

AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 22, 2009 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Khan

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 - SEPTEMBER 23, 2009 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 51

MISCELLANEOUS - NUMBERS 1 through 5

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE MIDTOWN MANAGEMENT DISTRICT**:
 - Position Three - **MR. FRANCISCO RIOS**, appointment, for a term to expire 6/1/2011
 - Position Ten - **MS. EILEEN J. MORRIS**, appointment, for a term to expire 6/1/2013
 - Position Eleven - **MR. BRIAN WARWICK**, appointment, for a term to expire 6/1/2013
 - Position Twelve - **MR. JOHN G. CASTILLO**, reappointment, for a term to expire 6/1/2013
 - Position Thirteen - **MR. VERNUS C. SWISHER**, reappointment, for a term to expire 6/1/2013
 - Position Fourteen - **MR. ADAM BRACKMAN**, reappointment, for a term to expire 6/1/2013
 - Position Fifteen - **MS. GAYLE FORTSON**, reappointment, for a term to expire 6/1/2013
 - Position Sixteen - **MS. THAO COSTIS**, reappointment, for a term to expire 6/1/2013
 - Position Seventeen - **MR. MICHAEL TODD TRIGGS**, reappointment, for a term to expire 6/1/2013

AGENDA - SEPTEMBER 23, 2009 - PAGE 2

MISCELLANEOUS - continued

2. REQUEST from Mayor for reappointment of the following individuals to the **PUBLIC PARKING COMMISSION**, for terms to expire December 31, 2010:
Position Nine - **MR. M. MARVIN KATZ**
Position Thirteen - **MS. EVALYN LAING KRUDY**
3. RECOMMENDATION from Director Affirmative Action and Contract Compliance to set Airport Concessions Disadvantaged Business Enterprise (ACDBE) goal for airport leasing (concession) contracts for the period October 1, 2009 through September 30, 2012 in compliance with DBE Ordinances 89-226 and 99-893 and DOT/FAA requirements based upon 49CFR Parts 23 and 26
4. RECOMMENDATION from the Director of the Finance Department to place the proposed 2009 tax rate of \$.63875/\$100 of taxable value on the September 30, 2009 Council Agenda
5. RECOMMENDATION from Mayor's Office of Government Affairs for Membership with the **GULF COAST REGIONAL MOBILITY PARTNERS** - 1 Year - \$75,000.00 - General Fund

ACCEPT WORK - NUMBERS 6 through 9

6. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$3,677,764.50 and acceptance of work on contract with **SPAWMAXWELL COMPANY, LP** for Frank Branch Library Rehabilitation/Renovation (HPL Express Frank) - 2.47% under the original contract amount - **DISTRICT C - CLUTTERBUCK**
7. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$148,880.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.** for Asbestos and Lead Based Paint Abatement, Demolition and Disposal at six Public Works & Engineering Department Water Plants - **DISTRICTS A - LAWRENCE; B - JOHNSON; E - SULLIVAN; F - KHAN and G - HOLM**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,283,996.56 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 6.14% under the original contract amount
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$910,586.21 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for East Lake Houston Unserved Areas, Hidden Echo Subdivision 5.03% under the original contract amount - **DISTRICT E - SULLIVAN**

PROPERTY - NUMBER 10

10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Nathan Robert of Jacobs Engineering Group, Inc., on behalf of LG West Avenue Project LP, (Gables GP, Inc. [Benjamin Pisklak, Regional Vice President], General Partner), Austin Trust Company, (Dell Boykin, Senior Vice President), Dickey Realty, Ltd., a limited partnership, (Dickey-Kirby Corp., a Texas corporation, [William J. Hudspeth, President], General Partner), and Thomas M. Lippincott, for abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1, Parcels SY9-049A, SY9-049B, SY9-049C and VY9-029 - **DISTRICT C - CLUTTERBUCK**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 13

11. **CARRERA CONSTRUCTION, INC** for HVAC Replacement at Fire Station No. 20 for General Services Department - \$95,800.00 and contingencies for a total amount not to exceed \$105,479.00 - Reimbursement of Equipment/Projects Fund
12. **LONE STAR UNIFORMS** for Uniforms, Law Enforcement from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Police Department - \$357,100.00 - General Fund
13. **CONTROL TECHNOLOGIES, INC** for Video Image Processors and Vehicle Detection Cameras from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$65,820.00 General Fund

ORDINANCES - NUMBERS 14 through 51

14. ORDINANCE **AMENDING CHAPTERS 44 AND 5 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to coin operated machines, amusement redemption machines, game rooms, and the operation thereof; providing for severability; providing for an effective date
15. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within the **BINGLEWOOD SUBDIVISION, SECTION 1**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
16. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within the **BINGLEWOOD SUBDIVISION, SECTION 2**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
17. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within the **BINGLEWOOD SUBDIVISION, SECTION 3 and SECTION 6 AMENDED**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
18. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within the **BINGLEWOOD SUBDIVISION, SECTION 4**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
19. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within the **BINGLEWOOD SUBDIVISION, SECTION 5**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
20. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within the **SHEPHERD FOREST SUBDIVISION, SECTION 1, BLOCKS 21-25**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
21. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SHEPHERD FOREST SUBDIVISION, SECTION 1, BLOCKS 26 & 27 and SHEPHERD FOREST SUBDIVISION, SECTION 2** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - LAWRENCE**

ORDINANCES - continued

22. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SHEPHERD FOREST SUBDIVISION, SECTION 1, EAST OF ELLA BOULEVARD** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**
23. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SHEPHERD FOREST SUBDIVISION, SECTION 3** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT H - GONZALEZ**
24. ORDINANCE extending the provisions of **SECTION 28-203 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within the **GARDEN VILLAS SUBDIVISION** and the **HAMLINS WOODLAND SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT I - RODRIGUEZ**
25. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 498** - **DISTRICT D - ADAMS**
26. ORDINANCE approving and authorizing License Agreement, for ten (10) years with two (2) renewals of ten (10) years, between **AMERICAN TOWER ASSET SUB, LLC**, or its affiliate, Licensor, and the City of Houston, Texas, Licensee, with a License Fee of \$46,100.00 for Fiscal Year 2010 and with annual increases as set forth in such agreement with a total cost for the initial base term (Fiscal Year 2010 through 2020) of \$624,649.48, to allow the Radio Communications Division of the Information Technology Department to install equipment on a communications tower and ground space in connection with a new Public Safety Radio System located at 17118 Bohemian Hall Road, Crosby, Texas
27. ORDINANCE approving and authorizing three (3) License Agreements, each for ten (10) years with two (2) renewals of ten (10) years, between **AMERICAN TOWERS, INC**, or its affiliate, Licensor, and the City of Houston, Texas, Licensee, with an Aggregate License Fee of \$138,300.00 for Fiscal Year 2010 and with annual increases as set forth in such agreements with an aggregate total cost for the initial base term (Fiscal Year 2010 through 2020) of \$1,873,948.44, to allow the Radio Communications Division of the Information Technology Department to install equipment on three (3) communications towers and ground space in connection with a new Public Safety Radio System - (5525 County Road 48, Rosharon, Texas)
28. ORDINANCE approving and authorizing three (3) License Agreements, each for ten (10) years with two (2) renewals of ten (10) years, between **AMERICAN TOWERS, INC**, or its affiliate, Licensor, and the City of Houston, Texas, Licensee, with an Aggregate License Fee of \$138,300.00 for Fiscal Year 2010 and with annual increases as set forth in such agreements with an aggregate total cost for the initial base term (Fiscal Year 2010 through 2020) of \$1,873,948.44, to allow the Radio Communications Division of the Information Technology Department to install equipment on three (3) communications towers and ground space in connection with a new Public Safety Radio System - (12411 Dawn, Houston, Texas)
29. ORDINANCE approving and authorizing three (3) License Agreements, each for ten (10) years with two (2) renewals of ten (10) years, between **AMERICAN TOWERS, INC**, or its affiliate, Licensor, and the City of Houston, Texas, Licensee, with an Aggregate License Fee of \$138,300.00 for Fiscal Year 2010 and with annual increases as set forth in such agreements with an aggregate total cost for the initial base term (Fiscal Year 2010 through 2020) of \$1,873,948.44, to allow the Radio Communications Division of the Information Technology Department to install equipment on three (3) communications towers and ground space in connection with a new Public Safety Radio System - (29327 Plumcreek #3, Spring, Texas)

ORDINANCES - continued

30. ORDINANCE approving and authorizing two (2) License Agreements, each for ten (10) years with two (2) renewals of five (5) years, between **PINNACLE TOWERS ASSET HOLDING LLC**, Licensor, and the City of Houston, Texas, Licensee, with an Aggregate License Fee of \$59,200.00 for Fiscal Year 2010 and with annual increases as set forth in such agreements with an aggregate total cost for the initial base term (Fiscal Year 2010 through 2020) of \$972,344.68, to allow the Radio Communications Division of the Information Technology Department to install equipment on communications towers in connection with a new Public Safety Radio System (23007 Tomball Parkway, Tomball, Texas)
31. ORDINANCE approving and authorizing two (2) License Agreements, each for ten (10) years with two (2) renewals of five (5) years, between **PINNACLE TOWERS ASSET HOLDING LLC**, Licensor, and the City of Houston, Texas, Licensee, with an Aggregate License Fee of \$59,200.00 for Fiscal Year 2010 and with annual increases as set forth in such agreements with an aggregate total cost for the initial base term (Fiscal Year 2010 through 2020) of \$972,344.68, to allow the Radio Communications Division of the Information Technology Department to install equipment on communications towers in connection with a new Public Safety Radio System (15409 Old Humble Road, Humble, Texas)
32. ORDINANCE approving and authorizing License Agreement, for ten (10) years with two (2) renewals of five (5) years, between **PINNACLE TOWERS LLC**, Licensor, and the City of Houston, Texas, Licensee, with an Aggregate License Fee of \$35,200.00 for Fiscal Year 2010 and with annual increases as set forth in such agreement with a total cost for the initial base term (Fiscal Year 2010 through 2020) of \$578,144.64, to allow the Radio Communications Division of the Information Technology Department to install equipment on communications towers in connection with a new Public Safety Radio System - (4605 W. Baker Road, Baytown, Texas)
33. ORDINANCE approving and authorizing License Agreement, for ten (10) years with two (2) renewals of ten (10) years, between **UNISITE, LLC**, or its affiliate, Licensor, and the City of Houston, Texas, Licensee, with a License Fee of \$46,100.00 for Fiscal Year 2010 and with annual increases as set forth in such agreement with a total cost for the initial base term (Fiscal Year 2010 through 2020) of \$624,649.48, to allow the Radio Communications Division of the Information Technology Department to install equipment on a communications tower and ground space in connection with a new Public Safety Radio System located at 5910 County Road 182, Alvin, Texas
34. ORDINANCE approving the issuance of bonds by the **MEMORIAL CITY REDEVELOPMENT AUTHORITY - DISTRICTS A - LAWRENCE and G - HOLM**
35. ORDINANCE approving the issuance of bonds by the **UPTOWN DEVELOPMENT AUTHORITY DISTRICTS C - CLUTTERBUCK and G - HOLM**
36. ORDINANCE appropriating \$163,740.89 out of Woodlands Regional Participation Fund and approving and authorizing issuance of a Purchase Order to **CXT, INC** for Purchase and Installation of a Pre-Engineered Building for Lake Houston Wilderness Park
37. ORDINANCE approving and authorizing contract between the City of Houston and **TDINDUSTRIES, INC** for Facility Operations, Maintenance and Repair Services for the Convention and Entertainment Facilities Department; providing a maximum contract amount 3 Years with two one-year options - \$22,590,818.00 - Enterprise Fund
38. ORDINANCE amending Ordinance No. 2007-0257 (Passed on February 21, 2007) to increase the maximum contract amount for contract between the City of Houston and **COGENT, INC d/b/a COGENT SYSTEMS, INC** for an Automated Fingerprint Identification System, Maintenance and Interface Services for the Houston Police Department - \$453,986.36 - General and Grant Funds

ORDINANCES - continued

39. ORDINANCE amending Ordinance No. 2003-0222 (Passed on March 5, 2003) to increase the maximum contract amount for contract between the City of Houston and **SABER SOFTWARE, INC d/b/a SABER GOVERNMENT SOLUTIONS, an EDS Company** for Alarm Billing Services for the Houston Police Department - \$200,515.20 - General Fund
40. ORDINANCE awarding contract to **JTB SERVICES, INC, FERNANDEZ & SON, CHERRY MOVING COMPANY, INC d/b/a CHERRY DEMOLITION, SMITH-MOBLEY, INC** and **WILLIS DEMOLISHING COMPANY** for Demolition Services for the Houston Police Department; providing a maximum contract amount - 1 Year with two one-year options - \$8,000,000.00 - Dangerous Building Consolidated Fund
41. ORDINANCE appropriating \$1,000,000.00 out of Water & Sewer Consolidated Construction Fund for contract between the City of Houston and **KELLOGG, BROWN AND ROOT SERVICES, INC** for On-Call Maintenance and Repair Services Contract (Passed by Ordinance No. 2007-1129)
42. ORDINANCE approving and authorizing Settlement Agreement for Contested Case Hearing before the Texas Commission on Environmental Quality, Docket Number 2006-1723-WR, by and between the City of Houston, **THE AMERICAN RICE GROWERS COOPERATIVE ASSOCIATION-DAYTON DIVISION**, and the **ALDERS' GROUP**
43. ORDINANCE relating to prescribing a standard for maintaining sufficient water pressure for service to fire hydrants adequate to protect public safety in residential areas within the City of Houston
44. ORDINANCE approving and authorizing Water Supply Contract between the City of Houston and the **SAN JACINTO RIVER AUTHORITY** - Revenue
45. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT**, a Purchase and Sale Agreement and an Assignment and Assumption of License Agreement between the City and the **BUFFALO BAYOU PARTNERSHIP**, and a Project Agreement among the City, **REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON**, and **DOWNTOWN REDEVELOPMENT AUTHORITY**, all relating to the purchase of Block 6 and a portion of Caroline Street (Abandoned) and a portion of Block 7, S.S.B.B. Addition, Houston, Harris County, Texas - **DISTRICT H - GONZALEZ**
46. ORDINANCE appropriating \$3,610,157.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **NORTH HOUSTON POLE LINE, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
47. ORDINANCE appropriating \$486,120.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

ORDINANCES - continued

48. ORDINANCE appropriating \$8,654,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BRH-GARVER CONSTRUCTION, L.P.** for Lyerly Street 72-inch Sanitary Tunnel, 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 - GONZALEZ**
49. ORDINANCE appropriating \$2,573,511.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (LDS); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund
50. ORDINANCE appropriating \$1,412,770.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **ACM CONTRACTORS, INC** for Water Line Replacement in Port Houston Subdivision; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**
51. ORDINANCE granting to **WASTE CONNECTIONS OF TEXAS, LLC, A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 52 through 54

MISCELLANEOUS

52. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for RealBlue Investments LLC for the site located at 2806 - 2818 Hullsmith Drive - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G - HOLM**
SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 18, 2009
53. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for 8200 Southwest Freeway, LLC for the site located at 8200 Southwest Freeway - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G - HOLM**
SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 18, 2009

NON CONSENT AGENDA - continued

MISCELLANEOUS - continued

54. **SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for CR V Hardy Yards L.P. for the site located at 1400 Fulton Street - **DISTRICT H - GONZALEZ**
SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - DECEMBER 9, 2009

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Jones 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



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

COPY TO EACH MEMBER OF COUNCIL: SEP 23 2009
CITY SECRETARY: 9.4.09 date
COUNCIL MEMBER: _____

September 3, 2009

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to Chapter 3809, Texas Special District Local Laws Code, I am submitting the following recommendations provided by the Board of Directors of the Midtown Management District for appointment or reappointment to the Board, subject to Council confirmation:

- Mr. Francisco Rios, appointment to Position Three, for a term to expire June 1, 2011;
- Ms. Eileen J. Morris, appointment to Position Ten, for a term to expire June 1, 2013;
- Mr. Brian Warwick, appointment to Position Eleven, for a term to expire June 1, 2013;
- Mr. John G. Castillo, reappointment to Position Twelve, for a term to expire June 1, 2013;
- Mr. Vernus C. Swisher, reappointment to Position Thirteen, for a term to expire June 1, 2013;
- Mr. Adam Brackman, reappointment to Position Fourteen, for a term to expire June 1, 2013;
- Ms. Gayle Fortson, reappointment to Position Fifteen, for a term to expire June 1, 2013;
- Ms. Thao Costis, reappointment to Position Sixteen, for a term to expire June 1, 2013; and
- Mr. Michael Todd Triggs, reappointment to Position Seventeen, for a term to expire June 1, 2013.

The résumés of the nominees are attached for your review.

Sincerely,

Bill White
Mayor

BW:LC:jsk

Attachments

cc: Mr. Mathis Thibodeaux, Executive Director, Midtown Management District
Mr. Barron Wallace, Attorney, Midtown Management District





BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
SEP 23 2009

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 9-9-09
date

COUNCIL MEMBER: _____

September 9, 2009

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to Chapter 26, Article I, of the City of Houston Code of Ordinances, I reappoint the following individuals to the Public Parking Commission, subject to City Council confirmation:

Mr. M. Marvin Katz, reappointment to Position Nine, and to serve as Chair for a term to expire December 31, 2010; and

Ms. Evalyn Laing Krudy, reappointment to Position Thirteen, for a term to expire December 31, 2010.

The résumés are attached for your review.

Sincerely,

A handwritten signature in cursive script that reads "Bill White".

Bill White
Mayor

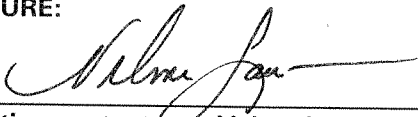
BW:LC:jsk

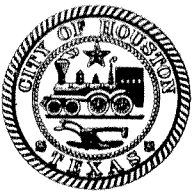
Attachment

cc: Mr. Issa Dadoush, Director, General Services Department
Ms. Liliana Rambo, Assistant Director, Parking Management



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

SUBJECT: Disadvantaged Business Enterprise ("DBE") U.S. Department of Transportation/Federal Aviation Administration ("DOT"/"FAA") recommendation for overall airport concession goal through September 30, 2012.		Page 1 of 2	Agenda Item # 3
FROM (Department or other point of origin): Mayor's Office of Affirmative Action and Contract Compliance		Origination Date 9/11/09	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: 		Council District affected:	
For additional information contact: Velma Laws Phone: 713.837.9015		Date and identification of prior authorizing Council action: Ord 89-226; Motion 92-0498; Motion 2000-0136; Ord-99-893; Motion 2000-0136; Motion 2001-0096; Motion 2002-0077; Motion 2003-0072; Motion 2006-0072	
RECOMMENDATION: (Summary) Approve motion setting Airport Concessions Disadvantaged Business Enterprise (ACDBE) goal for airport leasing (concession) contracts for the period October 1, 2009 through September 30, 2012, in compliance with DBE ordinances 89-226 and 99-893 and DOT/FAA requirements based upon 49 CFR Parts 23 and 26.			
Amount and Source of Funding: NA			
SPECIFIC EXPLANATION: In February 1989 and August 1999, City Council approved ordinances setting federally mandated DBE goals and guidelines for airport contracts. The initial overall goal for leasing (concessions) contracts was 6%, which was reaffirmed at the same 6% level by Council Motion No. 92-9498. This goal was increased to 14% by Council Motion No. 2000-0136 passed and adopted February 2, 2000, subsequently approved at 13% by Council Motion No. 2001-0096 passed and adopted January 31, 2001, 12% by Council Motion No. 2002-0077 passed and adopted January 16, 2002, and 14% by Council Motion No. 2003-0041 passed and adopted January 15, 2003. Revised federal concession contract regulations were issued on March 22, 2005. Pursuant to revised 49 CFR Part 23, the formula changed and the rental car goals were separated from the overall concession goal. Additionally the City must now submit revised overall concession goals every 3 years. By Council Motion 2006-0072 passed and adopted January 24, 2006 the City set an overall airport concession contract goal at 33% for Bush Intercontinental Airport and 40% for Hobby Airport. The DBE Concession goal for rental cars for Bush Intercontinental Airport was 4.1% and 4.7 for Hobby Airport. The Affirmative Action and Contract Compliance division, in cooperation with the Houston Airport System, has analyzed relevant criteria required by the federal authorities and set an overall airport concession contract goal for federal fiscal years 2009 to 2011 at 23.2% for Bush Intercontinental Airport and 20.3% for Hobby Airport. The DBE Concession goal for rental cars for Bush Intercontinental Airport is 3.75%. The DBE Concession goal for rental cars for Hobby Airport is 3.35%. The DBE Concession goals are comparable to past DBE Concession participation. The Affirmative Action and Contract Compliance Division, in conjunction with the Houston Airport System, recommend that the above referenced DBE goals for airport concession contracts be adopted in accordance with the attached document by motion in order to comply with federal requirements. The federal criteria and the proposed goals were provided to all City Council members on August 21 st ; and the proposed goals were reviewed by the Council MWBE, Small Contractor Development and Contract Compliance Committee on August 24 th . The item was discussed. However, no action was taken for lack of a quorum.			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	



CITY OF HOUSTON

Affirmative Action and Contract Compliance

Overview of the US Department of Transportation Section 49 of the Code of Federal Regulations (49 CFR), Parts 23 and 26

Participation by Disadvantaged Business Enterprises (DBEs) in Department of Transportation Programs

The U.S. Department of Transportation's (DOT) Disadvantaged Business Enterprise (DBE) Program operates under City Ordinance 99-893. This Ordinance applies to Department of Aviation contracts that receive DOT funds (aka "DOT assisted contracts"), and is a reflection of Section 49 of the Code of Federal Regulations (49 CFR), sub-parts 23 and 26. Note - This program represents the "D" in the City's MWDBE program.

In early 1999, the Department of Transportation revised 49 CFR to meet the "strict scrutiny" and "narrow tailoring" requirements of the Supreme Court, and to address issues raised during Congressional debates concerning the continuance of the DBE program. (Bipartisan majorities voted to retain the program because it serves a compelling national interest - another Supreme Court requirement).

The new regulation required that the City submit a DBE program conforming to the new 49 CFR. Additionally, in order to remain eligible to receive federal funds, the City must submit updated DBE goals annually.

There are two DBE goal submittals. One submittal is for federally funded design and construction projects, which is submitted annually. The ACDBE concessions goal covers airport food and beverage, retail, advertising, parking, hotel, and rental car contracts, and is submitted every three years.

Some of the components of the Department of Transportation's DBE program are:

- ◆ All recipients of DOT funds are required to set an overall goal based on the availability of DBEs to participate on DOT assisted contracts, previous DBE utilization, and other factors.
- ◆ There are two ways to meet overall goals - by race neutral measures and race-conscious measures. Race neutral measures include business development programs, such as those that provide bonding and financial assistance; outreach; technical assistance; mentor/protégé programs, etc.. The Affirmative Action office has several of these initiatives already in place through its Small and MWBE Assistance Section. Additionally, the Houston Airport System has recently created a Small Business Development and Contract Compliance unit to administer MWDBE programs, and facilitated small and MWDBE participation at the airports. Race conscious measures include the use of contract goals specifically for DBEs.

Department of Transportation
DBE Program Revisions
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- ◆ Goals for various contracts will be flexible, based on the availability of DBEs to participate. Contract goals will be used only to meet the portion of a contract that cannot be met using race neutral measures.
- ◆ Eligible DBEs/ACDBEs may not have a personal net worth (not counting value of primary residence and interest in applicant firm) of more than \$750,000. (The City ordinance MWBE program does not have a personal net worth requirement).
- ◆ Recipients must collect data on all bidders for prime and subcontracts.
- ◆ All DOT recipients in each state must join in a unified certification program.

Key features of the revised Concessions program include:

New Designation: ACDBE – Airport Concession DBE. Note – Goods and service providers and management contractors are also considered ACDBEs, and may participate just as concessionaires would, and be included in the goals.

Size Standards: ACDBE Size Standard: \$47.78 million average annual gross receipts for 3 previous years, except for:

- Banks and financial institutions: \$750 million in assets
- Car rental companies: \$63.71 million avg. gross receipts (3 yrs)
- Pay telephone: 1,500 employees
- Automobile dealers: 200 employees

Personal Net Worth: PNW requirement is \$750,000, excluding ownership interest in primary residence and the business applying for certification, and assets that the owner/applicant can demonstrate are necessary to obtain financing to enter or expand a concessions business at the airport subject to Part 23, subject to a \$3 million cap

Goals: There will be one goal for concessions and one goal for car rentals

Joint Ventures: Joint Ventures are not certified as ACDBEs. ACDBE participation in a joint venture is counted if responsible for a distinct, clearly defined portion of the work. Share in the capital, contribution, control, management, risk and profit are counted only to the extent of the ACDBE's participation.

For additional information, contact Velma Laws at (713) 837-9015 or James Goodwille Pierre at 281.233.7833.

**City of Houston
Goals for the Participation of
Airport Concession Disadvantaged Business Enterprises (ACDBEs)
At George Bush Intercontinental and William P. Hobby Airports**

Pursuant to the Code of Federal Regulations, Section 49 Part 23, the City of Houston has established the following overall goals for the participation of Airport Concession Disadvantaged Business Enterprises (ACDBEs) in the Houston Airport System's concession agreements, for the period of October 1, 2008 – September 30, 2011:

Airport	Concession Goal	Rental Car Goal
Intercontinental	23.2%	3.75%
Hobby	20.3%	3.35%

Additionally, it is anticipated that the race neutral ACDBE participation at Intercontinental and Hobby airports will be 0.3% and 0.2 %, respectively.

Pursuant to instructions issued by the Federal Aviation Administration of the US Department of Transportation, the following information is provided herewith:

I. Accomplishment Report: October 1, 2007 - September 30, 2008 (Attachment 1) Bush Intercontinental Airport

Last fiscal year, the Houston Airport System exceeded its 33% goal, with an overall DBE participation rate of 33.3%. This was calculated by dividing the gross receipts that certified DBEs earned (\$ 75,539,025) by the total gross receipts earned by all concessionaires during the report period (\$ 227,132,495). Race neutral participation by DBE primes was 0.5%, which fell short of the 11.0% race neutral goal.

II. Accomplishment Report: October 1, 2007 - September 30, 2008 (Attachment 2) William P. Hobby Airport

Last fiscal year, the Houston Airport System fell short of its 39% goal, with an overall DBE participation rate of 25.8%. This was calculated by dividing the gross receipts that certified DBEs earned (\$ 8,289,587) by the total gross receipts earned by all concessionaires during the report period (\$ 32,173,287). Race neutral participation by DBE primes was 0.2%, which met the 0.2% race neutral goal.

III. Explanation Why the Previous Year's Goal was not met

William P. Hobby Airport- Construction projects required this airport to close down areas that were anticipated areas for ACDBE utilization. As a result the overall revenue was lower than anticipated in 2006 when the goals were set.

IV. FY 2009 – FY 2011 Overall Goal

The overall ACDBE goal for FY 2009 – FY 2011 was calculated in accordance with 49 CFR, Section 23.51. The Step I and Step II analyses were applied to each concession area in order to apply an appropriate ACDBE goal to each future concession opportunity as it became available. The goals were calculated utilizing the following methodology:

Step 1- Determine a base figure for the relative availability of ACDBEs

In order to determine base availability figures for each concession area we used the Active Participants List based on existing Concessioners at HAS pursuant to 49 CFR, Section 23.51(c)

Methodology:

Base figure = $\frac{\text{All active ACDBE non-car rental concession firms in the market area}}{\text{All ready, willing and able non-car rental concession firms in the market area}}$

All ready, willing and able non-car rental concession firms in the market area

Base figure = $\frac{53 \text{ ACDBE Firms}}{264 \text{ Total Firms in Market Area}} = 24.8\%$

Step 1 Average Availability is 24.8%

Step 2 - Adjust base figure to calculate overall goal

Once we calculated a base figure, we examined all relevant evidence reasonably available in our jurisdiction to determine what adjustment, if any, was needed to the base figure in order to arrive at our overall goal.

Disparity Study

We have been unable to identify a disparity study in our jurisdiction. However, we anticipate conducting a study during FY'10. In addition, we will continue to contact state and local agencies to determine when one becomes available

Relative Availability in each Concession Area:

We determined an availability figure for each concession area using the following data sources:

- 2003 Harris County Business Patterns for the Houston PMSA
- City of Houston (COH) database of certified firms

- State of Texas – Texas Unified Certification Program (TUCP) database of certified firms
- Concessions Interested Parties List, compiled by the Houston Airport System (HAS)
- Proposer Lists for various HAS Concessions Opportunities

We then calculated the relative availability based on the above set of data.

The ACDBE availability for each concessions area was calculated by averaging the ACDBE percentages from the County Business Pattern data and the Concessions Interested Parties Lists. (See Attachment 3) The availability figures are as follows:

CONCESSION	DBE %
Admin. Mgmt./General Mgmt.	
Consulting	34.9%
Foreign Currency Exchange	5.0%
Display Advertising	9.3%
Duty Free Shops	0.4%
Food & Beverage Service	1.9%
Massage Services	0.0%
Retail, News & Gift	3.5%
Parking Lots & Garages	3.7%
ShoeShine/Footwear/Leather	
Goods	13.1%
Vending Machine Operator	18.2%
WiFi	2.8%

We calculated overall goals for each concessions area, and the median of the actual ACDBE participation for the previous three fiscal years was calculated for each airport. (See Attachment 4) These figures were then averaged with the above availability percentages. This new Step II figure was then averaged with the Step I figure with the following results:

Step II Analysis: Intercontinental Airport (IAH)

CONCESSION	Avg. ACDBE Availability	MEDIAN DBE %	Step II Results
BUS/MANAGEMENT CONSULTANTS	34.9%	15.8%	25.4%
CURRENCY EXCHANGE	5.0%	26.3%	15.7%
DISPLAY ADVERTISING	9.3%	0.8%	5.1%
DUTY FREE	0.4%	23.5%	12.0%
FOOD & BEVERAGE	1.9%	26.4%	14.2%
MASSAGE CHAIRS	0.0%	20.0%	10.0%
NOVELTIES/NEWS/GIFT/RETAIL	3.5%	43.3%	23.4%
PARKING LOTS	3.7%	29.9%	16.8%
SHOE SHINE	13.1%	100.0%	56.6%
VENDING	11.2%	98.0%	54.6%
WiFi	2.8%	NA	2.8%
		Average	21.5%

Step II Adjustment –Past Participation for IAH

- 1) Step 1 Goal (Average Availability) = 24.8%
- 2) Step 2 Adjustment (Median Past Three Years) = 21.5%
- 3) Adjusted Final Goal for IAH (Average of 1 & 2) = **23.2%**

Step II Analysis: Hobby Airport (HOU)

CONCESSION	Avg. ACDBE Availability	MEDIAN DBE %	Step II Results
BUS/MANAGEMENT CONSULTANTS	34.9%	22.0%	28.5%
CURRENCY EXCHANGE	5.0%	22.3%	13.7%
DISPLAY ADVERTISING	9.3%	0.9%	5.1%
DUTY FREE	0.4%	NA	0.4%
FOOD & BEVERAGE	1.9%	23.1%	12.5%
MASSAGE CHAIRS	0.0%	20.0%	10.0%
NOVELTIES/NEWS/GIFT/RETAIL	3.5%	32.0%	17.8%
PARKING LOTS	3.7%	29.9%	16.8%
SHOE SHINE	13.1%	100.0%	56.6%
VENDING	11.2%	7.8%	9.5%

WiFi	2.8%	NA	2.8%
		Average	15.8%

Step II Adjustment –Past Participation for Hobby

- 1) Step 1 Goal (Average Availability) = 24.8%
- 2) Step 2 Adjustment (Median Past Three Years) = 15.8%
- 3) Adjusted Final Goal for Hobby (Average of 1 & 2) = **20.3%**

Pursuant to 49 CFR Part 23, Concession participation was projected for Fiscal Years 09, 10, and 11, for each airport. The projection for FY'10 was used for FY'11 because FY'11 was not available. The overall goal was calculated by multiplying the availability percentage figure from the Step II analysis for each new concession opportunity by the total projected gross revenues.

All other existing concession agreements and their current contractual goals will remain in place through FY'11. However, if unanticipated concession opportunities arise, an extension or option to renew an existing agreement is exercised, or a material amendment is made, the City will assess potential ACDBE participation and may, if permitted by any existing agreement, use the methodology authorized by 49 CFR Part 23 to obtain ACDBE participation for the applicable concession.

The projected gross revenues and ACDBE figures were added for the three fiscal years, resulting in the following ACDBE goals:

Airport	Total Projected Gross Revenues	Total Projected DBE Receipts	% DBE Participation
Intercontinental (IAH)	\$306,348,561	\$71,072,866	23.2%
Hobby (HOU)	\$86,244,117	\$17,507,555	20.3%

Determining How Much of the Goal Can be Obtained by Race Neutral Measures

Pursuant to 49 CFR Part 23, it was necessary to ascertain how much ACDBE participation would result without the assistance of ACDBE contracting goals. To calculate this figure, the combined participation of DBE prime contractors operating at each airport was used as the numerator, while the total Estimated Gross Receipts was used as the denominator. The resulting percentage of DBE prime contractor participation for each airport is reflected in the table below.

Airport	Total Projected Gross Revenues	Total Projected DBE Prime Revenues	% Race Neutral Participation
Intercontinental (IAH)	\$306,348,561	\$1,059,683	0.3%
Hobby (HOU)	\$86,244,117	\$152,192	0.2%

Calculation of ACDBE Goal for Car Rentals

Section 23.41 of 49 CFR requires the calculation of separate goals for car rentals. In order to calculate this goal, ACDBE participation was projected, based on previous accomplishments and changes in the ACDBE provisions that provide expanded opportunities for counting ACDBE participation. The DBE goal attainment for rental car activity for each airport is presented in the following table. (See attachment 5 for detail).

Airport	Total Rental Car Revenues	Total Rental Car DBE Participation	% DBE Participation
Intercontinental (IAH)	\$475,403,419	\$17,827,628	3.75%
Hobby (HOU)	\$214,832,996	\$7,196,905	3.35%

The resulting ACDBE Car Rental goals for Intercontinental and Hobby airports are 3.75% and 3.35%, respectively.

Stakeholder Input

Section 23.43 requires the solicitation of input from ACDBE program stakeholders before submission of overall goals to the FAA. Two informational meetings were held to allow stakeholders and interested parties an opportunity to attend. The purpose of the meetings was to inform attendees of the changes to the Concessions Rule in 49 CFR Part 23; describe the ACDBE goal setting process; and to see if any stakeholders had information concerning the availability of disadvantaged businesses, the effects of discrimination on opportunities for ACDBEs, and the City's efforts to increase participation of ACDBEs. We also used this opportunity to give a disadvantage/small business workshop on "How to Use QuickBooks". This was sponsored by the Texas Southern University, Jesse H Jones School of Business. The list of invitees/attendees, agenda, questions & comments and our stakeholders meeting advertisement are presented in Attachments 6 – 9, respectively. Note – All certified firms were invited to attend the third session.

**ACCOMPLISHMENT REPORT
GEORGE BUSH INTERCONTINENTAL AIRPORT (IAH)
PERIOD: 10/1/07 THROUGH 9/30/08**

Concessionaires	Business Type	FFY 08 Total Gross Receipts	FFY 08 Total ACDBE Participation	Lease Start Date	Lease End Date
ACI, Inc. - IAH	Bookstore	2,211,000.08	0.00	05/24/04	06/30/13
AT&T/SW Bell - Pay Phones - IAH	Pay Phones	247,751.44	0.00	05/12/05	05/30/08
Q3 Telecom	Pay Phones		71,118.15	05/12/05	05/30/08
Bank of America - IAH	ATM's	200,553.84	0.00	07/01/01	08/31/08
CBR - Spirit of the Red Horse - IAH	Specialty Retail	350,614.14	350,614.14	05/24/04	01/03/13
Concourse Communications SSP/LLC - IAH	WiFi Services	733,971.74	0.00	09/04/04	Yr-to-Yr
CRB Vending - IAH	Vending Services	106,350.33	88,830.48	05/07/02	05/06/09
Sweet Treats	Vending Services		17,519.85	05/07/02	05/06/09
DNC Delaware North (CA One) - IAH	Food & Beverage	394,389.79		07/01/98	06/30/12
J.V. HG Concessions 22%			5,670,173.50		
Panchito's Mexican	Mexican	2,319,615.15		07/01/98	06/30/12
Pizzeria Uno	Pizza	1,795,288.86		07/01/98	06/30/12
Coffee Beanery	Coffee	134,011.86		07/01/98	06/30/12
Stadium City	Food & Beverage	945,914.74		07/01/98	06/30/12
Riggers Tavern	Bar	277,401.55		07/01/98	06/30/12
Chili's Too	Food & Beverage	6,333,045.61		07/01/98	06/30/12
Skyline Suites	Food & Beverage	11,442.04		07/01/98	06/30/12
Journey's Grill	Food & Beverage	593,526.17		07/01/98	06/30/12
White Magnolia Café	Food & Beverage	758,183.31		07/01/98	06/30/12
Kingfisher	Food & Beverage	815,395.35		07/01/98	06/30/12
Bunkhouse Café	Food & Beverage	1,235,459.44		07/01/98	06/30/12
Schlotsky's Deli	Sandwiches	1,517,602.33		07/01/98	06/30/12
Bubba's Seafood Grill	Food & Beverage	6,013,215.49		07/01/98	06/30/12
Snack Kiosk	Snacks	261,341.49		07/01/98	06/30/12
Launchpad Café	Food & Beverage	1,180,175.82		07/01/98	06/30/12
Lefty's Lonestar Bar	Bar	1,441,166.91		07/01/98	06/30/12
Fuddrucker's	Food & Beverage	10,454.11		09/01/08	06/30/12
Peet's Coffee & Tea	Food & Beverage	56,904.91		07/01/08	06/30/12
Vito's Deli	Food & Beverage	73,370.74		12/01/07	06/30/12
(Certified ACDBE's)					
McDonald's (My McBlessings)	Hamburgers	5,884,776.93	5,884,776.93	07/01/98	06/30/12
The Grove Inc	Natural Snacks	1,553,942.03	1,553,942.03	07/01/98	06/30/12
Smoothie Factory	Frozen Drinks	70,403.61	70,403.61	07/01/98	06/30/12
Lotus Express	Asian	342,210.65	342,210.65	07/01/98	06/30/12

Attachment 1
HAS ACDBE Goals

Harlon's Bar B Que	1,383,946.92	07/01/98	06/30/12
Shipley (University Shipley DoNuts)	703,606.86	07/01/98	06/30/12
Tailwinds	236,164.10	07/01/98	06/30/12
DFASS / The Beauty Lounge	656,828.40	04/01/08	06/30/13
Franklin & Wilson	41,415.00	05/24/04	05/30/08
Dr. Pepper - IAH	3,690.28	7/7/2004	7/6/2009
CRB Vending	702,971.00	7/7/2004	7/6/2009
Elsie Hebert Airport Shoe Shine - IAH	673.00	06/28/99	06/30/09
Fresh Brew - IAH	0.00	7/7/2004	7/6/2009
HMSHost - IAH	3,191,725.85	11/18/03	06/30/16
Houston 8 - JV 40%	4,955,420.11	11/18/03	06/30/16
Clyde Drexler Sport Scene	440,046.50	11/18/03	06/30/16
Fossil B	763,332.53	11/18/03	06/30/16
Fox News	2,730,985.19	11/18/03	06/30/16
Gift Store C	1,159,098.17	11/18/03	06/30/16
Gulf Coast News	1,859,129.01	11/18/03	06/30/16
News Connections	1,588,554.80	11/18/03	06/30/16
Simply Books (B)	2,107,051.57	11/18/03	06/30/16
Simply Books (C)	615,508.24	11/18/03	06/30/16
Space City News	842,096.18	11/18/03	06/30/16
Space Trader	282,748.07	11/18/03	06/30/16
Host Int'l/F. Lowell Ltd - JV 35%	3,285,880.50	11/18/03	06/30/16
Blue Ginger - Starbucks - JV 45%	7,267,810.30	11/18/03	06/30/16
ICE Currency Services - IAH	1,087,079.05	08/01/00	08/02/08
Q3 Telecom	58,007.28	08/01/00	08/02/08
Airport Currency Exchange	227,841.52	08/01/00	08/02/08
Jaroth, Inc/Pacific Telemangement - IAH	41,056.93	08/01/08	08/01/11
Q3 Telecom	14,777.98	08/01/08	08/01/11
JC Decaux - IAH	5,939,272.88	12/30/99	12/31/10
Blue Ginger	48,000.00	12/30/99	12/31/10
JDDA - IAH (25% goal)	12,771,120.22	07/01/08	12/31/16
Burrito Del Sol	1,293,945.45	01/10/90	06/30/08
CC Express (Dover Hills Bakery)	694,427.99	01/10/90	06/30/08
Harlon's Bar B Que	876,033.74	01/10/90	06/30/08
Starbucks (HMSHost-Blue Ginger JV 45%)	1,072,899.07	01/10/90	06/30/08
Rider's World Houston	228,911.91	01/10/90	06/30/08
Smoothie King	233,221.75	01/10/90	06/30/08
Subway	1,264,186.60	01/10/90	06/30/08
The Grove Inc	517,916.80	01/10/90	06/30/08
Time Out Concessions	311,130.74	01/10/90	06/30/08
LaTrelles Express Inc.	2,944,307.11	01/10/90	06/30/08
Bar B Que	1,383,946.92	07/01/98	06/30/12
Do-Nuts	703,606.86	07/01/98	06/30/12
Bar	236,164.10	07/01/98	06/30/12
Specialty Retail	656,828.40	04/01/08	06/30/13
Specialty Retail	41,415.00	05/24/04	05/30/08
Vending Services	3,690.28	7/7/2004	7/6/2009
Vending Services	702,971.00	7/7/2004	7/6/2009
Shoe Shine	673.00	06/28/99	06/30/09
Vending Services	0.00	7/7/2004	7/6/2009
Specialty Retail	3,191,725.85	11/18/03	06/30/16
Specialty Retail	4,955,420.11	11/18/03	06/30/16
Specialty Retail	440,046.50	11/18/03	06/30/16
Specialty Retail	763,332.53	11/18/03	06/30/16
News & Gift	2,730,985.19	11/18/03	06/30/16
Specialty Retail	1,159,098.17	11/18/03	06/30/16
News & Gift	1,859,129.01	11/18/03	06/30/16
News & Gift	1,588,554.80	11/18/03	06/30/16
Specialty Retail	2,107,051.57	11/18/03	06/30/16
Specialty Retail	615,508.24	11/18/03	06/30/16
News & Gift	842,096.18	11/18/03	06/30/16
Specialty Retail	282,748.07	11/18/03	06/30/16
Food & Retail	3,285,880.50	11/18/03	06/30/16
Food & Beverage	7,267,810.30	11/18/03	06/30/16
Currency & Bsn Svcs	1,087,079.05	08/01/00	08/02/08
Currency & Bsn Svcs	58,007.28	08/01/00	08/02/08
Currency & Bsn Svcs	227,841.52	08/01/00	08/02/08
Pay Phones/Email	41,056.93	08/01/08	08/01/11
Pay Phones/Email	14,777.98	08/01/08	08/01/11
Advertising	5,939,272.88	12/30/99	12/31/10
Advertising	48,000.00	12/30/99	12/31/10
Food Managing Agent	12,771,120.22	07/01/08	12/31/16
Mexican	1,293,945.45	01/10/90	06/30/08
Pastries	694,427.99	01/10/90	06/30/08
Bar B Que	876,033.74	01/10/90	06/30/08
Coffee	1,072,899.07	01/10/90	06/30/08
Food & Beverage	228,911.91	01/10/90	06/30/08
Frozen Drinks	233,221.75	01/10/90	06/30/08
Sandwiches	1,264,186.60	01/10/90	06/30/08
Natural Snacks	517,916.80	01/10/90	06/30/08
Bar/Snacks	311,130.74	01/10/90	06/30/08
Hamburgers	2,944,307.11	01/10/90	06/30/08

