received from the following firms: Angelina Fuels, LLC, Prime Trees & Landscaping Services, Inc., and Novus Wood Group, LP. The evaluation committee consisted of personnel from the Solid Waste Management Department. The offers were evaluated based upon the following criteria:

A. Hauling Distance from City of Houston Service Center to the Collection Site
B. Professional Background and Experience
C. Bidder's Financial Stability and Proposed Fees
D. Level of commitment and willingness to agree to the City's legal requirements
E. M/WBE Participation

**REQUIRED AUTHORIZATION** ~~NOT~~

| Finance Department: | Other Authorization: | Other Authorization: |
|---|---|---|
| | | |

Angelina Fuels, LLC received highest score of all respondents.

**M/WBE Subcontracting:**

This invitation to bid was issued as a goal-oriented contract with an 11% M/WBE participation level. **Angelina Fuels, LLC** has designated the below-named companies as its certified M/WBE subcontractors.

| Name | Type of Work | Dollar Amount | Percentage |
|---|---|---|---|
| Rapid Waste, LLC | Hauling | $ 7,700.00 | 1% |
| B-W Industrial Supply Corporation | Petroleum | $30,800.00 | 4% |
| Gatson Concrete Construction | Concrete | $30,800.00 | 4% |
| M.L.G. Construction | Carpentry | $15,400.00 | 2% |
| | | **Total:** | **11%** |

The Affirmative Action Division will monitor this contract.

| ESTIMATED SPENDING AUTHORITY | | | |
|---|---|---|---|
| Department | FY09 | Out Years | Total |
| Solid Waste Management | $104,000.00 | $666,000.00 | $770,000.00 |

Buyer: Richard Morris