Attachment 1
HAS ACDBE Goals

JDDA SSP / SSP America - IAH (35% goal)	Food Managing Agent	4,113,770.39	07/01/08	12/31/16
JDDA SSP/SSP America (JV 51%)	Management Fees	148,725.00	07/01/08	12/31/16
Starbucks (HMS/Host-Blue Ginger JV 45%)	Coffee	352,650.59	07/01/08	12/31/16
La Trelles Management	Food & Beverage	400,554.83	07/01/08	12/31/16
La Trelles Express Inc.	Food & Beverage	954,380.45	07/01/08	12/31/16
The Grove Inc	Snacks	154,528.98	07/01/08	12/31/16
Charles Bush Entertainment	Food & Beverage	127,869.49	07/01/08	12/31/16
Northwest Coffee (Smoothie King)	Food & Beverage	83,727.49	07/01/08	12/31/16
Airport Express Mgmt (Burrito Del Sol)	Food & Beverage	167,074.69	07/01/08	12/31/16
New South Parking - IAH	Parking	10,335,711.91	01/29/00	01/28/08
Global Parking - J.V. 30%	Parking	3,100,713.57	01/29/00	01/28/08
Nuance / FIS Duty Free - IAH	Duty Free	6,879,138.97	10/01/05	10/31/10
Strong Strategies - J.V. 10%			10/01/05	10/31/10
Montana Belts & Buckles - J.V. 5%		459,615.88	10/01/05	10/31/10
Law Offices of Harry Johnson - J.V. 5%		229,807.95	10/01/05	10/31/10
Smarte Carte/Baggage Carts - IAH		229,807.95	10/01/05	10/31/10
CLS Management Svcs	Baggage/Lockers	478,846.70	01/06/06	01/05/11
Smarte Carte/Confiscated Items - IAH	Confiscated Item Svc	27,306.06	01/06/06	01/05/11
Smarte Carte/First Class Seats - IAH	Vend Massage Chair	121,648.00	01/06/06	01/05/11
CRB Vending	Vend Massage Chair	24,329.60	01/06/06	01/05/11
SuperShuttle Houston - IAH (Expenditures)	Passenger Shuttle Svc	371,583.25	10/01/06	09/28/11
Mr. Klean's Enterprises			10/01/06	09/28/11
North Freeway Auto Supply, Inc		7,321.80	10/01/06	09/28/11
The Paradises Shops - IAH		124,956.20	10/01/06	09/28/11
M.U.I. Services - J.V. - 5%			11/18/03	06/30/13
H&D Consulting Group - J.V. 5%		888,917.81	11/18/03	06/30/13
Westfield Concessions (E & FIS) - IAH	Specialty Retail	17,778,356.17	11/18/03	06/30/13
Airport Shoeshine	Developer	96,572,956.38		
Charley's Grilled Subs	Shoeshine	148,188.00	01/03/05	01/02/10
Coco Moka	Food & Beverage	1,368,463.00	01/03/05	01/02/10
Freshens	Food & Beverage	695,983.73	01/03/05	01/02/10
Gloria Jeans	Food & Beverage	463,220.62	01/03/05	01/02/10
Hudson News (Cardinal/Global Times)	Coffee	474,555.00	01/03/05	01/02/10
Landau	News & Gift	967,208.33	01/03/05	01/02/10
Le Petite Bistro	Specialty Retail	86,737.25	01/03/05	01/02/10
Nestle/Auntie Anne's	Food & Beverage	2,329,674.19	01/03/05	01/02/10
See's Candies	Food & Beverage	1,044,411.00	01/03/05	01/02/10
Sun Glass Hut	Specialty Retail	199,425.48	01/03/05	01/02/10
Taxco Sterling Ci, Inc.	Specialty Retail	1,690,872.61	01/03/05	01/02/10
The Little Creamery	Specialty Retail	790,962.79	01/03/05	01/02/10
Travellex World Wide Money	Food & Beverage	756,227.41	01/03/05	01/02/10
	Currency & Bsn Svcs	15,604,876.61	01/03/05	01/02/10

Attachment 1
HAS ACDBE Goals

Weitnauer/Dufry	Duty Free	2,587,982.56	01/03/05	01/02/10
Wendy's	Food & Beverage	1,360,911.82	01/03/05	01/02/10
TOTAL CONCESSIONS REVENUE		75,539,025.24	33.26%	33.00%

Marriott Hotel Hotel 16,977,641.11 0.00

TOTAL - Including Hotel Revenues 244,110,136.42 75,539,025.24 30.94%

		FFY 08 Total Gross Receipts	FFY 08 Total ACDBE Participation	
Rental Car Companies				
Advantage - SW Texas Leasing Co., Inc.	Car Rental	5,180,400.90	0.00	09/01/03 06/30/27
Avis/Budget Rent A Car	Car Rental	46,067,672.55		09/01/03 06/30/27
Ford of Santa Monica	Auto Dealer		377,507.78	09/01/03 06/30/27
Hata, Inc.	Hardware Wholesalers		1,106.61	09/01/03 06/30/27
Jazfam Associates	Fleet Maint. Products		3,622.85	09/01/03 06/30/27
Leslie Saunders Insurance	Insurance Services		415,955.85	09/01/03 06/30/27
Premier Auto Body	Auto Body Repair		5,033.60	09/01/03 06/30/27
T & J's Mobile Detailing & Pressure Wash	Auto Detailing		43,189.54	09/01/03 06/30/27
True Vines, Inc	Plants		8,286.62	09/01/03 06/30/27
Avis/Budget Rent A Car	Car Rental	14,548,910.21		09/01/03 06/30/27
Ford of Santa Monica	Auto Dealer		125,771.14	09/01/03 06/30/27
Hata, Inc.	Hardware Wholesalers		56.93	09/01/03 06/30/27
Leslie Saunders Insurance	Insurance Services		133,310.31	09/01/03 06/30/27
Premier Auto Body	Auto Body Repair		1,978.40	09/01/03 06/30/27
T & J's Mobile Detailing & Pressure Wash	Auto Detailing		28,313.38	09/01/03 06/30/27
True Vines, Inc	Plants		970.40	09/01/03 06/30/27
Dollar/Thrifty Rent A Car	Car Rental	8,234,749.02		09/01/03 06/30/27
CRB Vending	Vending Machines		8,684.99	09/01/03 06/30/27
REM Services	Personnel Recruiting		978,972.42	09/01/03 06/30/27
Roberts's Paint & Body	Auto Paint & Body		5,009.02	09/01/03 06/30/27
Dollar/Thrifty Rent A Car	Car Rental	7,057,221.06		09/01/03 06/30/27
CRB Vending	Vending Machines		5,806.81	09/01/03 06/30/27
REM Services	Personnel Recruiting		978,972.42	09/01/03 06/30/27
Roberts's Paint & Body	Auto Paint & Body		8,073.23	09/01/03 06/30/27
Enterprise Leasing Company of Houston	Car Rental	17,549,688.49		09/01/03 06/30/27
Ricochet Fuel Distributors			1,004,684.68	09/01/03 06/30/27
The Hertz Corporation	Car Rental	43,627,139.77		09/01/03 06/30/27
Azteca Communications	Underground Utility		571.20	09/01/03 06/30/27

Attachment 1
HAS ACDBE Goals

Ford of Santa Monica	Vehicle Purchases	0.00	09/01/03	06/30/27
Hobart Industries	Pest Control	499.14	09/01/03	06/30/27
J&S Paint & Body	Auto Paint & Body	1,312.10	09/01/03	06/30/27
Premier Auto Body	Auto Repair	8,201.50	09/01/03	06/30/27
Roberts's Paint & Body	Auto Paint & Body	24,756.72	09/01/03	06/30/27
Vanguard/National Car Rental	Car Rental	27,395,484.81	09/01/03	06/30/27
Hata, Inc.	Hardware Wholesalers	29,126.00	09/01/03	06/30/27
True Vines, Inc	Plants	2,900.00	09/01/03	06/30/27
Winrow & Company	Janitorial	10,599.00	09/01/03	06/30/27
Vanguard/Alamo Car Rental	Car Rental	13,617,576.70	09/01/03	06/30/27
Winrow & Company	Janitorial	1,009.00	09/01/03	06/30/27

TOTAL CAR RENTAL REVENUES **183,278,843.51** **4,214,281.64** **2.30%** **GOAL 15.00%**

OVERALL COMBINED TOTAL (Concessions/Car Rentals) **410,411,338.82** **79,753,306.88** **19.43%**

Attachement 2
HAS ACDBE Goals

ACDBE

ACCOMPLISHMENT REPORT

WILLIAM P. HOBBY AIRPORT (HOU)

PERIOD: 10/1/07 THROUGH 9/30/08

Concessionaire	Business Type	FFY 08 Total Gross Receipts	FFY 08 Total ACDBE Participation	Lease Start Date	Lease End Date
AT&T/Southwestern Bell - Pay Phones - HOU	Pay Phones	32,076.28		5/12/2005	5/30/2008
Q3 Telecom	Pay Email		2,916.83	5/12/2005	5/30/2008
Bank of America - HOU	ATM's	73,318.00	0.00	8/29/2001	8/1/2008
Concourse Communications SSP - HOU	WiFi Internet	196,428.88	0.00	10/1/2007	9/30/2011
Custom Food Group - HOU	Vending Services	20,446.28		5/7/2002	5/7/2008
Suncraft Vending	Vending Services		2,904.77	5/7/2002	5/7/2008
Dr. Pepper - HOU	Vending Services	48,330.04	0.00	7/7/2004	7/6/2009
Four Families	Vending Services	14,967,889.14		1/12/2002	6/30/2013
LaTrelles Express	Food/Beverage		2,954,407.45	1/12/2002	6/30/2013
LaTrelle's Mgmt (J.V. 42%)	Food/Beverage	2,680,799.85	1,139,339.94	1/12/2002	6/30/2013
Fresh Brew - HOU	Food/Beverage	37,093.08	0.00	7/7/2007	7/2/2009
Hudson News - HOU	Vending Services	10,931,123.36		12/5/2002	6/30/2013
Cardinal Concessions - J.V. 24%	News, Gift & Specialty		2,623,469.60	12/5/2002	6/30/2013
Vesta Capital Partners, LP - J.V. 5%	News, Gift & Specialty		546,556.18	12/5/2002	6/30/2013
Global Times, Inc. - J.V. 3%	News, Gift & Specialty		327,933.70	12/5/2002	6/30/2013
ICE Currency Services - HOU	Currency & Bsn Svcs	33,581.59		8/1/2000	8/2/2008
Q3 Telecom	Currency & Bsn Svcs	5,146.59	7,322.65	8/1/2000	8/2/2008
Jaroth Inc./Pacific Telemangement - HOU	Payphone/Pay email	1,018,529.34	0.00	8/1/2008	8/1/2011
JC Decaux - HOU	Advertising			12/30/1999	12/31/2010
Lawn Professor	Advertising		18,000.00	12/30/1999	12/31/2010
McClinton Shoe Shine - HOU	Shoeshine	74,301.00	74,301.00	1/23/1973	Mo-to-Mo
New South Parking - HOU	Parking	1,725,648.91		1/29/2000	1/28/2010
Global Parking - J.V. 30%			517,694.67	1/29/2000	1/28/2008
Smarte Carte/Baggage Carts - HOU	Baggage/Lockers	127,812.86		1/6/2006	1/5/2011
CLS Management			18,032.37	1/6/2006	1/5/2011
Smarte Carte/Confiscated Items - HOU	Confiscated Item Svc	19,809.25	0.00	01/06/06	01/05/11
Smarte Carte/First Class Seats - HOU	Vend Massage Chair	33,712.00		01/06/06	01/05/11
CRB Vending	Vend Massage Chair		6,742.40	01/06/06	01/05/11
SuperShuttle Houston -HOU (Expenditures)	Passenger Shuttle Svc	147,240.23		9/28/2006	9/28/2011
North Freeway Auto Supply	Auto Parts		49,965.89		
TOTAL CONCESSION REVENUES		32,173,286.68	8,289,587.45	25.77%	GOAL 40.00%

Attachement 2
HAS ACDBE Goals

	FFY 08 Total Gross Receipts	FFY 08 Total ACDBE Participation	
Rental Car Companies			
Advantage SW Texas Leasing Company, Inc.	2,798,438.95	0.00	6/1/2005
Avis/Budget Rent A Car	14,073,500.79		6/1/2005
EDC Development Company LLC		1,075.00	6/1/2005
Ford of Santa Monica		120,849.65	6/1/2005
Hata, Inc.		56.06	6/1/2005
Jazfam Associates		181.55	6/1/2005
Leslie Saunders Insurance Agency		132,274.06	6/1/2005
Premier Auto Body		3,745.00	6/1/2005
T & J's Mobile Detailing & Pressure Wash		46,015.57	6/1/2005
True Vines		381.95	6/1/2005
Avis/Budget Rent A Car	7,305,866.55		6/1/2005
Ford of Santa Monica		65,051.33	6/1/2005
Hata, Inc.		193.47	6/1/2005
Jazfam Associates		203.91	6/1/2005
Leslie Saunders Insurance Agency		66,344.19	6/1/2005
Premier Auto Body		2,391.50	6/1/2005
T & J's Mobile Detailing & Pressure Wash		39,500.16	6/1/2005
True Vines		333.66	6/1/2005
Dollar/Thrifty Rent A Car	5,550,403.33		6/1/2005
CRB Vending		4,743.32	6/1/2005
Robert's Paint & Body		10,136.59	6/1/2005
Dollar/Thrifty Rent A Car	3,386,084.91		6/1/2005
CRB Vending		4,743.32	6/1/2005
Robert's Paint & Body		10,221.28	6/1/2005
Enterprise Leasing Company of Houston	7,844,943.83		6/1/2005
Ricochet Fuel Distributors		621,372.60	6/1/2005
The Hertz Corporation	14,935,707.83		6/1/2005
Azteca Communications		12,797.86	6/1/2005
Ford of Santa Monica		0.00	6/1/2005
Hobart Industries		0.00	6/1/2005
J&S Paint Body		0.00	6/1/2005
Premier Auto Body		9,347.40	6/1/2005
Robert's Paint & Body		6,664.70	6/1/2005
True Vines		0.00	6/1/2005
Vanguard/National Car Rental	12,931,660.47		6/1/2005
Winrow & Company		387.00	6/1/2005
Vanguard/Alamo Car Rental	7,866,927.59		6/1/2005
Car Rental			5/31/2008
Car Rental			5/31/2008
Painting			5/31/2008
Vehicle Purchase			5/31/2008
Hardware Wholesalers			5/31/2008
Billing Services			5/31/2008
Insurance Services			5/31/2008
Auto Repair			5/31/2008
Auto Detailing			5/31/2008
Plant Care			5/31/2008
Car Rental			5/31/2008
Vehicle Purchase			5/31/2008
Hardware Wholesalers			5/31/2008
Billing Services			5/31/2008
Insurance Services			5/31/2008
Auto Repair			5/31/2008
Auto Detailing			5/31/2008
Plant Care			5/31/2008
Car Rental			5/31/2008
Vending Machines			5/31/2008
Auto Repair			5/31/2008
Car Rental			5/31/2008
Vending Machines			5/31/2008
Auto Repair			5/31/2008
Car Rental			5/31/2008
Fuel			5/31/2008
Car Rental			5/31/2008
Underground Utility			5/31/2008
Vehicle Purchase			5/31/2008
Pest Control			5/31/2008
Auto Repair			5/31/2008
Auto Repair			5/31/2008
Auto Repair			5/31/2008
Plant Care			5/31/2008
Car Rental			5/31/2008
Janitorial			5/31/2008
Car Rental			5/31/2008

Attachement 2
HAS ACDBE Goals

GOAL 5.00%

1.51%

1,159,011.13

76,693,534.25

TOTAL CAR RENTAL REVENUES

8.68%

9,448,598.58

108,866,820.93

OVERALL COMBINED TOTAL (Concessions/Car Rentals)

Attachment 3
Step 1 | Availability Analysis

NAICS	CONCESSION	INTERESTED PARTIES			COUNTY BUSINESS PATTERNS			AVG
		TOTAL DBES	%	TOTAL	DBES	%	DBE %	
722310/722110	Adm. Mgmt/General Mgmt Consulting	0	0.0%	842	294	34.9%	34.9%	
517310	Display Advertising	6	0.0%	27	5	18.5%	9.3%	
811430/812990	Duty Free Shops	0	0.0%	243	1	0.4%	0.4%	
454210	Food & Beverage Service	96	2.1%	5581	91	1.6%	1.9%	
541110	Foreign Currency Exchange	5	0.0%	30	3	10.0%	5.0%	
561720	Marketing Consulting Services	0	0.0%	253	63	24.9%	24.9%	
541613	Massage Services	60	0.0%				0.0%	
561710	Parking Lots & Garages	0	0.0%	246	9	3.7%	3.7%	
541511/443120	Retail, News & Gift	185	3.8%	398	13	3.3%	3.5%	
522110	ShoeShine/Footwear/Leather Goods	7	14.3%	25	3	12.0%	13.1%	
517210	Vending Machine Operator	17	0.0%	49	11	22.4%	11.2%	
335211	WiFi	36	2.8%				2.8%	
	Average Availability			7694	493		9.2%	

Attachment 4
DBE Goal Attainment History by Concession Area

INTERCONTINENTAL AIRPORT (IAH)

CONCESSION	Avg. ACDBE Availability	FY 06 DBE %		FY 07 DBE %		FY 08 DBE %		MEDIAN DBE %	Step II Results
BUS/MANAGEMENT CONSULTANTS	34.9%	21.3%	15.8%	14.0%	15.8%	14.0%	15.8%	15.8%	25.4%
CURRENCY EXCHANGE	5.0%	25.0%	26.3%	34.5%	26.3%	34.5%	26.3%	26.3%	15.7%
DISPLAY ADVERTISING	9.3%	0.3%	1.2%	0.8%	1.2%	0.8%	0.8%	0.8%	5.1%
DUTY FREE	0.4%	23.5%	23.2%	24.9%	23.2%	24.9%	23.5%	23.5%	12.0%
FOOD & BEVERAGE	1.9%	36.1%	20.0%	26.4%	20.0%	26.4%	26.4%	26.4%	14.2%
MESSAGE CHAIRS	0.0%	14.7%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	10.0%
NOVELTIES/NEWS/GIFT/RETAIL	3.5%	43.8%	43.3%	31.9%	43.3%	31.9%	43.3%	43.3%	23.4%
PARKING LOTS	3.7%	31.2%	29.9%	29.9%	29.9%	29.9%	29.9%	29.9%	16.8%
SHOE SHINE	13.1%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	56.6%
VENDING	11.2%	100.0%	98.0%	74.1%	98.0%	74.1%	98.0%	98.0%	54.6%
WiFi	2.8%	NA	NA	NA	NA	NA	NA	NA	2.8%
Average									21.5%

HOBBY AIRPORT (HOU)

CONCESSION	Avg. ACDBE Availability	FY 06 DBE %		FY 07 DBE %		FY 08 DBE %		MEDIAN DBE %	Step II Results
BUS/MANAGEMENT CONSULTANTS	34.9%	22.0%	22.0%	0.0%	22.0%	0.0%	22.0%	22.0%	28.5%
CURRENCY EXCHANGE	5.0%	22.3%	26.0%	21.8%	26.0%	21.8%	22.3%	22.3%	13.7%
DISPLAY ADVERTISING	9.3%	0.0%	0.9%	1.7%	0.9%	1.7%	0.9%	0.9%	5.1%
DUTY FREE	0.4%	NA	NA	NA	NA	NA	NA	NA	0.4%
FOOD & BEVERAGE	1.9%	21.0%	23.6%	23.1%	23.6%	23.1%	23.1%	23.1%	12.5%
MESSAGE CHAIRS	0.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	10.0%
NOVELTIES/NEWS/GIFT/RETAIL	3.5%	32.0%	31.0%	32.0%	31.0%	32.0%	32.0%	32.0%	17.8%
PARKING LOTS	3.7%	29.9%	30.0%	29.9%	30.0%	29.9%	29.9%	29.9%	16.8%
SHOE SHINE	13.1%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	56.6%
VENDING	11.2%	12.4%	7.8%	2.7%	7.8%	2.7%	7.8%	7.8%	9.5%
WiFi	2.8%	NA	NA	NA	NA	NA	NA	NA	2.8%
Average									15.8%

Attachment 5

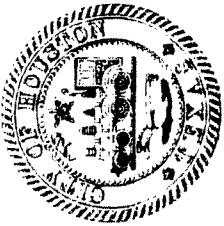
CITY OF HOUSTON
HOUSTON AIRPORT SYSTEM
STEP I ACDBE AVAILABILITY ANALYSIS

COUNTY BUSINESS PATTERNS				
NAICS	CAR RENTAL	TOTAL	DBEs	%
238320	Painting	NA	98	NA
238900	Specialty Trade Contractors	NA	8	
423610	Lighting Fixtures	648	33	5.1%
423710	Hardware Wholesaler	158	10	6.3%
424710	Petroleum Bulk Stations & Terminals	108	1	0.9%
424720	Petroleum & Petroleum Products Wholesaler	128	10	7.8%
441120	Used Car Dealers	459	1	0.2%
441310	Automotive Parts & Accessories Stores	603	11	1.8%
443120	Computers/Software	185	25	13.5%
454210	Vending Machine Operator	85	9	10.6%
524210	Insurance	2110	34	1.6%
541219	Billing Services	449	30	6.7%
561710	Extermination & Pest Control	229	11	4.8%
561730	Plant Maintenance & Landscaping	847	104	12.3%
811111	Automotive Repair	1352	17	1.3%
811121	Auto Paint, Body & Interior Rpr	403	10	2.5%
811122	Windshield repair	95	3	3.2%
811192	Auto Detailing/Car Washes	208	7	3.4%
811198	All Other Automotive Repair and Maintenance	69	4	5.8%
Average Availability				5.2%

Actual Participation at IAH
Actual Participation at Hobby

2.30% IAH Goal
1.50% Hobby Goal

3.75%
3.35%



ACDBE STAKEHOLDER MEETING

Wednesday, February 25, 2009

HOUSTON AIRPORT SYSTEM

Host: Houston Airport System/Small Business Development

18600 Lee Road, Humble, TX 77338

Name	Title	Company	Phone	E-Mail
FUTNER SAUNAS	OWNER	STRUCTURAL DESIGN	713-237-0677	SAUNAS@STRUCTURALDESIGN.COM
JANIE TYGNER	CEO	S3 TELECOMM	1-800-639-6274	TYGNER@S3TELECOMM.COM
VARO CEDIEL	VICE PRESIDENT	JDDA SSP	413-551-8867	MCEDEL@JDDACONCESSION.COM
DEBBY BROWNA	PROJECT MANAGER	ADUMCS	713-266-7200	
DEBBY BROWNA				
MARITHE WHITE	PRESIDENT	JUSUNIQUE	832-298-6459	JUSUNIQUE45@YAHOO.COM
REGINALD THOMAS		PRO JAN.	281-964-5900	REGECAME@YAHOO.COM
DAPHNE RUSS			(713) 336-3736	DAPHNE@DORIS.COM
DARRYL JACKSON	OWNER	JUDGMENT DAY	713-931-6017	JACKSONJUDGMENT@JUDGMENTDAY.COM
HOWARD JEFFERSON			832-250-2919	HJEFFERSON@PERFECTOESINSURANCE.COM

Temporary Staffing & Computer Software Training

E. Ann Guliex
President / CEO



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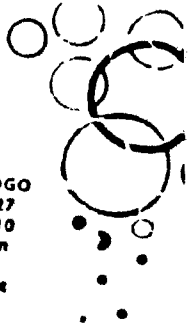


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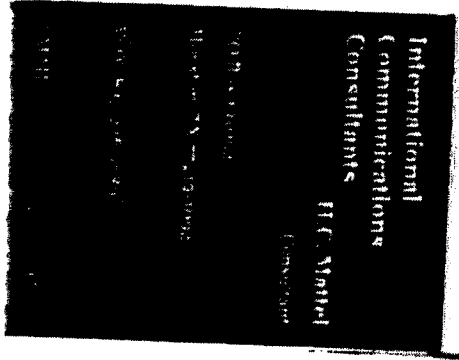
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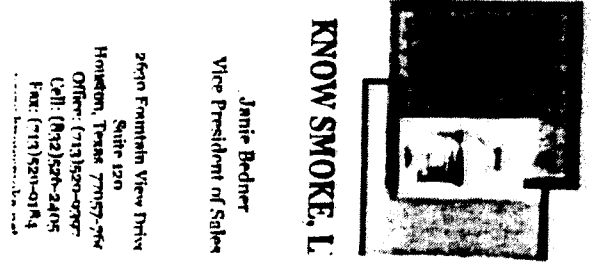
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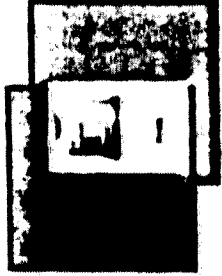
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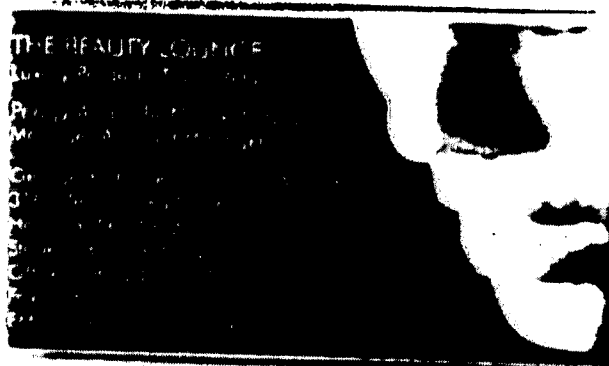
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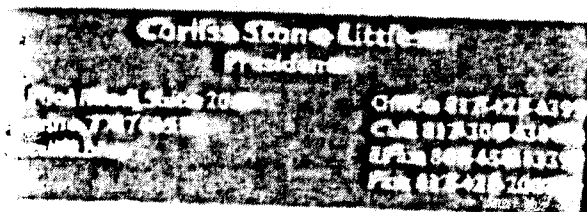
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

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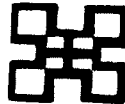
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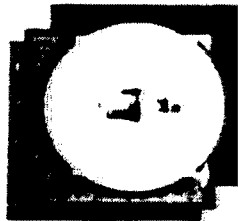
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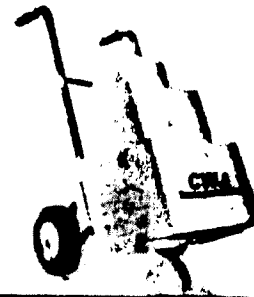


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Attachment 7

**City of Houston
Houston Airport System
Office of Small Business Development and Contract Compliance**

February 24, 2009- JHJ School of Business 8:00-12:00

3100 Cleburne, Houston, TX 77004

February 25, 2009 -Houston Airport System - 2009 Stakeholder Meeting

Small Business Development and Contract Compliance Office

18600 Lee Rd., Humble, TX 77338

Agenda

- I. 12:00 – 1:00 Registration and Box Lunch**
- II. 1:00 – 1:10 Welcome and Introductions: G. Pierre, V. Laws, C. Felder,
Professor Donaldson, J.D. Boney**
- III. 1:10 – 1:40 US DOT Concessions Rule Overview**
- IV. 1:40 – 1:50 Small Business Resource Presentation – Jesse H. Jones
School of Business
JHJ BA Program: C. Woodward
JHJ Executive MBA – On-line Plus: T. Ahlman**
- V. 1:50 – 2:00 Break**
- VI. 2:00 – 3:00 Budgeting, Financial reporting, Variance Analysis -
Prof. Donaldson**
- VII. 3:00 – 3:20 Concessions Goal Setting Process**
- VIII. 3:20 – 3:40 Solicitation of Input**
- IX. 3:40 – 4:00 Questions and Answers**

Attachment 8

**Houston Airport System
FFY2009-2011 ACDBE Stakeholder Meetings
Question and Answer Session**

Questions from Attendees:

1. **From local community activist to representative of Enterprise Car Rental:**
Q. Do you have a small business/supplier diversity office locally?
A. The national organization has one, but the local office does not at this time. The local community liaison is currently working toward that goal.
2.
Q. When a prime puts out an invitation to bid, a company submitting a bid never gets to know who got the award. Is there a way to track that and make that information available to the public so that everyone may have access to this information? This would help companies better prepare interested companies for future bids.
A. (from Hudson Group): When they put together a bid they put together the team of companies who will participate if that are awarded the contract. They keep everyone on the team fully informed.
3.
Q. How does the City address pass-through's?
A. Audits for commercially useful function by sub-tenants/suppliers are randomly conducted by the airport. All community complaints are documented and investigated for abuse. If abuse is found, it is dealt with by the Mayor's office of Affirmative Action & Contract Compliance.
4.
Q. How does the City enforce HUB participation requirements?
A. The City of Houston does not utilize HUBs on any of their contracts. The exception would be if there are no MWBEs available within the 8 county local areas for the product/service required, but there is a HUB company available, the HUB company may be utilized and their participation counted toward the contract goal.
5.
Q. Is a concession contract goal reduced if the prime is unable to meet that goal?
A. No. If the goal is not met, the concessionaire is required to document the 'Good Faith Efforts' made to accomplish the goal. In addition, the goal follows the contract. So if a Concessionaire sells the company to another company, the goal if the contract will remain the same. The Airport System can modify their overall goal through the FAA, but individual concessionaire contract goals will remain the same throughout the term of the contract.
6.
Q. What actions are taken if a Prime is not meeting their goal? Can the Prime contact our office for assistance?
A. If a prime is not meeting their goal, we notify them in writing and assist them in finding additional ACDBE companies that could perform a commercially useful function for their concession agreement. In addition, we provide information on outreach events, such as our annual small business networking fair, GPC, etc, to bring companies together. If a prime is still unable to meet their goal, they are asked to document their Good Faith Effort, which is submitted to the Director for approval.

Attachment 8

- 7.
- Q. There is a 15% goal for car rentals at IAH. Because of the nature of their national Contracts, it is difficult for them to purchase locally, and you can't meet a 15% goal buying toilet paper. These are strategic contracts and they cannot violate them without a penalty. That makes it hard to accomplish their contract goal. How was the goal established? Market trends? History? Formula?
- A. Because this was the first time we set car rental goals. We used a little bit of everything. The FAA is considering a national car rental goal. Do any of the car rental companies here today have a recommendation for that goal? (No response). Please keep in mind that the DBEs you utilize do not have to be local, but they must be certified in the State of Texas. We will work on a realistic goal in consultation with the car rental companies and our DBEs. If you track your expenditures, it may help you see the trend of purchases that could be made with DBE suppliers.
- 8.
- Q. What is the end game? If a car rental or concession does not make their goal, are they in default on their contract?
- A. Technically, yes, they are in default if they have not made the goal or documented a Good Faith Effort. The Small Business Development office has worked with the Properties to avoid defaulting on these contracts. Remember that if you are a prime concessionaire and you are ACDBE certified, you may count your own participation toward the contract goal in addition to the participation of any subtenants or suppliers who are ACDBE certified. This is different than the MWBE program which requires all participation to be that of subcontractors or suppliers, and the prime may not count their own participation.
- 9.
- Q. How does a sub-contractor plan play a role in the goal if the prime selects not to use a sub who submitted a bid to the prime? In other words, what can be done if a sub-contractor submits a bid to the prime which is accepted, but after the award, the prime does not use that sub, instead substituting a different company.
- A. If the sub receives a letter of Intent from the prime or includes the sub's bid in their bid to the airport, they must utilize that subtenant in their concession plan. Should that subtenant be unable or unwilling to perform as agreed, the prime must submit a request for deviation and that must be approved prior to any change in subtenants. If the subtenant is dropped from the bid prior to the award of the concession agreement, there is no protection.

49 CFR Part 23 Questions :

1. Do you have any information concerning the availability of Disadvantaged Businesses?
- AMAC
 - National Supplier Diversity
 - Local Chambers of Commerce
 - HMBC
 - Churches
 - Small Business Development Organizations
 - University of Houston Small Business Office
 - NAACP
 - Small Business Advisory Council

Attachment 8

2. Do you have an opinion on the City's effort to increase participation of ACDBE's?

Comment:

Many people are discouraged from becoming certified because there is not enough outreach to inform and educate people regarding the advantages of certification.

Response:

People need to stay informed about local initiatives and local outreach venues. If there is an opportunity for us to participate and provide information, please call SBDCC or the Affirmative Action office so that we may have a representative attend. We invited local politicians so that the attendees here can see and hear first hand their interest in serving the community.

Q. How does someone know when opportunities or outreach events are available?

A. Press releases are issued by MCCA as well as other media outlets, local Chambers of Commerce, eblasts, business associations and the newly created Small Business Advisory Council. Bid opportunities are advertized in the Houston Chronicle on Friday for Construction/Professional Services, and Wednesday and Sunday for Concessions. The city and the airport websites list dates, times and locations for pre-bids and pre-proposal meetings. Attend these meetings and start building the relationships. It may take one year, or five years, but building these relationships with primes and getting on their 'team' will pay off.

Comment: Westfield Concessions Management

Westfield is very pleased that and encouraged that the city and the primes work together on this issue and they welcome all calls from businesses interested in working with them.

Response:

If you need some assistance or intervention to make these connections happen, call our office.

Comment:

If the monthly participation reports were made available to the public, people would be more aware of deficits in meeting the contract goals and additional business opportunities.

Response:

You can find opportunities on line. Bids and RFPs are advertised in the Houston Chronicle on Wednesday and Sunday (concessions) and on Friday (Construction and Professional Svcs). Our outreach is broad based. People who are interested in working with concessions need to be proactive and take advantage of the many ways they can know what opportunities are out there. Also, companies can contact the Properties Dept at the airport and put their name on the Interested Parties list so that you can be notified of upcoming opportunities.

3. Please share with us information you may have on the effects of discrimination on opportunities for ACDBEs. Any issues of discrimination will be dealt with and both the prime and the sub will be involved in the investigation. We need better follow up when instances of discrimination are reported.

Q. Can someone set up a kiosk at the airport, or do they need to have a relationship with a prime concessionaire?

A. (From Chanda Felder of Airport Properties): Operating a concession in an airport is a high dollar enterprise. Due to the size and complexity of the airport concession operations, an individual or company should contact a prime to work out a business arrangement. They can contact Properties or SBDCC for contact information.

Attachment 8

Operating a concession in an airport is a high dollar enterprise. There is a challenge in getting that capital and this is a form of discrimination, Because we are a City department, we must put all opportunities out for public bid/proposal. The best way to begin to create the relationships is to identify what you have to offer and then attend pre-proposal meetings to network. Get your company in the door, learn how the operation of an airport concession works, and build up your business. Most primes are looking for opportunities to partner with DBEs so market your business.

New South Parking offered the following comment: "Primes come into town and they don't know anyone. They go to pre-proposal meetings and that is where they meet their future team."

Q. From Debbie Chen, AACC:

There are many people in the Asian community who would be able to get financing if they had a contract. But they can't get the contract without the financing in place.

A. One thing we have not done is to create a small/DBE business committee that can meet with banks, financial institutions and insurance companies to open the way for easier approval of funding and bonding while in the pre-contract stage. In FY2010 we will provide a forum to accommodate meetings with financial institutions.

Q. When people attempt to secure concession opportunities, it seems as though HAS only allows a limited number of prime contracts, and the primes say they already have the people they want to work with.

A. We can set up one-to-one meetings with primes if needed. Westfield Concessions Management wants to utilize more carts to involve more DBEs and help them build their capacity. Also, please plan to attend GPC 2009 on April 22nd & 23rd and the HAS 2009 Business Opportunity Networking Fair on August 18, 2009 and take advantage of networking opportunities.

Q. From Corliss Stone-Littles, owner of Sun Glass Hut:

Most people don't know how to answer that questions because sometimes you can "feel" it, but you can't prove it.

A. Anything that causes a decrease in ACDBE participation is, by definition, discrimination. That includes bid shopping, withholding financing, etc.

Q. A large company has been contacting me and wants to partner with me because I am a DBE. What should I do?

A. Negotiate an agreement and make sure they utilize you as they agree to do. Report any deviation from your agreement to the Small Business Development & Contract Compliance Office.

General Comments:

"Not much info to the general public. First time I heard of availability of Airport Concessions was on Sunday morning live on 102.1 FM radio. I think targeting the 'general public' will help open the eyes of the 'silent entrepreneurs' in our community.

"Use Best Value rather than Best Price when considering a concession agreement award."

AIRPORT CONCESSION BUSINESS ENTERPRISE

GREETINGS

The Houston Airport System will set new Airport Concession Disadvantaged Business Enterprise (ACDBE) goals for concessions at the Houston Airport System for Fiscal years 2009 through 2011. We must provide opportunity for consultation with Minority, Women and Disadvantaged Businesses Owners, Community Organizations, Trade Organizations and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses and the effects of discrimination on opportunities for ACDBEs. We will, in turn, share our efforts to establish a level playing field for the participation of Disadvantaged Business owners on Airport Concession contracts.

Any Prime Concession looking for Disadvantaged Businesses should take advantage of this opportunity and make plans to have a booth and representatives at both events.

We value your input and hope that you can attend. To RSVP, please contact my assistant, Demetris McCray-Domino, @ 281-233-7823.

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Jesse H Jones School of Business
Professors during the stakeholder meetings



HOUSTON AIRPORT SYSTEM

WE ARE HOLDING TWO STAKEHOLDERS MEETINGS

February 24, 2009

Breakfast Networking: 8am - 9am
Stakeholders Meeting: 9am - 12pm.

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The Small Business Resource Center

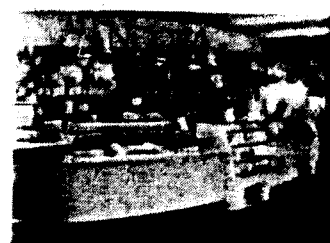
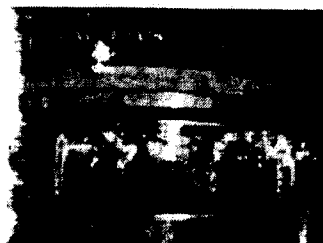
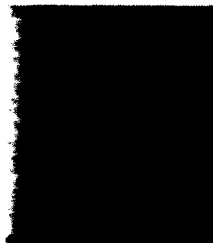
Location: Jesse H. Jones School of Business
Texas Southern University,
3100 Cleburne Avenue
Houston, Texas 77004
(713) 313-1169

February 25, 2009

Lunch Networking: 12 noon - 1pm
Stakeholders Meeting: 1pm - 4pm

Location: HAS Technical Services
and Small Business Development
18600 Lee Road
Humble, Texas 77338
(281) 233-7823

WE LOOK FORWARD TO SEEING YOU.



REQUEST FOR COUNCIL ACTION

TG: Mayor via City Secretary

RCA #

SUBJECT: Place the proposed tax rate of \$.63875 on each \$100 of taxable value, which is the same as last year's tax rate, on the September 30th Agenda.

Category #

Page 1 of 2

Agenda Item#

4

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

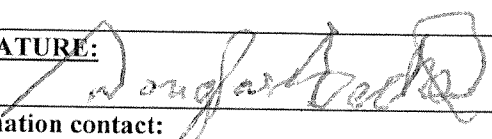
Origination Date

September 16, 2009

Agenda Date

SEP 23 2009

DIRECTOR'S SIGNATURE:



Council Districts affected:

All

For additional information contact:

Douglas Seckel, Deputy Director **Phone:** 713-837-9880
Sylvia Shaw, Division Manager **Phone:** 713-221-0131

Date and identification of prior authorizing Council Action:

September 10; Motion No. 2008 0695

RECOMMENDATION: (Summary) That the City Council approve a motion placing the proposed tax rate of .638750 on each \$100 of taxable value on the Agenda of City Council for September 30th.

Amount of Funding:

Not Applicable

Finance Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund
 Other (Specify)

SPECIFIC EXPLANATION:

State law sets forth detailed requirements for the process of setting ad valorem tax rates, including newspaper publications, and actions of the governing body. These requirements include minimum and maximum time periods for each step in the process.

Effective Tax Rate and Rollback Tax Rate

Section 26.04 (e) of the Tax Code requires that the Effective Tax Rate and the Rollback Tax Rate be reported to the governing body of each taxing unit. The Effective Tax Rate for Tax Year 2009 is \$.667666 on each \$100 of taxable value and the Rollback Tax Rate is \$.695888 on each \$100 of taxable value.

No Public Hearings

Section 26.05(d) of the Tax Code requires the City of Houston to hold two public hearings before adopting a tax rate that exceeds the rollback rate or the effective tax rate, whichever rate is lower. Since the City of Houston proposed a tax rate that does not exceed the rollback rate or the effective rate, the public hearings are not required.

Publications

Section 26.04(e) of the Tax Code requires the City of Houston to publish the effective and rollback tax rates before adopting a tax rate. Publication is required in a newspaper, the City operated Internet website and the City's free access television channel.

f

REQUIRED AUTHORIZATION

Other Authorization:

Other Authorization:

Other Authorization:

Date:	Subject : Place the proposed tax rate of \$.638750 on each \$100 of taxable value, which is the same as last year's tax rate, on the September 30th Agenda.	Originator's Initials	Page 2 of 2
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Summary

City Council must pass a motion to place a specific proposed tax rate on a future City Council Agenda. The City Council meeting to vote on the proposed tax rate may be as early as September 30th but may not be later than October 21st.

The proposed tax rate of \$.638750 on each \$100 of taxable value must be apportioned between Maintenance and Operations (M&O) and Interest and Sinking Fund (I&S). The M&O rate is \$.457284 on each \$100 of taxable value and the I&S rate is \$.181466 on each \$100 of taxable value which, when combined, equal the total tax rate of \$.638750 on each \$100 of taxable value.

It is therefore recommended that City Council pass a motion to place the proposed tax rate of \$.638750 of each \$100 of taxable value for tax year 2009 on the Agenda of City Council for September 30th.

cc: Arturo Michel, City Attorney
Marty Stein, Agenda Director

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Membership Dues – Gulf Coast Regional Mobility Partners		Category #	Page 1 of 1	Agenda Item # 5
FROM (Department or other point of origin): Ann Travis, Director Mayor’s Office of Government Affairs		Origination Date 9/18/09	Agenda Date SEP 28 2009	
DIRECTOR’S SIGNATURE: <i>MS Ann Travis</i>		Council District affected: All		
For additional information contact: Ann Travis Phone: (832) 393-0835 Maureen Crocker Phone: (832) 393-0949		Date and identification of prior authorizing Council action: 3/26/08 2008 0212		
RECOMMENDATION: (Summary) Approve membership with the Gulf Coast Regional Mobility Partners				
Amount of Funding: \$75,000.00		Finance Budget:		
SOURCE OF FUNDING: <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund General Fund (1000)				
<input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: <p>The Gulf Coast Regional Mobility Partners (GCRMP) was formed to advocate for additional transportation resources for the Houston-Galveston 10-county region. The GCRMP is a region-wide coalition of elected officials, transportation providers, and community and business leaders who represent various interests. The Greater Houston Partnership serves as the administrator for the group. Membership dues are \$75,000 annually and are based on population.</p> <p>Additional transportation investment is critical to the continued economic growth of the region and the state. The state’s population is expected to grow by 16 million by the year 2025, greatly increasing the strain on transportation infrastructure.</p> <p>In order to address the continued funding shortfall for the state and region, GCRMP will:</p> <ul style="list-style-type: none"> • Educate legislators and decision makers as to the intensity of the crisis facing transportation in the state • Generate and distribute further research with the purpose of developing and recommending specific legislation to address funding shortfalls at the national, state, and regional level. • Provide testimony to the Texas Transportation Commission, State Legislature, and regional planning organizations to support significant funding initiatives for transportation • Work to push legislation through the complex legislative process including a coordinated advocacy effort with lobby support. • Host member briefings to provide updates, present research, and facilitate discussion with regional business leaders and decision makers to insure a continued commitment to transportation in our region. • Continue to fight for our fair share of transportation funding at the state level through engaging in the ongoing Sunset process of TxDOT, interim study commissions, etc. • Engage in a public relations effort regarding the need for transportation funding, supporting methods we believe best for our region and state. <p>The Mayor’s Office will be actively engaged with the organization to maximize the City’s investment. The GCRMP provided a briefing for the Council Committee on Transportation, Infrastructure and Aviation on September 14, 2009.</p>				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:



**Gulf Coast
Regional Mobility Partners**

Gulf Coast Regional Mobility Partners *Houston-Galveston's Transportation Voice*

2008 - 2009

What We Have Achieved:

Over the last year, Gulf Coast Regional Mobility Partners has been an effective engine in the advancement of transportation policy goals for our region. Our successes were accomplished through working closely with our regional elected leaders, our regional state legislative delegation, and the Sunset Advisory Commission. Such accomplishments include:

- Successfully built coalition of major transportation stakeholders, both public and private, in the Greater Houston region.
- Developed an organizational structure that is to date financially sound.
- Worked tirelessly with legislature to authorize the much needed Proposition 12 bond funding for transportation projects.
- Advocated on behalf of the region for the successful passage of HB 2433 ensuring further defined statutory powers for the Gulf Coast Freight Rail District.
- Defended attacks on primacy and stopped policy allowing the siphoning of local transportation dollars to projects outside of our region.
- Protected local control over planning and use of the regional freight rail network in consultation with our Gulf Coast Regional Freight Rail District partners.



**Gulf Coast
Regional Mobility Partners**

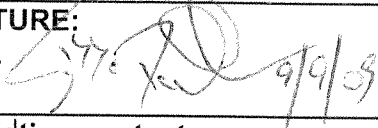
- Served as the go to entity for transportation data and expertise for legislators on behalf of the Greater Houston region.
- Supplied valuable up to date information for stakeholders regarding the development of transportation policy at the state level.
- Engaged the Sunset Commission's review of TxDOT and secured favorable language for GCRMP in the TxDOT Sunset bill.
- Actively engaged the FHWA in the development of promulgated rules regarding toll roads and secured more favorable language on behalf of regional stakeholders.
- Continued to build and maintain valuable relationships with other metropolitan area transportation entities such as the Dallas Regional Mobility Coalition, Tarrant Regional Transportation Coalition, San Antonio Mobility Coalition, etc.


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work SpawMaxwell Company, LP Frank Branch Library Rehabilitation/Renovation (HPL Express Frank) WBS No. E-000033-0001-4	Page 1 of 2	Agenda Item 6
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FROM (Department or other point of origin): General Services Department	Origination Date 09-16-2009	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P. E. 	Council District affected: C
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For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2005-0639, Dated May 18, 2005 Ordinance No. 2008-0559, Dated June 18, 2008
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RECOMMENDATION: Pass a motion approving the final contract amount of \$3,677,764.50, accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required	Finance Budget:
Previous Funding: \$2,572,000.00—Public Library Consolidated Construction Fund 439 \$1,351,838.00—Public Library Consolidated Construction Fund (4507) \$3,923,838.00 Total	



SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$3,677,764.50, or 2.47% under the original contract amount, accept the work and authorize final payment to SpawMaxwell Company, LP for construction services in connection with the Frank Branch Library Rehabilitation/Renovation (HPL Express Frank) for the Houston Public Library.

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

PROJECT DESCRIPTION: This project renovated 10,409 square feet of lease space for an expanded HPL Express Frank Library. The scope of work included new flooring, lighting, entrance canopy, offices, study and conference facilities, computer workstations, reading areas, copy facilities, and site improvements to meet TDLR requirements.

PREVIOUS HISTORY AND PROJECT SCOPE: On May 18, 2005, City Council approved a design/build contract with SpawMaxwell Company, LP for the repair, rehabilitation and renovation of the existing Frank Branch Library located at 6440 West Belfort. During the design phase, new floodplain maps were released which placed this location within the 100-year floodplain. It was determined that It would have been cost-prohibitive to correct the deficiencies to comply with the Flood Control Ordinance. Therefore, on May 9, 2007, City Council approved a ten-year lease for 10,409 square feet at 10103 Fondren, Suite 100, for the Houston Public Library to operate an expanded HPL Express Frank which required design of the build-out of this existing lease space.

REQUIRED AUTHORIZATION CUIC ID#25CONST113

General Services Department:  Humberto Bautista, P.E. Chief of Design & Construction Division	Houston Public Library:  Rhea Brown Lawson, PhD Director
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Date	Subject: Accept Work SpawMaxwell Company Frank Branch Library Rehabilitation/Renovation (HPL Express Frank) WBS No. G-000117-0001-4	Originator's Initials JBW	Page 2 of 2
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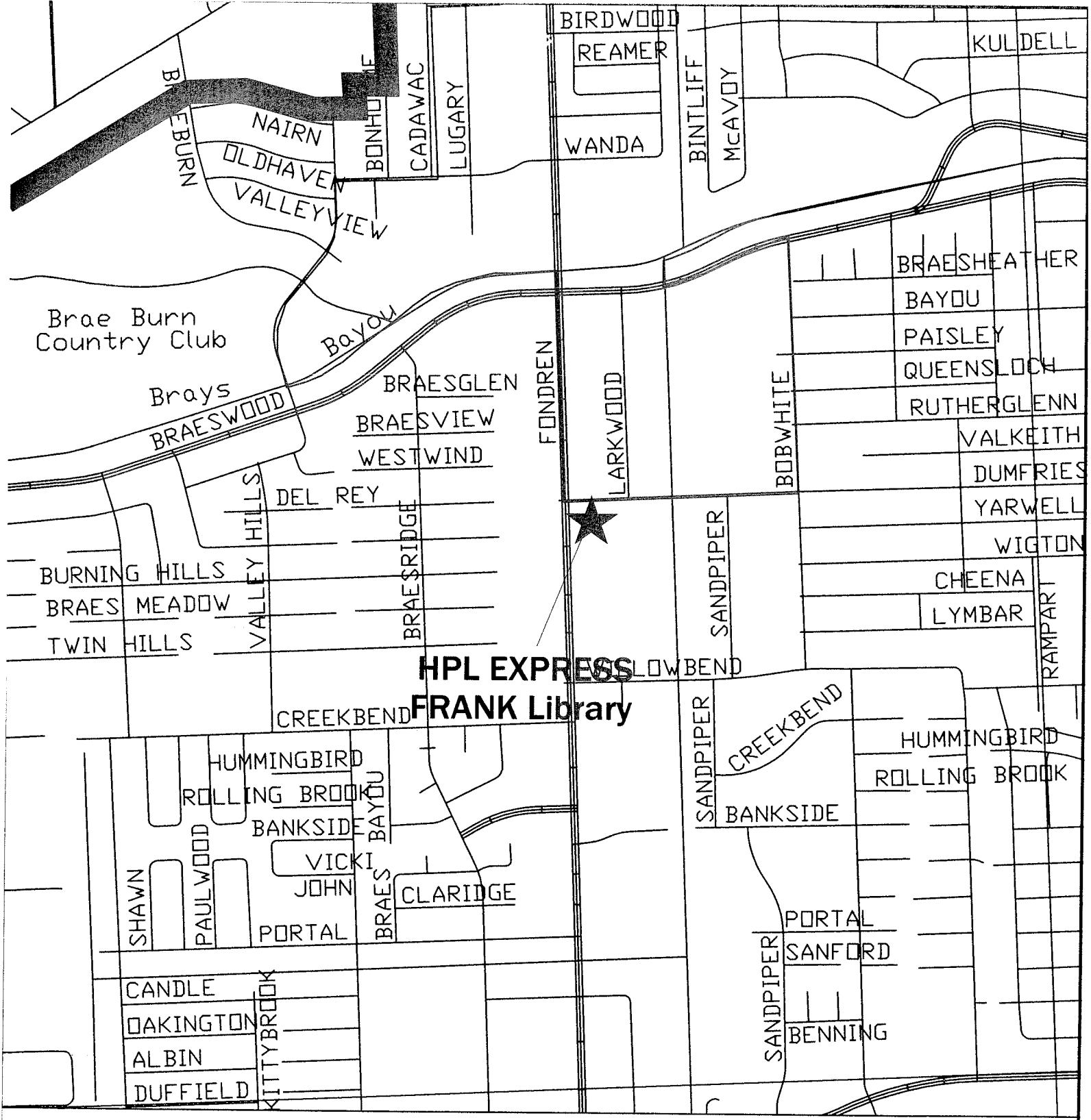
CONTRACT COMPLETION AND COST: The contractor completed the project within 275 days: the original contract time of 125 days plus 150 days approved by Change Orders. The final cost of the project including Change Orders is \$3,677,764.50, a decrease of \$68,567.00 from the original contract amount.

PREVIOUS CHANGE ORDERS: Change Orders 1 – 5 granted time extensions due to Hurricane Ike and a delay in requesting additional funding; and provided enhancements requested by HPL including additional lighting, additional furniture, and additional data/power locations.

M/WBE PARTICIPATION: The contract contained an 18% M/WBE goal. The contractor achieved 18.95% M/WBE participation and was assigned a satisfactory rating.

IZD:HB:JLN:MCP:JBW:bo

c: Marty Stein, Jacquelyn L. Nisby, James Tillman IV, , Wendy Heger, Velma Laws, Siria Harbour, Kim Ngyuen, Yvette Burton, Calvin Curtis, Phil Golembiewski



**FRANK BRANCH REHABILITATION/ RENOVATION
(HPL EXPRESS FRANK)**

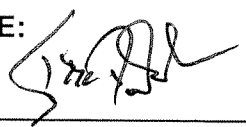
10103 FONDREN, Suite 100
HOUSTON, TX 77096

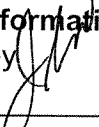
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work Inland Environments, Ltd. Asbestos and Lead Based Paint Abatement, Demolition and Disposal at Six Public Works and Engineering Department Water Plants. WBS No. S-000536-0004-4	Page 1 of 1	Agenda Item 7
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.  9/8/09	Council Districts affected: A, B, E, F, G
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For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance: 09-0178 Dated: 03/04/2009
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RECOMMENDATION: Pass a motion approving the final contract amount of \$148,880.00 accept the work and authorize final payment.

Amount and Source of Funding: No Additional Funding Required	Finance Budget:
Previous Funding: \$182,324.00 Water and Sewer System Consolidated Construction Fund (8500)	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$148,880.00, accept the work and authorize final payment to Inland Environments, Ltd. for asbestos and lead based paint abatement, demolition and disposal at six Public Works and Engineering Water Plants.




PROJECT LOCATIONS::	District 112 – 4700 Tidwell (Key Map 451-C)	Council District B
	District 107 – 14441 Briarhills (Key Map 488-E)	Council District G
	District 111#1 – 9603 Cook (Key Map 529-S)	Council District F
	District 42#2 – 7501 Langley (Key Map 415-W)	Council District B
	Westway MUD – 10824 Heatherford (Key Map 449-H)	Council District A
	Anti-Pollution – 26615 W. Shorewood Loop (Key Map 338-V)	Council District E

PROJECT DESCRIPTION: The project completed asbestos and lead based paint abatement, demolished and disposed of six water tanks, buildings, booster pumps, electrical equipment, splash boxes, pipe supports and all concrete foundations. The work also removed distribution lines and storm sewer lines, loading, hauling and properly disposed of debris generated as a result of all activities.

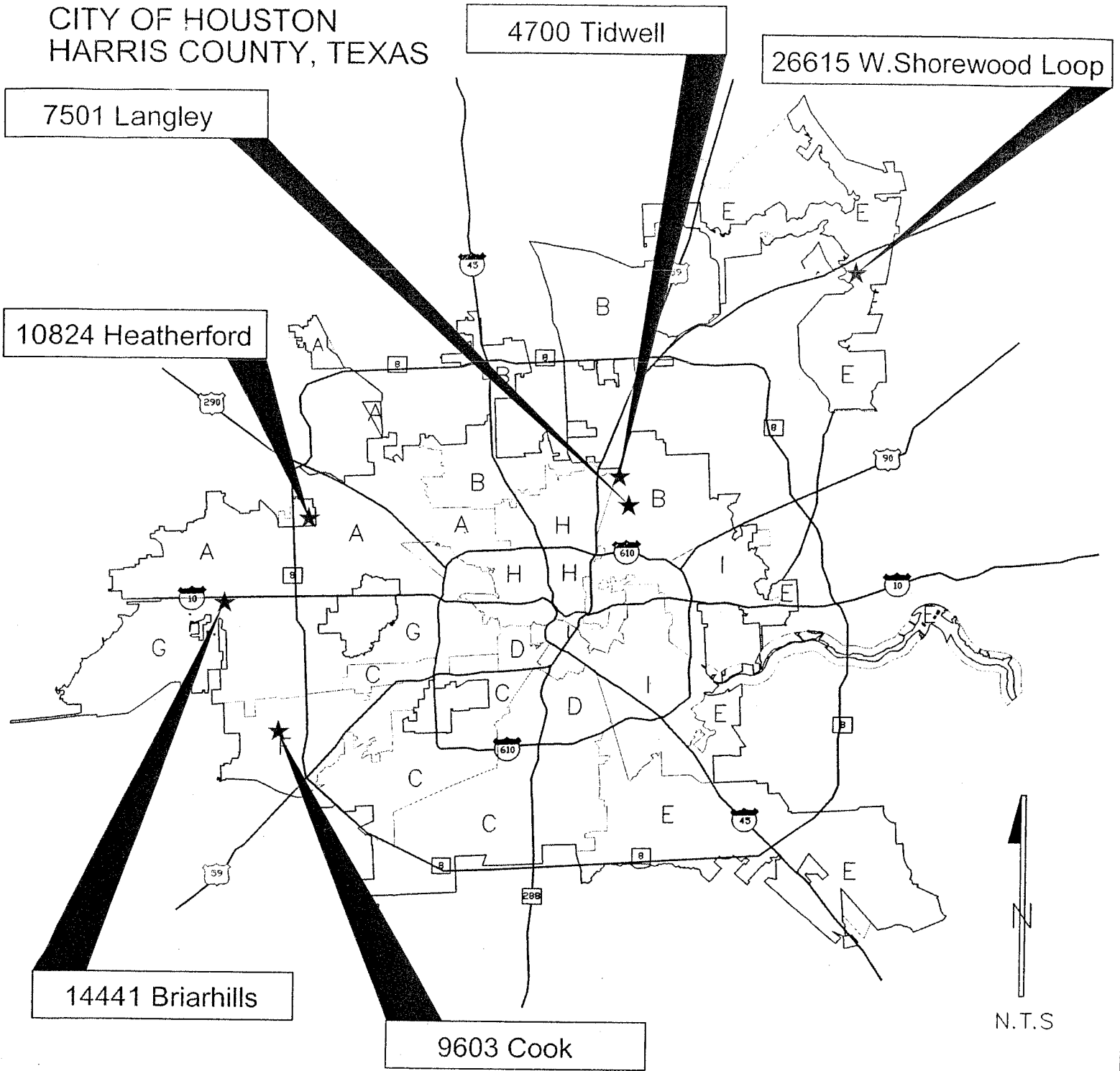
CONTRACT COMPLETION AND COST: The contractor completed the project within 152 days from the original contract duration of 180 days. The final cost of the project is the original contract amount of \$148,880.00.

IZD:HB:JLN:GM:FK:fk
c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Calvin Curtis, Gabriel Mussio, File.

REQUIRED AUTHORIZATION CUIC ID # 25GM196

General Services Department:  Humberto Bautista, P.E. Chief of Design & Construction Division	Other Authorization: 	Department of Public Works and Engineering: ADT  Michael S. Marcotte, P.E., D.WRE, BCEE Director
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CITY OF HOUSTON
HARRIS COUNTY, TEXAS



Asbestos and Lead Based Paint Abatement,
Demolition and Disposal for PW&E Water Plants

4700 Tidwell (District 112);
14441 Briarhills (District 107);
9603 Cook (District 111#1);

7501 Langley (District 42#2);
10824 Heatherford (Westway Mud);
26615 W. Shorewood Loop (Anti-Pollution)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

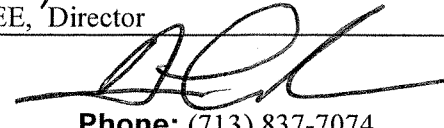
SUBJECT: Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000295-0008-4		Page 1 of 1	Agenda Item # 8
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: A, B, C, D, E, F, G, H and I	
For additional information contact: Dannelle H. Belhateche, P.E. Sr. Assistant Director Phone: (713) 641-9182		Date and identification of prior authorizing Council action: Ordinance No. 2005-1234, dated 11/09/2005	
RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$3,283,996.56, which is 6.14% under the original contract amount, accept the work, and authorize final payment.			
Amount and Source of Funding: No additional funding required. <i>L.P. 9/14/09</i> Original appropriation of \$3,795,711.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 755.			
SPECIFIC EXPLANATION: <p>PROJECT NOTICE/JUSTIFICATION: Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City.</p> <p>DESCRIPTION/SCOPE: This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to PM Construction & Rehab, L.P. with an original contract amount of \$3,498,795.43. The Notice to Proceed date was 01/10/2006 and the project had 730 calendar days for completion.</p> <p>LOCATION: The project was located at various locations within Council Districts A, B, C, D, E, F, G, H and I.</p> <p>CONTRACT COMPLETION AND COST: The contractor, PM Construction & Rehab, L.P., has completed the work under the contract. The contract was completed within the required time. The final cost of the project is \$3,283,996.56, a decrease of \$214,798.87 or 6.14% under the original contract amount. Less sliplining was needed than anticipated.</p> <p>MWDBE PARTICIPATION: The MWDBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 28.61%. The contractor was awarded an "Outstanding" rating from Affirmative Action.</p> <p><i>DB R I DR</i> MSM:JC:DHB:RK:JI:DR:mf Attachments</p> <p>c: Velma Laws Hamlet Hovsepian, P.E. Craig Foster</p>			
Project File 4257-72		REQUIRED AUTHORIZATION	
Finance Department		CUIC ID# 20DHB309	
Other Authorization: <i>Dannelle H. Belhateche</i>		Other Authorization: <i>Jun Chang</i> Jun Chang, P.E., Deputy Director Public Utilities Division	

O: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for East Lake Houston Unserved Areas, Hidden Echo Subdivision. WBS. No. R-000801-0005-4.	Page 1 of 1	Agenda Item # 9
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D. WRE, BCEE, Director	Council Districts affected: E SA
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For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074	Date and Identification of prior authorizing Council Action: Ord. #2008-544 dated 06/18/2008
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$910,586.21, which is 5.03% under the original Contract Amount, accept the Work and authorize the final payment.

Amount and Source of Funding: No additional appropriation required.
(Original appropriation of \$1,105,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.)

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's ongoing program to replace and upgrade its sanitary sewer to unserved areas, Hidden Echo subdivision, within the City limits.

DESCRIPTION/SCOPE: The project consisted of 2,200 linear feet of 10-inch sanitary sewers in the street right-of-way, abandonment of existing lift station, existing 8-inch sanitary sewers and two double 6-inch sanitary siphons. A & S Engineers, Inc. designed the project with 240 calendar days allowed for construction. The project was awarded to Jimerson Underground, Inc. with an original Contract Amount of \$958,826.00.

LOCATION: The project area is generally bound by Shore Shadows Drive on the north, West Lake Drive on the south, Neiman Drive on the east, and Lake Houston on the west. The project is located in the Key Map Grids 338-C.

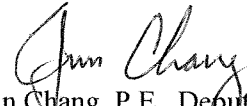

CONTRACT COMPLETION AND COST: The Contractor, Jimerson Underground, Inc. has completed the Work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities is \$910,586.21, a decrease of \$48,239.79 or 5.03% under the original Contract Amount.

The decreased cost is primarily a result of an underrun in Base Unit Price Item No. 15 - Groundwater Control, Base Unit Price Item No. 35 - Remove and Replace 24 inch RCP culverts, Base Unit Price Item No. 43 - Pier Supported Base for Manholes for Unstable Subgrade, and the Work not requiring use of most Extra Unit Price Items.

M/WBE PARTICIPATION: There was no M/WBE goal set for this project.

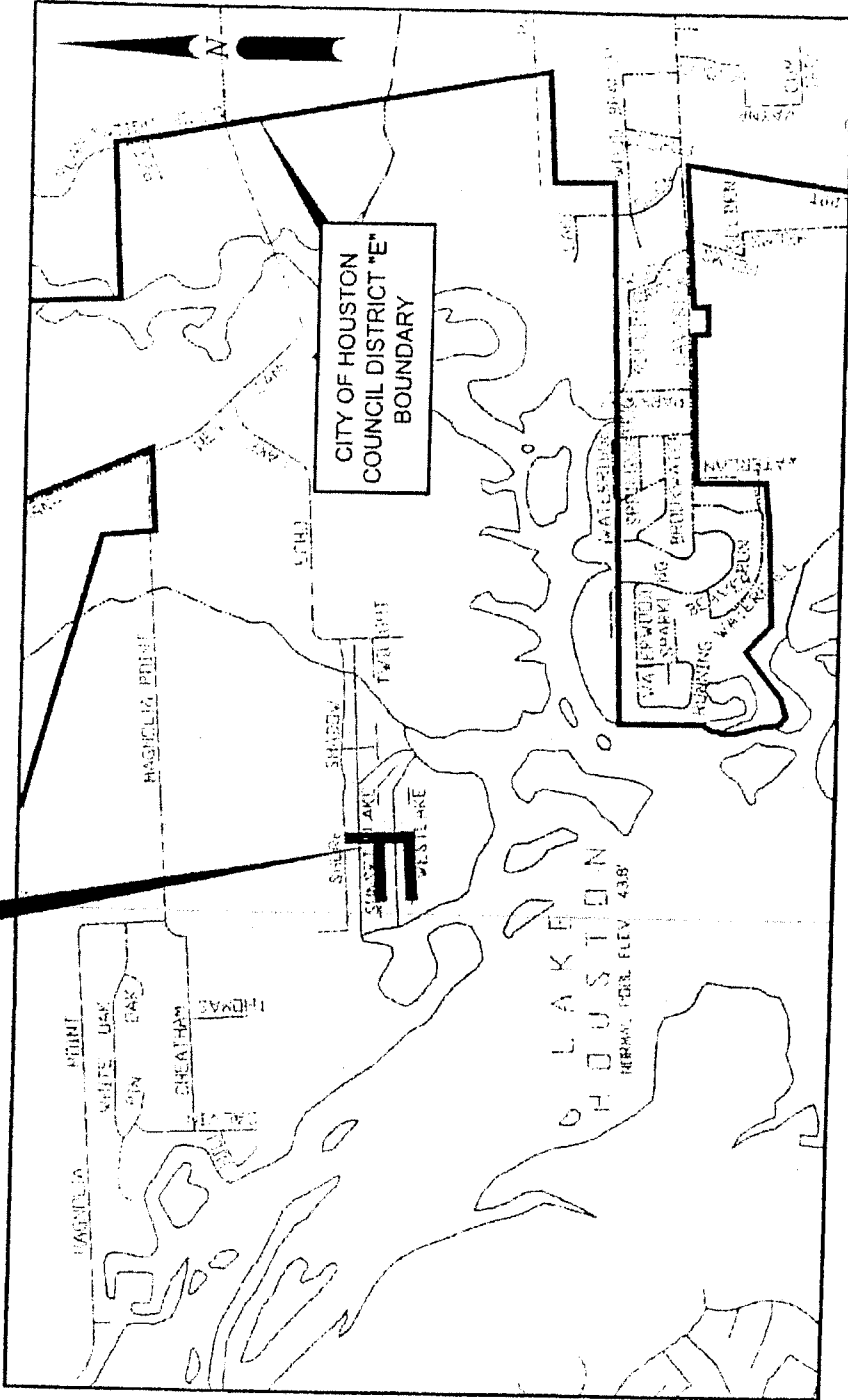
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Z:\E&C Construction\East Sector\PROJECTS\R-000801-0005-4 East Lake Hidden Echo\Close Out\RCA\RCA_Closeout-revised.DOC

c: File No. R-000801-0005-4 - Closeout

REQUIRED AUTHORIZATION		CUIC ID# 20MZQ124
Finance Department:	Other Authorization:  Jun Chang, P.E., Deputy Director Public Utilities Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

NDT

PROJECT LOCATION



HIDDEN ECHO VICINITY MAP

KEY MAP 338 C
GIMS 5970D

CITY OF HOUSTON DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
HIDDEN ECHO SUBDIVISION EAST LAKE HOUSTON UNSERVED AREAS WBS NO. R-000801-0005-4
VICINITY MAP A&S ENGINEERS, INC. 10377 STELLALINK RD. HOUSTON TX, 77025

SUBJECT: Request for the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. **Parcels SY9-049A, SY9-049B, SY9-049C, and VY9-029**

Page 1 of 2

Agenda Item #

10

FROM (Department or other point of origin):

Origination Date

Agenda Date

Department of Public Works and Engineering

SEP 23 2009

DIRECTOR'S SIGNATURE:

Michael S. Marcotte
Michael S. Marcotte, P.E., DWRE, BCEE, Director

Council District affected: C

Key Map 492U

For additional information contact:

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

upc

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. **Parcels SY9-049A, SY9-049B, SY9-049C, and VY9-029**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

Nathan Robert of Jacobs Engineering Group, Inc., 55 Waugh Drive, Suite 801, Houston, Texas 77007, on behalf of LG West Avenue Project LP, (Gables GP, Inc.[Benjamin Pisklak, Regional Vice President], General Partner), Austin Trust Company, (Dell Boykin, Senior Vice President), Dickey Realty, Ltd., a limited partnership, (Dickey-Kirby Corp., a Texas corporation, [William J. Hudspeth, President], General Partner), and Thomas M. Lippincott requested the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. Signs notifying the public of the pending street abandonment application were posted for at least thirty days. LG West Avenue Project LP, Austin Trust Company, Dickey Realty, LTD., and Thomas M. Lippincott, the abutting property owners, plan to utilize the property being abandoned and sold as a private street with a pedestrian walkway and public utility easement.

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

1. The City abandon and sell the Cameron Street right-of-way from Kirby Drive west to its terminus and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to eliminate the appearance of the public street at the intersection of Cameron Street and Kirby Drive by way of installing a commercial driveway and extending the sidewalk across Cameron Street;

z:\bam\sy9-049.rca1

CUIC #20BAM9047

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

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

Date:	Subject: Request for the abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. Parcels SY9-049A, SY9-049B, SY9-049C, and VY9-029	Originator's Initials	Page <u>2</u> of <u>2</u>
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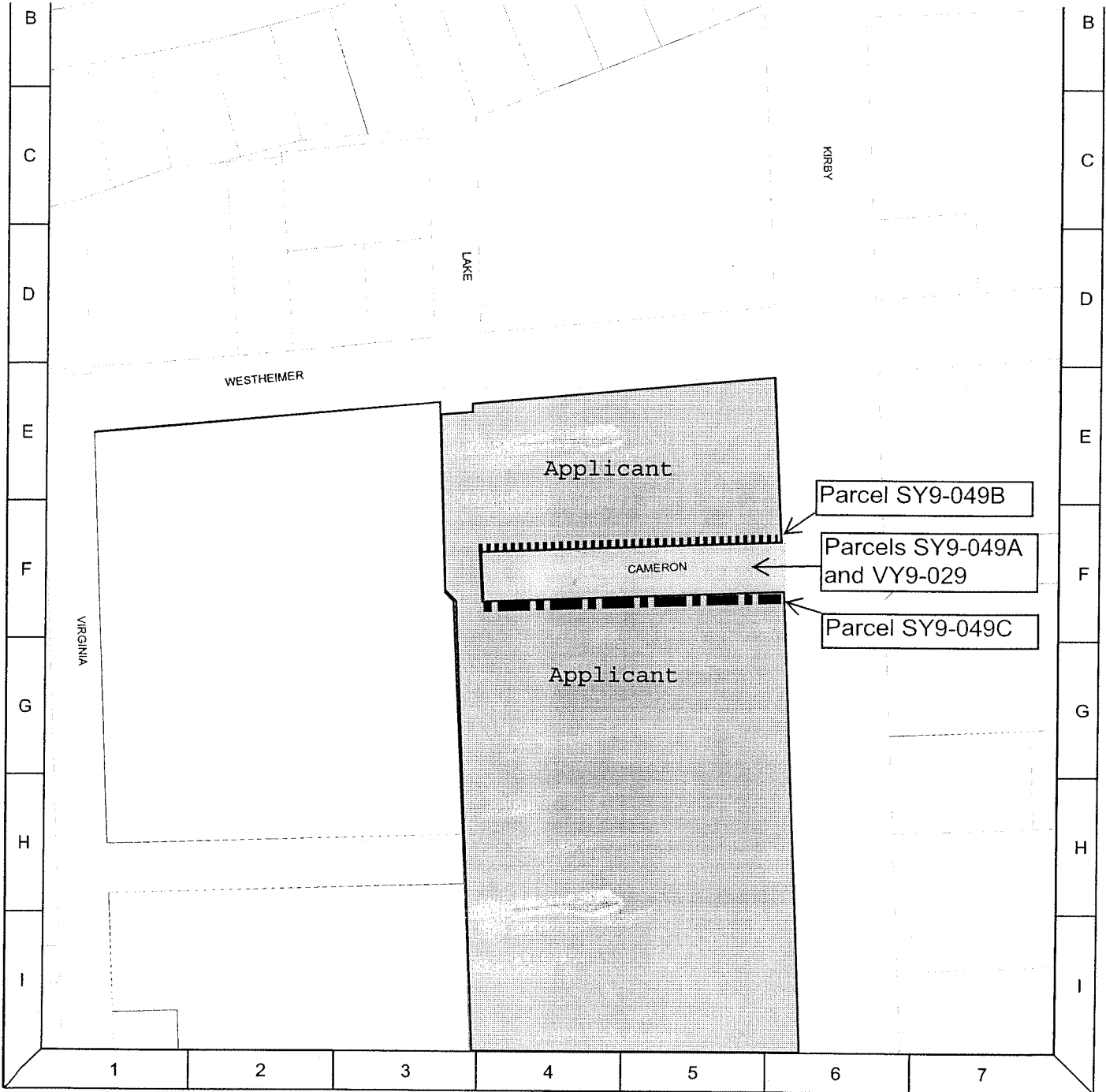
4. The applicant be required to obtain a "Consent to Encroachment over City Easement" through the Utility Analysis Section for encroachments into the utility easement (VY9-029) to be effective upon approval of the Ordinance abandoning Cameron Street;
5. In as much as the value of the City's property interest is expected to exceed \$1,000,000.00, the Director of Public Works and Engineering recommends City Council appoint the following two independent appraisers, Scott Stephens and Sheila Stewart.

MSM:NPC:bam

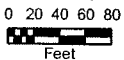
- c: Phil Boriskie
Jun Chang, P.E.
Marlene Gafrick
Daniel Menendez, P.E.
Arturo G. Michel
Marty Stein
Jeffery Weatherford, P.E., P.T.O.E.

PARCEL MAP

SUBJECT: Abandonment and sale of Cameron Street, from Kirby Drive west to its terminus, and the two adjacent sidewalk easements, in exchange for the conveyance to the City of a 50-foot-wide utility easement, located in the College Heights Addition and the College Heights Addition Partial Replat No. 1. Parcels SY9-049A, SY9-049B, SY9-049C, and VY9-029



1 inch equals 140 feet



CITY OF HOUSTON

Department of Public Works & Engineering

Geographic Information & Management System (GIMS)

DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY. THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS. FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8489

Subject: Formal Bids Received for HVAC Replacement at Fire Station No. 20 for the General Services Department S50-C23357

Category #
4

Page 1 of 1

Agenda Item

11

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

Origination Date
September 11, 2009

Agenda Date
SEP 23 2009

DIRECTOR'S SIGNATURE


Council District(s) affected
1

For additional information contact:
Jacquelyn L. Nisby Phone: (832) 393-8023
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:
Ord. No. 2009-397, Passed 5/13/09

RECOMMENDATION: (Summary)

Approve an award to Carrera Construction, Inc. on its low bid in the amount of \$95,890.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$9,589.00 for a total amount not to exceed \$105,479.00 to furnish and install a Heating Ventilation and Air Conditioning (HVAC) system at Fire Station No. 20 for the General Services Department.

Award amount \$105,479.00

Finance Budget

\$105,479.00 - Reimbursement of Equipment/Projects Fund (1850) - Appropriated via Ordinance No. 2009-397, Passed 05/13/2009

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Carrera Construction, Inc. on its low bid in the amount of \$95,890.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$9,589.00 for a total amount not to exceed \$105,479.00 to furnish and install an HVAC system at Fire Station No. 20 for the General Services Department and that authorization be given to issue purchase orders as necessary. This new HVAC system is part of the re-construction of Fire Station No. 20, located at 6902 Navigation, which sustained significant damage during Hurricane Ike. It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed by the City's property insurance and FEMA.

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

<u>Company</u>	<u>Total Amount</u>
1. Carrera Construction, Inc	\$ 95,890.00
2. Baseline Paving and Construction, Inc.	\$ 97,970.00
3. Gowan, Inc.	\$ 169,855.00

The scope of work requires the construction contractor to provide all labor, materials, equipment, supervision and transportation necessary to furnish and install a complete HVAC system consisting of two 7.5 ton units and one 12,000 BTU system. The contractor will also be required to install all required duct work and refrigerant connections. The new HVAC system will have an energy efficiency rating that meets the current energy conservation guidelines. Materials and workmanship for this project are warranted for one year and the life expectancy is ten years. The construction contractor shall have 30 calendar days to complete the work on this project after receipt of the notice-to-proceed.

Buyer: Arturo Lopez

REQUIRED AUTHORIZATION

NDT

Finance Department:

Other Authorization:

Other Authorization:

msj

msj

8

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8475

Subject: Purchase of Uniforms, Law Enforcement from the State of Texas Procurement and Support Services Contract for the Police Department
S08 Q23414

Category #
4

Page 1 of 1

Agenda Item

12

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

Origination Date
September 08, 2009

Agenda Date
SEP 23 2009

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Joseph Fenninger *JF 9/14/09* Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of law enforcement uniforms in the total amount of \$ 357,100.00 from the State of Texas Procurement and Support Services Contract for the Police Department.

Award Amount: \$357,100.00

Finance Budget

\$357,100.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of law enforcement uniforms in the total amount not to exceed \$357,100.00 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Police Department and that authorization be given to issue a purchase order to the State contract vendor, Lone Star Uniforms. These uniforms will be used to outfit graduating cadets and support personnel.

This purchase consists of approximately 4,600 long sleeve shirts and 4,000 uniform pants. The shirts and pants (uniforms) will be issued to graduating police cadets and used to replace unserviceable uniforms of classified and outfit newly hired non-classified personnel.

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: Angela Dunn

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Signature] 9/14/09

MD

130

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8479

Subject: Purchase of Video Image Processors and Vehicle Detection Cameras from the State of Texas Procurement and Support Services Contract for the Public Works and Engineering Department S45-Q23411

Category #
4

Page 1 of 1

Agenda Item

X3

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

Origination Date
September 10, 2009

Agenda Date
SEP 23 2009

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
David Guernsey Phone: (713) 238-5241
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of video image processors and vehicle detection cameras in the total amount of \$65,820.00 from State of Texas Procurement and Support Services Contract for the Public Works and Engineering Department.

Award Amount: \$65,820.00

Finance Budget

\$65,820.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of video imaging processors and vehicle detection cameras in the total amount of \$65,820.00 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 contract supplier, Control Technologies, Inc.

The Public Works and Engineering Department intends to position these replacement traffic measurement systems at various intersections in the City of Houston for traffic monitoring by the Department's Traffic & Transportation Division. These systems are used to analyze a wide range of traffic applications that include, travel time calculation, congestion monitoring, speed indication and queue tail monitoring.

This purchase consists of 20 Traficon 3-dimensional video imaging processors, ten vehicle detection cameras, 5 Traficon camera interface panels and 50 BNC connectors. These systems will come with a full two to three year warranty and will have a life expectancy of 7-20 years. These traffic measurement systems will replace five year old systems that are no longer operational and beyond economical repair. The old systems will be sent to the Department's Upper Breas facilities for disposal.

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: Sandy Yen
PR#: 10086485

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

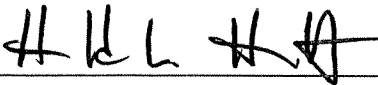
MS
[Signature]

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Adopt an Ordinance amending Chapters 5 and 44 of the Code of Ordinances relating to operating and licensing requirements for Game Rooms and Coin-Operated Machines	Page 1 of 1	Agenda Item # 14
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FROM: (Department or other point of origin): Houston Police Department	Origination Date: 9/18/09	Agenda Date: SEP 23 2009
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DIRECTOR'S SIGNATURE: MS Harold L. Hurtt, Chief of Police 	Council District affected: ALL
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For additional information contact: Larry Schenk Sr. Assistant City Attorney Phone: (832) 393-6447	Date and identification of prior authorizing Council action: Ord. No. 08-188, §1, March 5, 2008; Ord. No. 08-1145, §4, December 10, 2008
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RECOMMENDATION: Adopt an ordinance amending Chapters 5 and 44 of the Code of Ordinances relating to operating and licensing requirements for Game Rooms and Coin-Operated Machines

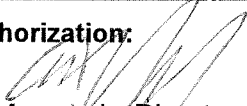
Amount and Source of Funding: N/A.

Pursuant to Chapter 5, Art. VI of the Code of Ordinances, a person electing to operate a Game Room in the City of Houston must obtain and maintain a License to do so. There are additional requirements for persons electing to operate a Game Room containing amusement redemption machines. Since it is in the very nature of a game room to contain coin-operated machines, the requirements of Chapter 5, Art. VI are read in conjunction with Chapter 44, Art. II which, among other things, requires that there is to be affixed to each machine a decal that proves the required occupation tax for that current year has been paid. If upon inspection it cannot be determined that the tax for that current year has been paid on a particular machine, the machine may be "sealed" such that it can no longer receive coins or tokens.

The proposed amendments clarify the requirements for the issuance of a Game Room license or for the issuance of decals evidencing the payment of an occupation tax on a coin-operated machine. They also establish a hearing process under which a person may contest a denial of a Game Room License. Similarly, the proposed amendments clarify that an application for a tax decal may be denied if the applicant has not first complied with Chapter 5, Art. VI. The proposed amendments also establish a hearing process under which the owner of a coin-operated machine may contest the tax, fee, or penalty owed to the City to secure the release of a machine that has been sealed.

Additionally, the time frames for the processing of applications for a game room license and for the purchase of the tax decals have been extended.

REQUIRED AUTHORIZATION 10mJH001

Finance:	Other Authorization:	Other Authorization:  Alfred J. Moran, Jr. Director Administration & Regulatory Affairs
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14
SEP 29 2009

Chapter 44

TAXATION

* * *

ARTICLE II. SPECIFIC OCCUPATION TAXES

* * *

DIVISION 2. COIN-OPERATED MACHINES

Sec. 44-82. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Coin-operated machines means and includes every machine or device of any kind or character operated by or with coins, metal slugs, tokens, credit, debit or other electronic cards, checks or similar objects. A machine designed and manufactured to be so operated, but which is operated by payment of a fee for its use is included in this definition. Music coin-operated machines and skill and pleasure coin-operated machines, as those terms are hereafter defined, shall be included in such term.

Director means the director of the department of administration and regulatory affairs or his designee.

Merchandise coin-operated machine means and includes every coin-operated machine of any kind which dispenses or vends, or which is used or operated for dispensing or vending merchandise, commodities, or confections. The following are expressly included within such term: candy machines, gum machines, sandwich machines, handkerchief machines and sanitary drink cup machines.

Music coin-operated machine means and includes every coin-operated machine of any kind or character which dispenses or vends, or which is used or operated for dispensing or vending music. The following are expressly included within such term: coin-operated phonographs, pianos, gramophones, radios and all other coin-operated machines which dispense or vend music.

Operator means and includes any person who exhibits, displays or permits to be exhibited or displayed, in his or its place of business or upon premises under his or its control, any coin-operated machine in the city.

Owner means and includes any person owning or having the care, control, management or possession of any coin-operated machine in the city. The owner is solely responsible for paying to the city the occupation tax on each coin-operated machine exhibited or displayed within the city and for securing the city decal evidencing payment of such tax on each coin-operated machine.

Properly displayed means that the decal required by section 44-83 of this Code is affixed to a machine subject to this article in the manner required by section 44-85 of this Code.

Property owner means any person that owns, controls, leases or manages a building or location where coin-operated machines are displayed or exhibited and includes any agent of the property owner.

Service coin-operated machine means and includes pay toilets, pay telephones and all other machines or devices which dispense service only and not merchandise, music, skill or pleasure.

Skill or pleasure coin-operated machine means and includes every coin-operated machine of any kind or character whatsoever, when such machine dispenses or is capable of being used or operated for amusement or pleasure, or when such machine is operated for the purpose of dispensing or affording skill or pleasure or for any other purpose other than the dispensing or vending of merchandise, music or service exclusively, as those terms are defined herein. The following are expressly included within such term: marble machines, marble table machines, marble-shooting machines, miniature race track machines, miniature football machines, miniature golf machines, miniature bowling machines, billiard tables and all other coin-operated machines which dispense or afford skill or pleasure. Every machine or device of any kind or character which dispenses or vends merchandise, commodities or confections or plays music in connection with or in addition to such games or dispensing of skill or pleasure shall be considered a skill or pleasure coin-operated machine.

Sec. 44-83. Tax imposed; amount; registration.

(a) Every owner who exhibits or displays, or who permits to be exhibited or displayed in the city any coin-operated machine shall pay, and there is hereby levied on each coin-operated machine, except those that are exempt under section 44-89 of this Code, an annual occupation tax in the amount equal to one-fourth of the current state occupation tax. All occupation taxes for coin-operated machines are payable annually in advance. Upon payment of the tax every owner shall register each machine by make, model, serial number, and street address location with the director.

(b) Whenever an owner shall exhibit or display, or permit to be exhibited or displayed, any coin-operated machine for commercial use, there shall be securely attached thereto a decal issued by the director evidencing payment of the tax applicable thereto. Each coin-operated machine is subject to the occupation tax when exhibited or displayed for commercial use within the city. Since the tax is payable in advance on an annual calendar year basis, the following pro rata tax rate schedule will be applicable to a coin-operated machine which is first exhibited or displayed for commercial use within the city during any quarter of the calendar year:

- (1) *First quarter: January 1 to March 31*--An amount equal to the applicable annual occupation tax;
- (2) *Second quarter: April 1 to June 30*--An amount equal to three-quarters of the applicable annual occupation tax;
- (3) *Third quarter: July 1 to September 30*--An amount equal to one-half of the applicable annual occupation tax; and
- (4) *Fourth quarter: October 1 to December 31*--An amount equal to one-quarter of the applicable annual occupation tax.

In computing any tax payable under the aforesaid pro rata tax rate schedule, amounts calculated thereunder shall be rounded to the next higher full cent amount as required.

Sec. 44-84. To whom tax payable.

All occupation taxes provided for in this division shall be paid to the director.

Sec. 44-85. Display and issuance of decal evidencing payment; penalties for noncompliance.

(a) The decal issued by the director to evidence payment of the tax levied herein shall be securely attached with its own adhesive to be a fixed, noninterchangeable part of the coin-operated machine so as to be easily seen by the public. This decal shall be of such a nature that the word 'void' will appear if one attempts to remove it.

(b) During the period commencing on October 1 ~~December 15~~ and ending on December 31 of each year, owners shall pay the occupation tax, register the machines taxed, and thereby receive a decal for each coin-operated machine to be within the city on January 1, provided the building where the machine is located meets the requirements of article VI of chapter 5 of this Code. Any failure of a building to meet all requirements set forth in the said article VI shall be grounds for denial of a decal. Prior to moving a registered machine to a new location, the owner shall submit in person a change of street address location form to the director.

(c) If, during each calendar year, an owner desires to register machines in addition to the machines registered during the period from ~~December 15~~ October 1 through December 31, decals for such machines shall be issued upon registration of the machines and payment of the tax applicable to the calendar quarter in which such decals are obtained.

(d) It shall be unlawful for an owner or operator to exhibit or display, or to permit to be exhibited or displayed for commercial use any coin-operated machine which:

- (1) Does not have properly attached thereto a decal evidencing payment of the applicable occupation tax;
- (2) Is located at any address or location other than the location listed for such machine as shown in the records of the city; or
- (3) Has affixed to it a decal other than the decal issued for such machine as shown in the records of the city.

Any violation of this subsection shall also subject the owner of a machine to the imposition of the civil penalty prescribed by subsection (e) of this section.

(e) The owner of a coin-operated machine on which the tax has not been paid shall forfeit to the city as a penalty the sum of \$250.00. The penalty, if not paid, shall be recovered in a suit by the city attorney in a court of competent jurisdiction. A penalty assessed under this subsection is in addition to any other remedy authorized under this division.

Sec. 44-86. Sealing machine for nonpayment, ~~generally;~~ hearings.

After January 1 of each year, the director or any officer of the police department shall seal, in a manner that will prevent further operation, any coin-operated machine upon which the tax required by this division has not been paid or upon which the decal is not properly displayed. ~~Any~~ The owner of any machine subject to this division shall be required to pay a fee equal to the maximum amount permitted under § 2153.453 of the Texas Occupations Code for the release of any machine sealed as provided herein for nonpayment of the tax or for failure to properly display the decal evidencing the payment of the tax. Upon proof of payment of the occupation tax provided for in ~~the~~ this division, ~~the penalties~~ penalty provided for in section 44-85 of this Code, and the release fee, the director will remove the seal.

Any owner desiring to contest the tax, fee, or penalty owed to the city to secure the release of a sealed machine may request a hearing before a hearing officer designated by the director in accordance with the following procedures:

- (1) A request for hearing must be in writing and delivered to the director within ten days of the sealing of the machine. The owner waives the right to hearing if the request is not timely received by the director.
- (2) The only issue before the hearing officer shall be whether or not a decal evidencing payment of the occupation tax was purchased and properly displayed for the particular machine(s) made the subject of the appeal.
- (3) If the hearing officer determines that a decal was not purchased or properly displayed, the machine shall remain sealed until any tax, fee, or penalty owed to the city has been paid or until the decal issued for a particular machine is properly displayed on that machine.
- (4) The decision of the hearing officer shall be final.

Sec. 44-87. Penalty for removal of sealed machine.

It shall be unlawful to remove from the premises any machine that has been sealed pursuant to section 44-86 of this Code. Whoever shall remove a machine that is sealed shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$100.00 nor more than \$500.00.

Sec. 44-88. Penalty for breaking seal.

Whoever shall break the seal affixed pursuant to section 44-86 of this Code, or exhibit, display or remove any machine on which such seal has been broken, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$100.00 nor more than \$500.00.

Sec. 44-89. Offense by property owner; notice.

(a) It shall be unlawful for a property owner to knowingly permit the exhibition or display for commercial use any coin-operated machine that does not comply with this division.

(b) It shall be unlawful for a property owner to lease any property for the display or exhibition of any coin-operated machine in violation of this article.

(c) A property owner is presumed to have knowledge of a violation of this division upon notification to the property owner in writing by any law enforcement officer that a violation has occurred on his property.

Sec. 44-90. Exemptions.

(a) Service coin-operated machines, merchandise coin-operated machines, gas meters, and cigarette vending machines which are now subject to an occupation or gross receipts tax, and coin-operated machines designed for and utilized exclusively by children are expressly exempt from the tax levied in this division.

(b) Coin-operated machines that have been remanufactured or altered not to accept coins are expressly exempt from the tax levied in this division unless they are operated by payment of a fee, as described in the definition of *coin-operated machine* set forth in section 44-82 of this Code.

(c) Coin-operated machines operated solely in a private residence and not available to the general public are expressly exempt from the tax levied in this division.

Sec. 44-91. No authorization for illegal machines.

Nothing contained in this division shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table or coin-operated machine, the keeping, exhibition, operation, displaying or maintenance of which is illegal or in violation of any article of the Penal Code of this state, or the constitution of this state.

Secs. 44-92--44-100. Reserved.

Chapter 5

AMUSEMENTS

* * *

ARTICLE VI. GAME ROOMS

* * *

DIVISION 2. LICENSE

Sec. 5-171. Required.

(a) It shall be unlawful to operate, use or maintain any room or place in the city where persons are permitted to play at any game of dominoes, cards or other games, and for the use of which, or privilege of playing therein or thereat, any money or its equivalent, or any check or counter in lieu of money shall be paid or received, or where memberships are sold for anything of value for the privilege of playing therein or thereat, without first securing a license therefor.

(b) The application for a license shall be in the form prescribed by the director of administration and regulatory affairs or his designee and shall contain such information as he shall require. Any failure to provide the information required by this section or a determination by the director that inaccurate, erroneous or incomplete information has been submitted shall be grounds for denial of the application by director.

(c) The proposed game room must comply with this chapter 5, and with chapter 44 of this Code if applicable, at the time of the submission of the application for a license.

(d) Each application shall also be accompanied by (i) a copy of a certificate of occupancy issued by the building official as appropriate for the proposed game room, and (ii) in the case of a game room to be operated under an assumed name, a true and correct copy of the registration of the assumed name filed in the office of the Harris County Clerk, bearing the file mark or stamp that evidences its filing in that office. Any failure to provide the documents required by this subsection shall be grounds for denial by the director of the application to which it applies.

(de) A license may be renewed for the following calendar year beginning in ~~December~~ October 1 of each year by filing a completed application for each license and paying the fee set forth in section 5-172 of this Code. A renewal application shall be subject to the same requirements in this section for a license application.

Sec. 5-172. License fee--Levied; amount.

There shall be levied and collected from every person operating, maintaining or managing, or causing to be operated, maintained or managed, any room or place in the city for the purpose set out in section 5-171 of this Code an annual license fee of \$60.00 per annum for each separate establishment used or maintained; provided, licenses may be taken out after January of any year and shall be paid for on the basis of \$5.00 per month for the remaining months of the year, including the month of issuance. All moneys received hereunder shall be the property of the city.

Sec. 5-173. Grounds for denial, revocation or suspension.

(a) The director of administration and regulatory affairs shall forward each application received under this division to the chief of police for an investigation as to whether the applicant has been convicted of an applicable offense as specified in section 1-10 of this Code. If it appears that the applicant has been convicted of such an offense, the director of administration and regulatory affairs shall follow the procedures set forth in section 1-9 of this Code.

(b) A license issued under this division shall be subject to revocation by the director of administration and regulatory affairs pursuant to the applicable provisions of sections 1-9 and 1-10 of this Code.

(c) Any failure of a proposed game room to meet all requirements of this chapter 5, and chapter 44 of this Code if applicable, shall be grounds for denial of a game room license.

Sec. 5-174. Same--Payment; receipt constitutes license; approval of chief of police prior to issuance of receipt.

The license fee provided for in section 5-172 shall be paid to the director of administration and regulatory affairs, who, upon receipt of such fee and subject to the following terms hereof, shall give a receipt to the taxpayer therefor in the name of the city, signed by the director, which receipt shall be a license for the operation of the game rooms set out in this division until the thirty-first day of December of the year for which the license was issued.

Sec. 5-175. Violations.

Any person operating, using or maintaining any room or place for which a license is required by this division without first paying the fee and securing a license therefor, or who operates, uses or maintains such place after the license therefor has been revoked, shall, upon conviction, be fined as provided in section 1-6 of this Code for each day that such room or place is so operated.

Sec. 5-176. Exemptions.

This division shall not be construed to embrace bona fide fraternal organizations and lodges, social clubs or social gatherings in private residences for the sole purpose of sociability and amusement.

Sec. 5-177. Effect.

Each licensee under this article must meet and comply with all requirements of law applicable to the premises or any activity conducted thereon and the issuance of a license under this article shall not excuse the licensee, his agents or employees or any patrons of such premises therefrom.

Sec. 5-178. Hearings.

Any applicant desiring to contest the denial of a game room license under section 5-173(c) of this Code may request a hearing before a hearing officer designated by the director of the administration and regulatory affairs department or his designee in accordance with the following procedures:

- (1) A request for hearing must be in writing and delivered to the director within ten days of the denial. The applicant waives the right to hearing if the request is not timely received by the director.
- (2) The only issue before the hearing officer shall be whether or not the proposed game room complies with the requirements of section 5-173(c) of this Code.
- (3) If the hearing officer determines that a proposed game room does not comply with section 5-173(c) of this Code, then application for a game room license shall be denied. The applicant may re-apply for a game room license if changes are made to bring the proposed game room into compliance with section 5-173(c).
- (4) The decision of the hearing officer shall be final.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating Binglewood Subdivision, Section 1 as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # 15
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date September 2, 2009	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: 	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-27-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating Binglewood Subdivision, Section 1 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Binglewood Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Binglewood Civic Club. Notification was mailed to 93 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.

- Attachments:**
 Planning Director's Approval
 Prohibited Yard Parking Requirement Application
 Letter of Support
 Map of the proposed requirement area / land use

- xc:** Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Don Cheatham, Land Use Division, Legal Department
 Chief Hurtt, HPD
 Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Prohibited Yard Parking Requirement Area No. P090401

Planning Director's Approval

Planning Director Evaluation:

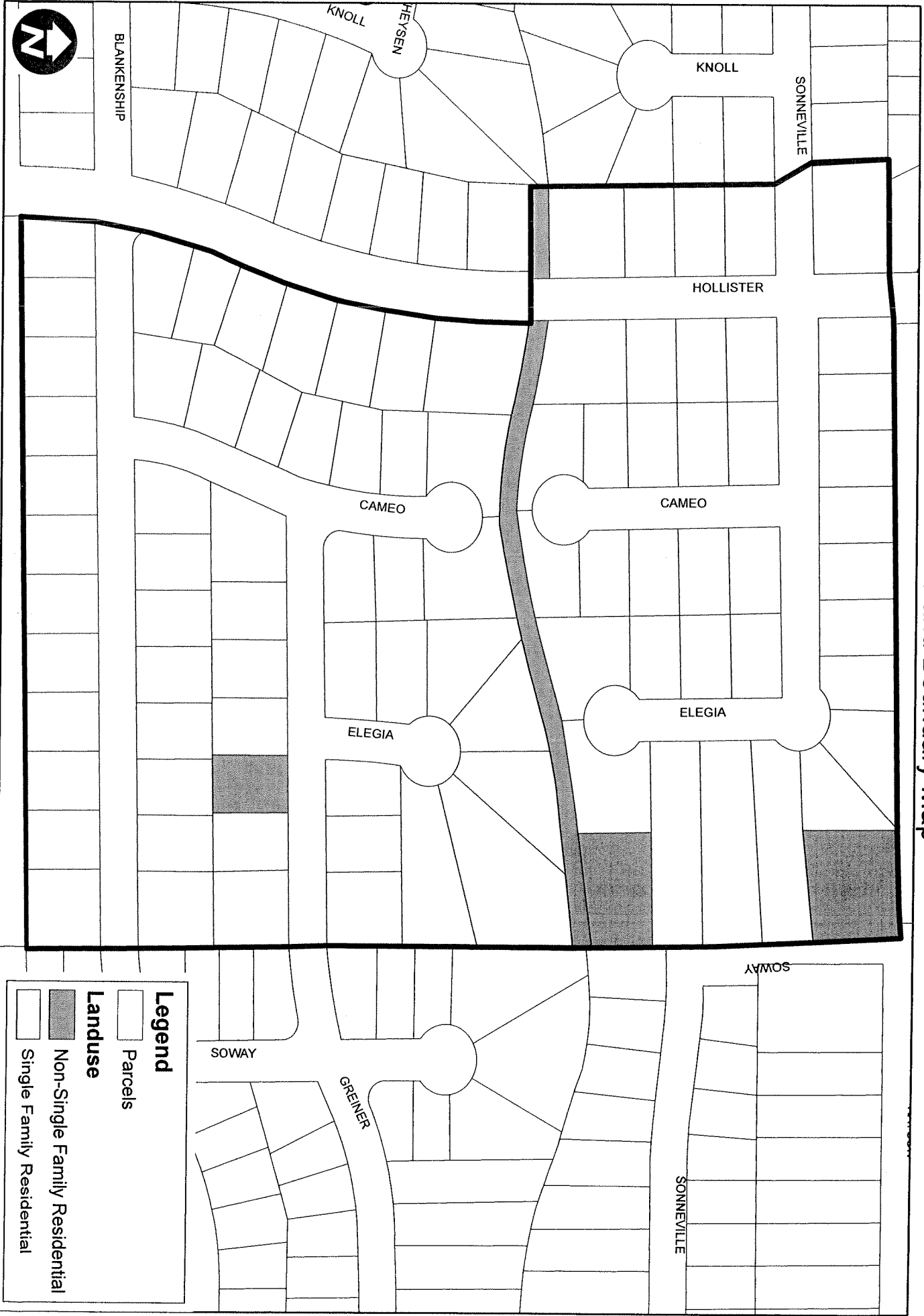
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 97% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Binglewood Civic Club has signed a letter of support.
X		<i>No valid protests were timely filed;</i> The protest period ended on May 12, 2009 with no protests being timely filed.

The Prohibited Yard Parking Requirement Area meets the criteria.

Marlene L. Garrick 9/1/09
Marlene L. Garrick, Date
Director

P090401

Binglewood Civic Club
Landuse and Boundary Map



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

SUBJECT: Ordinance designating Binglewood Subdivision, Section 2 as a Prohibited Yard Parking Requirement Area		Category #	Page 1 of _____	Agenda Item # 16
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date September 2, 2009		Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>		Council District affected: A		
For additional information contact: Kevin Calfee Phone: 713.837.7768		Date and identification of prior authorizing Council action: 2009-0059, 1-27-09		
RECOMMENDATION: (Summary) Approval of an ordinance designating Binglewood Subdivision, Section 2 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.				
Amount and Source of Funding: NA			Finance Budget:	
SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Binglewood Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Binglewood Civic Club. Notification was mailed to 198 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. One protest was timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 1, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.				
Attachments: Decision of the Hearing Official Prohibited Yard Parking Requirement Application Letter of Support Map of the proposed requirement area / land use				
xc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo G. Michel, City Attorney Don Cheatham, Land Use Division, Legal Department Chief Hurtt, HPD Alfred Moran, ARA				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:


Prohibited Yard Parking Requirement Area No. P090402

Hearing Official's Approval

Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 100% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Binglewood Civic Club has signed a letter of support.
X		<i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i> The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

The Prohibited Yard Parking Requirement Area meets the criteria.

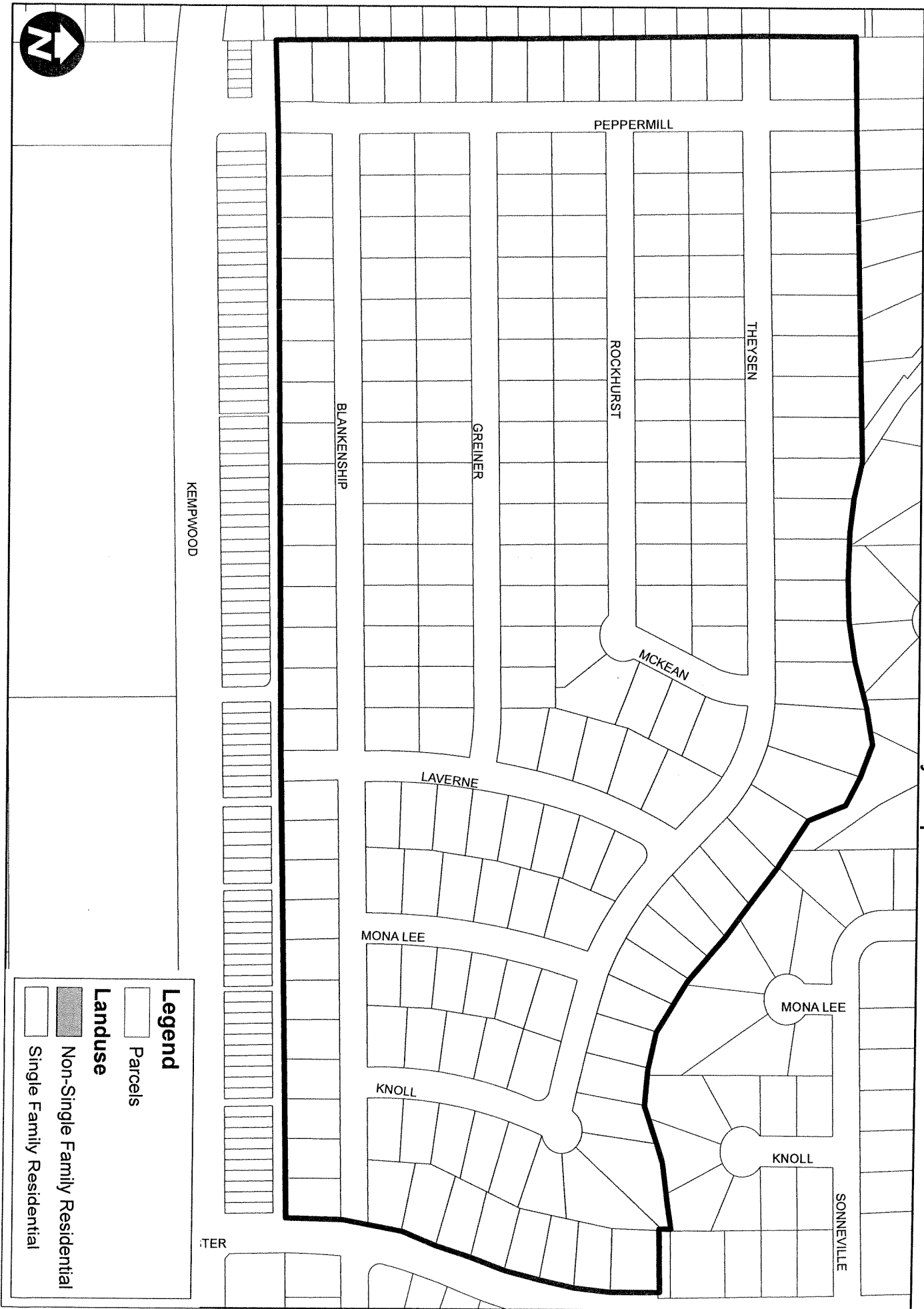

Nicole Smothers,
Hearing Official, Presiding

8-21-09
Date

P090402

Binglewood Civic Club

Landuse and Boundary Map



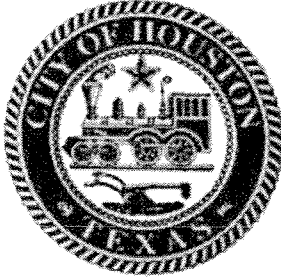
Legend

Parcels

Landuse

Non-Single Family Residential

Single Family Residential



THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker St., 6th Floor in Houston, Texas, on July 1, 2009 beginning at 3:03 p.m. and concluding at 3:41 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings were were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

The application boundary extends north from Blankenship Drive to Theyson Drive and from east of Peppermill Road to Hollister Road. This area is also known as Binglewood Subdivision, Section 2.

Parties

The following parties were present and spoke on the record:

Applicant(s) or representative(s) of Applicant(s): Chris Hajovsky as representative of The Binglewood Civic Club

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: Harry H. Rayner

Exhibits

Exhibit No. 1

Offered by: Harry H. Rayner - letter

Exhibit No. 2

Offered by: Harry H. Rayner - independent parking study

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

YES NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

YES NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

YES NO

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by The Binglewood Civic Club and signed by Paula K. Allen, which application was submitted pursuant to Section 28-303 of the Code, is

recommended for approval denied

If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.

If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 8th day of July, 2009

By: Nicole B. Smothers
Hearing Official, Presiding

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

SUBJECT: Ordinance designating Binglewood Subdivision, Section 3 and 6 as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # <i>17</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date September 2, 2009	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-27-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating Binglewood Subdivision, Section 3 and 6 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Binglewood Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Binglewood Civic Club. Notification was mailed to 175 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Since no protests were filed and the application meets the requirements, the Director is forwarding the application to City Council for consideration.

It is recommended that the City Council adopt an ordinance establishing a Prohibited Yard Parking Requirement Area.

- Attachments:
Planning Director's Approval
Prohibited Yard Parking Requirement Application
Letter of Support
Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Don Cheatham, Land Use Division, Legal Department
Chief Hurtt, HPD
Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Prohibited Yard Parking Requirement Area No. P090403

Planning Director's Approval

Planning Director Evaluation:

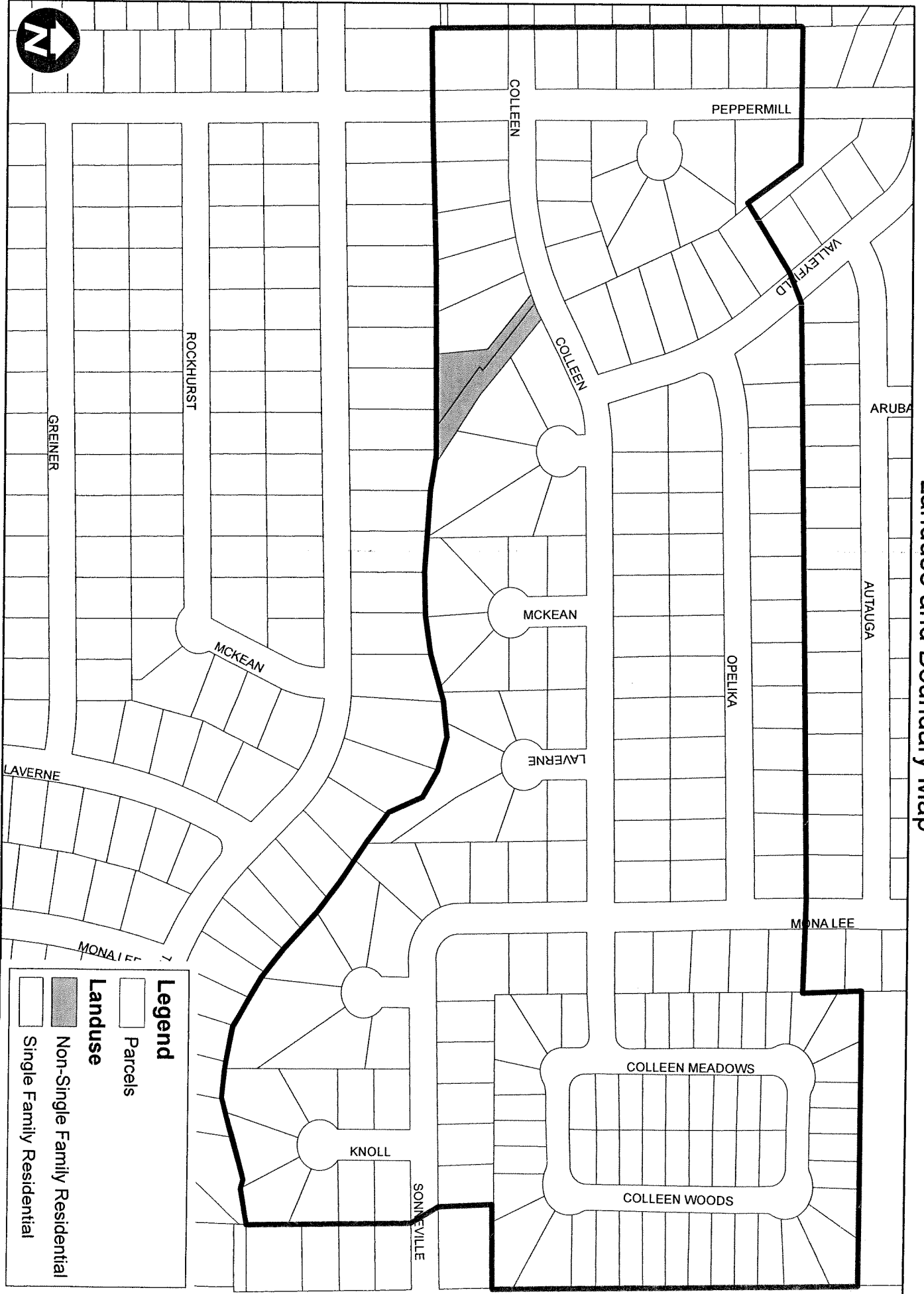
Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 99% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Binglewood Civic Club has signed a letter of support.
X		<i>No valid protests were timely filed;</i> The protest period ended on May 12, 2009 with no protests being timely filed.

The Prohibited Yard Parking Requirement Area meets the criteria.

Marlene L. Gafrick 9/1/09
Marlene L. Gafrick, Date
Director

P090403

Binglewood Civic Club Landuse and Boundary Map



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

SUBJECT: Ordinance designating Binglewood Subdivision, Section 4 as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # 18
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date September 2, 2009	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-27-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating Binglewood Subdivision, Section 4 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Binglewood Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Binglewood Civic Club. Notification was mailed to 147 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Five protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 1, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

- Attachments:
 Decision of the Hearing Official
 Prohibited Yard Parking Requirement Application
 Letter of Support
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Don Cheatham, Land Use Division, Legal Department
 Chief Hurtt, HPD
 Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Prohibited Yard Parking Requirement Area No. P090404

Hearing Official's Approval

Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 99% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Binglewood Civic Club has signed a letter of support.
X		<i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i> The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

The Prohibited Yard Parking Requirement Area meets the criteria.

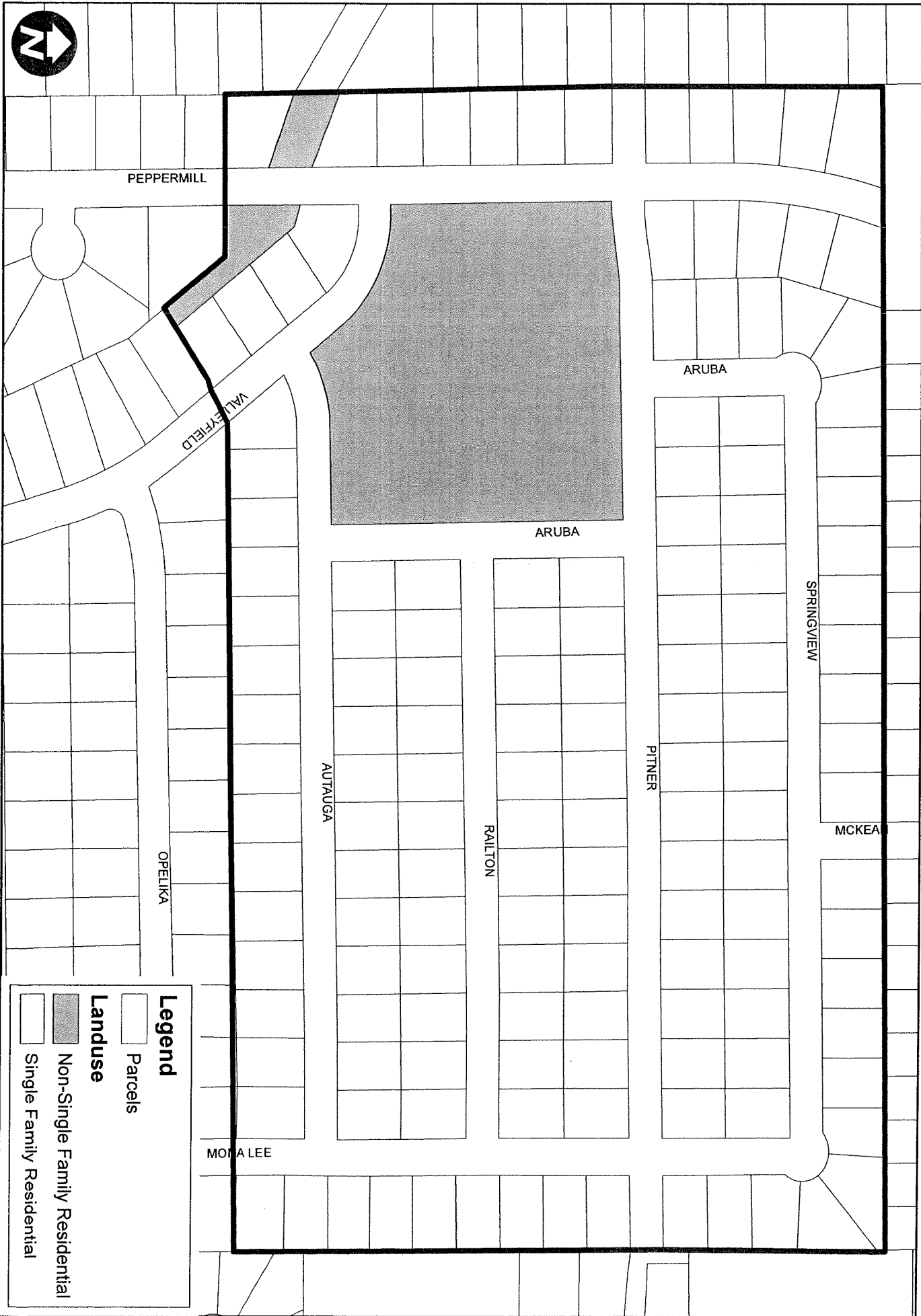
 8-21-09

Nicole Smothers,
Hearing Official, Presiding

Date




P090404

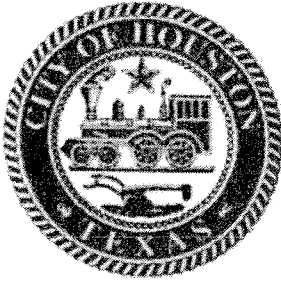
Binglewood Civic Club
Landuse and Boundary Map



Legend

Landuse

-  Parcels
-  Non-Single Family Residential
-  Single Family Residential



THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker St., 6th Floor in Houston, Texas, on July 1, 2009 beginning at 3:03 p.m. and concluding at 3:41 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings were were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

The application boundary extends north from Autauga Street to Springview Lane and from east of Peppermill Road to Mona Lee Lane. This area is also known as Binglewood Subdivision, Section 4.

Parties

The following parties were present and spoke on the record:

Applicant(s) or representative(s) of Applicant(s): Chris Hajovsky as representative of The Binglewood Civic Club

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: Dolores Lucero

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: Edith Horrell

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: Greg Branum

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: Pam Branum

Exhibits

Exhibit No. 1

Offered by: Dolores Lucero - letter

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

YES NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

YES NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

YES NO

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by The Binglewood Civic Club and signed by Paula K. Allen, which application was submitted pursuant to Section 28-303 of the Code, is

recommended for approval denied

If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.

If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 8th day of July, 2009

By: *Nicole P. Smothers*
Hearing Official, Presiding

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating Binglewood Subdivision, Section 5 as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # 19
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date September 2, 2009	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-27-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating Binglewood Subdivision, Section 5 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Binglewood Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Binglewood Civic Club. Notification was mailed to 105 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. One protest was timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 1, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

- Attachments:
 Decision of the Hearing Official
 Prohibited Yard Parking Requirement Application
 Letter of Support
 Map of the proposed requirement area / land use

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Don Cheatham, Land Use Division, Legal Department
 Chief Hurtt, HPD
 Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Prohibited Yard Parking Requirement Area No. P090405

Hearing Official's Approval

Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p>The application area contains at least five contiguous block faces.</p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p>100% of the proposed application area is developed as single-family residential.</p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p>The president of the Binglewood Civic Club has signed a letter of support.</p>
X		<p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</p>

The Prohibited Yard Parking Requirement Area meets the criteria.


8-21-09
 Nicole Smothers, Date
 Hearing Official, Presiding

P090405

Binglewood Civic Club

Landuse and Boundary Map



ARUBA

ARUBA

EL DORA

ROSSETTE

CLAY

PINE TIMBERS

NAMORA

SPRINGVIEW

MCKEAN

BIRCHTON

MONA LEE

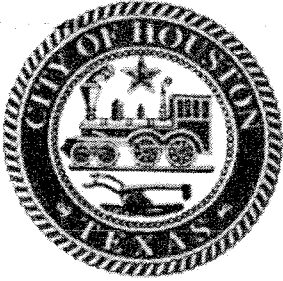
Legend

Parcels

Landuse

Non-Single Family Residential

Single Family Residential



THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker St., 6th Floor in Houston, Texas, on July 1, 2009 beginning at 3:03 p.m. and concluding at 3:41 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings were were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

The application boundary area extends North from Eldora Drive to Clay Road and from East of Peppermill Road to Mona Lee Lane. This area is also known as Binglewood Subdivision Section 5.

Parties

The following parties were present and spoke on the record:

Applicant(s) or representative(s) of Applicant(s): Chris Hajovsky as representative of The Binglewood Civic Club

No protesters were present.

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

YES NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

YES NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

YES NO

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by The Binglewood Civic Club and signed by Paula K. Allen, which application was submitted pursuant to Section 28-303 of the Code, is

recommended for approval denied

If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.

If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 8th day of July, 2009

By: *Michelle B. Snodgrass*
Hearing Official, Presiding

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

SUBJECT: Ordinance designating the single-family residential properties of Shepherd Forest Subdivision, Section 1, Blocks 21 – 25 as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # <i>20</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date September 8, 2009	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-27-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating the single-family residential properties of Shepherd Forest Subdivision, Section 1, Blocks 21 – 25 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Shepherd Forest Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Shepherd Forest Civic Club. Notification was mailed to 79 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. One protest was timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 29, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

- Attachments:
 Decision of the Hearing Official
 Prohibited Yard Parking Requirement Application
 Letter of Support
 Map of the proposed requirement area / land use
 Subdivision Map

- xc: Marty Stein, Agenda Director
 Anna Russell, City Secretary
 Arturo G. Michel, City Attorney
 Don Cheatham, Land Use Division, Legal Department
 Chief Hurtt, HPD
 Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Prohibited Yard Parking Requirement Area No. P090410

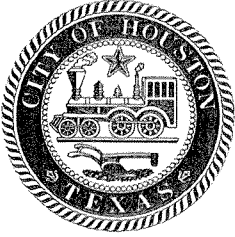
Hearing Official's Approval

Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 100% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Shepherd Forest Civic Club has signed a letter of support.
X		<i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i> The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

The Prohibited Yard Parking Requirement Area meets the criteria.

Nicole Smothers *9-2-09*
Nicole Smothers, Date
Hearing Official, Presiding



CITY OF HOUSTON

Planning & Development
Department

Interoffice

Correspondence

PROHIBITED YARD PARKING APPLICATION BOUNDAREIS

Shepherd Forest Subdivision, Section 1

Block 21, excluding Reserve 363A and Reserve 363B

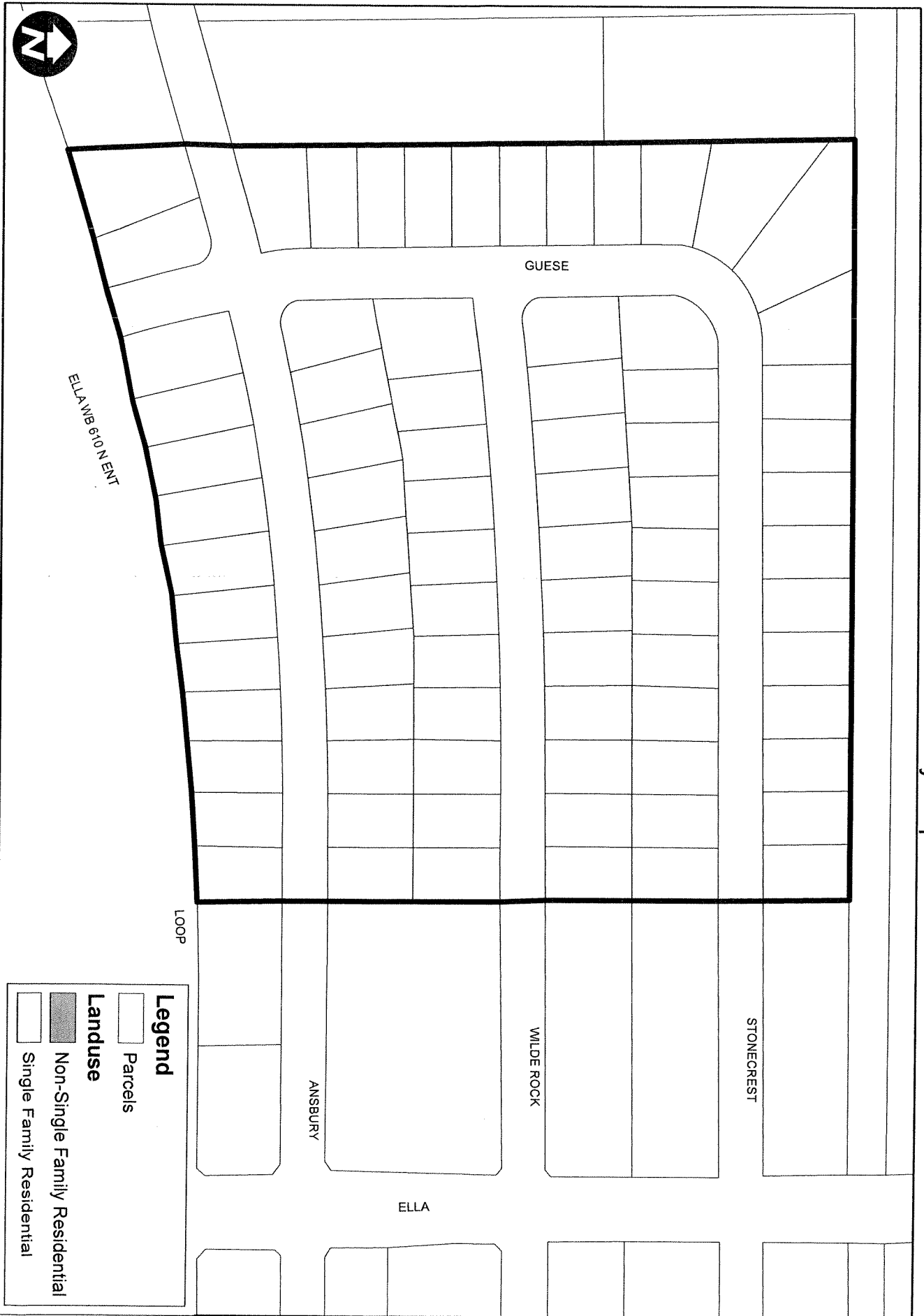
Block 22, excluding Reserve L

Block 23, excluding Reserve K and Reserve K1

Block 24, excluding Reserve J

All lots in Block 25

P090410
Shepherd Forest Civic Club
Landuse and Boundary Map





THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official July 29, 2009 Agenda Item VI: Shepherd Forest Subdivision Section 1.2

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker, 6th Floor in Houston, Texas, on July 29, 2009 beginning at 3:06 p.m. and concluding at 4:26 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings were were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

North from Ansbury Drive to Stonecrest Drive and west from Ella Boulevard to Guese Road

Parties

The following parties were present and spoke on the record:

Applicant(s) or representative(s) of Applicant(s): Joe Nieto

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: None

Exhibits

Exhibit No. 1

Offered by: Jennifer Woodruff

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

YES NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

YES NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

YES NO

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by Shepherd Forest Civic Club and signed by Joe Nieto, which application was submitted pursuant to Section 28-303 of the Code, is

recommended for approval denied

If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.

If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 20th day of August, 2009

By: Nicole B. Lindner
Hearing Official, Presiding

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

SUBJECT: Ordinance designating Shepherd Forest Subdivision, Section 1, Block 26 & 27 and Shepherd Forest Subdivision, Section 2 as a Prohibited Yard Parking Requirement Area		Category #	Page 1 of _____	Agenda Item # <i>21</i>
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date September 8, 2009		Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>		Council District affected: A		
For additional information contact: Kevin Calfee Phone: 713.837.7768		Date and identification of prior authorizing Council action: 2009-0059, 1-27-09		
RECOMMENDATION: (Summary) Approval of an ordinance designating Shepherd Forest Subdivision, Section 1, Block 26 & 27 and Shepherd Forest Subdivision, Section 2 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.				
Amount and Source of Funding: NA			Finance Budget:	
SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Shepherd Forest Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Shepherd Forest Civic Club. Notification was mailed to 248 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. One protest was timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 29, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.				
Attachments: Decision of the Hearing Official Prohibited Yard Parking Requirement Application Letter of Support Map of the proposed requirement area / land use Subdivision Map				
xc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo G. Michel, City Attorney Don Cheatham, Land Use Division, Legal Department Chief Hurtt, HPD Alfred Moran, ARA				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:


Prohibited Yard Parking Requirement Area No. P090411

Hearing Official's Approval

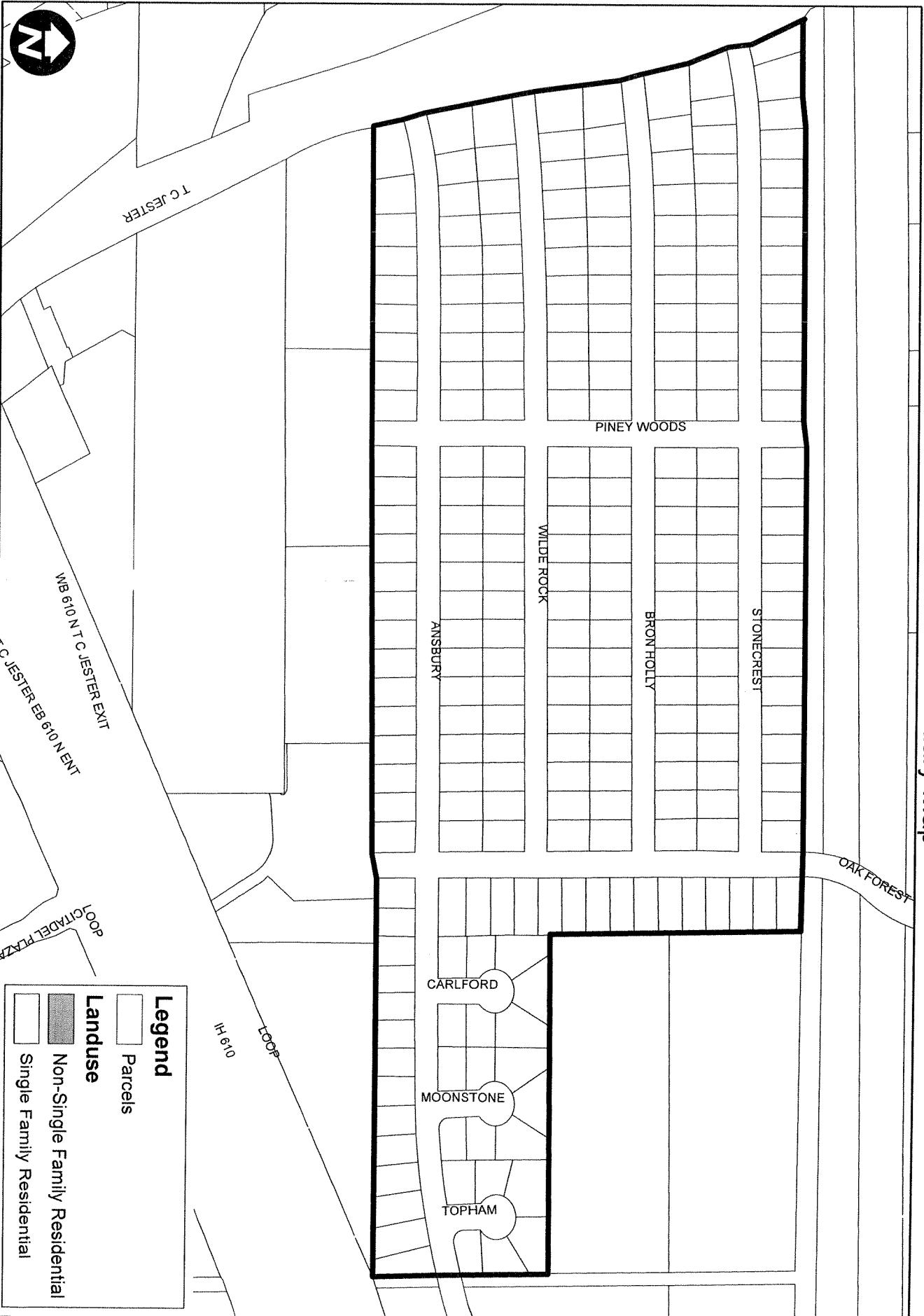
Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>PYPRA includes five contiguous block faces;</i></p> <p>The application area contains at least five contiguous block faces.</p>
X		<p><i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i></p> <p>100% of the proposed application area is developed as single-family residential.</p>
X		<p><i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i></p> <p>The president of the Shepherd Forest Civic Club has signed a letter of support.</p>
X		<p><i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i></p> <p>The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.</p>

The Prohibited Yard Parking Requirement Area meets the criteria.


9-2-09
 Nicole Smothers, Date
 Hearing Official, Presiding

P090411
 Shepherd Forest Civic Club
 Landuse and Boundary Map



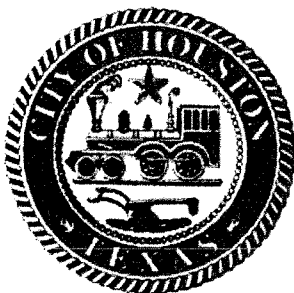
Legend

Parcels

Landuse

Non-Single Family Residential

Single Family Residential



THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official

July 29, 2009 Agenda Item VII: Shepherd Forest Subdivision Sections 1.3
and Section 2

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker, 6th Floor in Houston, Texas, on July 29, 2009 beginning at 3:06 p.m. and concluding at 4:26 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings were were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

North from Ansbury Drive to Stonecrest Drive and East from TC Jester Boulevard to Topham Circle

Parties

The following parties were present and spoke on the record:

Applicant(s) or representative(s) of Applicant(s): Joe Nieto

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: None

Exhibits

Exhibit No. 1

Offered by: Jennifer Woodruff

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

YES NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

YES NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

YES NO

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by Shepherd Forest Civic Club and signed by Joe Nieto, which application was submitted pursuant to Section 28-303 of the Code, is

recommended for approval denied

If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.

If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 20th day of August, 2009

By: 
Hearing Official, Presiding

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

SUBJECT: Ordinance designating the single-family residential properties of Shepherd Forest Subdivision, Section 1, East of Ella Boulevard as a Prohibited Yard Parking Requirement Area	Category #	Page 1 of _____	Agenda Item # <i>22</i>
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date September 8, 2009	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: A
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For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: 2009-0059, 1-27-09
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RECOMMENDATION: (Summary) Approval of an ordinance designating the single-family residential properties of Shepherd Forest Subdivision, Section 1, East of Ella Boulevard as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.

Amount and Source of Funding: NA	Finance Budget:
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SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Shepherd Forest Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Shepherd Forest Civic Club. Notification was mailed to 363 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Three protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 29, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.

Attachments:
Decision of the Hearing Official
Prohibited Yard Parking Requirement Application
Letter of Support
Map of the proposed requirement area / land use
Subdivision Map

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Don Cheatham, Land Use Division, Legal Department
Chief Hurtt, HPD
Alfred Moran, ARA

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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CITY OF HOUSTON
Planning & Development
Department

Interoffice

Correspondence

PROHIBITED YARD PARKING APPLICATION BOUNDAREIS

Shepherd Forest Subdivision, Section 1

All lots in Block 1 – 15, 17

Block 16, Lots 293 – 308

Block 18, Lots 350 – 363

Block 19, Lots 328 – 349

Block 20, Lots 313 – 327

Prohibited Yard Parking Requirement Area No. P090409

Hearing Official's Approval

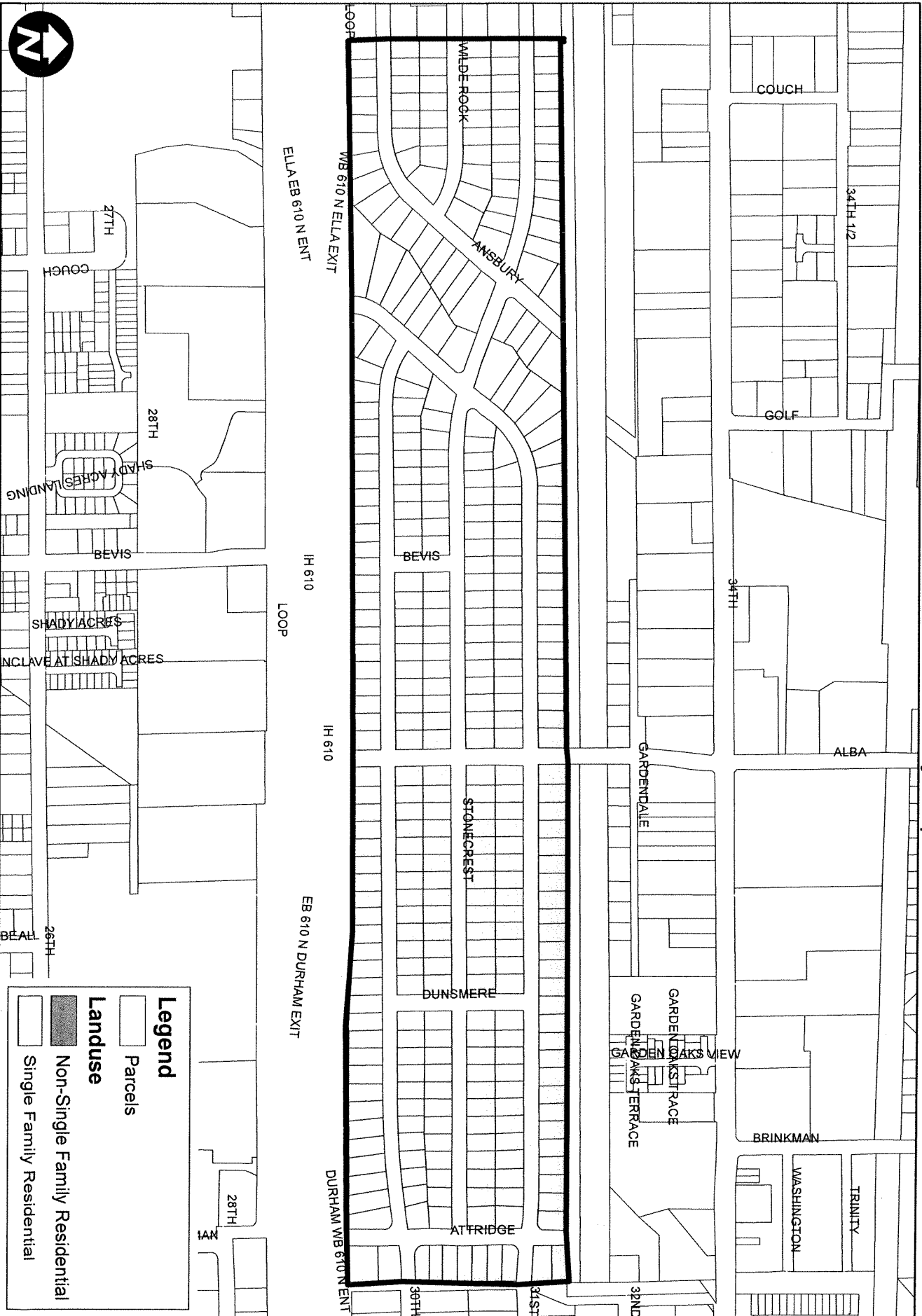
Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 100% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Shepherd Forest Civic Club has signed a letter of support.
X		<i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i> The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

The Prohibited Yard Parking Requirement Area meets the criteria.

Nicole Smothers 9.2.09
Nicole Smothers, Date
Hearing Official, Presiding

P090409 Shepherd Forest Civic Club Landuse and Boundary Map



Legend

Parcels

Landuse

Non-Single Family Residential

Single Family Residential





THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official July 29, 2009 Agenda Item V: Shepherd Forest Subdivision Section 1.1

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker, 6th Floor in Houston, Texas, on July 29, 2009 beginning at 3:06 p.m. and concluding at 4:26 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings were were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

North from West 31st Street to West 30th Street and from Attridge Road to Ella Boulevard

Parties

The following parties were present and spoke on the record:

Applicant(s) or representative(s) of Applicant(s): Joe Nieto

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: None

Exhibits

Exhibit No. 1

Offered by: Jennifer Woodruff

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

YES NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

YES NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

YES NO

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by Shepherd Forest Civic Club and signed by Joe Nieto, which application was submitted pursuant to Section 28-303 of the Code, is

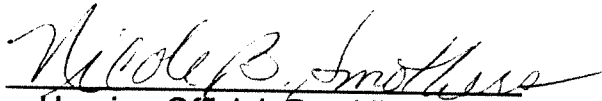
recommended for approval denied

If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.

If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 20th day of August, 2009

By:


Hearing Official, Presiding

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

SUBJECT: Ordinance designating Shepherd Forest Subdivision, Section 3 as a Prohibited Yard Parking Requirement Area		Category #	Page 1 of _____	Agenda Item # 23
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date September 8, 2009		Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>		Council District affected: H		
For additional information contact: Kevin Calfee Phone: 713.837.7768		Date and identification of prior authorizing Council action: 2009-0059, 1-27-09		
RECOMMENDATION: (Summary) Approval of an ordinance designating Shepherd Forest Subdivision, Section 3 as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.				
Amount and Source of Funding: NA			Finance Budget:	
SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Shepherd Forest Civic Club initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Shepherd Forest Civic Club. Notification was mailed to 228 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Fifteen protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 29, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area. Attachments: Decision of the Hearing Official Prohibited Yard Parking Requirement Application Letter of Support Map of the proposed requirement area / land use Subdivision Map xc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo G. Michel, City Attorney Don Cheatham, Land Use Division, Legal Department Chief Hurtt, HPD Alfred Moran, ARA				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

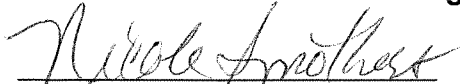
Prohibited Yard Parking Requirement Area No. P090412

Hearing Official's Approval

Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 99.1% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Shepherd Forest Civic Club has signed a letter of support.
X		<i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i> The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

The Prohibited Yard Parking Requirement Area meets the criteria.

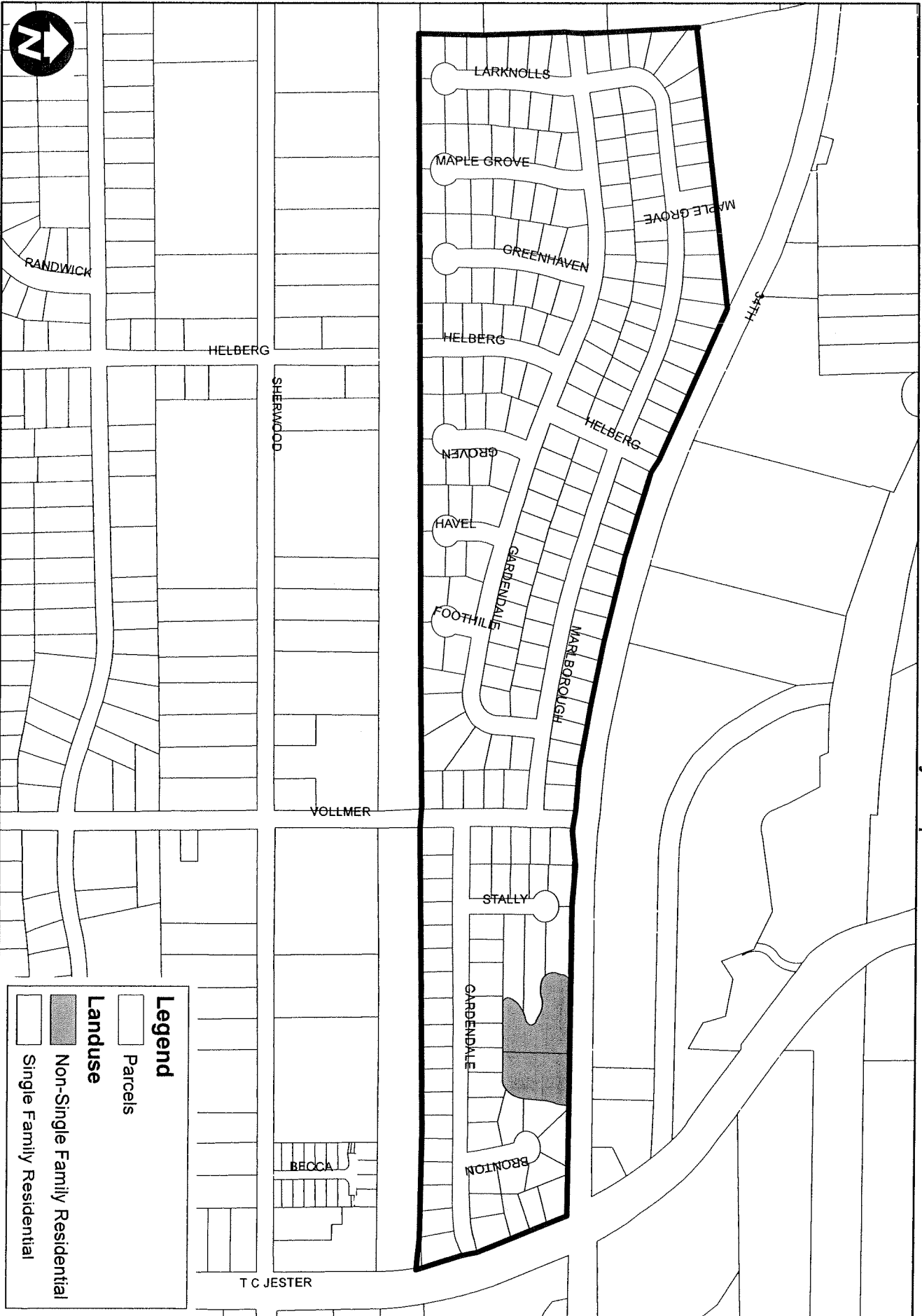
 9-2-09

Nicole Smothers,
Hearing Official, Presiding

Date

P090412

Shepherd Forest Civic Club
Landuse and Boundary Map



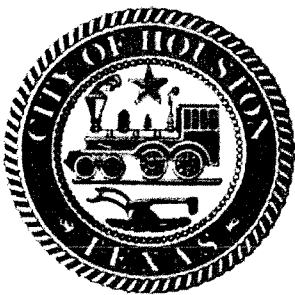
Legend

Parcels

Landuse

Non-Single Family Residential

Single Family Residential



THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official July 29, 2009 Agenda Item VIII: Shepherd Forest Subdivision Section 3

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker, 6th Floor in Houston, Texas, on July 29, 2009 beginning at 3:06 p.m. and concluding at 4:26 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings were were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

North from Gardendale Drive to 34th Street and from east from Larknolls Lane to West TC Jester Boulevard

Parties

The following parties were present and spoke on the record:

Applicant(s) or representative(s) of Applicant(s): Joe Nieto

Protester(s) No. 1 or representative(s) of Protestor(s) No. 1: Mario Zamorripo

Protester(s) No. 2 or representative(s) of Protestor(s) No. 2: Renee Taylor

Exhibits

Exhibit No. 1

Offered by: Jennifer Woodruff

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

YES NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

YES NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

YES NO

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by Shepherd Forest Civic Club and signed by Joe Nieto, which application was submitted pursuant to Section 28-303 of the Code, is

recommended for approval denied

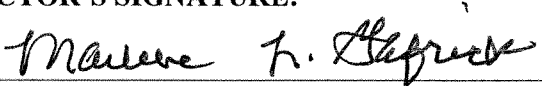
If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.

If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 20th day of August, 2009

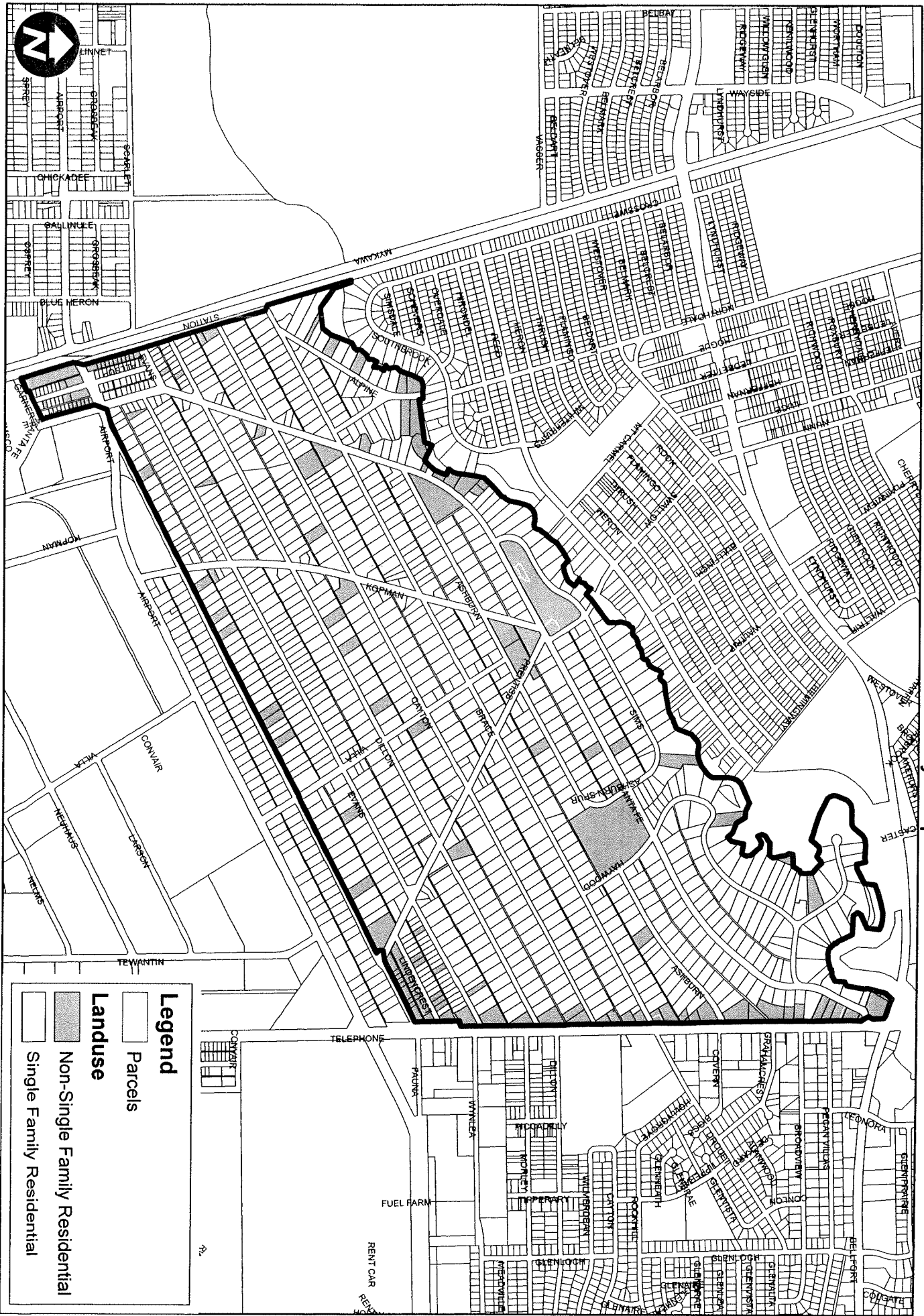
By: Nicole B. Smith
Hearing Official, Presiding

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

SUBJECT: Ordinance designating Garden Villas Subdivision and Hamlins Woodland Subdivision as a Prohibited Yard Parking Requirement Area		Category #	Page 1 of _____	Agenda Item # <i>24</i>
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date September 9, 2009		Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: <i>MS</i> 		Council District affected: I		
For additional information contact: Kevin Calfee Phone: 713.837.7768		Date and identification of prior authorizing Council action: 2009-0059, 1-27-09		
RECOMMENDATION: (Summary) Approval of an ordinance designating Garden Villas Subdivision and Hamlins Woodland Subdivision as a Prohibited Yard Parking Requirement Area, pursuant to Chapter 28 of the Code of Ordinances, restricting parking on the front and side yard of single-family residential property.				
Amount and Source of Funding: NA			Finance Budget:	
<p>SPECIFIC EXPLANATION: In accordance with Section 28-303 of the Code of Ordinances, the Garden Villas Community Association initiated an application for the designation of a Prohibited Yard Parking Requirement Area. The application includes a letter of support from the president of the Garden Villas Community Association. Notification was mailed to 1129 property owners indicating that the prohibited yard parking requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within twenty days of mailing. Thirty-one protests were timely filed with the Planning and Development Department. The Hearing Official held a public hearing on July 22, 2009 and recommended establishing the Prohibited Yard Parking Requirement Area.</p> <p>Attachments: Decision of the Hearing Official Prohibited Yard Parking Requirement Application Letter of Support Map of the proposed requirement area / land use Subdivision Plats</p> <p>xc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo G. Michel, City Attorney Don Cheatham, Land Use Division, Legal Department Chief Hurtt, HPD Alfred Moran, ARA</p>				
REQUIRED AUTHORIZATION				
Finance Director:		Other Authorization:		Other Authorization:

P090408

Garden Villas Community Association Landuse and Boundary Map



Legend

Parcels

Landuse

Non-Single Family Residential

Single Family Residential

Prohibited Yard Parking Requirement Area No. P090408

Hearing Official's Approval

Hearing Official Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>PYPRA includes five contiguous block faces;</i> The application area contains at least five contiguous block faces.
X		<i>More than 60% of the proposed PYPRA is developed as single-family residential lots;</i> 88% of the proposed application area is developed as single-family residential.
X		<i>The application is authorized by the board of an active homeowners association or civic club that encompasses the residential area described in the application;</i> The president of the Garden Villas Community Association has signed a letter of support.
X		<i>Available parking is sufficient to accommodate the typical parking needs for the residential area;</i> The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

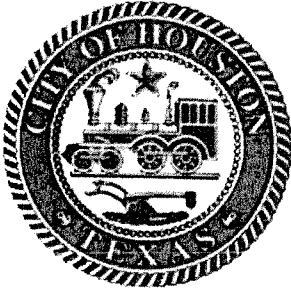
The Prohibited Yard Parking Requirement Area meets the criteria.

Nicole Smothers 9-2-09

Nicole Smothers,

Date

Hearing Official, Presiding



THE CITY OF HOUSTON, TEXAS

Decision of the Hearing Official

Authority

The undersigned is authorized to hear this matter as a hearing officer duly appointed in accordance with the procedures set forth in Section 28-303(l) of the Code of Ordinances, City of Houston, Texas (the "Code").

Date, Time and Place of Proceedings

These proceedings were conducted at 611 Walker St., 6th Floor in Houston, Texas, on July 22, 2009 beginning at 3:07 p.m. and concluding at 4:50 p.m.

Notice

Notice of these proceedings was given to all parties to the extent and in the manner required by Sections 28-303(h), 28-303(i) of the Code as applicable.

Signs were posted in the designated areas and notice was given through at least one other authorized method within the time mandated by Section 28-303 (h) of the Code.

A written protest of this application was timely filed with the director within 20 days after the date of the director's notice letter in compliance with Section 28-303(j) of the Code.

Recording of Proceedings

These proceedings were were not recorded.

If recorded, the following method was used:

Audio CD

Application Area

If approved, this ordinance would prohibit the parking of vehicles on unimproved surfaces in the front and side yards of single family residences in the following area:

Description:

The application boundary area extends North from Santa Fe Drive to Fauna Street and from East of Telephone Road to Mykawa Road.

Parties

The following parties were present and spoke on the record:

Applicant: Helen Guillory

Speaking in favor: Duste Hall; Sonia Penez

Protesters: Jim Hall; Gregory Scott Jackson; Eve Bedingfield; Steve Dinning; Sebastian O'Dwyer; Guadalupe Aguirre; Glenn DeShazo; Kathy Stockton; Teresa Dinning; Theresa Torres; Carl Scott; Grace Avina; Jorge Guiterrez; Rich Doalina; Deborah Elliott; Julien Torres

Exhibits

Exhibit No. 1

Offered by: Jim Hall

Exhibit No. 2

Offered by: George Gutierrez

Exhibit No. 3

Offered by: Helen Guillory

Decision

Approval Criteria

The application or petition complied with Section 29-303(c) of the Code.

YES NO

The evidence presented shows that the residential area described in the application or petition contains at least five contiguous blockfaces.

YES NO

The curbside parking spaces or areas within the residential subdivision available to owners for the parking of vehicles or equipment are sufficient to accommodate the number of vehicles or equipment typically parked within the area.

YES NO

Detailed Explanation

A total of 31 protests were filed out of 1129 residential properties in the application area (2.7%). At the public hearing, the primary complaints presented by the protesters indicated a concern that the application of this ordinance would increase the likelihood that accidents could occur if cars are required to park on the narrow streets in the area, several of which have deep ditches on either side. There was no evidence presented that demonstrated that the application failed to meet the criteria in the ordinance. According to the language in the ordinance, if there is ample street parking available anywhere within the subdivision area, and all other required criteria is met, the application must be approved and forwarded to the City Council for consideration.

Decision on Application

In light of the foregoing, the Hearing Officer finds that the application submitted by The Garden Villas Community Association and signed by Helen Guillory, which application was submitted pursuant to Section 28-303 of the Code, is

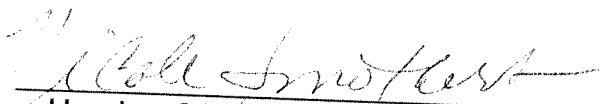
recommended for approval denied

If recommended for approval, the Hearing Official recommends that the City Council pass an ordinance prohibiting the parking of vehicles and equipment on any unimproved surface in the front or side yard areas of an improved single family residential lot within the boundaries designated in the application.


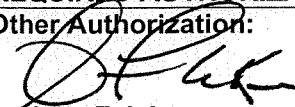
If denied, pursuant to Section 28-303(m) of the Code, the Hearing Officer has not found that the evidence presented at the hearing demonstrates to the satisfaction of the Hearing Officer that the likelihood that the parking of vehicles or equipment in the front or side yards of residences in the residential area has caused, or is presently causing, a diminution in the value of the residences in such area, degrades the aesthetic appearance of the neighborhood, or tends to damage underground infrastructures leading to the loss of water or other conditions contrary to the public interest.

Signed this 11th day of August, 2009

By:


Hearing Official, Presiding

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

SUBJECT: Petition for the City's consent to the creation of 426.3 acres of land as an in-city district, Harris County Municipal Utility District No. 498 (Key Map No.572-F)		Category #	Page 1 of 1	Agenda Item # 25
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 09.09.09	Agenda Date SEP 23 2009	
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D. WRE, BCEE, Director		Council District affected: "D"		
For additional information contact: Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142 <i>AMS</i>		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) <p>The petition for the creation of 426.3 acres of land as an in-city district, Harris County Municipal Utility District No. 498 be approved.</p>				
Amount and Source of Funding: <p style="text-align: center;">NONE REQUIRED</p>				
SPECIFIC EXPLANATION: <p>The owners of 426.3 acres of land, located entirely within the corporate limits of Houston, have petitioned the City of Houston for consent to create an in-city municipal utility district.</p> <p>The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, roads, park facilities and other public services.</p> <p>The district is located in the vicinity of West Airport Boulevard, Hiram Clarke Road, Holmes Road and Almeda Road. The district will consist of 426.3 acres. The district will be served by the City of Houston's Almeda Sims Wastewater Treatment Plant. The nearest major drainage facility for Harris County Municipal Utility District No. 498 is Sims Bayou which flows into the Houston Ship Channel.</p> <p>Potable water will be provided by 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, storm water collection systems, road improvements and park facilities within the district must be approved by the City of Houston prior to their construction.</p> <p>The Utility District Review Committee recommends that the subject petition be approved.</p> <p>Attachments</p> <p>cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen Bill Zrioka Waynette Chan Deborah McAbee</p>				
REQUIRED AUTHORIZATION		20UPA11		
Finance Department	Other Authorization:  Andrew F. Icken Deputy Director Planning & Development Services Div.		Other Authorization:	



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

received
8/29/07

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 426.3 acres to Harris County MUD No. 498 under the provisions of Chap. 49 & 54, Title 4 of the Texas Water Code.

John Boone
Attorney for the District

Attorney: Allen Boone Humphries Robinson LLP

Address: 3200 Southwest Freeway, Suite 2600
Houston, Texas

Zip: 77027

Phone: 713-860-6400

Engineer: TCB, Inc.

Address: 5757 Woodway, Suite 101 West
Houston, Texas

Zip: 77057

Phone: 713-267-2944

Owners: Wildcat Interests, LP

Address: 4141 Southwest Freeway, Ste. 300
Houston, Texas

Zip: 77027

Phone: 713-840-8800

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

LOCATION

INSIDE CITY

OUTSIDE CITY

Survey William Bryan
B.B.B. & C.R.R. Company

NAME OF COUNTY (S) Harris
Abstract A-185
A-179 & A-172

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

North of: West Airport Boulevard.

East of: Hiram Clarke Road

South of: Holmes Road

West of: Almeda Road

WATER DISTRICT DATA

Total Acreage of District: 426.3

Existing Plus Proposed Land 426.3

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

Single Family Residential 54%

Multi-Family Residential 29%

Commercial 16%

Industrial 0%

Institutional 1%

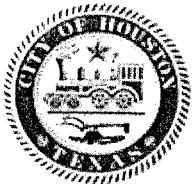
Sewage generated by the District will be served by a : District Plant

Regional Plant

Sewage Treatment Plant Name: Almeda Sims Wastewater Treatment Plant

NPDES/TPDES Permit No: TX0034924 / 10495-003

TCEQ Permit No: _____



CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): City Facility

Ultimate Capacity (MGD): _____

Size of treatment plant site: _____ 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: See Attached Letter

MGD of (Regional Plant).

Name of District: _____

MGD Capacity Allocation _____

or property owner(s)

Name of District: _____

MGD Capacity Allocation _____

Water Treatment Plant Name: City Facility

Water Treatment Plant Address: _____

Well Permit No: See Attached Letter

Existing Capacity:

Well(s): _____ GPM

Booster Pump(s): _____ GPM

Tank(s): _____ MG

Ultimate Capacity:

Well(s): _____ GPM

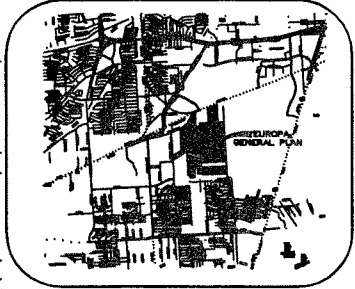
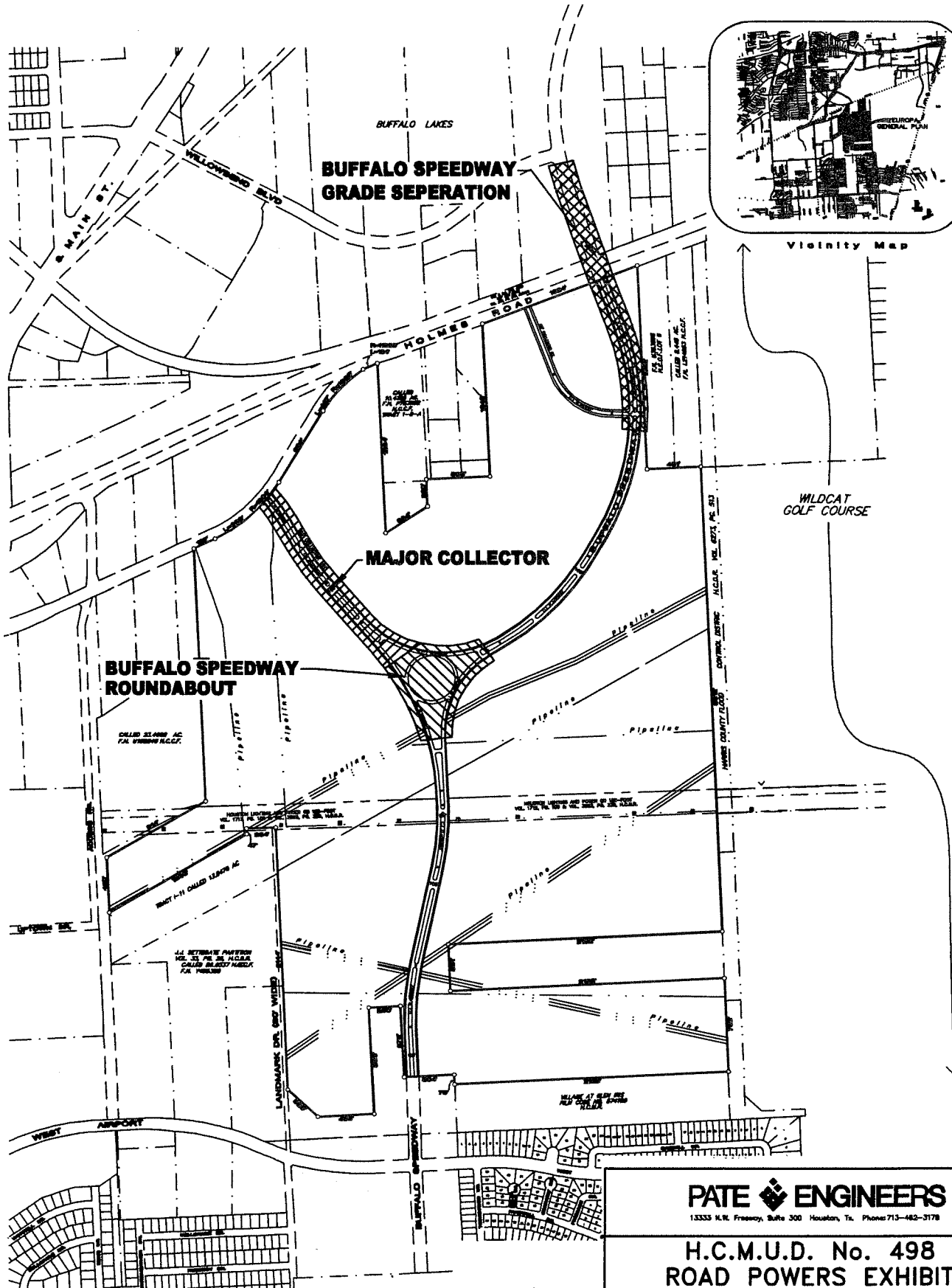
Booster Pump(s): _____ GPM

Tank(s): _____ MG

Size of Treatment Plant Site: _____

square feet/acres.

Comments or Additional Information: _____



Vicinity Map

1:10000 Design: 1/18/2009 11:11 AM 1:10000 Design: 1/18/2009 11:11 AM
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PATE ENGINEERS
 13333 N.W. Freeway, Suite 300 Houston, Tx. Phone: 713-462-3178

**H.C.M.U.D. No. 498
 ROAD POWERS EXHIBIT**

Scale: N.T.S.
 Date: 03/18/09

SUBJECT: License Agreement with American Tower Asset Sub LLC at 17118 Bohemian Hall Road, Crosby, Texas for the Radio Communications Division of the Information Technology Department		Page 1 of 2	Agenda Item <i>26</i>
FROM (Department or other point of origin): General Services Department		Origination Date	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: <i>[Signature]</i> 7/16/09 Issa Z. Dadoush, P.E.		Council District affected: N/A	
For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ord. 2008-0952; 10/29/2008 Ord. 2009-0713; 08/05/2009	
RECOMMENDATION: Approve and authorize a License Agreement with American Tower Asset Sub LLC, for communication tower and ground space at 17118 Bohemian Hall Road, Crosby, Texas for the Radio Communications Division of the Information Technology Department :			
Amount and Source Of Funding: No Additional Funding Required \$ 46,100.00 FY 2010 – Previously Approved Ord. 2009-0713 \$ 293,143.93 FY 2011– 2014 Project Funds to be Appropriated Annually \$ 285,405.55 FY 2015 – FY 2020 Out Years – To Be Determined (See Note) \$ 624,649.48 Total cost for Initial Base Term		Finance Budget:	
<p>SPECIFIC EXPLANATION: On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.</p> <p>The proposed License Agreement with American Tower Asset Sub LLC allows IT to lease tower and ground space to install, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the American tower located in the City of Crosby.</p> <p>The major provisions of the Agreement are as follows:</p> <ul style="list-style-type: none"> • Term - ten-year lease term with two ten-year automatic renewal options. • Monthly License Fee - \$4,500.00 (increased by the annual escalator of 3% during the license term). 			
REQUIRED AUTHORIZATION			CUIC ID# 25 RB 58
General Services Department: <i>[Signature]</i> Forest R. Christy, Jr., Director Real Estate Division		Information Technology Department: <i>[Signature]</i> Richard F. Lewis Director	

Date	SUBJECT: License Agreement with American Tower Asset Sub LLC at 17118 Bohemian Hall Road, Crosby, Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
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- **Additional Expense** - \$5,600.00 for application and site inspection fees.
- **Maintenance** - The City is responsible for all maintenance and utilities.

All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.

The General Services Department recommends that City Council approve and authorize a License Agreement with American Tower Asset Sub LLC at 17118 Bohemian Hall Road, Crosby, Texas for the Radio Communications Division of the Information Technology Department.

Note: Funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.

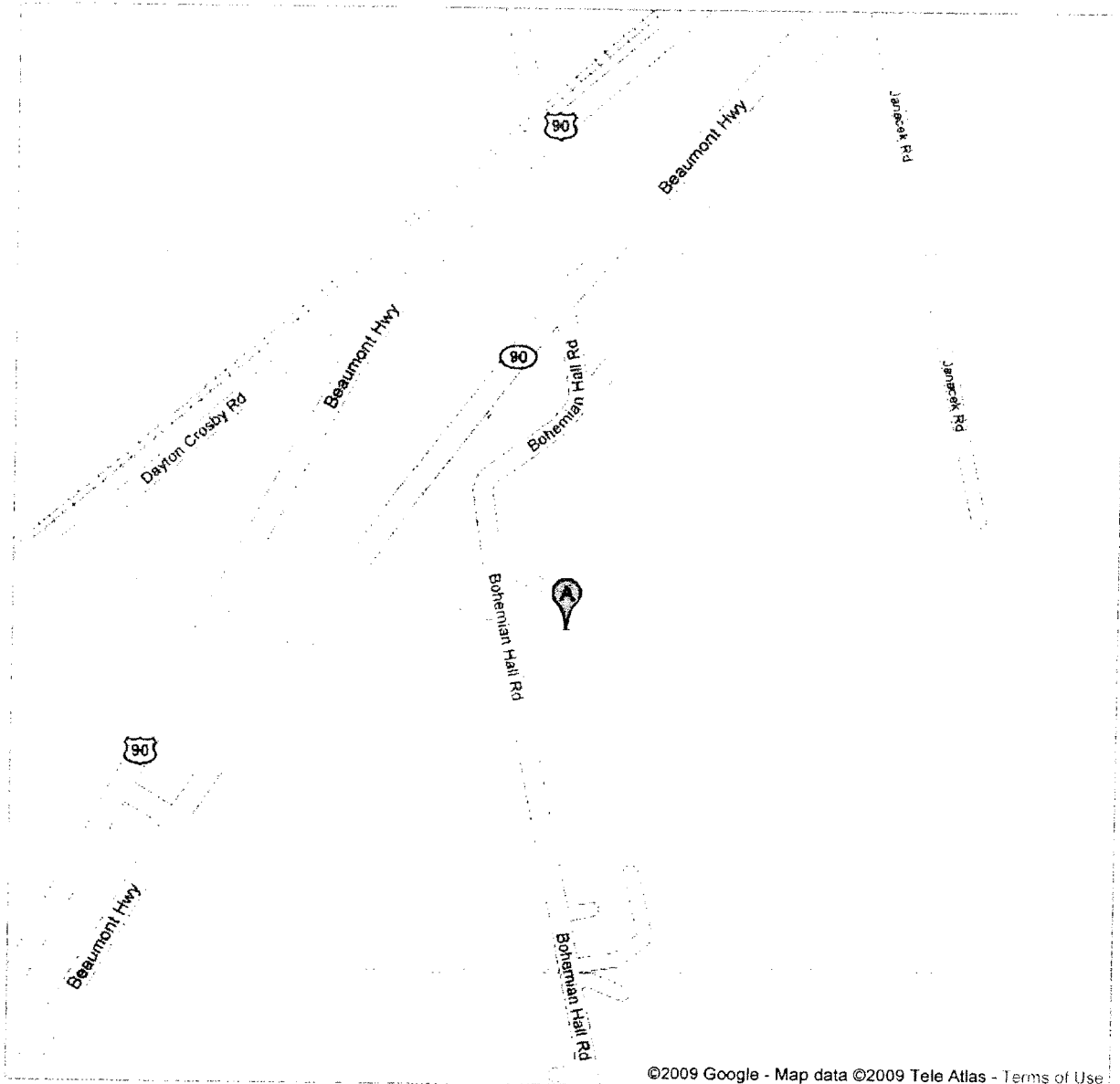
IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

Google maps

Address **17118 Bohemian Hall Rd
Crosby, TX 77532**

Get Google Maps on your phone
Text the word "GMAPS" to 466453



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SUBJECT: License Agreement with American Towers, Inc. at 5525 County Road 48, Rosharon, Texas for the Radio Communications Division of the Information Technology Department	Page 1 of 2	Agenda Item 27
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 7/14/09</i>	Council District affected: N/A
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ord. 2008-0952; 10/29/2008 Ord. 2009-0713; 08/05/2009
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RECOMMENDATION: Approve and authorize a License Agreement with American Towers, Inc., for communication tower and ground space at 5525 County Road 48, Rosharon, Texas for the Radio Communications Division of the Information Technology Department

Amount and Source Of Funding: No Additional Funding Required \$ 46,100.00 FY 2010 – Previously Approved Ord. 2009-0713 \$ 293,143.93 FY 2011– 2014 Project Funds to be Appropriated Annually \$ 285,405.55 FY 2015 – FY 2020 Out Years – To Be Determined (See Note) \$ 624,649.48 Total cost for Initial Base Term	Finance Budget:
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SPECIFIC EXPLANATION: On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.

The proposed License Agreement with American Towers, Inc. allows IT to lease tower and ground space to install, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the American tower located in the City of Rosharon.

The major provisions of the Agreement are as follows:

- **Term** - ten-year lease term with two ten-year automatic renewal options.
- **Monthly License Fee** - \$4,500.00 (increased by the annual escalator of 3% during the license term).

REQUIRED AUTHORIZATION CUIC ID# 25 RB 61

General Services Department:  Forest R. Christy, Jr., Director Real Estate Division		Information Technology Department:  Richard F. Lewis Director
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Date	SUBJECT: License Agreement with American Towers, Inc. at 5525 County Road 48, Rosharon, Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
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- **Additional expense** - \$5,600.00 for application and site inspection fees.
- **Maintenance** - The City is responsible for all maintenance and utilities.

All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.

The General Services Department recommends that City Council approve and authorize a License Agreement with American Towers, Inc. at 5525 County Road 48, Rosharon, Texas for the Radio Communications Division of the Information Technology Department.

Note: Funding necessary for this lease agreement was appropriated August 8, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.

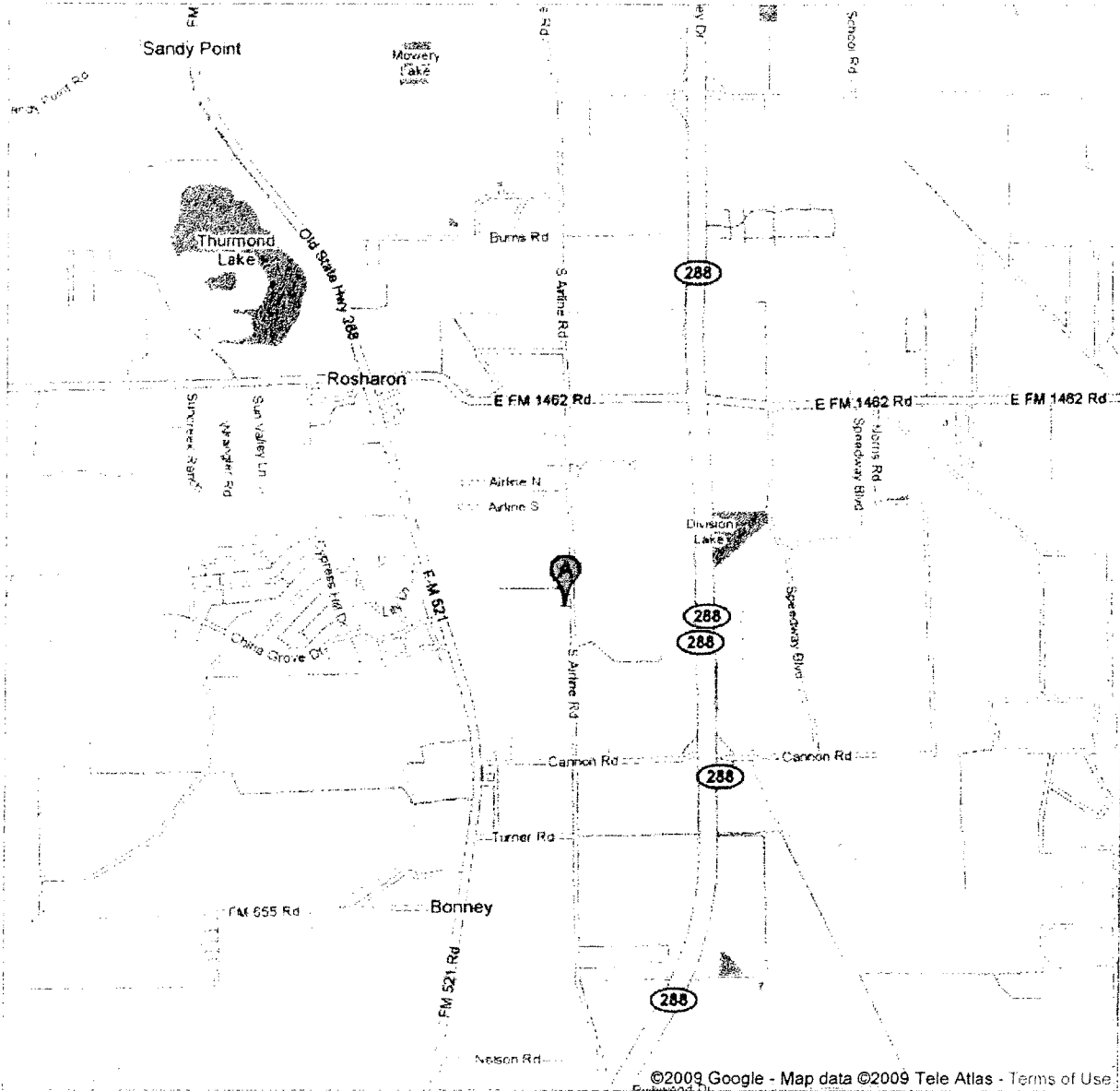
IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

Google maps

Address County Road 48
Rosharon, TX 77583

Get Google Maps on your phone
Text the word "GMAPS" to 466453



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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: License Agreement with American Towers, Inc. at 12411 Dawn, Houston, Texas for the Radio Communications Division of the Information Technology Department	Page 1 of 2	Agenda Item <i>28</i>
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: <i>Issa Z. Dadoush</i> Issa Z. Dadoush, P.E.	Council District affected: ETJ
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For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ord. 2008-0952; 10/29/2008 Ord. 2009-0713; 08/05/2009
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RECOMMENDATION: Approve and authorize a License Agreement with American Towers, Inc., for communication tower and ground space at 12411 Dawn, Houston, Texas for the Radio Communications Division of the Information Technology Department

Amount and Source Of Funding: No Additional Funding Required \$ 46,100.00 FY 2010 –Previously Approved Ord. 2009-0713 \$ 293,143.93 FY 2011-2014 Project Funds to be Appropriated Annually \$ 285,405.55 FY 2015 – FY 2020 Out Years – To Be Determined (See Note) \$ 624,649.48 Total cost for Initial Base Term	Finance Budget:
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SPECIFIC EXPLANATION: On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.

The proposed License Agreement with American Towers, Inc. allows IT to lease tower and ground space to install, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the American tower located in the City of Houston.

The major provisions of the Agreement are as follows:

- **Term** - ten-year lease term with two ten-year automatic renewal options.
- **Monthly License Fee** - \$4,500.00 (increased by the annual escalator of 3% during the license term).

REQUIRED AUTHORIZATION CUIC ID# 25 RB 59

General Services Department: Forest R. Christy, Jr., Director Real Estate Division <i>Forest R. Christy, Jr.</i>	Information Technology Department: <i>Richard F. Lewis</i> Richard F. Lewis Director
--	--

Date	SUBJECT: License Agreement with American Towers, Inc. at 12411 Dawn, Houston Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
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- **Additional expense** - \$5,600.00 for application and site inspection fees.
- **Maintenance** - The City is responsible for all maintenance and utilities.

All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.

The General Services Department recommends that City Council approve and authorize a License Agreement with American Towers, Inc. at 12411 Dawn, Houston, Texas for the Radio Communications Division of the Information Technology Department.

Note: Funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.

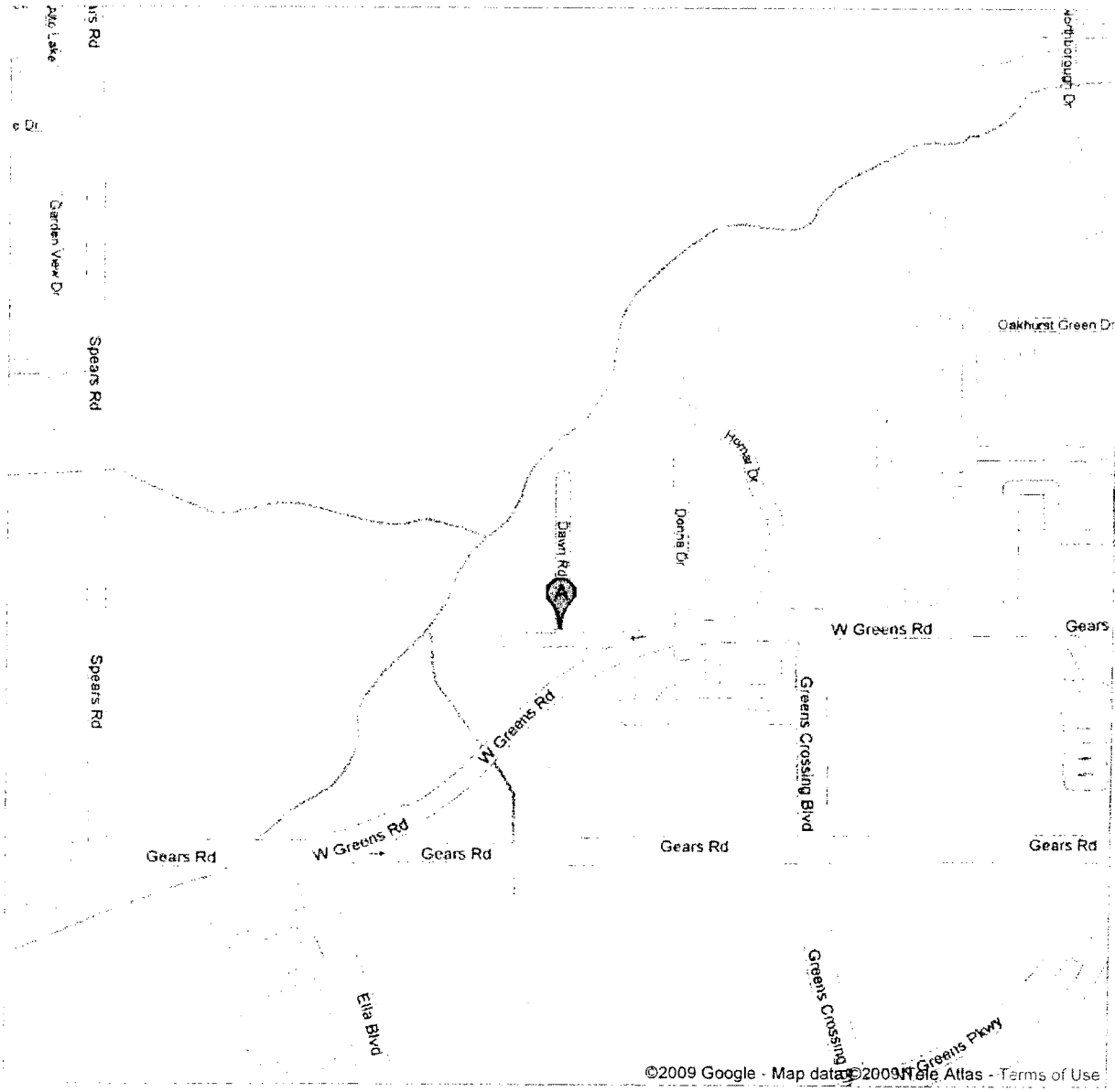
IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

Google maps

Address **12411 Dawn Rd**
Houston, TX 77067

Get Google Maps on your phone
Text the word "GMAPS" to 466453



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SUBJECT: License Agreement with American Towers, Inc. at 29327 Plumcreek #3, Spring, Texas for the Radio Communications Division of the Information Technology Department		Page 1 of 2	Agenda Item <i>29</i>
FROM (Department or other point of origin): General Services Department		Origination Date	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 7/16/09</i>		Council District affected: ETJ	
For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ord. 2008-0952; 10/29/2008 Ord. 2009-0713; 08/05/2009	

RECOMMENDATION: Approve and authorize a License Agreement with American Towers, Inc., for communication tower and ground space at 29327 Plumcreek #3, Spring, Texas for the Radio Communications Division of the Information Technology Department

Amount and Source Of Funding: No Additional Funding Required
 \$ 46,100.00 FY 2010 –Previously Approved Ord. 2009-0713
 \$ 293,143.93 FY 2011– 2014 | Project Funds to be Appropriated Annually
 \$ 285,405.55 FY 2015 – FY 2020 Out Years – To Be Determined (See Note)
 \$ 624,649.48 Total cost for Initial Base Term

Finance Budget:

SPECIFIC EXPLANATION: On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.

The proposed License Agreement with American Towers, Inc. allows IT to lease tower and ground space to install, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the American tower located in the City of Spring.

The major provisions of the Agreement are as follows:

- **Term** - ten-year lease term with two ten-year automatic renewal options.
- **Monthly License Fee** - \$4,500.00 (increased by the annual escalator of 3% during the license term).

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 60

General Services Department: <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division	Information Technology Department: <i>Richard F. Lewis</i> Richard F. Lewis Director
--	--

Date	SUBJECT: License Agreement with American Towers, Inc. at 29327 Plumcreek #3, Spring Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
<ul style="list-style-type: none">• Additional expense - \$5,600.00 for application and site inspection fees.• Maintenance - The City is responsible for all maintenance and utilities. <p>All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.</p> <p>The General Services Department recommends that City Council approve and authorize a License Agreement with American Towers, Inc. at 29327 Plumcreek #3, Spring, Texas for the Radio Communications Division of the Information Technology Department.</p> <p>Note: Funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.</p> <p>IZD:BC:JLN:RB:ddc</p> <p>xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley</p>			

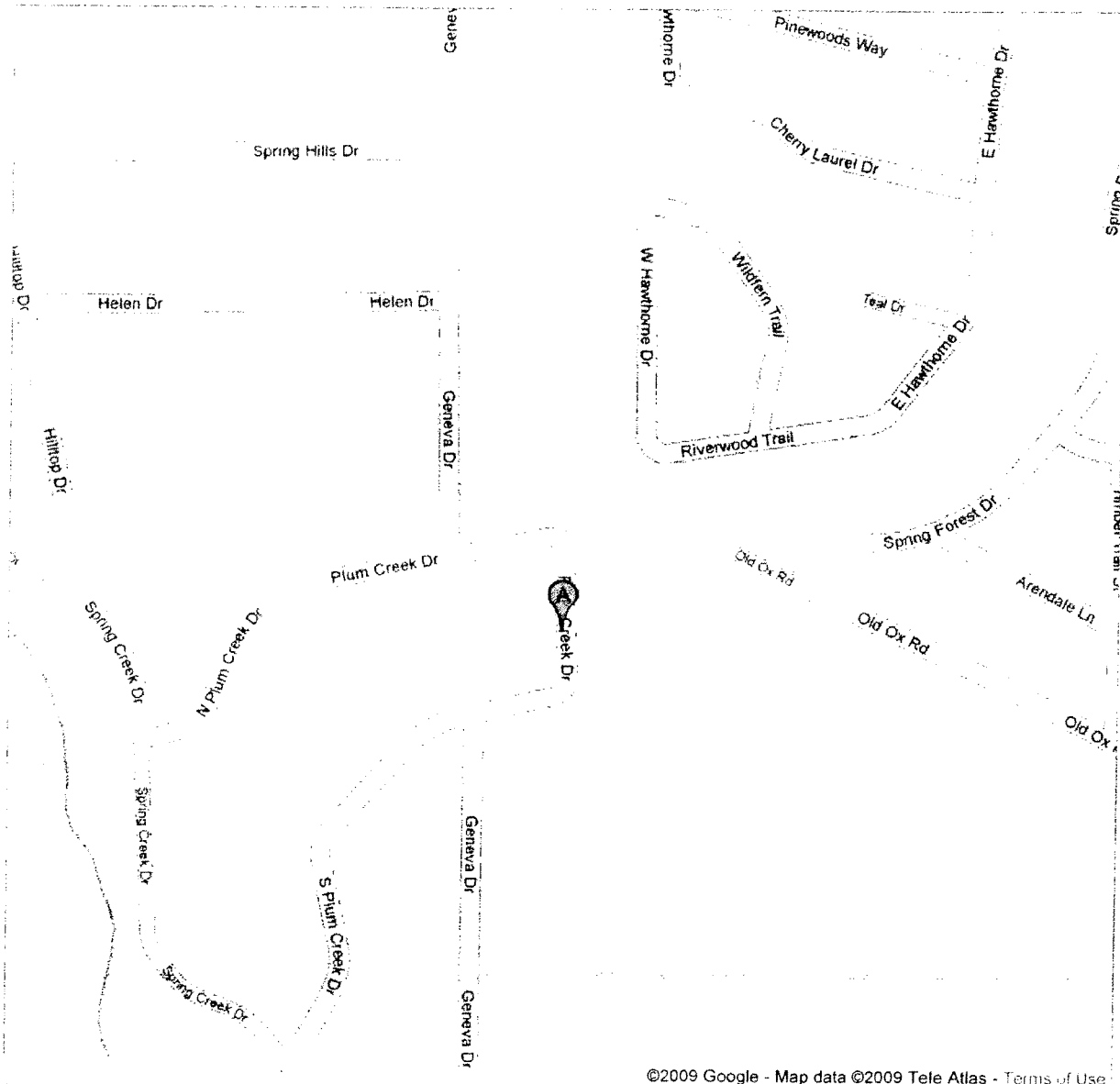
Google maps

Address 29327 Plum Creek Dr
TX 77386

Get Google Maps on your phone



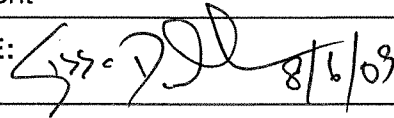

Text the word "GMAPS" to 466453



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SUBJECT: Tower License Agreement with Pinnacle Towers Asset Holding LLC at 23007 Tomball Parkway, Tomball, Texas for the Radio Communications Division of the Information Technology Department		Page 1 of 2	Agenda Item 30
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE:  8/16/09 Issa Z. Dadoush, P.E.	Council District affected: A Date and identification of prior authorizing Council action: Ord. 2008-0952; 10/29/2008 Ord. 2009-0713; 08/05/2009
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	

RECOMMENDATION: Approve and authorize a Tower License Agreement with Pinnacle Towers Asset Holding LLC, for communication tower and ground space at 23007 Tomball Parkway, Tomball, Texas for the Radio Communications Division of the Information Technology Department

Amount and Source Of Funding: No Additional Funding Required \$ 35,200.00 FY 2010 –Previously Approved Ord. 2009-0713 \$239,573.24 FY 2011– FY 2015 Project Funds to be Appropriated Annually \$303,371.40 FY 2015 – FY 2020 Out Years – To Be Determined (See Note) \$578,144.64 Total cost for Initial Base Term	Finance Budget:
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SPECIFIC EXPLANATION: On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.

The proposed Tower License Agreement with Pinnacle Towers Asset Holding LLC allows IT to lease tower and ground space to install, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the Pinnacle tower located in the City of Tomball.

The major provisions of the Agreement are as follows:

- **Term** - ten-year lease term with two five-year automatic renewal options.
- **Monthly License Fee** - \$3,000.00 per month (increased by the annual escalator of 2% during the license term):

REQUIRED AUTHORIZATION CUIC ID# 25 RB 69

General Services Department:  Forest R. Christy, Jr., Director Real Estate Division		Information Technology Department:  Richard F. Lewis Director
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Date	SUBJECT: Tower License Agreement with Pinnacle Towers Asset Holding LLC at 23007 Tomball Parkway , Tomball, Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
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- **Maintenance** - The City is responsible for all maintenance and utilities.

All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.

The General Services Department recommends that City Council approve and authorize a Tower License Agreement with Pinnacle Towers Asset Holding LLC at 23007 Tomball Parkway, Tomball, Texas for the Radio Communications Division of the Information Technology Department.

Note: Funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.

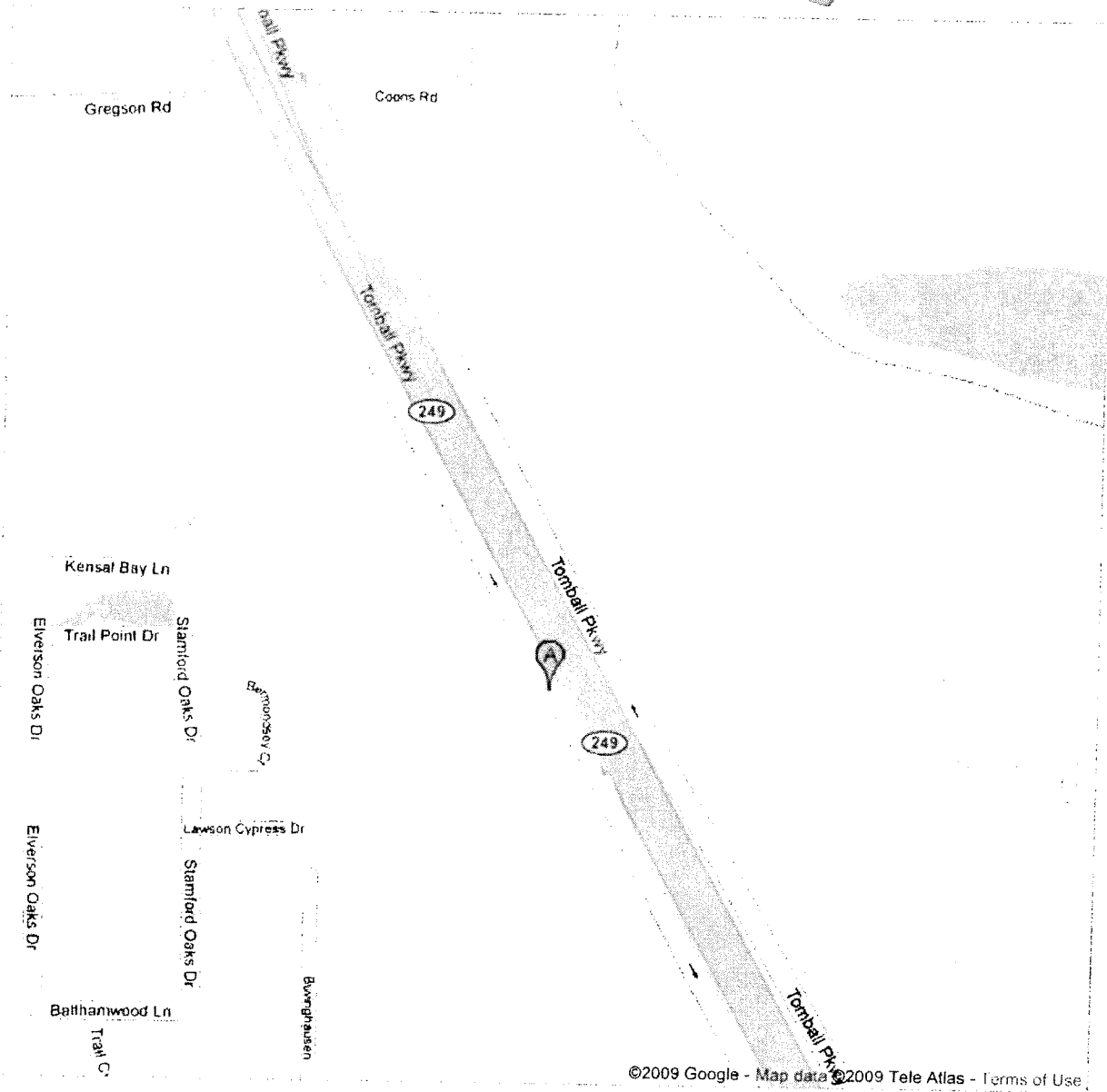

IZD:BC:JLN:RB:ddc

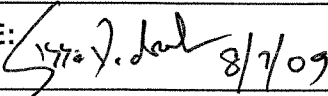



xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

Google maps

Address **23007 Tomball Pkwy**
Tomball, TX 77375

Get Google Maps on your phone
Text the word "GMAPS" to 466453



SUBJECT: Tower License Agreement with Pinnacle Towers Asset Holding LLC at 15409 Old Humble Road, Humble, Texas for the Radio Communications Division of the Information Technology Department		Page 1 of 2	Agenda Item 31
FROM (Department or other point of origin): General Services Department		Origination Date	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE:  8/7/09 Issa Z. Dadoush, P.E.		Council District affected: B	
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ord. 2008-0952; 10/29/2008 Ord. 2009-0713; 08/05/2009	
RECOMMENDATION: Approve and authorize a Tower License Agreement with Pinnacle Towers Asset Holding LLC, for communication tower and ground space at 15409 Old Humble Road, Humble, Texas for the Radio Communications Division of the Information Technology Department			
Amount and Source Of Funding: No Additional Funding Required \$ 24,000.00 FY 2010 - Previously Approved Ord. 2009-0713 \$189,843.36 FY 2011- FY 2015 - Project Funds to be Appropriated Annually \$180,346.68 FY 2016 - FY 2020 -Out Years - To Be Determined (See Note) \$394,190.04 Total cost for Initial Base Term		Finance Budget:	
SPECIFIC EXPLANATION: On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.			
The proposed Tower License Agreement with Pinnacle Towers Asset Holding LLC allows IT to lease tower and ground space to install maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the Pinnacle tower located in the City of Humble.			
The major provisions of the Agreement are as follows:			
<ul style="list-style-type: none"> • Term - ten-year lease term with two five-year automatic renewal options. • Monthly License Fee - \$3,000.00 per month (increased by the annual escalator of 2% during the license term): 			
REQUIRED AUTHORIZATION		CUIC ID# 25 RB 67	
General Services Department:  Forest R. Christy, Jr., Director Real Estate Division		Information Technology Department:  Richard F. Lewis Director	

Date	SUBJECT: Tower License Agreement with Pinnacle Towers Asset Holding LLC at 15409 Old Humble Road, Humble, Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
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- **Maintenance** - The City is responsible for all maintenance and utilities.

All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.

The General Services Department recommends that City Council approve and authorize a Tower License Agreement with Pinnacle Towers Asset Holding LLC at 15409 Old Humble Road, Humble, Texas for the Radio Communications Division of the Information Technology Department.

Note: Funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.

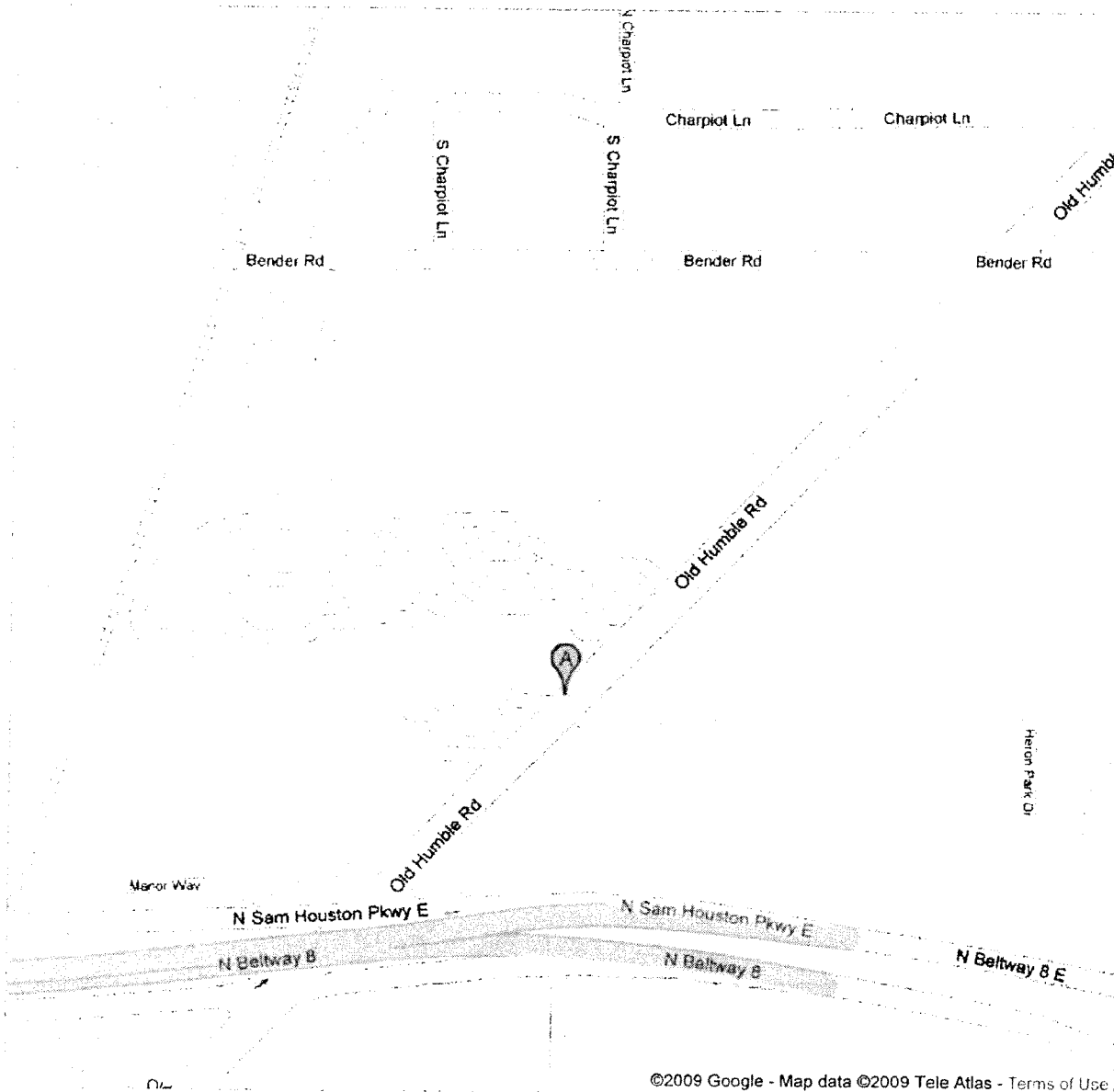
IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

Google maps

Address 15409 Old Humble Rd
Humble, TX 77396

Get Google Maps on your phone
Text the word "GMAPS" to 466453



©2009 Google - Map data ©2009 Tele Atlas - Terms of Use

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Tower License Agreement with Pinnacle Towers LLC at 4605 W. Baker Road, Baytown, Texas for the Radio Communications Division of the Information Technology Department	Page 1 of 2	Agenda Item 320
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.  8/24/09	Council District affected: N/A
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For additional information contact Jacquelyn L. Nisby, Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ord. 2008-0952; 10/29/2008 Ord. 2009-0713; 08/05/2009
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RECOMMENDATION: Approve and authorize a Tower License Agreement with Pinnacle Towers LLC, for communication tower and ground space at 4605 W. Baker Road, Baytown, Texas for the Radio Communications Division of the Information Technology Department

Amount and Source Of Funding: No Additional Funding Required \$ 35,200.00 FY 2010 –Previously Approved Ord. 2009-0713 \$239,573.24 FY 2011– FY 2015 Project Funds to be Appropriated Annually \$303,371.40 FY 2015 – FY 2020 Out Years – To Be Determined (See Note) \$578,144.64 Total cost for Initial Base Term	Finance Budget:
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SPECIFIC EXPLANATION: On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.


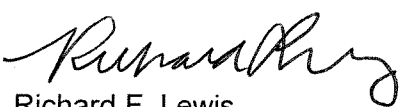
The proposed Tower License Agreement with Pinnacle Towers LLC allows IT to lease tower and ground space to install, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the Pinnacle tower located in the City of Baytown.

The major provisions of the Agreement are as follows:

- **Term** - ten-year lease term with two five-year automatic renewal options.
- **Monthly License Fee** - \$4,400.00 per month (increased by the annual escalator of 2% during the license term):

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 73

General Services Department:  Forest R. Christy, Jr., Director Real Estate Division	Information Technology Department:  Richard F. Lewis Director
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Date	SUBJECT: Tower License Agreement with Pinnacle Towers LLC at 4605 West Baker Baytown, Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
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- **Maintenance** - The City is responsible for all maintenance and utilities.

All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.

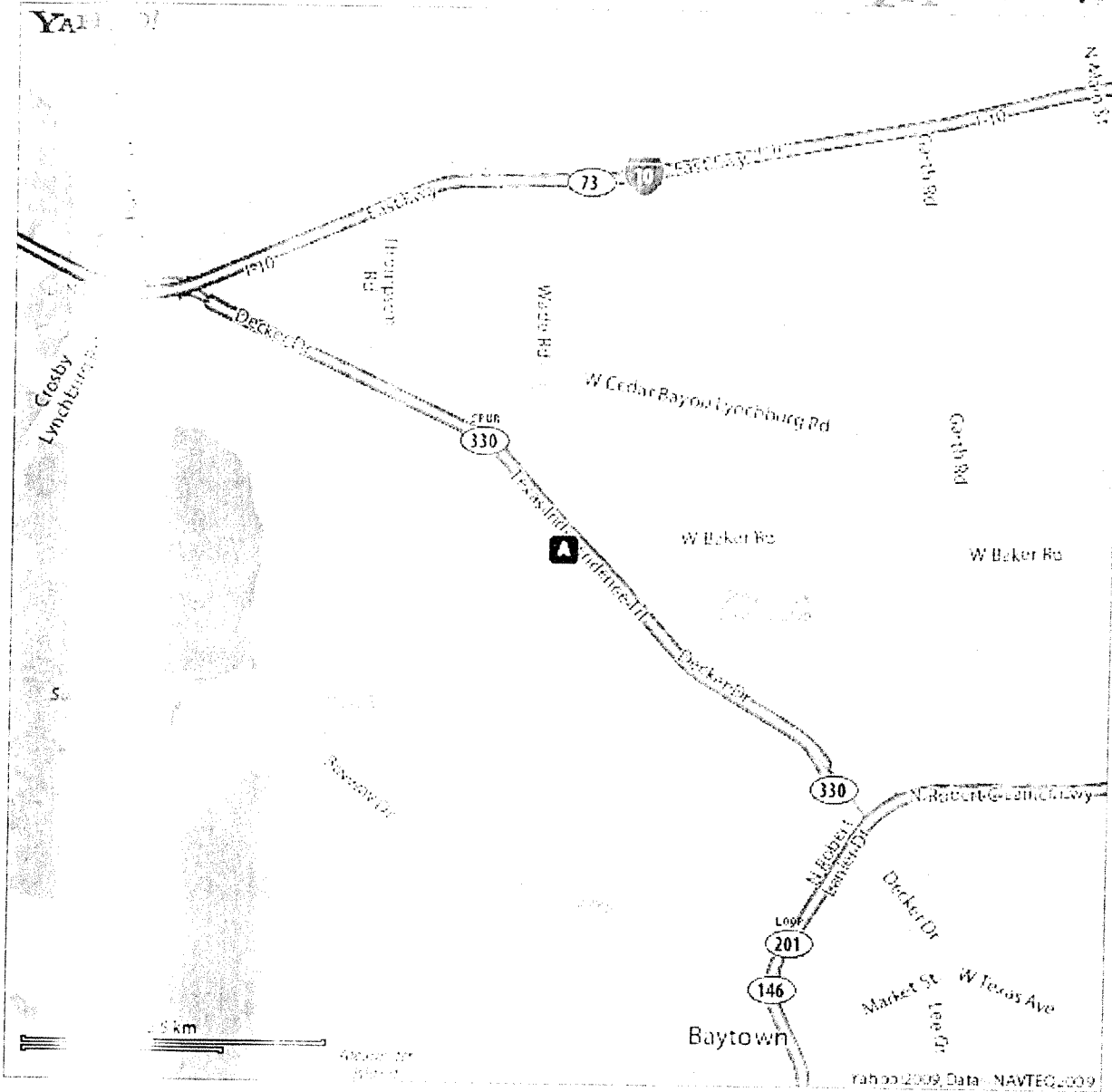
The General Services Department recommends that City Council approve and authorize a Tower License Agreement with Pinnacle Towers LLC at 4505 West Baker, Baytown, Texas for the Radio Communications Division of the Information Technology Department.

Note: Funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.

IZD:BC:JLN:RB:npb

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley

Map of Ram Mobile Data (281) 424-2271



White
water

Inflow direction

The map is for informational purposes only and does not constitute a contract. The information on this map is for informational purposes only and is not intended for use in any other way.

SUBJECT: License Agreement with Unisite, LLC at 5910 County Road 182, Alvin, Texas for the Radio Communications Division of the Information Technology Department	Page 1 of 2	Agenda Item <i>33</i>
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FROM (Department or other point of origin): General Services Department	Origination Date	Agenda Date SEP 28 2009
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i> 7/16/09	Council District affected: N/A
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For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ord. 2008-0952; 10/29/2008 Ord. 2009-0713; 08/05/2009
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RECOMMENDATION: Approve and authorize a License Agreement with Unisite, LLC, for communication tower and ground space at 5910 County Road 182, Alvin, Texas for the Radio Communications Division of the Information Technology Department

Amount and Source Of Funding: No Additional Funding Required \$ 46,100.00 FY 2010 –Previously Approved Ord. 2009-0713 \$ 293,143.93 FY 2011– 2014/ Project Funds to be Appropriated Annually \$ 285,405.55 FY 2015 – FY 2020 Out Years – To Be Determined (See Note) \$ 624,649.48 Total cost for Initial Base Term	Finance Budget:
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SPECIFIC EXPLANATION: On October 29, 2008, Ordinance 2008-0952, City Council approved a System Purchase Agreement with Motorola, Inc. for a new Public Safety Radio System. The City's current Public Safety Radio system is antiquated and at the end of its economic and useful life. The new radio system will be interoperable, allowing Fire, Police and Public Works to communicate more effectively with each other within the City and with other public safety entities. To facilitate this project, the Radio Communications Division of the Information Technology Department (IT) will be entering into various license agreements to lease communication tower space and ground space for the installation, operation and maintenance of antennas and other telecommunications equipment.

The proposed License Agreement with Unisite, LLC allows IT to lease tower and ground space to install, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the Unisite tower located in the City of Alvin.

The major provisions of the Agreement are as follows:

- **Term** - ten-year lease term with two ten-year automatic renewal options.
- **Monthly License Fee** - \$4,500.00 (increased by the annual escalator of 3% during the license term).

REQUIRED AUTHORIZATION


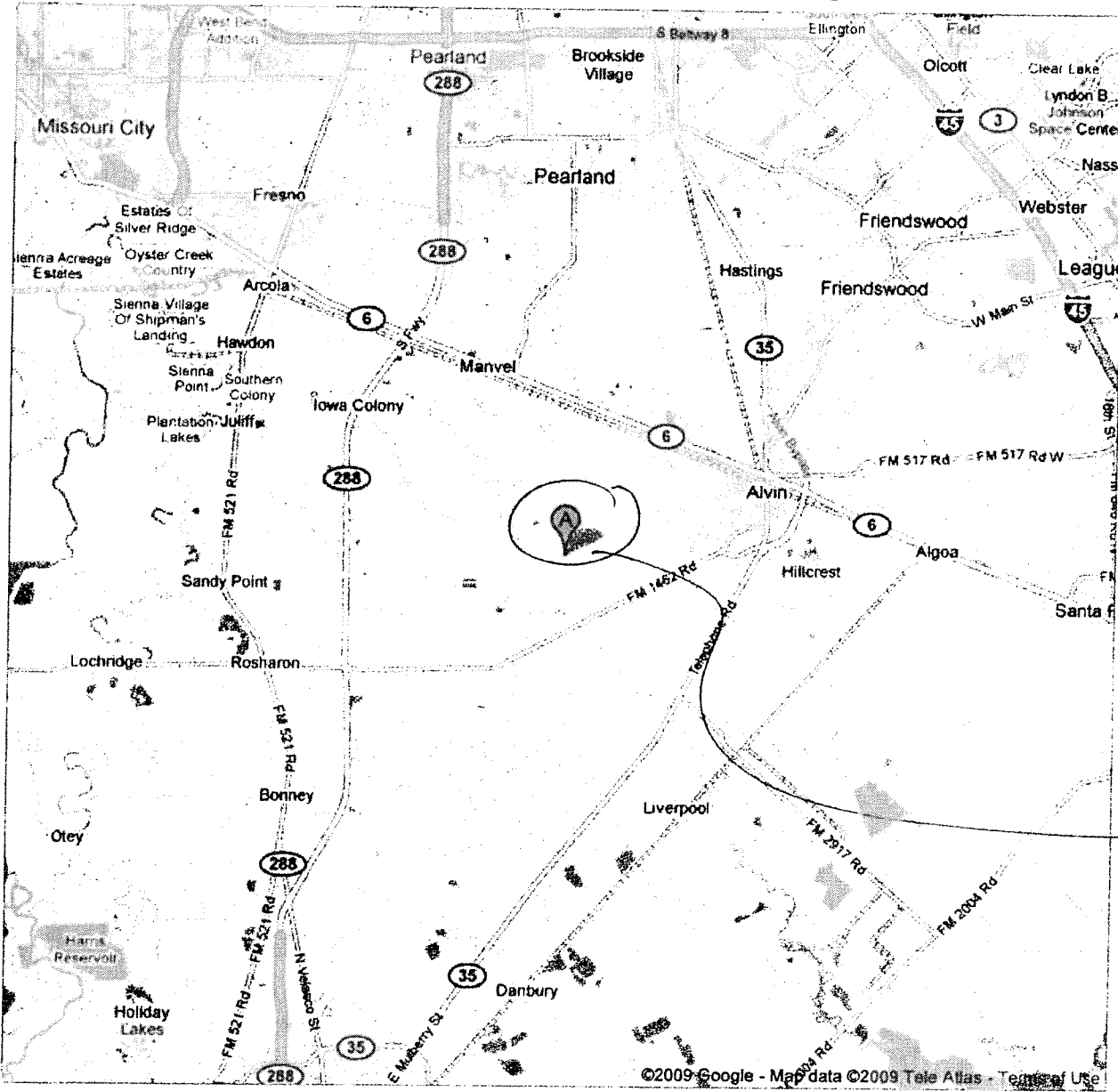
CUIC ID# 25 RB 64

General Services Department: <i>[Signature]</i> Forest R. Christy, Jr., Director Real Estate Division		Information Technology Department: <i>[Signature]</i> Richard F. Lewis Director
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Date	SUBJECT: License Agreement with Unisite, LLC at 5910 County Road 182, Alvin, Texas for the Radio Communications Division of the Information Technology Department	Originator's Initials RB	Page 2 of 2
<ul style="list-style-type: none">• Additional expense - \$5,600.00 for application and site inspection fees.• Maintenance - The City is responsible for all maintenance and utilities. <p>All equipment mounted at ground level will be surrounded by a secure fence along with ground treatment to minimize dust and weed control. IT will build a communication room for its electronic equipment at this site.</p> <p>The General Services Department recommends that City Council approve and authorize a License Agreement with Unisite, LLC at 5910 County Road 182, Alvin, Texas for the Radio Communications Division of the Information Technology Department.</p> <p>Note: Funding necessary for this lease agreement was appropriated August 5, 2009 and will fund the lease through FY10. Upon acceptance of the new radio system, operating expenses for annual maintenance and support along with lease expenses will be provided within departmental operating budgets for HPD, HFD, PW&E, ITD and other radio system participants.</p> <p>IZD:BC:JLN:RB:ddc</p> <p>xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Tom Sorley</p>			

Google maps

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A. American Tower Corporation
5910 County Road 182, Alvin, TX -
(281) 824-8675

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance authorizing the issuance of up to \$14 million in Authority obligations by the Memorial City Redevelopment Authority (Tax Increment Zone Number Seventeen)

Category #

Page
1 of 1

Agenda Item#

34

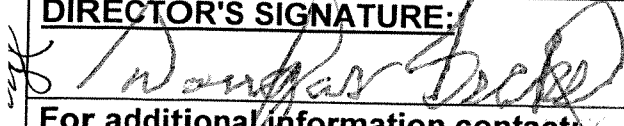
FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date
September 1, 2009

Agenda Date
SEP 23 2009

DIRECTOR'S SIGNATURE:



Council Districts affected:
A, G

For additional information contact:

Tim Douglass
Ralph De Leon

Phone: (713-837-9857
Phone: (713) 837-9573

Date and identification of prior authorizing Council Action:

Ord. 2002-1145 12/11/02, Ord. 2007-1194 10/24/07, 2009-169 3/4/09

RECOMMENDATION: (Summary)

That City Council approve an Ordinance authoring the issuance up to \$14 million in Authority obligations by the Memorial City Redevelopment Authority (Tax Increment Zone Number Seventeen)

Amount of Funding: N/A

Finance Budget:

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

Specific Explanation:

By Ordinance No. 2002-1145 on December 11, 2002, Council approved the Tri-Party Agreement among the City of Houston, Tax Increment Reinvestment Zone Number Seventeen and the Memorial City Redevelopment Authority. By Ordinance No. 2007-1194 on October 24, 2007, Council authorized the Authority to issue bonds up to \$10 million and notes up to \$3 million, the combined amount of notes and bonds outstanding at any time not to exceed \$10 million, and in addition to the \$3 million in notes previously authorized. By Ordinance No. 2009-169 on March 4, 2009, Council approved the issuance of bonds and notes by the Memorial City Redevelopment Authority in an aggregate amount not to exceed \$25 million, which authorization includes the \$10 million in notes authorized previously. To implement its Fiscal Year 2010 City Council-approved Budget and Capital Improvement Plan (CIP), the Memorial City Redevelopment Authority (the "Authority"), and Tax Increment Zone Number Seventeen will need to obtain financing to fund fully its current year design and construction plans and will need an additional \$10 million in bond authorization.

Approval of this Ordinance will allow the Authority to issue obligations up to \$14 million to provide the capital needed to support its activities with respect to redevelopment of the Zone, which primarily consist of major road and drainage construction projects.

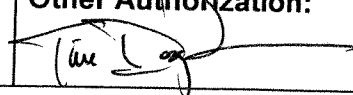
cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Deborah McAbee, Senior Assistant City Attorney
Arturo Michel, City Attorney

REQUIRED AUTHORIZATION

Finance L

Other Authorization:

Other Authorization:



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Adopt an Ordinance authorizing the issuance of additional bonds by the Uptown Development Authority (Tax Increment Reinvestment Zone Number Sixteen).

Category #

Page
1 of 1

Agenda Item#

35

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date

September 1, 2009

Agenda Date

SEP 23 2009

DIRECTOR'S SIGNATURE:

Tim Douglass

Council Districts affected:

C, G

For additional information contact:

Tim Douglass
Ralph DeLeon

Phone: (713-837-9857

Phone: (713) 837-9573

Date and identification of prior authorizing Council Action:

Ord. 1999-1341 12/15/99, Ord. 2000-1060 12/06/00, Ord. 2003-176 2/19/03, 2007-320 3/21/07

RECOMMENDATION: (Summary)

That City Council adopt an Ordinance increasing the authorization of the Uptown Development Authority to issue additional bonds up to \$40 million.

Amount of Funding: N/A

Finance Budget:

SOURCE OF FUNDING:

General Fund Grant Fund Enterprise Fund
 Other (Specify)

Specific Explanation:

By various prior ordinances, City Council has authorized the Uptown Development Authority ("Authority") to issue bonds in an aggregate principal amount of up to \$60 million outstanding at any one time. The Authority currently has approximately \$35 million of bonds outstanding. To implement its Fiscal Year 2010 City Council-approved Budget and Capital Improvement Plan, the Authority will need to obtain financing to fund its current year design and construction plans and will need to issue up to an additional \$40 million in bonds. This will require an increase of \$15 million in the total amount of bonds the Authority is authorized to issue.

Approval of this Ordinance will allow the Authority to issue additional bonds up to \$40 million to provide the capital needed to support redevelopment projects in the Zone consisting primarily of major roadway, street reconstruction, and pedestrian improvement projects.

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

(Signature)

SUBJECT: Purchase of pre-engineered building through the State of Texas Building and Procurement Commission's Contract for Lake Houston Wilderness Park for the Parks and Recreation Department WBS: F-000695-0001-4	Page 1 of 1	Agenda Item 36
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FROM (Department or other point of origin): General Services Department	Origination Date 9/17/09	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 9/2/09</i>	Council District(s) affected: ETJ
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Appropriate funds and authorize issuance of a purchase order in the amount of \$163,740.89 to CXT, Inc. through the State of Texas Building and Procurement Commission's Contract for Lake Houston Wilderness Park for the Parks and Recreation Department.

Amount and Source Of Funding: \$163,740.89 Woodlands Regional Participation Fund (2425)	Finance Budget: <i>Douglas Becker</i>
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate \$163,740.89 and authorize issuance of a purchase order to CXT, Inc., through the State of Texas Building and Procurement Commission's Contract, for the purchase of a pre-engineered building for the Lake Houston Wilderness Park.

Lake Houston Wilderness Park is a newly acquired 4,986-acre park in northeast Houston. The west side of the park lacks a public restroom and shower facilities for overnight campers and day use park visitors. The west side of the park is the current location of the main entry, visitor's center, camping facilities, picnic shelter, trails and playground. The installation of this building will permanently solve the lack of public restroom and shower facilities in this section of the park.

PROJECT LOCATION: 22031 Baptist Encampment Rd. (257P)

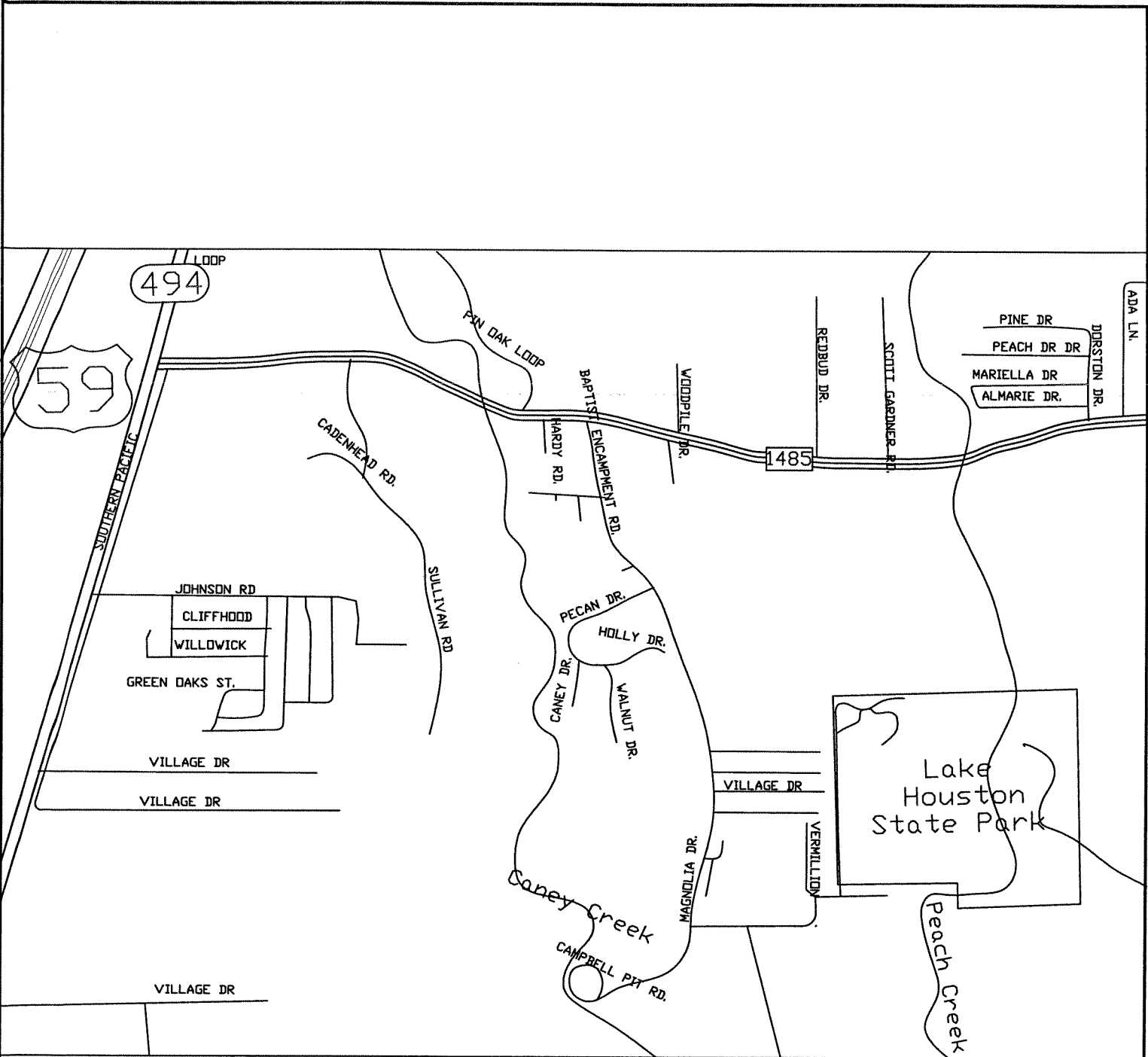
PROJECT DESCRIPTION: The project consists of the purchase and delivery of a pre-engineered building for Lake Houston Wilderness Park. The new building will contain three men and three women restroom stalls and four shower stalls.

IZD:JLN:LJ:CP:cp

c: Marty Stein, Jacquelyn L. Nisby, Calvin Curtis, Yvette Burton, Mark Ross, Ray Durosseau, Angela Jackson, Roy Korthals, Daniel Pederson, James Tillman IV, File 812

REQUIRED AUTHORIZATION CUIC#25PARKS76

General Services Department: <i>H. Bautista</i> Humberto Bautista, P.E. Chief of Design & Construction Division	Houston Parks and Recreation Department: <i>MOT</i> <i>Joe Turner</i> Joe Turner Director
---	---



LAKE HOUSTON WILDERNESS PARK
22031 BAPTIST ENCAMPMENT RD
HOUSTON, TX 77357

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8419

Subject: Approve an Ordinance Awarding a Contract to the Sole Respondent for Facility Operations, Maintenance and Repair Services for the Convention and Entertainment Facilities Department S37-T23295

Category #
1 & 4

Page 1 of 3

Agenda Item

37

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

Origination Date
September 14, 2009

Agenda Date
SEP 23 2009

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
D, H, I

For additional information contact:
Stephen Lewis Phone: (713) 853-8888
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)
Approve an ordinance awarding a three-year contract, with two one-year options to TDIndustries Inc. in an amount not to exceed \$22,590,818.00 for facility operations, maintenance and repair services for the Convention & Entertainment Facilities Department.

Maximum Contract Amount: \$22,590,818.00

Finance Budget

\$22,590,818.00 - Civic Center Facility Revenue Fund (8601)

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to TDIndustries Inc. in an amount not to exceed \$22,590,818.00 for facility operations, maintenance and repair services for the Convention & Entertainment Facilities Department (CEFD). The Director of the CEFD may terminate this contract at any time upon 30 days written notice to the contractor.

The scope of work requires the contractor to provide all personnel, management, supervision, labor, equipment and incidentals necessary to provide operations, maintenance and repair services at the George R. Brown Convention Center, the Convention District Parking Garage beneath Discovery Green Park, Root Memorial Square Park, Jesse H. Jones Hall, Wortham Theater Center, Houston Center for the Arts, Talento Bilingue de Houston, Jones Plaza, Sesquicentennial Parks I & II, historic homes near the GRBCC (Cohn House and Foley House), Jones Plaza, Fish Plaza, Miller Outdoor Theatre, Sweeney Clock Triangle, Sabine Promenade and various fountains as well as to the Theater District Parking Garages, a large interconnected, multi-level underground parking system stretching from City Hall to the Wortham Theater Center. The contractor shall also be required to provide services in the following areas: electrical, energy conservation and management, HVAC, painting, fire and life safety, general building maintenance, mechanical, lighting, and plumbing. Additionally, the contractor shall be required to provide on-site operations and maintenance services, 24 hours per day, 365 days per year, including holidays, at various locations for the CEFD.

The contract will be a performance-based contract, which a percentage of the management fee is placed at risk, based on the contractor's performance and ability to meet the service level expectations defined within the agreement. Actual costs of labor and materials will be passed on to the City without mark-ups, and the contractor's performance will be evaluated quarterly to determine the amount of the at-risk fee that is paid. With a line item budget that is subject to the Director's approval, the facility managers will know the contractor's costs and will be able to work with them in an effective manner to maintain the facilities and to control or cut costs as necessary in times of economic distress.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

ML

ML

MD

Date: 9/14/2009	Subject: Approve an Ordinance Awarding a Contract to the Sole Respondent for Facility Operations, Maintenance and Repair Services for the Convention and Entertainment Facilities Department S37-T23295	Originator's Initials JH	Page 2 of 2
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This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. The Strategic Purchasing Division (SPD) conducted a thorough search for prospective vendors who could perform the services specified in the RFP. As a result, forty-eight prospective vendors downloaded the solicitation document from SPD's e-bidding website and nine prospective vendors attended the pre-proposal conference. Despite the aforementioned, only one proposal was received from TDIndustries Inc. Subsequent to the receipt of the RFP, prospective proposers were contacted to determine the reason for the limited response to the RFP. The potential respondents advised that they could not meet the scope of work requirements specified in the RFP. The RFP was evaluated based upon the following criteria:

1. Cost
2. Financial Strength of Contractor
3. Experience of Contractor and Subcontractors
4. Maintenance/Warranty
5. Expertise of Contractor Resources
6. Qualifications of Contractor
7. Professional References
8. Contractor understanding of Scope of Work/Proposed Strategy
9. General Conformity with RFP
10. M/WBE

Both CEFD and SPD are confident that TDIndustries Inc. can perform the required services as outlined in the RFP.

M/WBE Subcontracting:

This RFP was issued as a goal-oriented contract with a 12% M/WBE participation level. TDIndustries has designated the below-named companies as their certified M/WBE subcontractors.

Name	Type of Work	Dollar Amount	Percentage
Abilities Unlimited, Inc.	Temporary Labor	\$ 755,898.16	3.35%
Gilliam Electric Supply, Inc.	Elec. Equip. & Supply	\$ 370,500.00	1.64%
A-K Building Maintenance	Janitorial Services	\$ 318,000.00	1.40%
Houston Chem Safe, Inc.	Roofing; Janitorial Equip	\$ 305,000.00	1.35%
MEK Interiors & Floors, Inc.	Flooring	\$ 265,000.00	1.17%
EDH Plumbing Contractors, LLC	Plumbing	\$ 235,500.00	1.04%
N. Gil Electric Company, Inc.	Electrical	\$ 195,000.00	0.86%
Southern Insulation Contractors	Insulation	\$ 85,000.00	0.37%
Robles Excavation, Inc.	Construction Site Prep	\$ 84,000.00	0.37%
Ideal Finishes, Inc.	Painting	\$ 70,000.00	0.31%
J&B Fasteners, LP	Supplies	\$ 27,000.00	0.12%
	Total	\$2,710,898.16	12.0%

This contract will be monitored by the Affirmative Action Division in accordance with its procedures.

Date: 9/14/2009	Subject: Approve an Ordinance Awarding a Contract to the Sole Respondent for Facility Operations, Maintenance and Repair Services for the Convention and Entertainment Facilities Department S37-T23295	Originator's Initials JH	Page 3 of 3
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Pay or Play Program

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

Buyer: Joyce Hays

Estimated Spending Authority

Department	FY10	Out Years	Total Amount
Convention & Entertainment Facilities Department	\$3,320,882.00	\$19,269,936.00	\$22,590,818.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8493

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. 4600007606 for an Automated Fingerprint Identification System, Maintenance and Interface Services for the Houston Police Department/TC-6-5975-019-21121-A1

Category #
1 & 4

Page 1 of 1

Agenda Item

38

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

Origination Date
September 17, 2009

Agenda Date
SEP 23 2009

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Joseph Fenninger *JFF* 9/17/09 Phone: (713) 308-1708
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:
Ord. No. 2007-0257, Passed February 21, 2007

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Cogent, Inc. d/b/a Cogent Systems, Inc., from \$1,815,945.44 to \$2,269,931.80 for an automated fingerprint identification system, maintenance and interface services for the Houston Police Department

Maximum Contract Amount Increase: \$453,986.36

Finance Budget

\$145,515.81 - General Fund (1000)
\$308,470.55 - FY08 Ed Byrne Memorial Grant (BJA-2008-1866)

\$453,986.36 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Cogent, Inc., d/b/a Cogent Systems, Inc., from \$1,815,945.44 to \$2,269,931.80 for an automated fingerprint identification system (AFIS), maintenance and interface services for the Houston Police Department (HPD).

This contract was awarded on February 21, 2007, by Ordinance No. 2007-0257 for a three-year term, with three one-year options to extend, in the amount of \$1,815,945.44. Expenditures as of September 1, 2009 totaled \$1,561,480.63. As part of this increase, HPD will enhance the current AFIS system to allow HPD to report all Class C misdemeanor arrests electronically by purchasing an Electronic Arrest Reporting System, three mobile livescan units and thirty-two handheld identification devices that will allow officers to check fingerprints in the field. Additionally, HPD will continue to request system maintenance and services from the contractor. This expansion and upgrade to the system will increase expenditures on this contract. The additional spending authority requested will allow for the expansion and upgrade and shall sustain HPD through the end of the initial contract term.

This contract was awarded with a 15% M/WBE participation goal and the contractor is currently achieving 12.82% of its goal. The Affirmative Action Division will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Douglas Moore

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

[Signature] 9/17/09

[Handwritten marks]

31

2

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8461

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. C52180/4600000540 for Alarm Billing Services for the Houston Police Department/HPD-003-DS-0103-083099-A3

Category #
4

Page 1 of 1

Agenda Item

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

Origination Date
September 17, 2009

Agenda Date
SEP 23 2009

DIRECTOR'S SIGNATURE


Council District(s) affected
All

For additional information contact:
Greg Damianoff Phone: (713) 221-0127
Douglas Moore Phone: (832) 393-8724

Date and Identification of prior authorizing Council Action:
Ord. No. 2000-1113, 12/20/00

RECOMMENDATION: (Summary)
Approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Saber Software, Inc., d/b/a Saber Government Solutions, an EDS Company from \$9,272,638.00 to \$9,473,153.20 for alarm billing services for the Houston Police Department.

Maximum Contract Amount Increased by: \$200,515.20

Finance Budget

\$200,515.20 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Saber Software, Inc., d/b/a Saber Government Solutions, an EDS Company from \$9,272,638.00 to \$9,473,153.20 for alarm billing services for the Houston Police Department.

The additional spending authority is needed to sustain the Department until the new alarm billing services system becomes operational. Saber Government Solutions is finalizing the data migration necessary to enable the transition to the new vendor, PMAM Corporation.

The scope of work on this contract requires the contractor to provide all labor, supervision, equipment and services to manage the false alarm tracking and billing system for the City. Additionally, the contractor is required to provide training to City employees, electronically transmit incident data to the City, provide alarm billing collection services; and request and receive prompt payments from all identified false alarm violators.

This contract was awarded with a 24% M/WBE participation goal and the contractor is currently achieving 25.27% of its goal. The Affirmative Action Division will continue to monitor this contract to ensure maximum M/WBE participation.

Douglas Moore

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

M5

M

4)

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8427

Subject: Approve an Ordinance Awarding Various Contracts for Demolition Services for the Houston Police Department
S30-L23320

Category #
4

Page 1 of 3

Agenda Item

40

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

Origination Date
August 31, 2009

Agenda Date
SEP 23 2009

DIRECTOR'S SIGNATURE


Council District(s) affected
All

For additional information contact:
Joseph Fenninger *JF 9/14/09* Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding various contracts, as shown below, in a total amount not to exceed \$8,000,000.00 for demolition services for the Houston Police Department.

Maximum Contract Amount: \$8,000,000.00

Finance Budget

\$8,000,000.00 - Dangerous Building Consolidated Fund (1801)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding various one-year contracts, with two one-year options, for a total three-year term (as shown below) in the amount of \$8,000,000.00 for demolition services for the Houston Police Department. The City Purchasing Agent may terminate these contracts at any time upon 30-days written notice to the contractors. These contracts will be used citywide to demolish abandoned buildings, which City inspectors have determined that the structural integrity is unsound and pose an imminent threat to the health and safety of citizens in the neighborhood.

The total allocation amount recommended for the five contract agreements is \$8,000,000.00 for a three-year term. This authorized amount will be allocated on a year-to-year basis depending on the requirements of the Department.

The certified companies approved by City Council to perform these types of services were invited to participate in price negotiations for this contract. Five companies attended the meeting and accepted the pricing, contract terms and scope of work, and are being recommended for a contract award as itemized below:

J.T.B. Services, Inc.: Award a one-year contract, with two one-year options, for a total three-year term in the amount of \$1,600,000.00.

Fernandez & Son: Award a one-year contract, with two one-year options, for a total three-year term in the amount of \$1,600,000.00.

Cherry Moving Company, Inc. dba Cherry Demolition: Award a one-year contract, with two one-year options, for a total three-year term in the amount of \$1,600,000.00.

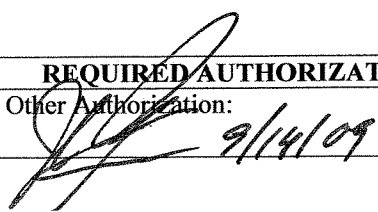
Smith-Mobley, Inc.: Award a one-year contract, with two one-year options, for a total three-year term in the amount of \$1,600,000.00.

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

 9/14/09

MA

JF

JF

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Date: 8/31/2009	Subject: Approve an Ordinance Awarding Various Contracts for Demolition Services for the Houston Police Department S30-L23320	Originator's Initials RM	Page 2 of 3
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Willis Demolishing Company: Award a one-year contract, with two one-year options, for a total three-year term in the amount of \$1,600,000.00.

The scope of work requires the contractor to provide all supervision, labor, materials, supplies, tools equipment, permits and fees necessary for the demolition of structures and removal of debris for scheduled demolition and emergency demolition services. Work orders will be issued to the five contractors on a rotational basis; thus ensuring an even distribution of work and increasing the number and speed of demolitions that can be performed under these contracts.

This procurement relates to public health and safety and is, therefore, exempt from the competitive bid laws.

MWBE Subcontracting

These contracts are goal-oriented contracts with an 11% MWBE participation level.

J.T.B. Services, Inc. has designated the below-named companies as its certified MWBE subcontractors:

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Gallegos & Sons Trucking	Trucking	5.5%	\$ 88,000.00
Uplift Development Corporation	Plumbing	5.5%	\$ 88,000.00
	Total Amount	11%	\$176,000.00

Willis Demolishing Company has designated the below-named company as its certified MWBE subcontractor:

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Smith-Mobley, Inc.	Demolition	11%	\$176,000.00

Cherry Demolition has designated the below-named companies as its certified MWBE subcontractors:

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Gallegos & Sons Trucking	Trucking	1%	\$ 16,000.00
Hernandez-Monreal Plumbing Co.	Plumbing	10%	\$160,000.00
	Total Amount	11%	\$176,000.00

Fernandez & Son has designated the below-named companies as its certified MWBE subcontractors:

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Smith-Mobley, Inc.	Demolition	5.5%	\$ 88,000.00
Willis Demolishing Company	Demolition	5.5%	\$ 88,000.00
	Total Amount	11%	\$176,000.00

Smith-Mobley, Inc. has designated the below-named companies as its certified MWBE subcontractors:

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>	<u>Amount</u>
Willis Demolishing Company	Demolition	5%	\$ 80,000.00
Deanie Hayes, Inc.	Fill material	1%	\$ 16,000.00
J. A. Gamez, Trucking Services	Trucking	5%	\$ 80,000.00
	Total Amount	11%	\$176,000.00

Date: 8/31/2009	Subject: Approve an Ordinance Awarding Various Contracts for Demolition Services for the Houston Police Department S30-L23320	Originator's Initials RM	Page 3 of 3
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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.

ESTIMATED SPENDING AUTHORITY

Department	FY 10	Out Years	Total
Houston Police Department	\$1,125,000.00	\$6,875,000.00	\$8,000,000.00

Buyer: Richard Morris

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Subject: Additional Appropriation to the On-Call Maintenance and Repair Services Contract between the City of Houston and Kellogg, Brown and Root Services, Inc. for the Drinking Water Operations Branch of the Public Works and Engineering Department WBS No. S-000056-0051-4	Category 4	Page 1 of 1	Agenda Item 41
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FROM (Department or other point of origin): Public Works and Engineering Department	Origination Date 09/02/2009	Agenda Date SEP 28 2009
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DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., D. WRE, BCEE, Director <i>Michael S. Marcotte 9/10/09</i>	Council District affected: All
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For additional information contact: David Guernsey Assistant Director Phone: 713-238-5241	Date and Identification of prior authorizing Council action: Ord.No. 2007-1129 Passed 10/10/07
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RECOMMENDATION: (Summary) Approve an ordinance appropriating additional funds.

Amount and Source of Funding: \$1,000,000.00 Water & Sewer System Consolidated Construction Fund, No.. 8500 <i>M.P. 9/9/09</i> Previous Funding: \$1,200,000.00 8300 Water and Sewer System Operating Fund	Finance Budget:
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SPECIFIC EXPLANATION:

The Public Works and Engineering Department recommends that City Council approve an ordinance appropriating funds to the On-Call Maintenance and Repair Services Contract between the City of Houston and Kellogg Brown and Root, Inc. The original contract was awarded by Ordinance Number 2007-1129 on 10/10/2007 in a not to exceed amount of \$5,000,000.00.

This contract provides maintenance and repair services for minor construction, rehabilitation, alteration of facilities and equipment at water treatment plants, re-pump stations and groundwater well sites. Work is performed by work orders on an as-needed basis and range from \$1,500.00 to \$250,000.00. The contractor furnishes all labor, materials, tools, supplies, equipment, transportation, insurance, bonds, subcontractors, supervision, management, reports, incidentals, quality control, and performs all operations necessary that are required for the accomplishment of repair, alteration, modernization, rehabilitation, and construction of infrastructure and structures.

The contract was awarded for a three year period beginning on 10/23/2007 and ending 10/31/2010. \$1,200,000.00 was originally allocated to start the contract and expenditures as of June 1, 2009 totaled \$806,171.82.

M/WBE and SBE Subcontracting:

This contract was awarded with a 19% goal for M/WBE participation and a 5% goal for SBE participation. Currently, Kellogg, Brown and Root, Inc., has achieved a 40.62% for its M/WBE participation and 0% for its SBE participation.

Pay or Play:

This bid was issued before the Pay or Play requirement stipulated by the City of Houston was in effect.

REQUIRED AUTHORIZATION		CUIC ID # 20dln01	<i>NOT</i>
Finance Department:	Other Authorization: <i>Jim Chang</i>	Other Authorization:	

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TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION


SUBJECT Settlement Agreement by and Between American Rice Growers Cooperative Association – Dayton Division, the City of Houston and the Alders' Group		Page 1 of 1	Agenda Item # 42
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 04-09-09	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE <i>MS Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: All	
For additional information contact: Ann Marie Stone Sheridan, P.E. <i>AMS</i> Phone: (713) 837-9142		Date and identification of prior authorizing Council action: 8/19/97 97-991	
RECOMMENDATION: (Summary) Approve the agreement Approve the ordinance authorizing the Settlement Agreement by and between American Rice Growers Cooperative Association – Dayton Division, the City of Houston and the Alders' Group in the Matter of the Alders' Group's Protest and Request for a Contested Case Hearing on the Application to Amend Certificate of Adjudication No. 08-4277A.			
Amount and Source of Funding: No funding required - Revenue			
SPECIFIC EXPLANATION: <p>The City of Houston contracted with American Rice Growers Cooperative Association – Dayton Division (ARG) in 1997 to purchase water rights held by ARG and file a joint application to transfer the water rights to the City of Houston and to change the irrigation rights to multi-purpose. In 1998, Amoco Production Company and Oryx Energy Company requested to be placed on a "Notice List" for the application, which gave them the right to request a contested case hearing before the Texas Commission on Environmental Quality (TCEQ) at any time during the approval process. In 2002, the Alders' Group claimed to be successors in the real property interests of Amoco and Oryx and requested a contested case hearing on the application.</p> <p>Although the City of Houston since had been able to resolve concerns by all other entities, the Alders' Group continued to have issues with the application, despite lengthy discussions. The City agreed with TECQ to proceed with the contested case hearing, which was set for April 8, 2009, however, on April 1, 2009, Houston requested TCEQ delay the hearing based on a tentative agreement with the Alders' Group. The proposed Settlement Agreement would resolve all of Alders' issues and is in the best interest of the City of Houston to ensure maximum water rights.</p> <p>Under the proposed agreement, the Alders' Group will withdraw the request for a contested case hearing. Upon withdrawal, ARG shall pay \$50,000 to the Alders' Group, and the City shall enter into an Untreated Water Supply Contract with Mr. Weldon Alders for up to 6000 acre-feet of raw surface water per year. Mr. Alders will pay for any required construction, metering, easements required for diversion. The water rate shall be \$1.00/acre-foot until December 31, 2012, when the rate shall be untreated water rate as set by Council from time to time and published in the Code of Ordinances. Mr. Alders will use water conservation and best management practices to avoid waste of water. Any water purchased for non-irrigation purchase shall be purchased under the published rate for that class as set by Council and published in the Code of Ordinances.</p>			
cc: Andy Icken Jun Chang, P.E. Susan Bandy			
CUIC# 201ZE536			
Finance Director	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services		Other Authorization:

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SUBJECT: An ordinance relating to prescribing a standard for maintaining sufficient water pressure for service to fire hydrants adequate to protect public safety in residential areas within the City of Houston	Page 1 of 1	Agenda Item # 43
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date SEP 28 2009
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D. WRE, BCEE	Council District affected: ALL
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For additional information contact: Jun Chang, P.E. Phone: 713.837.0448 Deputy Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)

Approve an ordinance relating to prescribing a standard for maintaining sufficient water pressure for service to fire hydrants adequate to protect public safety in residential areas within the City of Houston, Texas.

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION:

The proposed ordinance prescribes a standard for maintaining sufficient water pressure for service to fire hydrants adequate to protect the public safety in residential areas within the City of Houston.

The Texas Commission on Environmental Quality recently adopted Rule 290.46(x) to implement changes to the Texas Health & Safety Code adopted by the 80th Texas Legislature. The Health & Safety Code now requires the municipality as a local regulator for a public utility, in a municipality of at least one million, to adopt a standard for maintaining sufficient water pressure for service to fire hydrants adequate to protect the public safety in residential areas within the city. The TCEQ's new rule: (i) adopted a minimum standard for maintaining sufficient water pressure; and (ii) set deadlines for municipal adoption of standards and public utility compliance with the standard.

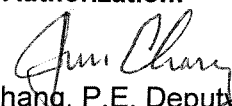
The proposed ordinance adopts the TCEQ's minimum standard as follows:

The public utility shall have the ability to deliver water to any fire hydrant connected to the public utility's water system located in a residential area so that the flow at the fire hydrant is at least 250 gpm, with a minimum 20psi residual pressure, for a minimum period of two hours; this flow is in addition to the public utility's maximum daily rate of consumption for purposes other than firefighting.

The proposed ordinance adopts the maximum 1-yr compliance deadline for public utilities contained in the TCEQ's rule. The deadline for municipalities to adopt a standard under the TCEQ's rule is October 16, 2009.

The Director of the Public Works & Engineering Department recommends the approval of the proposed ordinance.

REQUIRED AUTHORIZATION 20-CUIC20MSM05

Finance Department	Other Authorization:	Other Authorization:  Jun Chang, P.E. Deputy Director Public Utilities Division
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT Water Supply Contract Between the City of Houston and the San Jacinto River Authority		Page 1 of 1	Agenda Item # 44
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 9/18/09	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE <i>MS Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: All	
For additional information contact: <i>pms</i> Ann Marie Stone Sheridan, P.E. Phone: (713) 837-9142		Date and identification of prior authorizing Council action:	
RECOMMENDATION: (Summary) Approve the agreement Approve the ordinance authorizing the Water Supply Contract Between the City of Houston and the San Jacinto River Authority			
Amount and Source of Funding: No funding required - Revenue			
SPECIFIC EXPLANATION: Under a 1968 agreement between the City of Houston ("Houston") and the San Jacinto River Authority ("SJRA"), Houston owns 2/3 rd s undivided interest in the Lake Conroe Dam and Reservoir in Montgomery County and SJRA owns 1/3 rd undivided interest. Houston also owns 2/3 rd s of the available water rights in Lake Conroe and SJRA owns 1/3 rd of the available water rights. The SJRA also serves as a ground water provider to the Woodlands. The Lone Star Groundwater Conservation District ("LSGCD") regulates the use of groundwater in Montgomery County and LSGCD's regulatory plan will require conversion to surface water to limit the use of groundwater below the amount needed to provide recharge to the groundwater aquifers. SJRA desires to purchase surface water from Houston and Houston desires to lower its share of the operating and maintenance fees of Lake Conroe. Under this agreement, SJRA will reserve 100% of Houston's available water now and in 2025 SJRA will annually purchase not less than 33% of Houston's available water and continue to reserve the remainder which can then be purchased anytime in each year. The annual reservation fee will be 50% of the budgeted costs for the reserved percentage of the available water. This fee begins immediately, and includes a pro-rated portion for 2009. Water purchased will be billed at the raw or untreated contract water rate as published in the City of Houston Code of Ordinances and as amended by Council. SJRA will have a one-time reuse of effluent provided that such reuse does not limit Houston's use of its own water rights. This agreement will be for 80 years, which will allow SJRA to construct the surface water treatment and distribution facilities required for their use. Per City Charter (Article II, Sec. 7b), the 80-year term for this agreement requires adoption of the ordinance by 2/3 rd s of City Council. The Water Resource Committee favorably reviewed the proposal on September 15, 2009.			
cc: Andy Icken Jun Chang, P.E. Susan Bandy			
CUIC# 20UPA15			
Finance Director	Other Authorization: <i>AFI</i> Andrew F. Icken, Deputy Director Planning and Development Services		Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Parcels QY9-007 and QY9-008 WBS: M-000126-00T1-2		Agenda Item #	Page 1 of 3
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 9/18/09	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> 9/18/09 Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: H Key Map 493 M	
For additional information contact: Nancy P. Collins <i>NPC</i> Phone: (713) 837-0881 Senior Assistant Director – Real Estate		Date and identification of prior authorizing Council action: Ordinance 2009-181, March 4, 2009	
RECOMMENDATION: (Summary) An Ordinance approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Parcels QY9-007 and QY9-008 WBS: M-000126-00T1-2			
Amount and Source of Funding: \$12,500.00 General Fund (1000) \$3,500,000.00 Miscellaneous Capital Projects/Acquisition CP Series E Fund (4039) [Deposit from TIRZ No. 3 in the amount of \$3,500,000.00 into Miscellaneous Capital Projects/Acquisition CP Series E Fund (4039)]			
PROJECT NOTICE/JUSTIFICATION: The Department of Public Works and Engineering is requesting that an ordinance be passed approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Pursuant to Ordinance No. 2009-181, the Fiscal Year 2009 Operating Budget of the Main Street Market Square Redevelopment Authority (Authority) on behalf of Reinvestment Zone Number Three was approved and later amended to include a \$3,500,000.00 payment specific to the purchase of the Property.			
DESCRIPTION/SCOPE: The property will be used for the construction of flood control improvements, flood plain preservation, public open space, and park and recreation improvements consistent with the TIRZ No. 3 Plan for Buffalo Bayou and Beyond dated August 2002, which was coordinated by The Buffalo Bayou Partnership. The City and HCFCDD participated in developing the Master Plan, which calls for certain land acquisitions and channel conveyance along and to the Bayou, to reduce flood levels and provide attractive public open space.			
CUIC #20VAT04			
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division	

SUBJECT: An Ordinance approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Parcels QY9-007 and QY9-008
WBS: M-000126-00T1-2

Agenda Item #

Page 2 of 3

The purchase price for the acquisition of the Property is \$7,000,000. The appraisal of the Property, obtained by HCFCD, was reviewed and approved by a senior staff appraiser in the Department of Public Works and Engineering. On behalf of the City, the Authority will contribute \$3,500,000.00 for the acquisition of the Property. The \$3,500,000.00 balance of the purchase price will be paid by HCFCD pursuant to the Interlocal Agreement between the City and HCFCD. Fifty-Percent of the closing costs will be funded by HCFCD and the remaining fifty-percent of the closing costs will be funded by the Public Works and Engineering Department General Fund. The total estimated closing costs are \$25,000.00. At closing, the City will convey an easement interest in the Property to HCFCD. The Property consists of surface parking lots and the City and HCFCD intend to continue to utilize the Property as parking lots until construction of the improvements begins. The Interlocal Agreement controls all agreements between the City and HCFCD regarding the Property, including the parking lot to be maintained and managed on the Property. The Project Agreement controls all agreements between the City, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority regarding the Property, including the granting to the Authority of the right to develop the Property and payment of the City's parking revenues.

The cost of this purchase is as follows:

LAND:

Parcel QY9-007 and QY9-008 (Fee)	\$7,000,000.00
TOTAL CONSIDERATION.....	\$7,000,000.00
CLOSING COSTS	\$ 25,000.00
TOTAL EXPENSES	\$7,025,000.00
Share of purchase price by HCFCD	\$3,500,000.00
Share of purchase price by Authority	\$3,500,000.00
Share of Closing Costs by HCFCD	\$ 12,500.00
TOTAL EXPENSE FOR THE CITY OF HOUSTON.....	\$ 12,500.00

LOCATION: The Property is located at 1301 Commerce Street and 1401 Commerce Street. The legal descriptions are as follows:

1301 Commerce/Parcel QY9-007: All that certain 1.1877 acres of land, being all of Block 6 and a portion of Caroline Street (abandoned), S.S.B.B. Addition, Houston, Harris County, Texas, and being all of that tract of land described as Tract 1 in deed dated July 16, 1990 from Missouri Pacific Railroad Company to Realty Parking Properties L.P., recorded in Clerk's File No. M728071, Film Code 182-70-1415, Harris County Official Public Records of Real Property, and being more particularly described by metes and bounds attached hereto.

1401 Commerce/Parcel QY9-008: All that certain 39,317 square feet of land out of Block 7, S.S.B.B. Addition (unrecorded) according to the generally recognized plat thereof, Houston, Harris County, Texas, and being more particularly described by metes and bounds attached hereto.

SUBJECT: An Ordinance approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between The Buffalo Bayou Partnership and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB). Parcels QY9-007 and QY9-008
WBS: M-000126-00T1-2

Agenda Item #

Page
3 of 3

Therefore it is recommended that an ordinance be passed approving and authorizing (i) an Interlocal Agreement between the City of Houston and Harris County Flood Control District; (ii) a Purchase and Sale Agreement between BBP and the City of Houston; (iii) an Assignment and Assumption of License Agreement between the City of Houston and The Buffalo Bayou Partnership; and (iv) a Project Agreement between the City of Houston, Reinvestment Zone Number Three, and the Downtown Redevelopment Authority, all relating to the purchase of Block 6 and a portion of Caroline Street (abandoned) and a portion of Block 7, South Side Buffalo Bayou (SSBB); and (v) the Mayor to execute and the City Secretary to attest the Interlocal Agreement, the Easement Conveyance, the Purchase and Sale Agreement; the Assignment and Assumption of License Agreement; and the Project Agreement.

MSM:NPC:vt

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cc: Marty Stein

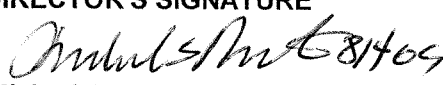
Michelle Mitchell

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0133-4	Page 1 of 2	Agenda Item # 46
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/20/09	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: All
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For additional information contact: Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: (713) 641-9182	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract, and appropriate funds.

Amount and Source of Funding: \$3,610,157.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier II. *M.P. 8/5/09*

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

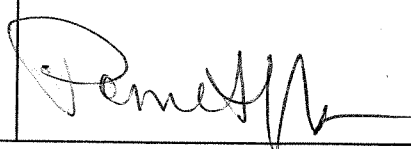

DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The contract duration for this project is 540 calendar days.

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

BIDS: Two (2) bids were received on April 30, 2009 for this project as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. North Houston Pole Line, L.P.	\$3,385,863.75
2. PM Construction & Rehab, L.P.	\$3,396,518.51

File/Project No. WW 4257-104 **REQUIRED AUTHORIZATION** **CUIC# 20DHB284** NOT

Finance Department	Other Authorization: 	Other Authorization:  Jun Chang P.E., Deputy Director Public Utilities Division
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47

Date	Subject: Contract Award for Wastewater Collection System Rehabilitation and Renewal WBS# R-000266-0133-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to North Houston Pole Line, L.P., with a low bid of \$3,385,863.75.

PROJECT COST: The total cost of this project is \$3,610,157.00 to be appropriated as follows:

- Bid Amount \$3,385,863.75
- Contingencies \$169,293.25
- Engineering Testing Services \$55,000.00

Engineering Testing Services will be provided by Aviles Engineering Corporation 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/WSBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the SBE goals of the City of Houston. The bidder has proposed an MBE participation of 12.00%, and SBE participation of 9.00%.

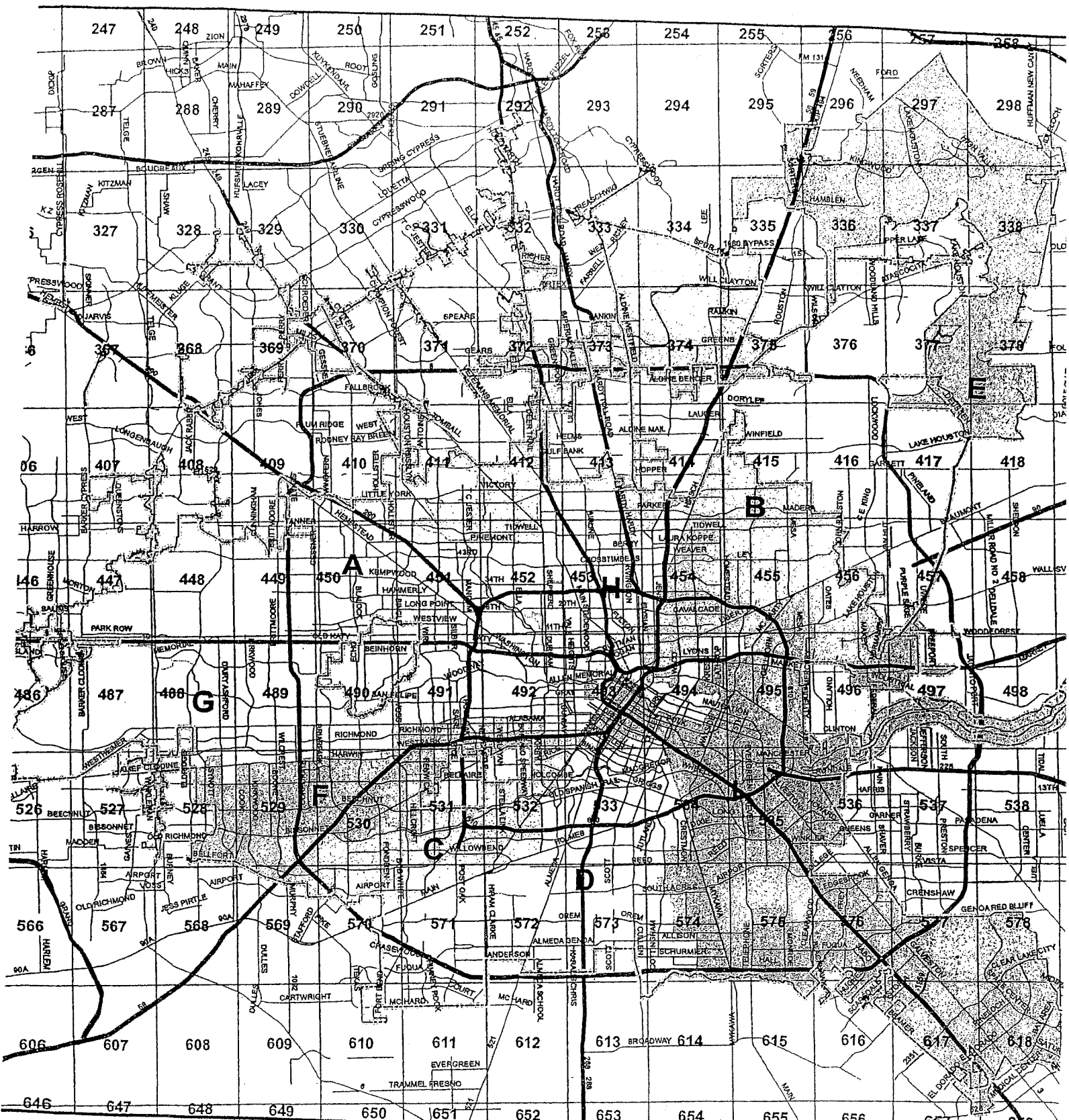
<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Callieco Construction, Inc.	Concrete & Asphalt Paving	\$406,303.65	12.00%
	TOTAL	\$406,303.65	12.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Advantage Manhole & Concrete Service, Inc.	Manhole & Concrete Work	\$101,575.91	3.00%
Anderson Dump Trucking, Inc.	Trucking	\$84,646.59	2.50%
Deanie Hayes, Inc.	Sand & Aggregates	\$84,646.59	2.50%
Houston Barricade and Supply, LLC	Traffic Control	\$33,858.63	1.00%
	TOTAL	\$304,727.72	9.00%

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

MSM:JC:DHB:RK:JI:DR:mf

cc: Marty Stein
Jun Chang, P.E.
Susan Bandy, CPA
Velma Laws
Hamlet Hovsepian, P.E.
File No. WW 4257-104



Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods

R#000266-0133-4

File No. 4257-104


North Houston Pole Line, L.P.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000266-0139-4	Page 1 of 2	Agenda Item # 47
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 9/9/09	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: All
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For additional information contact: Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: (713) 641-9182	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)
Accept low bid, award construction contract, and appropriate funds.

Amount and Source of Funding: \$486,120.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier II. *M.P. 8/17/09*

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


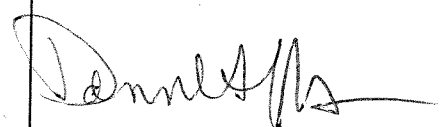
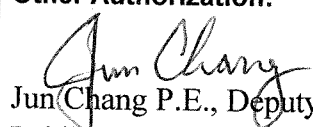
DESCRIPTION/SCOPE: This project consists of sanitary sewer cleaning and television inspection in support of rehabilitation. The contract duration for this project is 730 calendar days.

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

BIDS: Three (3) bids were received on June 4, 2009 for this project as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. CleanServe, Inc.	\$458,209.81
2. Specialized Maintenance Services, Inc.	\$492,854.26
3. Chief Solutions, Inc.	\$609,229.39

File/Project No. WW 4277-43 **REQUIRED AUTHORIZATION** **CUIC# 20DHB289** MDT

Finance Department 	Other Authorization: 	Other Authorization:  Jun Chang P.E., Deputy Director Public Utilities Division
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Date	Subject: Contract Award for Sanitary Sewer Cleaning and Television Inspection In Support of Rehabilitation WBS# R-000266-0139-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to CleanServe, Inc., with a low bid of \$458,209.81.

PROJECT COST: The total cost of this project is \$486,120.00 to be appropriated as follows:

- Bid Amount \$458,209.81
- Contingencies \$22,910.19
- Engineering Testing Services \$5,000.00

Engineering Testing Services will be provided by Terracon Consultants, 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/WSBE PARTICIPATION: The low bidder has demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board. No City M/WSBE participation goal has been established for this project.

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

MSM:JC:DHB:RK:JI:DR:mf


cc: Marty Stein
 Jun Chang, P.E.
 Susan Bandy, CPA
 Velma Laws
 Hamlet Hovsepian, P.E.
 File No. WW 4277-43


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Lyerly Street 72-inch Sanitary Tunnel WBS No. R-002003-0003-4.	Page 1 of 2	Agenda Item # 48
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FROM: (Department or other point of origin): Department of Public Works and Engineering	Origination Date:	Agenda Date: SEP 23 2009
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: H RCM
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For additional information contact:  Hamlet Hovsepian, P.E. Phone: (713) 837-7033 Interim Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$8,654,500.00 Water and Sewer System Consolidated Construction Fund No. 8500.
M.P. 9/10/09

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's ongoing program for Large Diameter Sanitary Sewer Rehabilitation and Replacement. The tunnel provides the option to divert flow from either the Northside Sewer Relief Tunnel to the New Fulton Tunnel or in reverse from Fulton to Northside. This facilitates the rehabilitation of either tunnel.


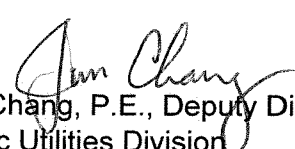

DESCRIPTION/SCOPE: This project consists of construction of the 72-inch Lyerly Sanitary Tunnel between Airline Drive and Fulton Street. The Contract duration for this project is 540 calendar days. This project was designed by Pepe Engineering.

LOCATION: The project is located along Lyerly Street from Airline Drive to Fulton Street in Key Map Grid 453-F.

BIDS: Bids were received on June 11, 2009. The six (6) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. BRH - Garver Construction, L.P.	\$ 6,985,138.18
2. Southland Contracting Inc.	\$ 8,148,230.00
3. Boyer, Inc.	\$ 9,461,248.00
4. Super Excavators, Inc.	\$ 9,967,110.00
5. SAK Construction, LLC	\$11,197,427.00
6. S.J. Louis Construction of Texas, Ltd.	\$13,217,870.00

REQUIRED AUTHORIZATION CUIC ID #20RCM01

Finance Department 	Other Authorization:  Jun Chang, P.E., Deputy Director Public Utilities Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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AWARD: It is recommended that this construction contract be awarded to BRH-Garver Construction, L.P. with a low bid of \$6,985,138.18 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$8,654,500.00 to be appropriated as follows:

- Bid Amount \$6,985,138.18
- Contingencies \$ 349,256.91
- Engineering and Testing Services \$ 180,000.00
- Construction Management \$1,000,000.00
- Project Management \$ 140,104.91

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

Construction Management Services will be provided by Carter & Burgess, Inc. (Jacobs) 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 the City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

M/SBE PARTICIPATION: The MBE and SBE goals for the project were 14% and 8% respectively. The low bidder, BRH-Garver Construction, L.P., proposed MBE and SBE Good Faith Efforts of 9.5% and 1%, respectively, due to the specialty work. The Good Faith Efforts by BRH-Garver Construction, L.P. were reviewed and approved by the Affirmative Action and Contract Compliance Division.

<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Tunnels & Shafts Construction Contractors, Inc.	Tunnel Shafts	\$443,900.00	6.35%
2. Olsen & Guerra Lumber Company	Lumber	\$108,000.00	1.55%
3. A & R Engineering And Testing, Inc.	Materials testing	\$ 7,750.00	0.11%
4. J.A. Gamez, Trucking Services	Trucking Services	\$ 63,000.00	0.90%
5. Professional Traffic Control	Traffic Control	\$ 39,065.00	0.56%
TOTAL		\$661,715.00	9.47%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Kossman Contracting Company, Inc.	Erosion Control	\$ 2,703.00	0.04%
2. Windrose Land Services, Inc.	Land Surveying	\$ 1,395.00	0.02%
3. El Dorado Paving Company, Inc.	Paving Restoration	\$ 67,355.00	0.96%
TOTAL		\$ 71,453.00	1.02%

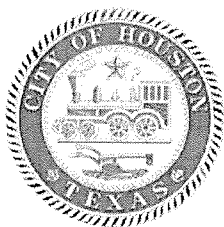
All known rights-of-way, easements required for the project have been acquired.

MSM:DRM:HH:EN:IMR:RCM:pa

- c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
File R-2003-03-2 (3.7)



**DESIGN OF LYERLY SEWER TUNNEL FROM
AIRLINE DRIVE TO FULTON STREET**



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence
Affirmative Action and
Contract Compliance
Division

To: Robert Miles
Supervising Engineer
Public Works & Engineering

From: Robert Gallegos
Assistant Director

Handwritten signature of Robert D. Gallegos in black ink.

Date: August 21, 2009

Subject: **Good Faith Efforts Review
Lyerly Street, 72 Inch Sanitary Sewer
Tunnel from Airline Drive to
Fulton Street
WBS #R-002003-0003-4**

Initially, our office recommended disapproval of BRH-Garver's Good Faith Efforts (GFE) because the M/BE goal was set at 14% but the company only procured 9.5% MBE participation and the SBE goal was set at 8% but the company only procured 1% SBE participation. BRH-Garver's S/M/BE overall participation was 10.5% vs. 22%.

However, our office was approached by the Public Works & Engineering Department personnel and stated that BRH-Garver was their contractor of choice because their overall bid was \$1.2 million dollars less than the closest competitor. Also, Mr. Peck Boswell came to see us and made the following statements:

- Price – BRH-Garver's bid is the lowest possible bid and will save the COH approximately 1.2 million dollars.
- BRH-Garver is very familiar with this project because the company has worked with engineers on this project since the idea was first implemented about 10 years ago.
- BRH-Garver is saving the COH a lot of money because they own the tunneling machine. What this means is that the price to lease this type of equipment will not be passed on to the COH.
- The tunneling machine will tunnel almost the entire way during this project. This means that the machine is underground, coming up to the surface only once or twice thereby completing the project a lot faster, with fewer individuals to oversee this portion of the project. In other words, the tunneling machine will save COH money because there won't be any stop-overs or delays in the tunneling process.
- Since the tunneling machine operates almost on a continuous basis, it appears there are no possibilities to utilize S/M/BE firms to haul dirt or for additional landscaping or for additional safety guards or additional barricades or for additional digging.
- The contract between BRH-Garver and Teddy Smith (MBE) is already set at \$443,900 and once this project gets under way, BRH-Garver believes this contract has the potential to increase significantly, increasing the MBE percentage anywhere from 3 to maybe 6%.
- Company's GFE lists 2 types of opportunities – actual work and supplies. The actual work and supplies subcontracted comes to 10.5% (overall percentage was set at 14% MBE and 8% SBE for an overall percentage of 22%). However, there were instances where company did not receive any bids from MBE/SBE firms. Also, company selected non-MBE firms over SBE/MBE firms on only two occasions because the non-MBE firms submitted a much lower

price than the MBE/SBE firms.

- Furthermore, company stated that “we do not intend to subcontract or purchase materials with any non M/S/BE firms on this project unless there are no M/S/BE firms available to do the work.” They will continue to look for MSDBE suppliers if this contract is awarded to them and will continue to document their efforts to do so.
- Company stated that they have mentored several companies and plan on continuing to mentor others if they are awarded this project.
- Company stated that “in order for them to achieve the 22%, it would take an additional \$805,000 worth of work, which as of right now, it is non-existent.”
- Company also stated “if awarded this project, we will make every effort to provide work for MSBE subcontractors and suppliers.”

NOTE: Part of reviewing and evaluating Good Faith Efforts involves looking into a company’s past performances relative to COH projects. Our records indicate that BRH-Garver’s historical data shows they have done 18 COH projects, with 6 Outstanding, 9 Satisfactory, 1 Unsatisfactory and 2 with no S/M/W/BE goals.

Our office conducted a thorough review, listened to personnel from the PWE Department and to personnel from BRH-Garver, and have maintained constant communication with both PWE and BRH-Garver since July 1, 2009. After much deliberation and evaluation of their GFE, our office recommends approval based on information gathered from PWE and BRH-Garver.


08/09:55

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (LDS) WBS# R-002013-0024-4	Page 1 of 2	Agenda Item # 49
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/20/09	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: All
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For additional information contact: Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: (713) 641-9182	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)

Accept low bid, award construction contract, and appropriate funds.

Amount and Source of Funding: \$2,573,511.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through the State Revolving Fund (SRF), Tier II. <i>M.P. 8/5/09</i>	
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SPECIFIC EXPLANATION: This project is part of the Neighborhood Sewer Rehabilitation Program and is required to renew/replace deteriorated neighborhood collection systems throughout the City.

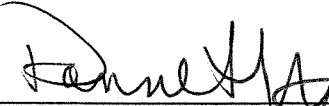

DESCRIPTION/SCOPE: This project consists of sanitary sewer rehabilitation by cured-in-place pipe method. The contract duration for this project is 540 calendar days.

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

BIDS: Three (3) bids were received on May 21, 2009 for this project as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. Insituform Technologies, Inc.	\$2,422,391.33
2. RePipe Construction, LTD.	\$2,517,931.78
3. Reynolds Inliner, LLC.	\$2,983,226.15

File/Project No. WW 4258-42	REQUIRED AUTHORIZATION	CUIC# 20DHB287
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Finance Department	Other Authorization: 	Other Authorization:  Jun Chang P.E., Deputy Director Public Utilities Division
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Date	Subject: Contract Award for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (LDS) WBS# R-002013-0024-4	Originator's Initials	Page 2 of 2
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AWARD: It is recommended that this construction contract be awarded to Insituform Technologies, Inc., with a low bid of \$2,422,391.33.

PROJECT COST: The total cost of this project is \$2,573,511.00 to be appropriated as follows:

- Bid Amount \$2,422,391.33
- Contingencies \$121,119.67
- Engineering Testing Services \$30,000.00

Engineering Testing Services will be provided by HTS Consultants, 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 demonstrated a good faith effort to comply with the M/WBE goals of the Texas Water Development Board and the City of Houston. The bidder has proposed an MBE participation of 12.00% and SBE participation of 9.00%.

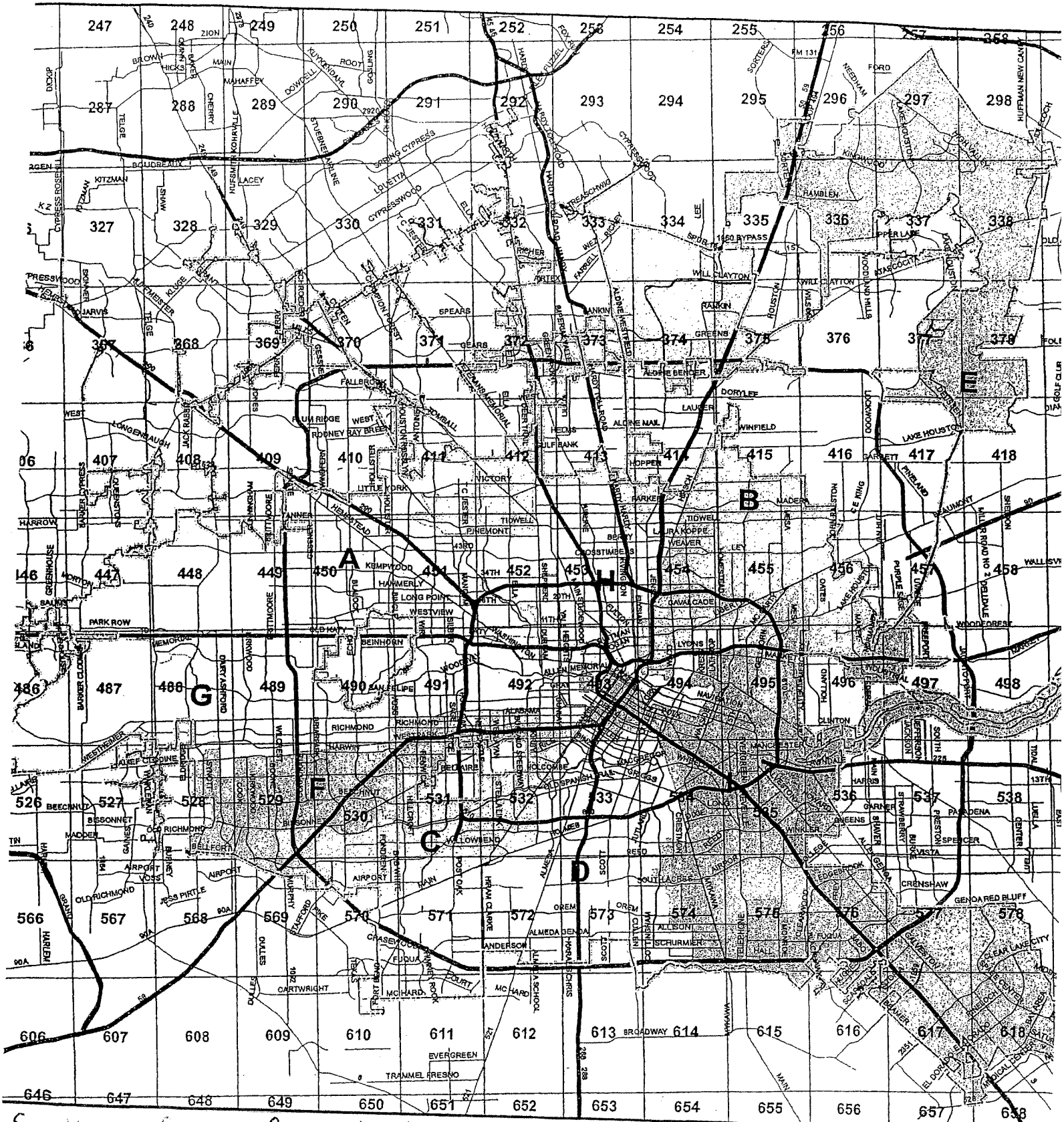
<u>MBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Chief Solutions, Inc.	Clean & Televiser Sewer Lines	\$145,343.48	6.00%
Briones Consulting & Engineering, LTD.	Traffic Control	\$27,857.50	1.15%
Briones Construction & Supply, LTD.	Supplies	\$20,590.33	0.85%
Genoa International	Supplies	\$85,994.89	3.55%
J.A. Gamez, Trucking Services	Trucking/Hauling	\$10,900.76	0.45%
	TOTAL	\$290,686.96	12.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Standard Cement Materials, Inc.	Manhole Rehabilitation	\$139,287.50	5.75%
CBL Industries, LLC	Asphalt/Paving	\$78,727.72	3.25%
	TOTAL	\$218,015.22	9.00%

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

MSM:JC:DHB:RK:JI:DR:mf

- cc: Marty Stein
Jun Chang, P.E.
Susan Bandy, CPA
Velma Laws
Hamlet Hovsepian, P.E.
File No. WW 4258-42




Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method


R-002013-0024-4

File No- 4258-42

SUBJECT: Contract Award for Water Line Replacement in Port Houston Subdivision. WBS No. S-000035-00W5-4.		Page 1 of 2	Agenda Item # 50
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date SEP 23 2009
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: B, I MB
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For additional information contact:  Hamlet Hovsepian, P.E. Phone: (713) 837-7033 Interim Senior Assistant Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
 Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
 \$1,412,770.00 from Water and Sewer System Consolidated Construction Fund No. 8500. *M.P. 8/22/09*


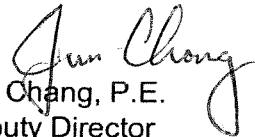

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Line Replacement Program. This program is required to replace and upgrade water lines within the City to increase availability of water, improve circulation and fire protection.

DESCRIPTION/SCOPE: This project consists of the construction of approximately 17,340 linear feet of 8-inch, 1,770 linear feet of 12-inch and 3,380 linear feet of 16-inch of water lines, including valves, fittings, connections, fire hydrants, and appurtenances in the Port Houston Subdivision. The contract duration for this project is 230 calendar days. This project was designed by Pepe Engineering, Ltd.

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

<u>Project</u>	<u>Bounded By</u>	<u>Key Map Grid</u>	<u>Council District</u>
1. Location 1 Area:	Tuck & Boyce on the north, Wiggins on the south, Wayside on the east and Lathrop on the west.	494M&495J	I
2. Location 2 Area:	Wood Forest on the north, Hollypark on the south, Claire on the east and Beresford on the west.	497A	B
3. Location 3 Area:	Guinevere on the north, Northton on the south, Gellhorn on the east and Silverdale on the west.	495K&P	B
4. Location 4 Area:	Tite on the north, Hunter on the south, Teal on the east and Clinton on the west.	495T&U	B

REQUIRED AUTHORIZATION CUIC ID #20MB100

Finance Department: 	Other Authorization:  Jun Chang, P.E. Deputy Director Public Utilities Division	Other Authorization:  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
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Date	Subject: Contract Award for Water Line Replacement in Port Houston Subdivision. WBS No. S-000035-00W5-4.	Originator's Initials ms	Page <u>2</u> of <u>2</u>
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BIDS: Bids were received on July 2, 2009. The nine (9) bids are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
1. ACM Contractors, Inc.	\$1,234,614.61
2. R.K. Wheaton, Inc.	\$1,298,747.00
3. Metro City Construction, L.P.	\$1,491,985.25
4. Reliance Construction Services, L.P.	\$1,513,457.50
5. Scohil Construction Services, LLC.	\$1,542,658.50
6. Calco Contracting, Ltd.	\$1,550,790.50
7. TRCU, Ltd.	\$1,624,302.50
8. Carrera Construction, Inc.	\$1,761,302.00
9. C E Barker, Ltd.	\$1,794,944.66

AWARD: It is recommended that this construction contract be awarded to ACM Contractors, Inc. with a low bid of \$1,234,614.61 and that no Addendum be made a part of this contract.

PROJECT COST: The total cost of this project is \$1,412,770.00 to be appropriated as follows:

• Bid Amount	\$1,234,614.61
• Contingencies	\$61,730.73
• Engineering and Testing Services	\$30,000.00
• Project Management	\$86,424.66

Engineering and Testing Services will be provided by Coastal Testing 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 11% and SBE participation of 9% to satisfy the 20% M/W/SBE goal for this project.

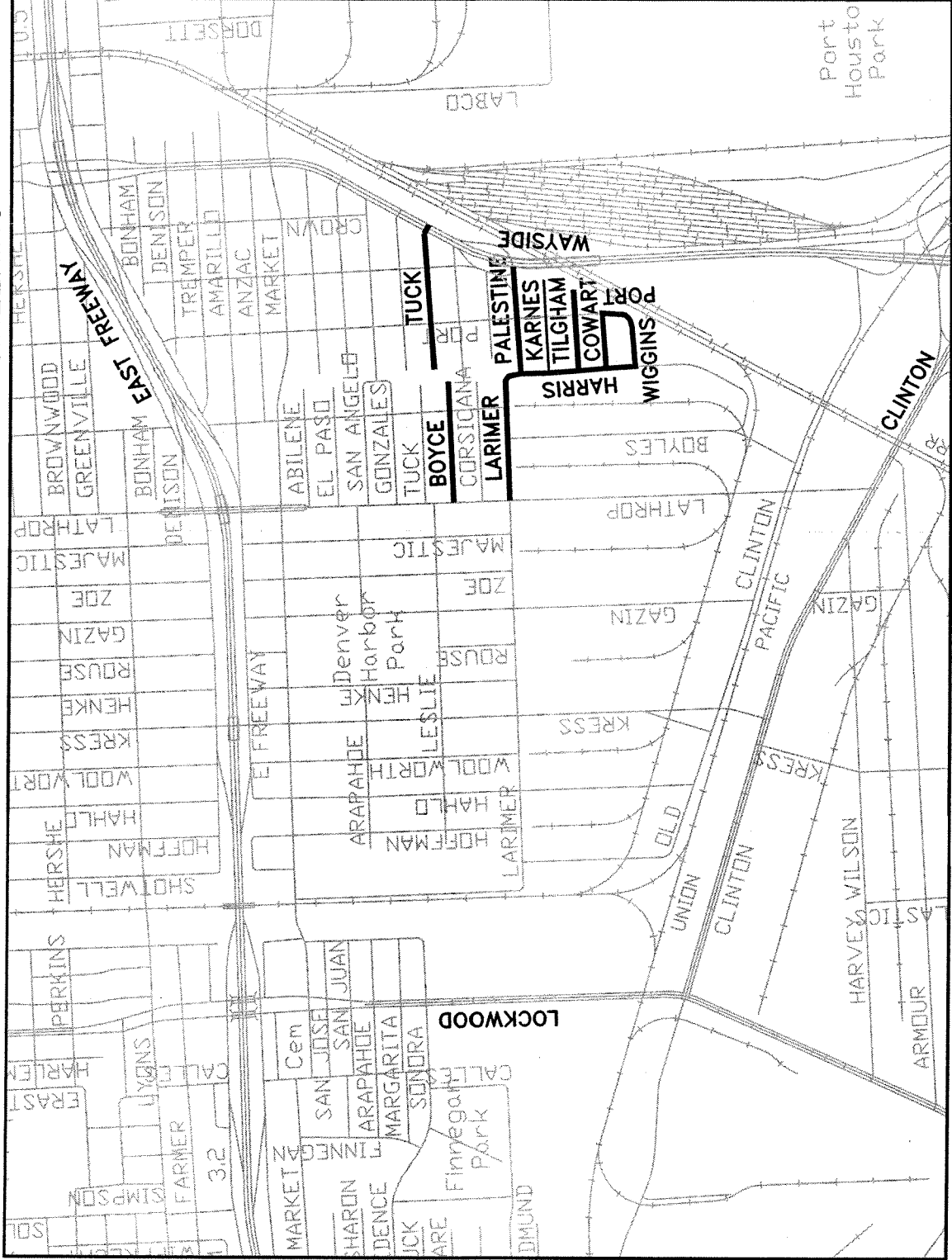
<u>Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Royal Traffic Sign Co.	Traffic Control Flagman	\$86,500.00	07.01%
Central Texas Hauling	<u>Hauling Material</u>	<u>\$50,000.00</u>	<u>04.05%</u>
	MBE Subtotal	\$136,500.00	11.06%
Mickie Service Company, Inc.	Tapping Sleeve & Valve	\$68,000.00	05.51%
Deanie Hayes, Inc.	<u>Supply Pipes</u>	<u>\$44,000.00</u>	<u>03.56%</u>
	SBE Subtotal	\$112,000.00	09.07%
	TOTAL	\$248,500.00	20.13%

MSM:DRM:HH:SD:MB:OFA:mb
Z:\design\A-WS-DIV\WPDATA\BM35-W-PepelPort Houston\Post-Bid\RCA.doc

c: Marty Stein
Velma Laws
Susan Bandy
Mike Pezeshki, P.E.
Craig Foster
File: S-000035-00W5-3 (3.7)

CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING



WATER MAIN REPLACEMENT IN PORT HOUSTON

LOCATION 1

CITY COUNCIL DISTRICT "I" - KEY MAP # 494-M, 495-J

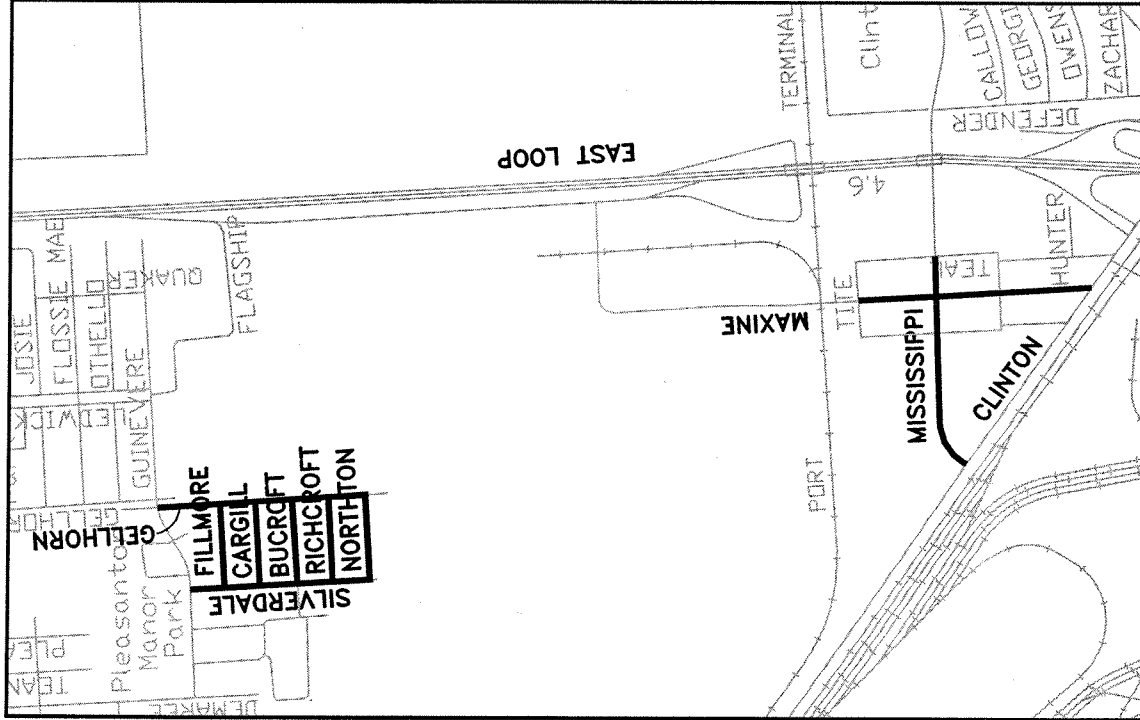
WBS S-000035-00W5-4

PEPE
ENGINEERING

11929 EAST BRISBANE, SUITE 340
HOUSTON, TEXAS 77079
TELEPHONE: (281)283-0826
mailto:pepe@pepe-engineering.com

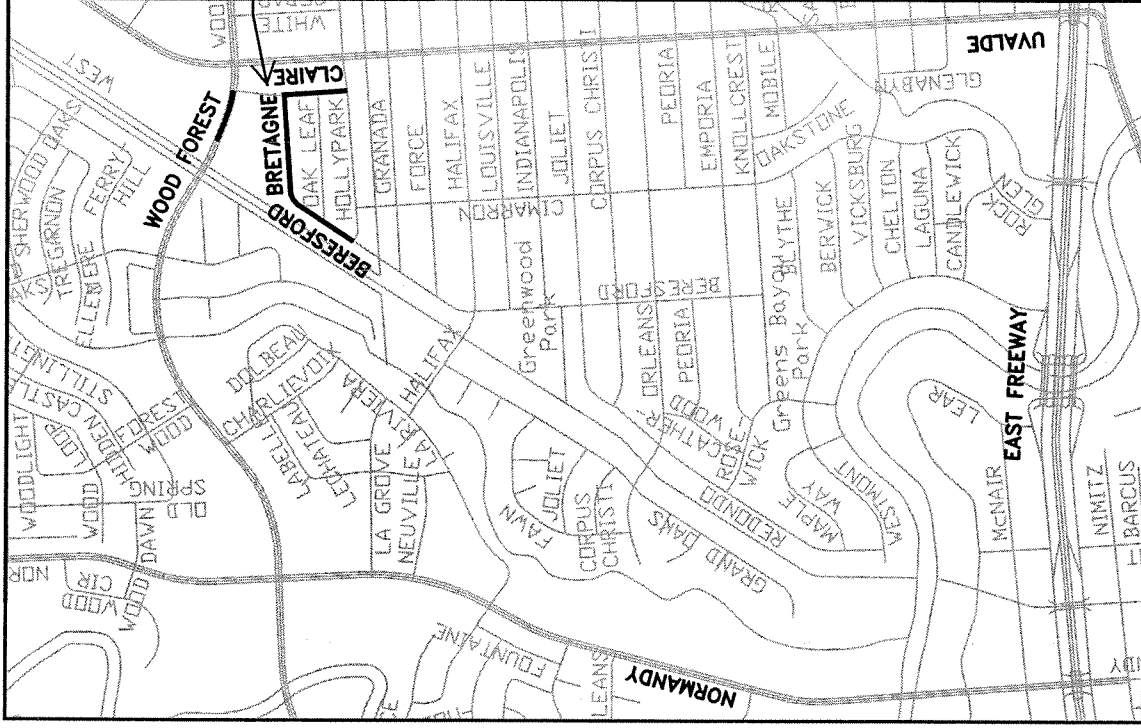
CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING



LOCATION 3
KEYMAP No.
495 K&P

LOCATION 4
KEYMAP No.
495 T & U



LOCATIONS
OUTSIDE
COH LIMITS
LOCATION 2
KEYMAP No.
497 A

WATER MAIN REPLACEMENT IN PORT HOUSTON

PROJECT LIMITS

CITY COUNCIL DISTRICT "B" - KEY MAP # 495-K, P & U, 497-A

WBS S-000035-00W5-4

PEPE
ENGINEERING
11909 WATZ FREDRICKS, SUITE 340
HOUSTON, TEXAS 77029
TELEPHONE: (281) 263-0266
mailto:pepe@pepe-engineering.com

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:
Ordinance granting a Commercial Solid Waste Operator Franchise

Category #

Page 1 of 1

Agenda Item#

51

FROM: (Department or other point of origin):

Alfred J. Moran, Director
Administration & Regulatory Affairs

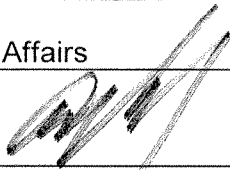
Origination Date

September 14, 2009

Agenda Date

SEP 23 2009

DIRECTOR'S SIGNATURE:



Council Districts affected:

ALL

For additional information contact:

Juan Olguin Phone: (713) 837- 9623
Nikki Cooper Phone: (713) 837- 9889

Date and identification of prior authorizing

Council Action: Ord. # 2002-526 – June 19, 2002;
Ord. # 2002-1166-December 18, 2002.

RECOMMENDATION: (Summary)

Approve 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:


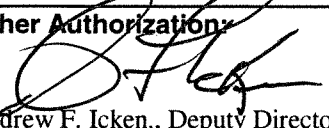
1. Waste Connections of Texas, LLC


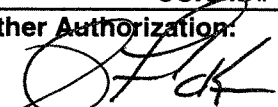
The proposed ordinance grants the Franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, the Franchisee agrees to pay to the City 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:

SUBJECT: Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for RealBlue Investments LLC for the Site located at 2806 - 2818 Hullsmith Drive, Houston, TX 77063. (MSD # 2009-014-RBI)		Page 1 of 1	Agenda Item # 52
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: G C and F within 5 miles of site.	
For additional information contact: Carol A. Ellinger, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, Senior Project Manager (713) 837-0421		Date and identification of prior authorizing Council action: 8/22/2007 - 2007-0959	
RECOMMENDATION: (Summary) Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for RealBlue Investments LLC for the site located at 2806 - 2818 Hullsmith Drive, Houston, TX 77063.			
Amount and Source of Funding: N/A <i>Hearing Wed 11/18/09 - 9 am</i>			
BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.			
REALBLUE INVESTMENTS LLC APPLICATION: RealBlue Investments LLC is seeking a MSD for 1.38-acres of land located at 2806 - 2818 Hullsmith Drive, Houston, TX 77063. The contamination consists of tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and vinyl chloride (VC). Previously, the site was a retail strip center with two automotive repair facilities; the property now consists of cleared, vacant land. The site is surrounded by retail, commercial, single and multi-family residential properties. Contaminations of concern in the groundwater have been identified with protective concentration levels above residential level. Each of these compounds have migrated through the groundwater bearing zone and been stratigraphically trapped. The contaminated groundwater plume is stable; the source of the plume is Tom's Cleaners which is in the volutary clean-up program and is the adjacent property across Westheimer Road. A public meeting will be held on 10/22/2009 at the Bayland Community Center 6400 Bissonnet, Houston, TX 77074.			
RealBlue Investments LLC is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.			
RECOMMENDATIONS: City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for RealBlue Investments LLC for the site located at 2806 - 2818 Hullsmith Drive, Houston, TX 77063.			
MSM:AFI:CAE:JBG P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price			
REQUIRED AUTHORIZATION CUIC ID# 20CAE48			
Finance Department:	Other Authorization:  Andrew F. Icken., Deputy Director Planning and Development Services Division		Other Authorization:

SUBJECT: Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for 8200 Southwest Freeway, LLC for the Site located at 8200 Southwest Freeway, Houston, TX 77074. (MSD # 2009-015-8200SW)		Page 1 of 1	Agenda Item # 53
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: F C and G within 5 miles of site.	
For additional information contact: Carol A. Ellinger, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, Senior Project Manager (713) 837-0421		Date and identification of prior authorizing Council action: 8/22/2007 – 2007-0959	
RECOMMENDATION: (Summary) Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for 8200 Southwest Freeway, LLC for the site located at 8200 Southwest Freeway, Houston, TX 77074.			
Amount and Source of Funding: N/A <i>Wed 11/18/09 9 am</i>			
BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.			
8200 SOUTHWEST FREEWAY, LLC APPLICATION: 8200 Southwest Freeway, LLC is seeking a MSD for 1-acre of land located at 8200 Southwest Freeway, Houston, TX 77074. The contamination consists of benzene, ethylbenzene, 1,2-dichloroethane (1,2-DCA), 1,1-dichloroethene (1,1-DCE), cis-1,2-dichloroethene (cis-1,2-DCE), methyl tert-butyl ether (MTBE), tetrachloroethene (PCE), toluene, and vinyl chloride (VC). The commercial building was constructed on the site in 1975 with an addition constructed in 1978. The property was formerly occupied by a retail seller and repairer of motorcycles. The current occupant operates an adult novelty store. A phase I Environmental Site Assessment was completed for the designated property in October 2007. No environmental regulatory actions associated with the site were identified in the assessment research conducted. Based upon the investigations completed to date, the contaminat plume is stable. This statement is based on the fact that the underground storage tanks were permanently filled and abandoned in-place in 1994. A public meeting will be held on 10/28/2009 6:30:00 PM at the Bayland Community Center, 6400 Bissonnet Street, Houston, TX 77074.			
8200 Southwest Freeway, LLC is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.			
RECOMMENDATIONS: City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for 8200 Southwest Freeway, LLC for the site located at 8200 Southwest Freeway, Houston, TX 77074.			
MSM:AFI:CAE:JBG P:\PLANNING BRANCH\MSD\2009-015-8200SW\RCA FOR PUBLIC HEARING #2009-015-8200SW.DOC C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price			
REQUIRED AUTHORIZATION		CUIC ID# 20CAE49	
Finance Department:	Other Authorization:  Andrew F. Icken., Deputy Director Planning and Development Services Division	Other Authorization:	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Motion establishing a public hearing date to consider adopting a Municipal Setting Designation Ordinance for CR V Hardy Yards L.P. for the Site located at 1400 Fulton Street, Houston, TX 77009. (MSD # 2009-18-Hardy Yards)		Page 1 of 1	Agenda Item # 54
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date	Agenda Date SEP 23 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: H	
For additional information contact: Carol A. Ellinger, P.E. Senior Assistant Director (713) 837-7658 Richard J. Chapin, Senior Project Manager (713) 837-0421		Date and identification of prior authorizing Council action: 8/22/2007 – 2007-0959	
RECOMMENDATION: (Summary) Establish a public hearing date to consider adopting a Municipal Setting Designation (MSD) Ordinance for CR V Hardy Yards L.P. for the site located at 1400 Fulton Street, Houston, TX 77009.			
Amount and Source of Funding: N/A <i>Wtd 12/9/09 gdm</i>			
BACKGROUND: In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSDs), which would designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by TCEQ and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting the public health. On August 22, 2007, City Council approved an Ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support a MSD application to the State. This Ordinance requires a written public notice be mailed to property owners within 2,500 feet of a proposed MSD and owners/operators of potable water wells within 5 miles of a proposed MSD. In addition, a public meeting and a public hearing are required to be held prior to City Council consideration of support.			
CR V HARDY YARDS L.P. APPLICATION: CR V Hardy Yards L.P. is seeking a MSD for 36.9-acres of land located at 1400 Fulton Street, Houston, TX 77009. The contamination consists of 1,1,1-trichloroethane (1,1,1-TCA), 1,1,2-trichloroethane (1,1,2-TCE), 1,1-dichloroethene (1,1-DCE), 1,2-dichloroethane (1,2-DCA), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE), 1,2-dibromoethane (1,2-DBE), 1,2-dichloropropane (1,2-DCP), tetrachloroethene (PCE), trichloroethene (TCE), vinyl chloride (VC), benzene, tert-butylbenzene, carbon tetrachloride, and methyl tert-butyl ether (MTBE). The property was the location of a rail yard and associated maintenance and servicing facilities from the late 1870s until 1999. The current owners, CR V Hardy Yards, L.P. purchased the property in November 2005. There was a chlorinated solvent plume in the upper and secondary zones of the Groundwater Bearing Unit, which are delineated and stable. A weathered diesel plume was discovered in the upper zone, which is delineated and stable. The property has been entered into the Voluntary Cleanup Program, both the chlorinated solvent plumes and the organic plume have been issued a Conditional Certificate of Completion. A public meeting will be held on 11/5/2009 6:30:00 PM at the United Way, 50 Waugh Drive, Houston, TX 77007.			
CR V Hardy Yards L.P. is seeking a MSD for this property to restrict access to groundwater to protect the public against exposure to contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property.			
RECOMMENDATIONS: City Ordinance requires City Council to hold a public hearing before adopting a Municipal Setting Designation Ordinance (MSD). The Department of Public Works and Engineering recommends establishing a public hearing date not sooner than six weeks from passage of the Motion and directing the City Secretary to publish notice of the hearing no less than thirty (30) calendar days before the public hearing date for CR V Hardy Yards L.P. for the site located at 1400 Fulton Street, Houston, TX 77009.			
MSM:AFI:CAE P:\PLANNING BRANCH\MSD\DATABASE\GENERIC RCA - PUBLIC HEARING.DOC C: Marty Stein, Waynette Chan, Gary Drabek, Ceil Price			
REQUIRED AUTHORIZATION CUIC ID# 20CAE50			
Finance Department:	Other Authorization:  Andrew F. Icken., Deputy Director Planning and Development Services Division		Other Authorization: