

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Rodriguez

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 - DECEMBER 2, 2009 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** regarding amendment to the Project Plan and Reinvestment Zone Financing Plan for the **TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-ONE (HARDY/NEAR NORTHSIDE ZONE) - DISTRICT H - GONZALEZ**

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

MAYOR'S REPORT - Houston Zoo Update

CONSENT AGENDA NUMBERS 2 through 101

MISCELLANEOUS - NUMBERS 2 through 4

2. RECOMMENDATION from Director Department of Public Works & Engineering for designation of a banner district in the **UPPER KIRBY MANAGEMENT DISTRICT** - **DISTRICTS C - CLUTTERBUCK and G - HOLM**
3. RECOMMENDATION from the Mayor's Office of Public Safety and Homeland Security for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2010 (January 1, 2010 through December 31, 2010)
4. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2008 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2009 MTFP in map form

ACCEPT WORK - NUMBERS 5 and 6

5. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$731,914.00 and acceptance of work on contract with **MOMENTUM CONTRACTORS, INC** for Burress, Japhet and Dalton Fleet Maintenance Facilities - 0.44% over the original contract amount - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,402,285.00 and acceptance of work on contract with **NBG CONTRACTORS, INC** for Memorial Bridge West Abutment Repairs - 1.09% over the original contract amount - **DISTRICT G - HOLM**

PROPERTY - NUMBER 7

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed by the Joint Referral Committee, on request from Ryan Taaffe of Orr Commercial, on behalf of OCT Heights, LTD (Robert C. Orr, Jr., General Partner), for abandonment and sale of a 15-foot-wide prescriptive utility easement, from the northern line of Lots 8 and 27, Block 324, south ±581.97 feet to the H.T. & C. Railroad Company right-of-way, in exchange for the conveyance to the City of a 15-foot-wide utility easement, from the southern end of the remaining alley, east to Heights Boulevard, all located within the Houston Heights Subdivision, out of the John Austin Two Leagues Survey, Parcels SY10-012 and VY10-032 - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 13

8. **KONE, INC d/b/a KONE SPARES, INC** for Escalator Parts from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department - \$487,180.00 - Enterprise Fund
9. ORDINANCE appropriating \$3,155,953.42 out of Equipment Acquisition Consolidated Fund for Purchase of Firefighting Trucks for Houston Fire Department
 - a. **TYLER MOTOR CO., INC d/b/a HALL BUICK, PONTIAC, GMC** - \$4,475,415.00 and **MARTIN APPARATUS, INC** - \$1,670,364.00 for Firefighting Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Fire Department \$6,145,779.00 Equipment Acquisition and ARRA Grant Funds
10. ORDINANCE appropriating \$218,000.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Sewer-Force Mains for Public Works & Engineering Department
 - a. **HUFF & MITCHELL, INC** for Emergency Repair of Sewer-Force Mains for Department of Public Works & Engineering

PURCHASING AND TABULATION OF BIDS - continued

11. **VARIAN, INC** for Purchase of Simultaneous Inductively Coupled Plasma Optical Emission Spectrometer (SICPOES) from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for Department of Public Works & Engineering \$86,159.00 - Enterprise Fund
12. ORDINANCE appropriating \$241,148.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Repairs and Construction Services of the 15" Rusk Avenue Sanitary Sewer Line for Public Works & Engineering Department
 - a. **FUQUAY, INC** for Emergency Repairs and Construction Services of the 15" Rusk Avenue Sanitary Sewer Line for Department of Public Works & Engineering - **DISTRICT I - RODRIGUEZ**
13. **HOUSTON FREIGHTLINER, INC** for Freightliner, Cab and Chassis Replacement Parts and Repair Services for the Solid Waste Management Department - \$620,000.00 - General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 14 through 101

14. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Single Family Mortgage Revenue Bonds, Series 2009A and approving the Official Statement with respect to such bonds
15. RESOLUTION regarding assurances to Federation Internationale De Football Association concerning support for the 2018 and 2022 World Cup
16. ORDINANCE AMENDING ARTICLE II OF CHAPTER 47 OF THE CODE OF ORDINANCES, **HOUSTON, TEXAS**, relating to the City Water Service Charges; making findings and containing provisions related to the subject; providing for severability; containing a savings clause
 - a. ORDINANCE approving and authorizing Treated Water Supply Contract between the City of Houston and **ANHEUSER-BUSCH, INCORPORATED**
17. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **5 SHADOW LAWN STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events; providing for severability - **DISTRICT C - CLUTTERBUCK**
18. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **224 WEST 16TH STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events; providing for severability - **DISTRICT H - GONZALEZ**
19. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **4 COURTLANDT PLACE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events; providing for severability - **DISTRICT D - ADAMS**
20. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1515 SOUTH BOULEVARD** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

21. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **912 WEST TEMPLE AVENUE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**
22. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2232 BRENTWOOD DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT D - ADAMS**
23. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2175 TROON ROAD** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**
24. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1046 HARVARD STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**
25. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3740 WILLOWICK ROAD** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**
26. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3223 INWOOD DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**
27. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2947 INWOOD DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**
28. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1801 LUBBOCK STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**
29. ORDINANCE providing for an ad valorem tax exemption on a historical site located at **417 SAN JACINTO STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ**
30. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **910 PRAIRIE STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ**
31. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **307 TRAVIS STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

32. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **813 CONGRESS STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ**
33. ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **305 TRAVIS STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ**
34. ORDINANCE establishing the north and south sides of the 1700 block of Branard Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**
35. ORDINANCE establishing the north and south sides of the 1700 block of Branard Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - ADAMS**
36. ORDINANCE establishing the north side of the 500 block of Woodland Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**
37. ORDINANCE amending Ordinance Number 2007-534 relating to health benefits for employees of City Contractors and responsibility of bidders on certain City contracts
38. ORDINANCE approving and authorizing contract for Legal Services in the amount of \$280,000.00 between the City of Houston and **BARNES & TURNER, ATTORNEYS AT LAW**, in connection with the City's Single Family Home Repair and Downpayment Assistance Programs - CDBG Grant Funds
39. ORDINANCE appropriating \$255,000.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** and the City for Pole Attachment Rights; providing a maximum contract amount - 5 Years \$977,182.02 - Enterprise, Parking Management, Central Service Revolving and Digital Inclusion Funds
40. ORDINANCE 1) appropriating \$4,540,000.00 out of TIRZ Affordable Housing Fund No. 2409; 2) appropriating \$400,000.00 out of TIRZ Affordable Housing Uptown Fund No. 2400; 3) appropriating \$300,000.00 out of Affordable Housing Uptown 2002B Fund No. 2410; 4) appropriating \$230,000.00 out of Affordable Housing Midtown Series 2001 Fund 2416; 5) appropriating \$250,000.00 out of Affordable Housing Uptown Series 2004D Fund No. 2418; 6) re-allocating the \$230,000.00 previously allocated for Sprinkler Systems under Ordinance No. 2008-255; and 7) approving and authorizing sixth amendment to Land Assembly Grant Agreement between the City of Houston and **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** to provide funds for certain approved costs
41. ORDINANCE appropriating \$180,000.00 out of TIRZ Affordable Housing Fund 2409 and approving and authorizing Development Agreement between the City and **GREATER HOUSTON DEVELOPMENT, INC** to develop two (2) affordable single-family homes in the Trinity Gardens Area to be sold to qualified low-income and very low-income families - **DISTRICT B - JOHNSON**

RESOLUTIONS AND ORDINANCES - continued

42. ORDINANCE declaring the City's eligibility for the Recovery Act Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice, as managed by the Governor's Criminal Justice Division; approving and authorizing the application for and acceptance of such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to accept and manage such grant funds - \$109,248.00 - Grant Fund
43. ORDINANCE approving and authorizing the submission of a joint application for grant assistance from the Bureau of Justice Assistance to fund the FY2009 Edward Byrne Memorial Justice Assistance Grant Program and approving an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** as joint applicants for such grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department, or Acting Chief, or any designated Assistant Chief of the Police Department, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the application - \$3,720,810.00 - Grant Fund
44. ORDINANCE amending Ordinance No. 2009-1016 (Passed on October 21, 2009) approving and authorizing the submission of an application for and acceptance of the **U.S. DEPARTMENT OF TRANSPORTATION FEDERAL MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FY2010 HIGH PRIORITY GRANT** for the Houston Police Department
45. ORDINANCE approving and authorizing contract between **HARRIS COUNTY** and the City of Houston, the **CITY OF BELLAIRE** and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** relating to the Joint Runoff Election to be held on December 12, 2009; providing a maximum contract amount - \$1,548,029.45 - General Fund
46. ORDINANCE amending Ordinance No. 2007-821 (Passed on July 11, 2007) to increase the maximum contract amount and approving and authorizing amended contract between the City of Houston and **MUNICIPAL CODE CORPORATION** for Codification Services for the City Code for the Legal Department - \$115,000.00 - General Fund
47. ORDINANCE approving and authorizing Wireless Local Area Network ("WIFI") Services Concession Agreement between the City of Houston and **CONCOURSE COMMUNICATIONS GROUP, LLC** for provision of services at George Bush Intercontinental Airport/Houston and William P. Hobby Airport - Revenue - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**
48. ORDINANCE approving and authorizing Lease and Development Agreement between the City of Houston and **IAH LAND PARTNERS, L.P.** for certain premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON**
49. ORDINANCE appropriating \$2,000,000.00 out of Airports Improvement Fund for supplemental allocation to contract for Professional Consulting Services by and between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Airport Spatial Information System Development and Management Services for the Houston Airport System (Project No. 584A; Contract No. 4600007373) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
50. ORDINANCE approving and authorizing Purchase Agreement between the City of Houston, Seller, and **THE HOUSTON HEIGHTS ASSOCIATION, INC., a Texas Nonprofit Corporation**, Purchaser, to sell the former Fire Station No. 14, located at 107 West 12th Street (Parcel SY9-027), Houston, Texas, to Purchaser for the purpose of maintaining it as a protected landmark preserving the historic building and using the property as a community center and undertaking the historic restoration of the building; in consideration of such preservation and use as a Community Center and the payment of \$350,000.00 to the City by the purchaser; approving the Development Agreement and Special Warranty Deed - **DISTRICT H - GONZALEZ**

RESOLUTIONS AND ORDINANCES - continued

51. ORDINANCE approving and authorizing License Agreement, for ten (10) years with two (2) renewals of FIVE (5) years each, between **CROWN COMMUNICATION, INC**, or its affiliate, Lessor, and the City of Houston, Texas, Licensee, with a monthly License Fee of \$3,600.00 for Fiscal Year 2010, with annual increases, other costs and site improvement fees for a total cost for the initial ten (10) year base term \$473,028.36, to allow the Radio Communications Division of the Information Technology Department to install equipment on one (1) communications tower and ground space in connection with a new Public Safety Radio System located at 9220 Tigner Road, Rosharon, Texas
52. ORDINANCE approving and authorizing License Agreement, for ten (10) years with three (3) renewals of five (5) years each, between **TEXAS TOWER LIMITED, or its affiliate, Lessor**, and the City of Houston, Texas, Licensee, with a monthly License Fee of \$12,000.00 for Fiscal Year 2010, with annual increases, other costs and site improvement fees for a total cost for the initial ten (10) year base term of \$1,576,759.82, to allow the Radio Communications Division of the Information Technology Department to install equipment on one (1) Communications Tower and Equipment space in connection with a New Public Safety Radio System located at the JPMorgan Chase Tower, 600 Travis Street, Houston, Texas - **DISTRICT I - RODRIGUEZ**
53. ORDINANCE approving and authorizing Lease Agreement between the City of Houston, Texas, as Landlord, and the **HOUSTON POLICE FEDERAL CREDIT UNION**, as Tenant, for 1,023 square feet of real property located on the 1st and 20th floors of 1200 Travis, Houston, Harris County, Texas, to be used for office and ATM spaces - **DISTRICT I - RODRIGUEZ**
54. ORDINANCE amending Ordinance 2009-0752 concerning an Occupancy Agreement between **HARRIS COUNTY DEPARTMENT OF EDUCATION, as Occupant**, and the City of Houston, Texas, as owner, for space in the Fifth Ward Multi-Service Center - **DISTRICT B - JOHNSON**
55. ORDINANCE approving Purchase and Sale Agreement between City of Houston, Seller and **COASTAL WATER AUTHORITY**, Buyer for the sale of 90.52 acres of land, more or less, located along the Trinity River in the William Whitlock League Survey, Abstract 18, Liberty County, Texas for the sale price of \$91,000.00; and approving the Special Warranty Deed and all closing costs associated with this transaction
56. ORDINANCE appropriating \$17,356,262.00 out of Reimbursement of Equipment/Projects Fund and \$9,103,131.00 out of American Recovery and Reinvestment Act of 2009 (ARRA) Grant Fund (Approved by City Council Ord. No. 08-0439) and approving and authorizing contract between the City of Houston and **SCHNEIDER ELECTRIC BUILDINGS AMERICAS, INC f/k/a T.A.C. AMERICAS, INC** for Energy Conservation Measures - **DISTRICTS A - LAWRENCE; B - JOHNSON; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ**
57. ORDINANCE appropriating \$4,615.00 out of Parks Special Fund for Purchase of Equipment for the Kendall Library and Community Center - **DISTRICT G - HOLM**
58. ORDINANCE appropriating \$131,000.00 out of Convention & Entertainment Construction Fund as an additional appropriating to Professional Engineering Services Contract between the City of Houston and **WALTER P. MOORE AND ASSOCIATES, INC** for Theatre District Parking Structural Assessment and Repairs (Approved by Ordinance No. 2006-530) - **DISTRICT I - RODRIGUEZ**
59. ORDINANCE appropriating \$38,209.00 out of Parks Consolidated Construction Fund, \$29,702.00 out of Parks Special Fund; approving and authorizing issuance of purchase order to **GAMETIME** for Purchase of Playground Equipment for Stuebner Airline Park and Braeburn Glen Park **DISTRICTS B - JOHNSON and F - KHAN**

RESOLUTIONS AND ORDINANCES - continued

60. ORDINANCE appropriating \$381,933.00 out of Parks Special Fund and awarding construction contract to **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Wiley Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering testing services, construction management, and contingencies relating to construction of facilities financed by Parks Special Fund - **DISTRICT I - RODRIGUEZ**
61. ORDINANCE appropriating \$1,680,158.00 out of Parks Consolidated Construction Fund awarding construction contract to **TIMES CONSTRUCTION, INC** for T. C. Jester Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT A - LAWRENCE**
62. ORDINANCE awarding Professional Services Agreement to **CRAIG T. MASON** for Pension related Consulting Services for the Finance Department; providing a maximum contract amount 3 Years - \$295,500.00 - General Fund
63. ORDINANCE appropriating \$3,971,260.00 out of Tax Increment Funds for Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), and Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone) for payment of administrative expenses, payment of project costs, payments to Harris County Affordable Housing Fund, and payments to certain redevelopment authorities as provided herein - **DISTRICTS B - JOHNSON; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**
64. ORDINANCE extending the duration of **REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)** until December 31, 2029 - **DISTRICTS C - CLUTTERBUCK and G - HOLM**
65. ORDINANCE approving the third amendment to the Project Plan and Reinvestment Zone Financing Plan for **REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)**; authorizing the City Secretary to distribute such plans - **DISTRICTS C - CLUTTERBUCK and G - HOLM**
66. ORDINANCE relating to the Fiscal Affairs of the **MIDTOWN REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone); approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Years 2010-2014 Capital Improvement Budget for the Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ**
67. ORDINANCE approving and authorizing Interlocal Agreement between the City and **HOUSTON INDEPENDENT SCHOOL DISTRICT** to collaborate in the operation of H1N1 Influenza Vaccination Clinics; providing a maximum contract amount - \$525,984.00 - Grant Fund
68. ORDINANCE approving and authorizing Professional Services Contract between the City of Houston and **SPEEDPAY, INC** for Western Union Speedpay Service for an Interactive Voice Response (IVR) Payment Processing Portal for the Municipal Courts Administration Department Revenue

RESOLUTIONS AND ORDINANCES - continued

69. ORDINANCE amending Ordinance No. 2005-1286 (Passed on November 22, 2005) to increase the maximum contract amount for contract between the City of Houston and **ARAMARK CORRECTIONAL SERVICES, LLC** for Jail Food Services for Houston Police Department \$100,000.00 - General Fund - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ**
70. ORDINANCE awarding contract to **PHILADELPHIA GEAR CORPORATION** for Lightin© and Philadelphia© Mixer Repair/Overhaul Services; providing a maximum contract amount - 3 Years with two one-year options - \$4,965,708.00 - Enterprise Fund
71. ORDINANCE appropriating \$592,728.00 out of TIRZ Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **CFG TX GP, LLC** for Reimbursement of costs for paving in Settegast - **DISTRICT B - JOHNSON**
72. ORDINANCE consenting to the addition of 35.09 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 501**, for inclusion in its district
73. ORDINANCE approving and authorizing Treated Water Supply Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 148**
74. ORDINANCE approving and authorizing Professional Materials Engineering Laboratory Contracts between the City of Houston and **ALL-TERRA MATERIALS TESTING, INC** for Testing Laboratory Services for the Department of Public Works & Engineering and the Houston Airport System
75. ORDINANCE approving and authorizing third amendment to Professional Engineering Services Contract between the City of Houston and **AECOM USA GROUP, INC** for the Storm Water Management Program
76. ORDINANCE appropriating \$3,517,867.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB, 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
77. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 4**
 - a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 4**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Cinco Southwest Municipal Utility District No. 4 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

78. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 3**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 3**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Cinco Southwest Municipal Utility District No. 3 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

79. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **CIMARRON MUNICIPAL UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CIMARRON MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Cimarron Municipal Utility District, in Harris County and Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Cimarron Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Cimarron Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

80. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5** and certain territory located in the vicinity of Harris Fort Bend Counties Municipal Utility District No. 5, in Harris County and Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris Fort Bend Counties Municipal Utility District No. 5; imposing the sales and use tax of the City of Houston in the area within Harris Fort Bend Counties Municipal Utility District No. 5 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

81. ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **CY CHAMP PUBLIC UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CY CHAMP PUBLIC UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within CY Champ Public Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

82. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CYPRESS FOREST PUBLIC UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CYPRESS FOREST PUBLIC UTILITY DISTRICT** and certain territory located in the vicinity of Cypress Forest Public Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Cypress Forest Public Utility District; imposing the sales and use tax of the City of Houston in the area within Cypress Forest Public Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

83. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY FRESHWATER SUPPLY DISTRICT NO. 52**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY FRESHWATER SUPPLY DISTRICT NO. 52**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Freshwater Supply District No. 52 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

84. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 114**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 114** and certain territory located in the vicinity of Harris County Water Control and Improvement District No. 114, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Water Control and Improvement District No. 114; imposing the sales and use tax of the City of Houston in the area within Harris County Water Control and Improvement District No. 114 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

85. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **BRIDGESTONE MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Bridgestone Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Bridgestone Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Bridgestone Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

86. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **GREENS PARKWAY MUNICIPAL UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **GREENS PARKWAY MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Greens Parkway Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Greens Parkway Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Greens Parkway Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

87. ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191** and certain territory located in the vicinity of Harris County Municipal Utility District No. 191, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 191; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 191 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

88. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **MASON CREEK UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MASON CREEK UTILITY DISTRICT** and certain territory located in the vicinity of Mason Creek Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Mason Creek Utility District; imposing the sales and use tax of the City of Houston in the area within Mason Creek Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

89. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **NORTH BELT UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTH BELT UTILITY DISTRICT** and certain territory located in the vicinity of North Belt Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of North Belt Utility District; imposing the sales and use tax of the City of Houston in the area within North Belt Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

90. ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **NORTH FOREST MUNICIPAL UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTH FOREST MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of North Forest Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of North Forest Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within North Forest Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

91. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **TIMBER LANE UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **TIMBER LANE UTILITY DISTRICT** and certain territory located in the vicinity of Timber Lane Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Timber Lane Utility District; imposing the sales and use tax of the City of Houston in the area within Timber Lane Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

92. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61** and certain territory located in the vicinity of Harris County Municipal Utility District No. 61, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 61; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 61 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

93. ORDINANCE approving and authorizing second amendment to the Strategic Partnership Agreement between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Fort Bend County Municipal Utility District No. 50 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

94. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 118**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 118** and certain territory located in the vicinity of Fort Bend County Municipal Utility District No. 118, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Fort Bend County Municipal Utility District No. 118; imposing the sales and use tax of the City of Houston in the area within Fort Bend County Municipal Utility District No. 118 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

95. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **FOREST HILLS MUNICIPAL UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FOREST HILLS MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Forest Hills Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Forest Hills Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Forest Hills Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

96. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 105**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 105** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 105**, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 105; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 105 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

97. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 149**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 149** and certain territory located in the vicinity of Harris County Municipal Utility District No. 149, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 149; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 149 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

RESOLUTIONS AND ORDINANCES - continued

98. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15** and certain territory located in the vicinity of Northwest Harris County Municipal Utility District No. 15, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Northwest Harris County Municipal Utility District No. 15; imposing the sales and use tax of the City of Houston in the area within Northwest Harris County Municipal Utility District No. 15 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

99. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **RICHEY ROAD MUNICIPAL UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **RICHEY ROAD MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Richey Road Municipal Utility District, in Harris or Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Richey Road Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Richey Road Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

100. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **SPRING WEST MUNICIPAL UTILITY DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **SPRING WEST MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Spring West Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Spring West Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Spring West Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

101. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **TATTOR ROAD MUNICIPAL DISTRICT**

a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **TATTOR ROAD MUNICIPAL DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Tattor Road Municipal District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 102 through 104

MISCELLANEOUS

102. RECEIVE nominations for appointments or reappointments for Positions Five and Seven on the **ETHICS COMMITTEE** for two years
103. MOTION to set a date not less than seven (7) days from December 2, 2009, to receive nominations for appointments to Positions 6, 7, 8 and 9 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE), CITY OF HOUSTON, TEXAS** for terms to expire December 31, 2011, and for Chair for a term to expire December 31, 2010
104. MOTION to set a date not less than seven (7) days from December 2, 2009, to receive nominations for appointments to Positions 18, 19, 20, 21 and 22 of the **HOUSTON READ COMMISSION** for three year staggered terms from the date of appointment

MATTERS HELD - NUMBERS 105 through 109

105. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **EXPEDITE! INC** for certain premises at George Bush Intercontinental Airport/Houston - Revenue **DISTRICT B - JOHNSON - TAGGED BY COUNCIL MEMBER JOHNSON**
This was Item 46 on Agenda of November 18, 2009
106. ORDINANCE approving and authorizing Amendment No. 2 to Parking Operations and Management Concession Agreement between the City of Houston and **NEW SOUTH PARKING - TEXAS** for the Houston Airport System; amending Ordinance No. 2004-888 to increase the maximum contract amount - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ - TAGGED BY COUNCIL MEMBER JOHNSON**
This was Item 48 on Agenda of November 18, 2009
107. ORDINANCE appropriating \$2,800,000.00 out of Fire Consolidated Construction Fund to In-House Renovation Revolving Fund for Renovation/Reconstruction of Various City Facilities for the Houston Fire Department - **TAGGED BY COUNCIL MEMBER SULLIVAN**
This was Item 50 on Agenda of November 18, 2009
108. MOTION by Council Member Khan/Seconded by Council Member Lovell to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Louis Macey of Macey Family Properties, LTD. [Macey Properties, Inc. (Louis Macey, President) General Partner], for sale of fee-owned land, which is the remainder of Block 120, from Rusk Avenue to Capitol Avenue, within South Side Buffalo Bayou, an unrecorded subdivision out of the J. S. Holman Survey, A-323, Parcel SY10-017 - **DISTRICT I - RODRIGUEZ**
POSTPONED BY MOTION #2009-850, 11/18/09
This was Item 56 on Agenda of November 18, 2009

MATTERS HELD – continued

109. ORDINANCE **AMENDING ARTICLES IX AND X OF CHAPTER 26 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to booting in parking facilities; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability - **POSTPONED BY MOTION #2009-853, 11/18/09**

This was Item 59 on Agenda of November 18, 2009

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

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

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

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

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

NOTICE is hereby given that a Regular Meeting of the City Council of the City of Houston will be held **TUESDAY, DECEMBER 1, 2009 at 1:30 p.m. and WEDNESDAY, DECEMBER 2, 2009 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 25th day of NOVEMBER, 2009.

City Secretary

CERTIFICATE

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on NOVEMBER 25, 2009 at : p.m.

by _____

for Anna Russell
City Secretary

**CITY COUNCIL CHAMBER - CITY HALL 2nd FLOOR - TUESDAY
DECEMBER 1, 2009 - 2:00 PM**

AGENDA

1MIN

1MIN

1MIN

NON-AGENDA

2MIN

2MIN

2MIN

3MIN

3MIN

3MIN

MR. JERRY DOSS – 15414 South Corsair Rd. – 77053 – 713-271-8856 – Reinstatement with City PW&E

MR. NOEL FREEMAN - Post Office Box 66693 – 77266 – 713-426-3651 – Washington Ave. parking

MS. NANCY HENTSCHEL – No address given – 832-228-7642 – Harris County jail as debtor's prison for Health car crisis

MS. TIFFANY MOORE – 10030 Windriver – 77070 – 281-890-2182 – TC Jester dog Park

MR. STAN JAMES – 822 E. 24th – 77009 – 832-247-8846 - Neighborhood Protection

MR. DARRYL BELL – 2701 Brenda Lane – 77338 - Humble – TX – 281-570-2283 – Employment with City of Houston

MR. MICHAEL GRIFFIN – 5327 Winding Way – 77091 – 713-503-8064 – HOV Lanes

PREVIOUS

1MIN

1MIN

1MIN

MR. WISSAM HAMMOUD – 7114 Bintliff – 77074 – 281-690-6071 – Transportation and problem with City Inspector

MS. DEBORAH ELAINE ALLEN – Post Office Box 26325 – 77207 – 832-292-5203 – The Millennium Year Y2K – President George Bush, Jr.

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – G/Mafia Terrorist City Mayoral Elections W/Voters Fraud W/Illegal Campaign Funding

MS. MARY TAYLOR - 1403 Fashion Hill Dr. - 77088 - 281-445-0682 – Concerns to Mayor – Willow Run Park and 26.82 acres

1
DEC 02 2009

MOTION NO. 2009 0821

MOTION by Council Member Khan that the recommendation of the Director of the Finance Department, to set a hearing date to consider an amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Twenty-One (Hardy/Near Northside Zone), be adopted, and a Public Hearing be set for 9:00 a.m., Wednesday, December 2, 2009, in the City Council Chamber, Second Floor, City Hall.

Seconded by Council Member Brown and carried.

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

PASSED AND ADOPTED this 10th day of November, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 16, 2009.



Avraham Lovell
City Secretary

REQUEST FOR COUNCIL ACTION

REQUEST FOR COUNCIL ACTION			
TO: Mayor via City Secretary		RCA #	
SUBJECT: Motion setting a public hearing date for an amendment to the Project Plan and Reinvestment Zone Financing Plan for TIRZ No. 21 (Hardy/Near Northside Zone).		Category #	Page 1 of 1
FROM: (Department or other point of origin): Michelle Mitchell, Director Finance Department		Origination Date	Agenda Date
DIRECTOR'S SIGNATURE:  Finance Department		Council Districts affected: H	
For additional information contact: Ralph De Leon Tim Douglass		Date and identification of prior authorizing Council Action: Phone: (713) 837-9573 (713) 837-9857 Ord. 2003-1258, 12/17/03, 2008-1212, 12/30/08	
RECOMMENDATION: (Summary) Set a public hearing date for an amendment to the Project Plan and Reinvestment Zone Financing Plan for TIRZ No. 21 (Hardy/Near Northside Zone).			
Amount of Funding: No Funding Required			Finance Budget:
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> N/A			
SPECIFIC EXPLANATION: The Board of Directors of TIRZ No. 21 (Hardy/Near Northside Zone) approved amendments to the Project Plan and Financing Plan for the Zone and have transmitted a proposed Amended Project Plan and Reinvestment Zone Financing Plan (the "Amended Plan") for City Council consideration. Per Section 311.011(e) of the Tax Code the ("TIRZ Act"), a public hearing must be held prior to adopting an Ordinance approving the Amended Plan. The Finance Department recommends setting a public hearing date on December 2, 2009.			
cc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo Michel, City Attorney Deborah McAbee, Senior Assistant City Attorney			
REQUIRED AUTHORIZATION			
Finance Director:	Other Authorization:	Other Authorization:	
			

Finance 08/29/08

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Motion to set and approve the designation of a Banner District in the Upper Kirby Management District		Category #	Page 1 of 1	Agenda Item #
				21

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 11-19-09	Agenda Date DEC 02 2009
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: C and G
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For additional information contact: Andrew F. Icken Phone: (713) 837-0510 Deputy Director	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Approval of a motion to designate a Banner District in the Upper Kirby Management District.
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Amount and Source of Funding: N/A	
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BACKGROUND: A Public Hearing was held on November 18, 2009, regarding a request for designation of a Banner District in the Upper Kirby Management District. Testimony was received regarding the creation of the Banner District. The Department of Public Works and Engineering has verified that the conditions as defined in Section 40-30 of the City of Houston Code of Ordinances do exist:
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- 1) The area has paved streets with rights of way no less than 60 feet wide;
- 2) The land in use in the proposed district is primarily nonresidential; and
- 3) The designation of the proposed district will not endanger the health, safety, welfare and public convenience of the citizens of the city.

The Department of Public Works and Engineering is requesting City Council approve the creation of a Banner District in the District. A map showing the proposed Banner District is attached for reference purposes. The approval of this motion is conditioned on Upper Kirby receiving a letter of approval from CenterPoint Energy to place banners on light standards.

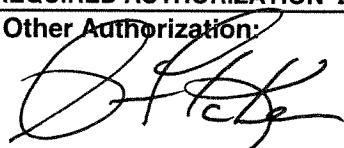
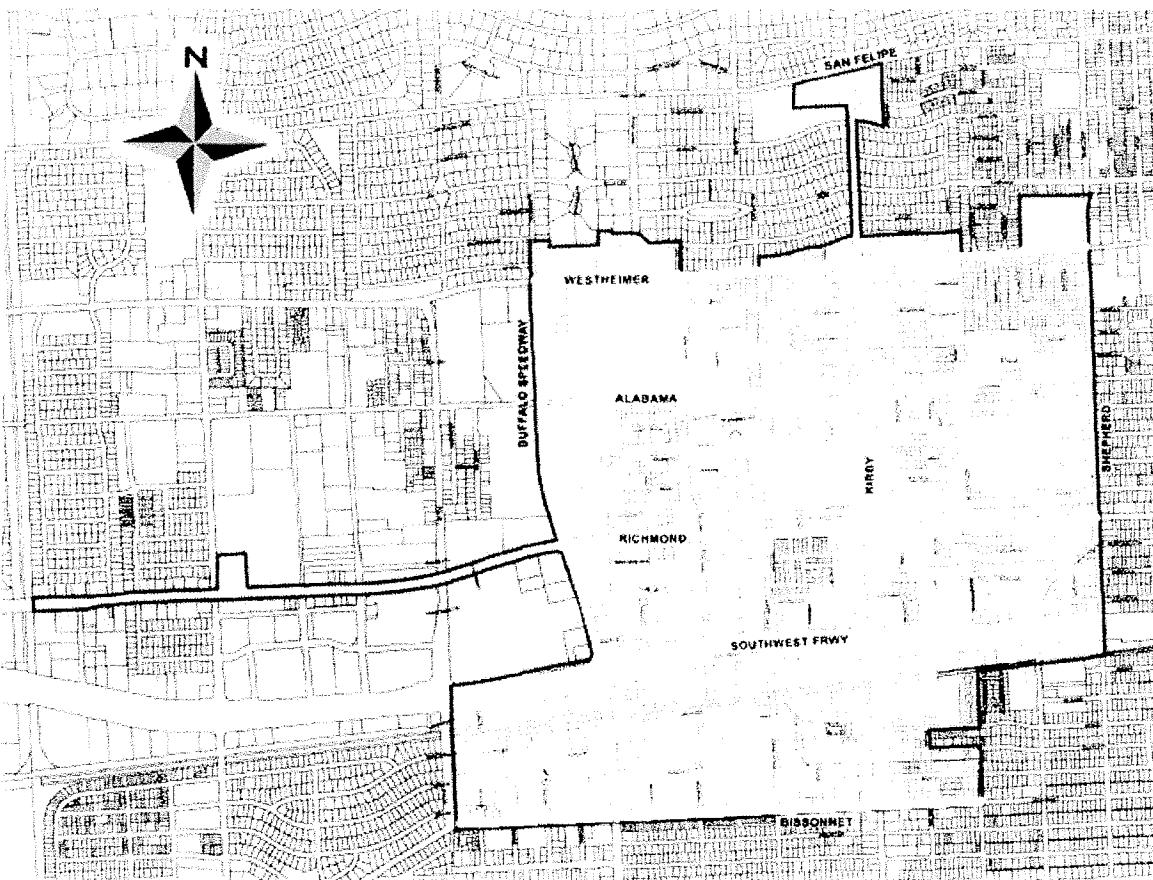
REQUIRED AUTHORIZATION 20AFI52		
	Other Authorization:	Other Authorization:  Andrew F. Icken Deputy Director Planning and Development Services

EXHIBIT "A"

Boundary Description



*Highlighted major thoroughfares meet the following criteria:

- a. The area has paved public streets with rights-of-way not less than 60 feet wide;
- b. The land use in the proposed district is primarily nonresidential; and
- c. The designation of the proposed district would not endanger the health, safety, welfare and public convenience of the citizens of the city.

Upper Kirby District

 Upper Kirby Management District

Legend :

-  Single-family Residential
-  Multi-family Residential
-  Commercial
-  Office
-  Industrial
-  Public and Institutional
-  Transportation and Utilities
-  Parks and Open Space
-  Undeveloped
-  Agricultural Production
-  Open Water
-  Others (mismatched code)

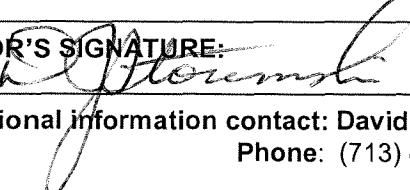


0 200 400 600 Feet



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Greater Harris County 9-1-1 Emergency Network, Fiscal Year 2010		Category	Page 1	Agenda Item # 3
FROM: Dennis Storemski, Mayor's Office of public Safety and Homeland Security		Origination Date: 11/10/09	Agenda Date: DEC 02 2009	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: David Cutler (HEC Director) Phone: (713) 884-3602		Date and Identification of prior authorizing Council action:		

RECOMMENDATION: (Summary) Approval of the Greater Harris County 9-1-1 Emergency Network budget for fiscal year 2010 (January 1, 2010 – December 31, 2010)

Amount of Funding: N/A	FIN Budget:
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SOURCE OF FUNDING:

The Houston Emergency Center is requesting City Council approval of the Greater Harris County 9-1-1 Emergency Network annual budget of \$54,200,000.00 for fiscal year 2010 (January 1, 2010 – December 31, 2010). This is a decrease of \$17.9 Million from their FY2009 budget.

The Network is the governmental agency that administers the 9-1-1 system, providing coordination and other collateral support for participating jurisdictions within Harris and Fort Bend counties. Through the 9-1-1 system, emergency calls from citizens are referred to the appropriate emergency response agency – whether police, fire or EMS – or to other appropriate agencies like crisis hotline, poison control, or emergency management operations. Currently, there are 40 answering points within the region served by the Greater Harris County 9-1-1 Emergency Network.

Due to its intergovernmental functions and pursuant to state law, the Greater Harris County 9-1-1 Emergency Network annual budget must be approved by its Board of Managers, Harris County Commissioners Court, and the Houston City Council.

A copy of the budget was delivered to each City Council Member during the month of October 2009. Additionally, a copy of the budget is available for review in the City Secretary's Office, and copies are available from the Finance & Administration Department. Highlights of the 2010 Fiscal Year budget are attached for your convenience.

The FY2010 Budget was reviewed by the Public Safety & Homeland Security Committee on November 9, 2009. The committee voted to recommend adoption by City Council.

REQUIRED AUTHORIZATION

FIN Director:	Other Authorization:	Other Authorization:
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Greater Harris County 9-1-1 Network Fiscal Year 2010 Budget Highlights

The Greater Harris County 9-1-1 Emergency Network (GHC) is a special purpose district which provides 911 emergency infrastructure - equipment, software and maintenance - for 49 cities and two counties (Harris and Fort Bend).

The proposed operational and capital budget for FY2010 totals \$54,200,000.00. This is a decrease of \$17.8M compared to the approved FY2009 budget.

Highlights of the GHC budget include the following:

- The service fees will remain the same
 - Residential - \$.50 per subscriber line
 - Business - \$.80 per business line and \$.87 per trunk
 - Wireless - \$.50 per subscriber as prescribed by law; wireless fees are transmitted to the Texas State Comptroller's Office and distributed to by 9-1-1 entities by population. (Effective June 1, 2010, the prepaid wireless subscribers will be assessed a two percent (2%) service fee based on prepaid wireless services purchased by any method.)
- **The Capital budget of \$20.4M is reduced by \$13.7M from the previous budget.**
 - It includes cost associated with the replacement and upgrades to 911 Systems and call taker equipment at Public Safety Answering Points (PSAP) throughout Harris and Fort Bend Counties.
 - Cost for equipment at the PSAPs to continue GHC's "Three-Year Capital Replacement" Plan and to accommodate new technology.
 - Costs associated with the design and a portion of the construction phase to build a stand alone building to house the GHC administrative/operation staff and call-taker training rooms.
- **The Operational budget totals \$33.8M, reduced by \$4.1M compared to the prior year.**
 - **The salary budget includes the following GHC full-time staff positions:**
 - IT personnel needed to maintain and support GHC's 9-1-1 equipment and supporting systems on a 7x24 basis.
 - Database operational staff to manage and maintain the 9-1-1 database, software and hardware

- GIS staff to continue to develop and maintain the geographical map for all jurisdictions within Harris and Fort Bend Counties
- Administrative staff which handles the daily business functions.
- Public information and education staff to educate both the public and 1,200+ call takers
- Operating costs for the new headquarters are included. The new headquarters will help to better meet GHC 9-1-1's disaster contingency plan and facility requirements for communication networking systems. Currently, GHC 9-1-1 leases office space that can not meet GHC 9-1-1's future operational needs.
- Funding for 152 positions at the Houston Emergency Center (HEC) and 58 positions at the Harris Count 9-1-1 Neutral Answering Point. The budget also includes funding for benefits, annual cost-of-living and merit increases.
- Costs associated with the Network Emergency Warning System (NEWS); Wireless Phase I and II technology, as mandated by the FCC
- Cost for Next Generation 9-1-1 infrastructure and services – VDB/ERDB
- Other operation and capital outlay associated with the acquisition and maintenance of 9-1-1 equipment for all municipal PSAPs are distributed throughout the operational budget.
- The salary budget also includes increase for three additional staff positions to maintain the network expansions to improve interoperability and begin the migration to the Next Generation 9-1-1 platform and staff to maintain the new GHC 9-1-1 headquarters.
- Cost for Wireless Phase I and Phase II technology, as mandated by the Federal Communications Commission (FCC), which provides the 9-1-1 call-takers with a mobile phone number (for call-back, if necessary) and the caller's approximate location information – also included in the Budget are payments for bonds issued to finance the wireless location service contracts.
- **The budget also includes:**
 - Operating and capital cost are included for Next Generation projects, which include upgrades to the 9-1-1 frame network. The upgrades will include expansion of the network's bandwidth and increase the diversity/redundancy of the network. In addition, the upgrades will allow a seamless integration of new technological devices capable to access

9-1-1 emergency services and to improve interoperability among the county and municipalities. Cost for acquisition and maintenance of 9-1-1 equipment for all municipal sites and certain other centers in the unincorporated areas of Harris and Fort Bend Counties.

- Costs associated with GHC's participation in the development of the electronic map for all of GHC's territory and mapping updates associated with the Houston-Galveston Area Council (HGAC)-centered mapping consortium
- Costs for operation of the Network's 7x24x365 Command Center (Help Desk), which serves all jurisdictions administered by GHC
- Expenses for GHC's ongoing professional training seminars for personnel of participating jurisdictions and agencies throughout the GHC territory
- Public education programs, including targeted campaigns (e.g., wireless use, proper use of 9-1-1, and use of NEWS)

The reserve funds carried over from year to year are used to pay for anticipated capital purchases and ongoing capital replacement. Since GHC has to work with thirty-nine different jurisdictions, the deployment schedule of the capital purchases are sometimes delayed.

New technologies such as Voice Over Internet Protocol (VOIP), wireless and others continue to present challenges to 9-1-1 entities across the country. Significant work will be done by Network Staff in conjunction with other 9-1-1 entities and regulatory authorities to insure that those technologies do not degrade the level of 9-1-1 service provided to the citizens of Harris and Fort Bend Counties.

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Amendments to the 2008 Major Thoroughfare and Freeway Plan (MTFP)		Category #	Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Planning and Development		Origination Date 08/27/09		Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: <i>Marlene R. Gapeek</i>		Council District affected: A, C, D, G, H, I		
For additional information contact: Michael A. Kramer Phone: 713-837-7781		Date and identification of prior authorizing Council action: 10/22/08, Ord. 2008-0794		

RECOMMENDATION: (Summary)

Approve amendments to the 2008 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2009 MTFP in map form.

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

Chapter 33-25 of the Code of Ordinances requires that each year, the Planning Commission prepare and submit to the City Council a Major Thoroughfare and Freeway Plan (MTFP) adopted with the concurrence of the Public Works and Engineering Department. The MTFP identifies corridor alignments and sets right-of-way requirements for major roadways in the City and extraterritorial jurisdiction (ETJ). The Commission may consider amendments to any portion of the MTFP relating to deleting, realigning or reclassifying streets designated on the plan or adding one or more streets to the plan. An amendment approved by the Commission is not effective until approved by City Council.

Two types of applicants for MTFP amendments were considered by the Commission and are identified by:

Government -	amendments requested by governmental agencies including City of Houston; and
Private Sector -	amendments requested by the private sector among which included individuals, civic associations, and developers.

This year, applications were accepted from February through March 13, 2009. Planning Commission held workshops on the proposed amendments April 30 and an Open House for the public was held July 9 in the evening at the United Way Community Resource Center, 50 Waugh Drive. Notification letters were mailed to affected property owners advising them of the Open House and the Public Hearing. Planning Commission held a public hearing on the proposed amendments, Thursday, July 30 and continued the public hearing on two items to Thursday, August 13 and August 20.

The Planning Commission approved a motion on August 20, 2009, to recommend that City Council approve amendments to the 2008 MTFP. Attachment 1 provides a description of the recommended amendments. Attachment 2 depicts the general location of each recommended change.

City Council approval will authorize publication of the 2009 MTFP in map form.

Attachments

cc: Marty Stein, Agenda Director
Arturo Michel, City Attorney
Anna Russell, City Secretary
Michael S. Marcotte, Director, Public Works and Engineering

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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2009 MAJOR THOROUGHFARE AND FREEWAY PLAN
(Amendments to the 2008 MTFP)

On August 20, 2008 the City of Houston Planning Commission voted to forward its actions to City Council for adoption as the 2009 MTFP. Six amendments, listed below, reflect changes that will require alterations to the 2008 MTFP. The location of each amendment is illustrated on the map included as Attachment 2.

Amendment Name	Jurisdiction	District/Precinct	Applicant
West Road	ETJ, Harris Co.	Harris Co. Pct. 1	Binkley & Barfield, Inc. (Private) & Planning & Development Department (Government Sector)

Planning Commission action:

APPROVED the realignment of West Road between Old Creek Road and Russ Drive to align with Pinafore Lane at East Hardy Road.

East End Corridor	City, Harris Co.	Council Dist. H, I Harris Co. Pct. 1 & 2	METRO, March Darcy Partners, Inc. (Government Sector)
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Planning Commission action: (Phase 1)

APPROVED the reclassification of a portion of Harrisburg Boulevard between Dowling Street and 72nd Street as a Transit Corridor Street (TCS).

South East Corridor	City, Harris Co.	Council Dist. D, H, I Harris Co. Pct. 1	METRO, March Darcy Partners, Inc. & Planning & Development Department (Government Sector)
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Planning Commission action: (Phase 1)

A) APPROVED the classification of the following streets and METRO rights-of-way/easement as TCS:

- 1 - Rusk Street from Memorial Drive to Hamilton Street
- 2 - Capitol Street from Memorial Drive to Hamilton Street
- 3 - Hamilton Street from Rusk to Texas Avenue
- 4 - Texas Avenue from Hamilton Street to Nagle Street
- 5 - METRO rights-of-way/easement from Nagle Street to Dallas Street
- 6 - Dallas Street from the Union Pacific Railroad Right of Way to Scott Street
- 7 - Wheeler Street from Scott Street to Cullen Boulevard

B) APPROVED the reclassification the following streets as TCS:

- 8 - Scott Street from Dallas Street to Wheeler Street
- 9 - Wheeler Street from Cullen Boulevard to Calhoun Street/Martin Luther King Boulevard
- 10 - Martin Luther King Boulevard from Wheeler Street to Griggs Road
- 11 - Griggs Road from Martin Luther King Boulevard to Long Dr.

Uptown Corridor	City, Harris Co.	Council Dist. C, G, A Harris Co. Pct. 3 & 4	Planning & Development Department (Government Sector)
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Planning Commission action: (Phase 1)

APPROVED the reclassification the following streets as TCS:

- 1 - Westpark Drive from Newcastle Drive to S. Rice Ave./Sage Road
- 2 - IH-610 West Loop Access Road from Westpark Drive to Post Oak Boulevard
- 3 - Post Oak Boulevard from Richmond Ave to IH-610.
- 4 - IH-610 from Post Oak Boulevard to Oakford Street
- 5 - N. Post Oak Rd from Oakford Street to Old Katy Road
- 6 - Old Katy Road from N. Post Oak Road to IH-610.

Amendment Name	Jurisdiction	District/Precinct	Applicant
Main Street Rail	City, Harris Co.	Council Dist. C, D, I Harris Co. Pct. 1	Planning & Development Department (Government Sector)

Planning Commission action: (Phase 1)A) APPROVED the classification the following streets as Transit Corridor Streets:

1. Main Street from IH-10 to Blodgett Street
2. Fannin Street from Wheeler to Montrose Boulevard
3. Fannin Street from Montrose Boulevard to S. Braeswood Boulevard
4. S. Braeswood Boulevard from Fannin Street to Greenbriar Street
5. Greenbriar Street from S. Braeswood Boulevard to Fannin Street
6. Fannin Street from Greenbriar Street to W. Bellfort Street

B) APPROVED the reclassification of the following street as Transit Corridor Street:

7. San Jacinto from Blodgett Street to Montrose Boulevard

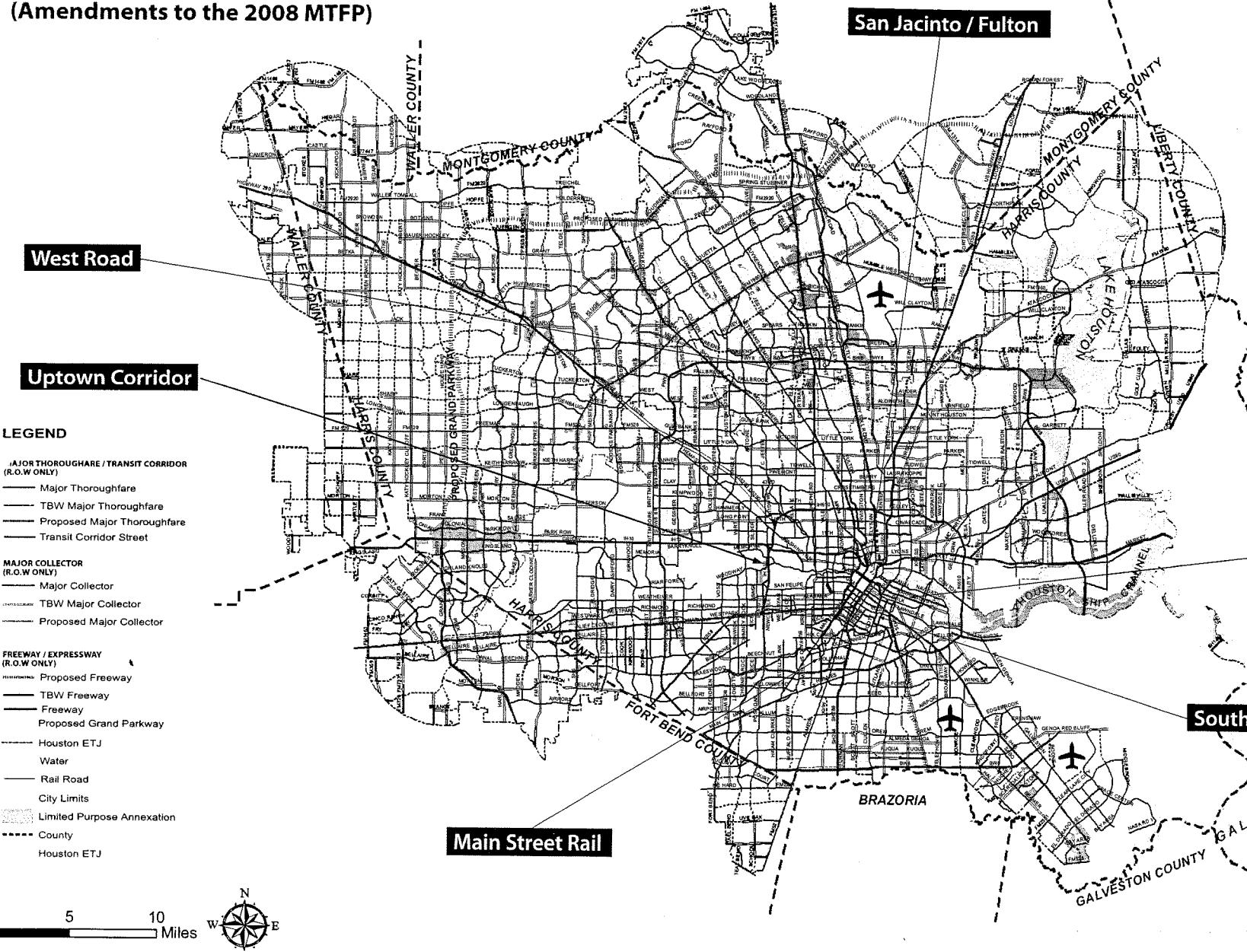
San Jacinto / Fulton	City, Harris Co.	Council Dist. H Harris Co. Pct. 1	Planning & Development Department (Government Sector)
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Planning Commission action:A) APPROVED the classification of proposed San Jacinto extension between Central Business District and Burnett Street as a major thoroughfare.B) APPROVED the classification of Fulton Street between Burnett Street and Hogan Street as a major thoroughfare.

2009 Major Thoroughfare & Freeway Plan

(Amendments to the 2008 MTFP)

Attachment 2



City of Houston
Planning Commission
approved amendments
to the 2008 Major
Thoroughfare and
Freeway Plan
on August 20, 2009 for:

- East End Corridor
- South East Corridor
- Uptown Corridor
- Main Street Rail
- San Jacinto / Fulton
- West Road



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work Momentum Contractors, Inc. Burress, Japhet and Dalton Fleet Maintenance Facilities WBS No. R-000268-0002-4		Page 1 of 2	Agenda Item 5
FROM (Department or other point of origin): General Services Department		Origination Date 11-18-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P. E. <i>Issa Dadoush</i> 11/17/09		Council District affected: H,I	
For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ordinance No. 2007-514, Dated April 25, 2007	
RECOMMENDATION: Pass a motion approving the final contract amount of \$731,914.00, accept the work, and authorize final payment.			
Amount and Source of Funding: No Additional Funding Required		Finance Budget:	
Previous Funding: \$867,000.00 Water and Sewer System Consolidated Construction Fund (8500)			

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$731,914.00 or 0.44% over the original contract amount, accept the work and authorize final payment to Momentum Contractors, Inc. for construction services in connection with the Burress, Japhet and Dalton Fleet Maintenance Facilities for the Department of Public Works and Engineering.

PROJECT LOCATION: 802 Burress (453 E)
100 Japhet (494 L)
2700 Dalton (535 K)

PROJECT DESCRIPTION: This project was part of PWE's ongoing plan to upgrade five wastewater facilities. This project involved three facilities. The scope of work for each facility included the following:

Burress – constructed one pre-engineered metal canopy along the front entrance at the administration building and one metal pavilion at the shop building, and repaired exterior security lighting.

Japhet – upgraded existing restrooms to comply with ADA requirements, repaired exterior security lighting, and installed a new fire alarm system.

Dalton - constructed a new 2,673 square foot storage building, painted exterior trim, and repaired exterior security lighting.

CONTRACT COMPLETION AND COST: The contractor completed the project within 354 days: the original contract time of 210 days plus 144 days approved by Change Orders. The final cost of the project including Change Orders is \$731,914.00, an increase of \$3,178.00 over the original contract amount.

Bovay Engineering, Inc was the project design consultant and construction manager.

REQUIRED AUTHORIZATION

CUC #25CONS124

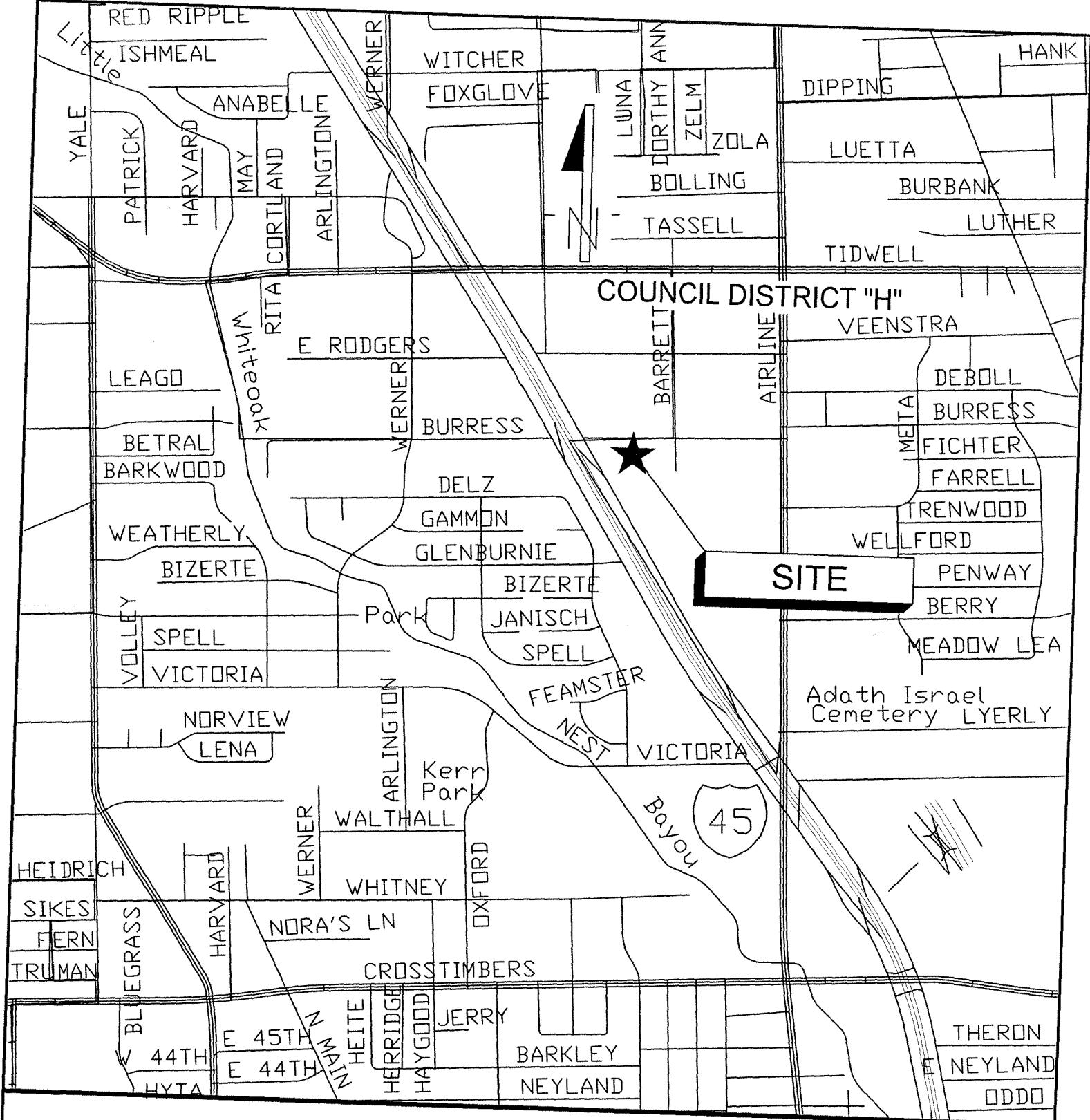
General Services Department: <i>H. Bautista</i> Humberto Bautista, P.E. Chief of Design & Construction Division		Department of Public Works & Engineering <i>M. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE Director
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Date	Subject: Accept Work Momentum Contractors, Inc. Burress, Japhet and Dalton Fleet Maintenance Facilities WBS No. R-000268-0002-4	Originator's Initials RJO	Page 2 of 2
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PREVIOUS CHANGE ORDERS: Change Order 1 and 2 added two concrete piers and beam for the new pavilion at Burress; deleted the fuel island canopy, reduced the accessibility ramp, replaced an electrical contactor and added three new doors at Japhet; added four welded bird screens to skylights, upgraded power source to new storage facility, and replaced electrical ballast for exterior security lights at Dalton; and added contract days for scope of work revisions plus weather delays.

IZD:HB:JLN:MCP:RJO:rb


c: Marty Stein, Jacquelyn L. Nisby, Michael S. Marcotte, Calvin Curtis, Yvette Burton, Velma Laws, Joe Goodman, James Tillman, Christopher Gonzales, File 1108

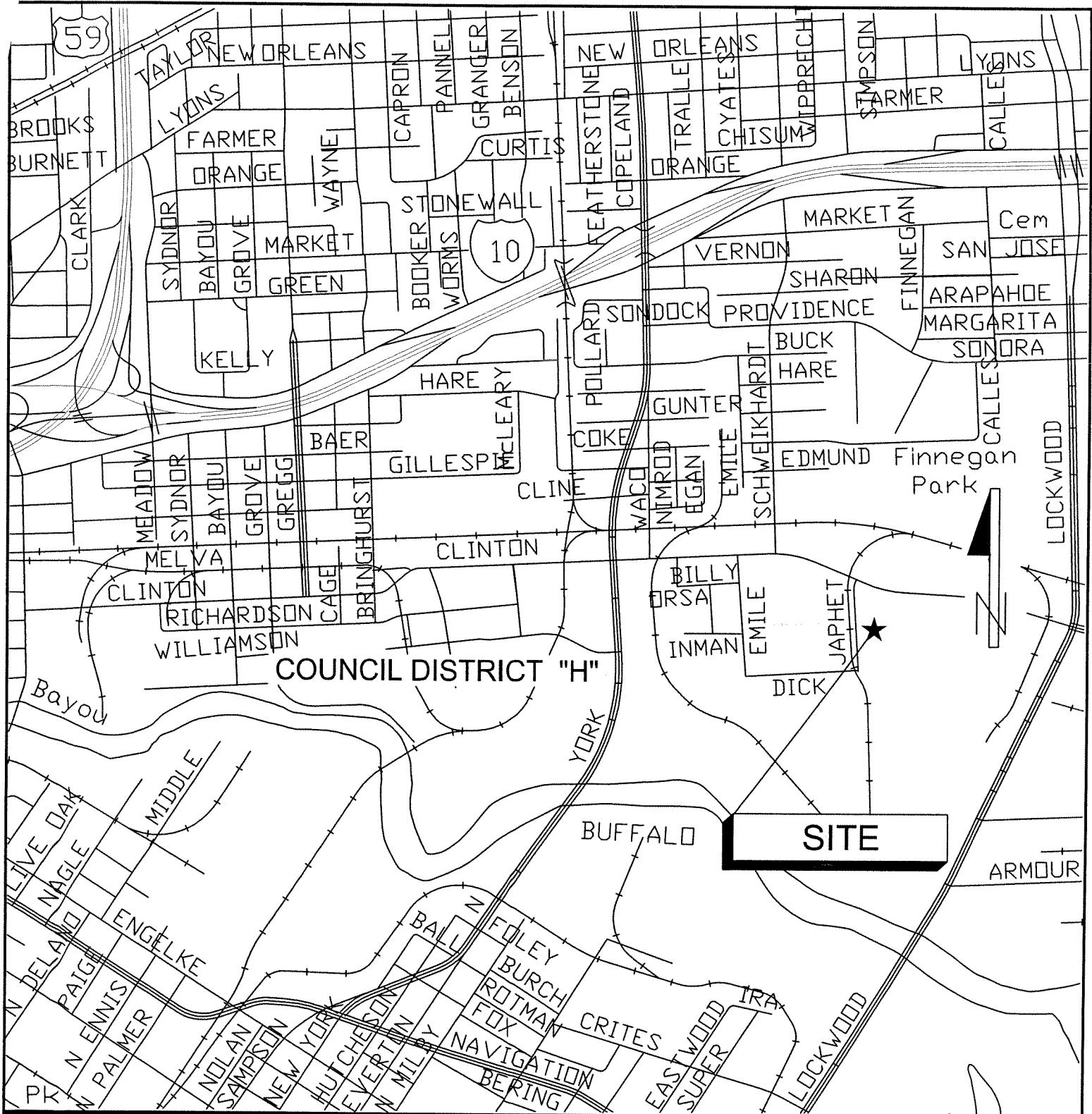


BURRESS FLEET MAINTENANCE FACILITY

802 BURRESS
HOUSTON, TX 77022

COUNCIL DISTRICT "H"

KEY MAP NO. 453E

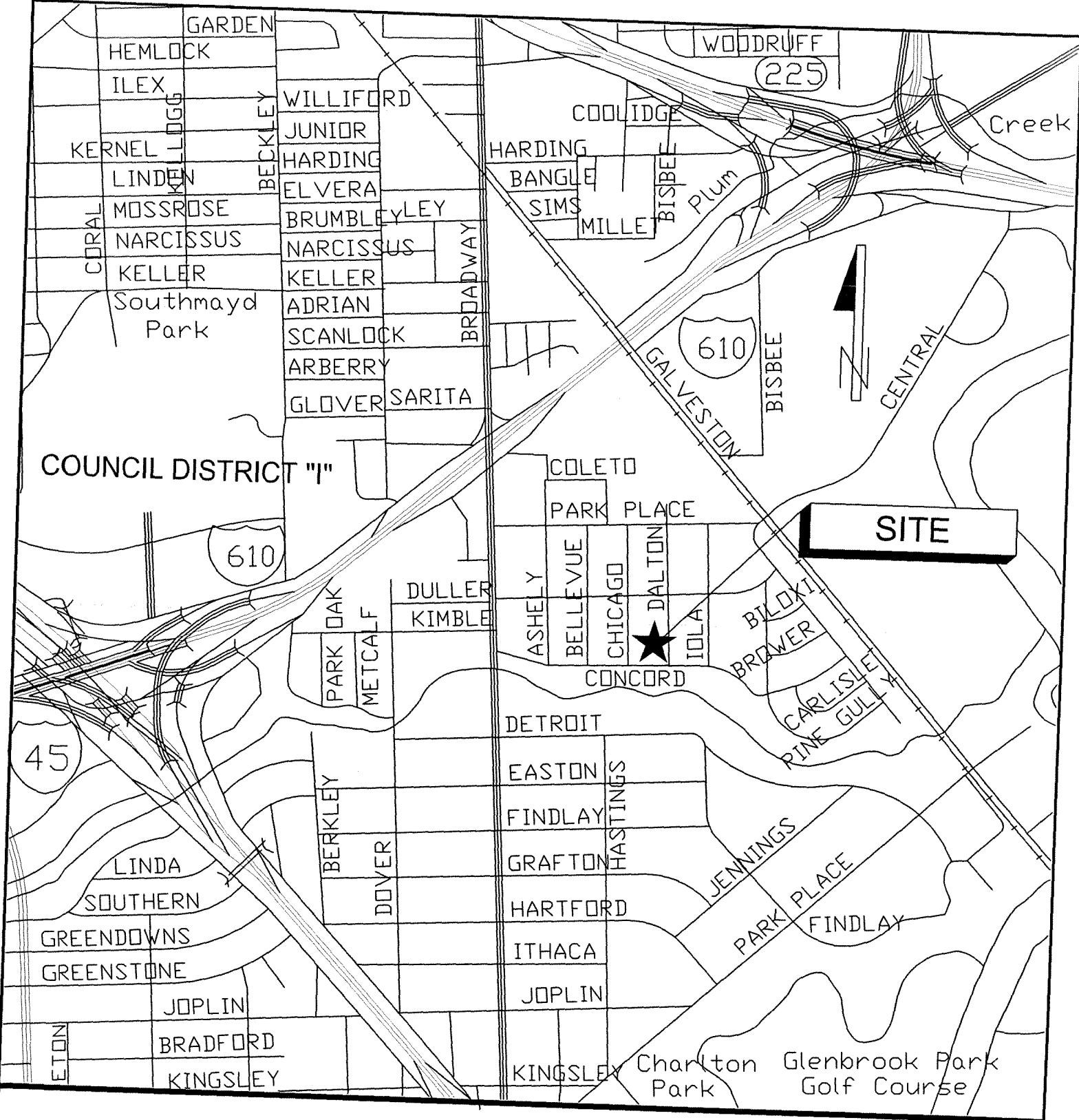


JAPHET FLEET MAINTENANCE FACILITY

100 JAPHET
HOUSTON, TX 77020

COUNCIL DISTRICT "H"

KEY MAP NO. 494L



DALTON FLEET MAINTENANCE FACILITY

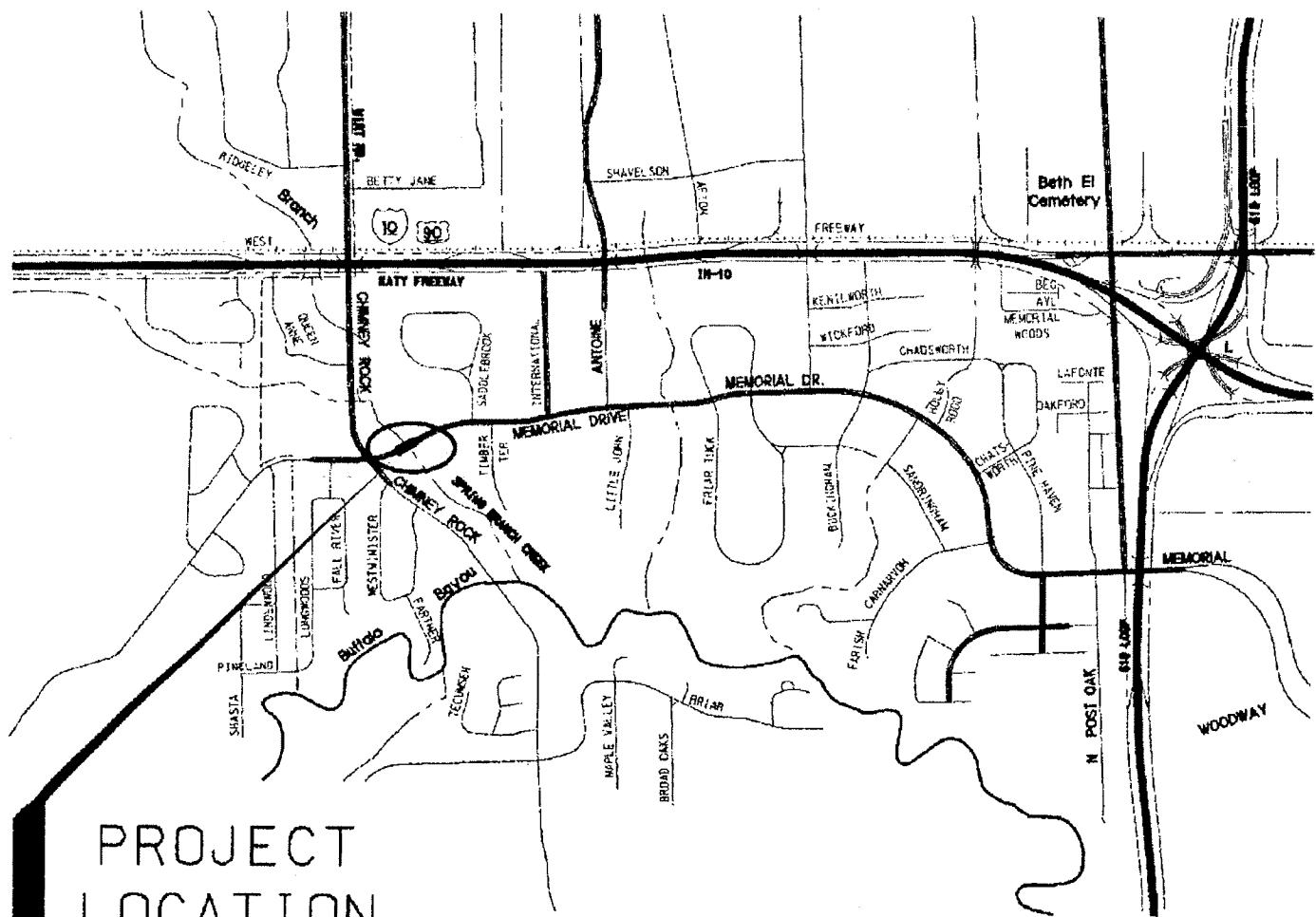
2700 DALTON
HOUSTON, TX 77017

COUNCIL DISTRICT "I"

KEY MAP NO. 535K

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Memorial Bridge West Abutment Repairs; WBS No. N-00445N-0020-4.		Page 1 of 1	Agenda Item # <i>6</i>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date <i>11/19/09</i>	Agenda Date <i>DEC 02 2009</i>
DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i>		Council Districts affected: <i>G</i>	
For additional information contact: <i>J. Timothy Lincoln</i> J. Timothy Lincoln, P.E. Senior Assistant Director		Date and Identification of prior authorizing Council Action: <i>Ord. #2008-695 dated 08/06/2008</i>	
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,402,285.00 or 1.09% over the original Contract Amount, accept the Work, and authorize final payment.			
Amount and Source of Funding: No additional funding required. Total (original) appropriation of \$1,622,536.00 from Street and Bridge Consolidated Construction Fund, Fund No. 4506.			
PROJECT NOTICE/JUSTIFICATION: This project was a part of the On-Call City Wide Rehabilitation and Replacement of Bridge Structures/ Roadway program and was required to repair the existing bridge at its west abutment.			
DESCRIPTION/SCOPE: This project consisted of repairing the failed concrete slope paving under the west abutment of existing bridge and related work. Scientect Engineers designed the project with 200 calendar days allowed for construction. The project was awarded to NBG Constructors, Inc. with an original Contact Amount of \$1,387,200.00.			
LOCATION: The project area is generally bound by I.H. 10 on the north, Woodway on the south, Antoine on the east and Chimney Rock on the west. The project is located in Key Map Grids 491-F.			
CONTRACT COMPLETION AND COST: The Contractor, NBG Constructors, 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 \$1,402,285.00. This is an increase of \$15,085.00 or 1.09% over the original Contract Amount			
The increased cost is a result of difference between planned and measured quantities. This increase is primarily a result of overrun in Bid Item No. 14- Concrete Channel Lining (Complete in Place), and Extra Unit Price Item, which were necessary to complete the work.			
M/WBE PARTICIPATION: The M/WBE goal for this project was 4.84%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 5.13%. Contractor's M/WBE performance evaluation was rated Satisfactory.			
<i>MSM:DRM:JTL:JAK:JEC:ha</i> Z:\E&C Construction\South Sector\PROJECT FOLDER\N-00445N-0020-4 (Memorial Bridge)\RCA\RCA - Closeout.doc cc: Velma Laws Craig Foster Waynette Chan Marty Stein File N-00445N-0020-4/21.0.		CUIC ID # 20HA79 <i>MR</i>	
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:	
		<i>Daniel R. Menendez</i> Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division	



VICINITY MAP

N.T.S.
(KEY MAP 491-F)
(GIMS 5335d)

MEMORIAL BRIDGE OVER SPRING BRANCH CREEK

WEST ABUTMENT REPAIRS

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Request for the abandonment and sale of a 15-foot-wide prescriptive utility easement, from the northern line of Lots 8 and 27, Block 324, south ±581.97 feet to the H.T. & C. Railroad Company right-of-way, in exchange for the conveyance to the City of a 15-foot-wide utility easement, from the southern end of the remaining alley, east to Heights Boulevard, all located within the Houston Heights Subdivision, out of the John Austin Two Leagues Survey. Parcels SY10-012 and VY10-032		<u>Page</u> <u>1 of 2</u>	<u>Agenda Item #</u> <u>7</u>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 11-19-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., D.WRE, BCEE, Director		Council District affected: H Key Map: 493E ^{e.g.} _{for} T.S.	
For additional information contact:  Nancy P. Collins Senior Assistant Director-Real Estate		Date and identification of prior authorizing Council Action:	
RECOMMENDATION: (Summary) It is recommended City Council approve a motion authorizing the abandonment and sale of a 15-foot-wide prescriptive utility easement, from the northern line of Lots 8 and 27, Block 324, south ±581.97 feet to the H.T. & C. Railroad Company right-of-way, in exchange for the conveyance to the City of a 15-foot-wide utility easement, from the southern end of the remaining alley, east to Heights Boulevard, all located within the Houston Heights Subdivision, out of the John Austin Two Leagues Survey. Parcels SY10-012 and VY10-032			
Amount and Source of Funding: Not Applicable			
SPECIFIC EXPLANATION: Ryan Taaffe of Orr Commercial, 8554 Katy Freeway, Suite 100, Houston, Texas 77024, on behalf of OCT Heights, LTD (Robert C. Orr, Jr., General Partner), requested the abandonment and sale a 15-foot-wide alley, from the northern line of Lots 8 and 27, Block 324, south ±581.97 feet to the H.T. & C. Railroad Company right-of-way, in exchange for the conveyance to the City of a 15-foot-wide utility easement, from the southern end of the remaining alley, east to Heights Boulevard, all located within the Houston Heights Subdivision, out of the John Austin Two Leagues Survey. The subject alley located in the Houston Heights Subdivision is not on the list of alleys that are maintained by the City. The Legal Department has determined the City's property interest is a prescriptive easement for the City's utilities located within the private alley. OCT Heights LTD, the property owner, plans to develop a 40,000-square-foot retail center on the site.			
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 this request and determined the City's property interest be a prescriptive utility easement. Therefore, it is recommended:			
<ol style="list-style-type: none"> 1. The City abandon and sell a 15-foot-wide prescriptive utility easement, from the northern line of Lots 8 and 27, Block 324, south ±581.97 feet to the H.T. & C. Railroad Company right-of-way, in exchange for the conveyance to the City of a 15-foot-wide utility easement, from the southern end of the remaining alley, east to Heights Boulevard, all located within the Houston Heights Subdivision, out of the John Austin Two Leagues Survey; 2. The applicant be required to: (a) cut, plug, and abandon the 8-inch sanitary sewer line, from the northern line of Lots 8 and 27 to its terminus; (b) construct a new backend manhole at the new terminus of the sewer in the alley outside the limits of the development; and (c) pay the depreciated value of the sanitary sewer line and manhole. All of the above work is to be done at no cost to the City and under the proper permits; 			

tj\sy10-012.rc1.doc

CUIC #20TJ9095

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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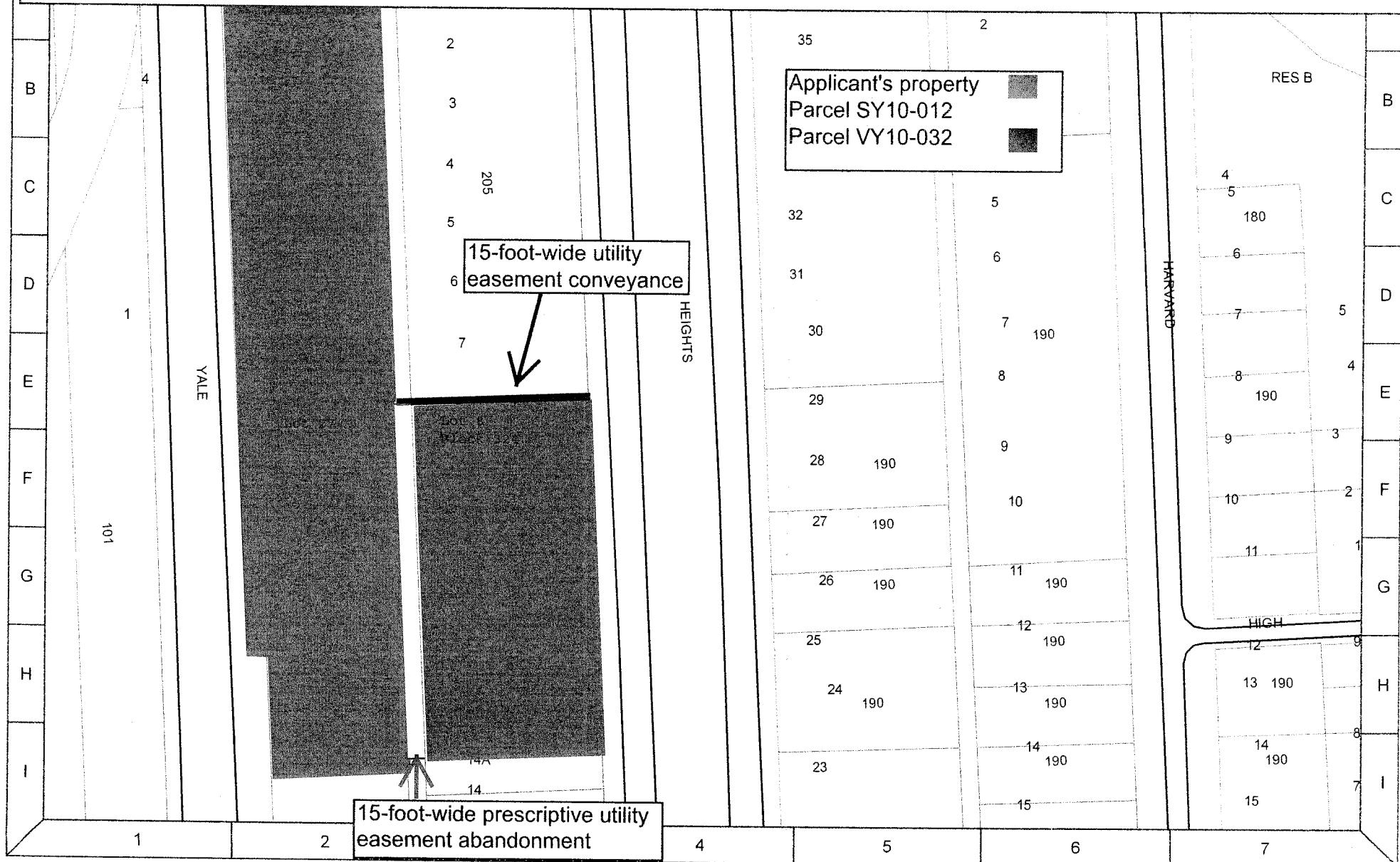
Date:	Subject: Request for the abandonment and sale of a 15-foot-wide prescriptive utility easement, from the northern line of Lots 8 and 27, Block 324, south ±581.97 feet to the H.T. & C. Railroad Company right-of-way, in exchange for the conveyance to the City of a 15-foot-wide utility easement, from the southern end of the remaining alley, east to Heights Boulevard, all located within the Houston Heights Subdivision, out of the John Austin Two Leagues Survey. Parcels SY10-012 and VY10-032	Originator's Initials <i>SJ</i>	Page <u>2</u> of <u>2</u>
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3. The City will retain the active 6-inch sanitary sewer and easement that cross the development (in an east/west direction) west of the subject alley to service other properties;
4. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Inasmuch as the value of the City's property interest is not expected to exceed \$1,000,000.00, that the value be established by Samuel Jarrett, an independent appraiser appointed by the Director of Public Works and Engineering.

MSM:NPC:tj

c: Phil Boriskie
 Jun Chang, P.E.
 Marlene Gafrick
 Daniel Menendez, P.E.
 Arturo G. Michel
 Marty Stein

Abandonment and sale of a 15-foot-wide prescriptive utility easement, from the northern line of Lots 8 and 27, Block 324, south ± 581.97 feet to the H.T & C. Railroad Company right-of-way, in exchange for the conveyance to the City of a 15-foot-wide utility easement, from the southern end of the remaining alley, east to Heights Boulevard, all located within the Houston Heights Subdivision, out of the John Austin Two Leagues Survey. **Parcels SY10-012 and VY10-032**



1 inch equals 110 feet

0 8162432

148

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# 8528

Subject: Purchase of Escalator Parts from the State of Texas Procurement and Supports Services Contract for the Convention & Entertainment Facilities Department
S19-Q23467

Category # 4

Page 1 of 1

Agenda Item 8

FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	Origination Date October 26, 2009	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE <i>Calvin D. Wells</i>	Council District(s) affected All	
For additional information contact: Dawn Ullrich Phone: (713) 853-8083 Ray DuRousseau Phone: (832) 393-8726	Date and Identification of prior authorizing Council Action:	

RECOMMENDATION: (Summary)

Approve the purchase of escalator parts in the total amount of \$487,180.00 from the State of Texas Procurement and Support Services Contract for the Convention & Entertainment Facilities Department.

Award Amount: \$487,180.00	Finance Budget
\$487,180.00 - C & E Civic Center Facility Revenue Fund (8601)	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of escalator parts in the total amount of \$487,180.00 from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department, and that authorization be given to issue a purchase order to the State contractor, Kone, Inc. d/b/a Kone Spares, Inc.

The purchase consists of 680 forty-inch wide escalator steps with rollers, 114 boxes of step chains, and 8 combination impact assemblies. These replacement parts will be installed by the current service contractor to partially refurbish six of the original eighteen, 22-year-old escalators at the George R. Brown Convention Center and two escalators at the Wortham Theater Center as part of a 5-year refurbishment plan. Materials and workmanship are warranted for one year and the life expectancy of the parts is 20 years.

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

Buyer: Roy Korthals
Purchase Requisitions 10090645 and 10091212

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8539

Subject: Purchase of Firefighting Trucks through the Houston-Galveston Area Council for the Houston Fire Department
S34-N23468-H

Category #
1 & 4

Page 1 of 2

Agenda Item

9+9A

FROM (Department or other point of origin):	Origination Date	Agenda Date
Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	November 04, 2009	DEC 02 2009
DIRECTOR'S SIGNATURE 	Council District(s) affected All	
For additional information contact: Karen Dupont Ray DuRousseau	Phone: (713) 859-4934 Phone: (832) 393-8726	Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$3,155,953.42 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of firefighting trucks through the Houston-Galveston Area Council (H-GAC) in the amount of \$6,145,779.00 for the Houston Fire Department.

Award Amount - \$6,145,779.00	Finance Budget 
\$3,155,953.42 - Equipment Acquisition Consolidated Fund (Fund 1800)	
\$ 989,506.00 - ARRA Fund - National Clean Diesel Program (Fund 5300)	
\$2,000,319.58 - ARRA Fund - Community Development Block Grant (Fund 5300)	
\$6,145,779.00 - Total Funding	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$3,155,953.42 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of ten pumper and two aerial ladder firefighting trucks through the Interlocal Agreement for Cooperative Purchasing with H-GAC in the amount of \$6,145,779.00 for the Houston Fire Department, and that authorization be given to issue purchase orders to the H-GAC contractors as shown below. These firefighting trucks will be used citywide by the Department, 24 hours a day, 7 days a week for fire suppression, high-rise rescues and responding to EMS incidents. This equipment is included in the adopted Equipment Acquisition Plan.

This purchase uses funds awarded under the American Recovery and Reinvestment Act of 2009 (ARRA). The City of Houston and the recommended contractors will adhere to and comply with special reporting requirements associated with ARRA grant expenditures as required by the granting agency and/or Office of Management and Budget.

Tyler Motor Co., Inc., d/b/a Hall Buick, Pontiac, GMC: Approve the purchase of ten pumper trucks in the amount of \$4,475,415.00.

Martin Apparatus, Inc.: Approve the purchase of two aerial ladder trucks in the amount of \$1,670,364.00.

The ten pumper trucks will come with a one-year bumper-to-bumper warranty and additional warranties of five years on the engine, transmission and air-conditioning system; two years on the hydraulic generator and fire pump; four years on paint fading, peeling or blistering; ten years on the cab/body for surface perforation or corrosion and pump plumbing; and a lifetime warranty on the tanks and frame. The life expectancy of the pumper trucks is 12 years.

The two aerial ladder trucks will come with a one-year bumper-to-bumper warranty and additional warranties of five years on the engine, transmission, air-conditioning system and hydraulic generator; four years on paint fading, peeling, or blistering; ten years on the cab/body for surface perforation or corrosion and aerial

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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NOT

70

Date: 11/4/2009	Subject: Purchase of Firefighting Trucks through the Houston-Galveston Area Council for the Houston Fire Department S34-N23468-H	Originator's Initials LB	Page 2 of 2
waterway and seals; twenty years on the aerial structure; and a lifetime warranty on the frame. The life expectancy of the aerial ladder trucks is 15 years.			
These new firefighting trucks will meet the EPA's current emission standards for trucks with diesel engines. They will replace existing units in the Department's fleet that have reached their useful life and will be sent to auction for disposition. The replacement of these vehicles is budgeted as part of the Department's annualized fleet replacement schedule. For equipment usage and replacement details, see the attached Equipment Usage Summary.			
Buyer: Larry Benka			
Attachment: Equipment Usage Summary			

EQUIPMENT USAGE SUMMARY
RCA 8539
FIREFIGHTING TRUCKS
FOR THE
HOUSTON FIRE DEPARTMENT
S34-N23468-H

Description/ Requisition No./Department	Qty	New Unit Assignment			Existing Unit Reassignment	Unit Sent To Auction	
		Station No. Assignment	Address	Council District		Shop No.	Age
Pumper Trucks/10089264 Fire Department	4	23 19 40 30	8005 Lawndale 1811 Gregg 5830 Old Spanish Trail 6702 Irvington	D B I H	36564 to Station 6 34762 to Station 43 34836 to Station 80 30332 to Reserves	26756 21572 26653 26553	12 16 13 13
Pumper Truck/10092934 Fire Department	1	9	702 Hogan	H	34759 to Station 47	26803	12
Pumper Trucks/10089658 Fire Department	5	57 25 38 64 62	13602 Memorial 3902 Scott 1120 Silber 3000 Greens 1602 Seamist	G D A B A	30350 to Reserves 34764 to Station 36 30485 to Reserves 30576 to Reserves 31573 to Reserves	27948 22764 25150 26683 26413	12 15 14 12 13
Aerial Ladder Trucks/10089672 Fire Department	2	28 68	3000 Chimney Rock 8602 Bissonnett	C C	35558 to Station 26 35617 to Station 4	24681 23842	14 14

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8550

Subject: Emergency Repair of Sewer-Force Mains for the Public Works
& Engineering Department
S12-E23307Category #
4

Page 1 of 1

Agenda Item

10/10A

FROM (Department or other point of origin):	Origination Date	Agenda Date
Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	November 11, 2009	DEC 02 2009
DIRECTOR'S SIGNATURE <i>Calvin D. Wells</i>	Council District(s) affected All	Date and Identification of prior authorizing Council Action:
For additional information contact: David Guernsey Phone: (832) 395-3640 Ray DuRousseau Phone: (832) 393-8726		

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$218,000.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500) and approve payment to Huff & Mitchell, Inc. in the total amount of \$218,000.00 for the emergency repair of sewer-force mains for the Public Works & Engineering Department.

Payment Amount: \$218,000.00

Finance Budget
[Signature]

\$218,000.00 - Water and Sewer System Consolidated Construction Fund (Fund 8500) WBS R-00019-0057-4

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$218,000.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500). It is further recommended that City Council approve payment to Huff & Mitchell, Inc. in the total amount of \$218,000.00 for the emergency repair of sewer-force mains for the Public Works & Engineering Department.

On May 1, 2009, the 60" sewer force main located near the intersection of Clinton Drive and Ida was found to be broken and allowing soil to enter the pipe, deteriorating the roadway's sub-base material and posing an immediate public safety and health hazard to the citizens traversing this intersection. Also, the 36" sewer force main aerial crossing at Buffalo Bayou burst allowing wastewater to overflow into the bayou. The Strategic Purchasing Division issued an emergency purchase order to address these emergencies.

The scope of work at Clinton Drive and Ida required the contractor to provide all labor, materials, equipment, permits, insurance, bonds, supervision and transportation necessary to immediately mobilize and provide traffic control; replace approximately 20 linear feet of 60" force main; replace two stainless steel couplings, remove and replace pavement and restore the disturbed property, including backfilling and vegetation replacement. The scope of work at Buffalo Bayou required the contractor to clear vegetation and overgrowth from the sewer main structure; setup scaffolding; weld and repair the ruptured 36" steel force main on-site; replace an inoperable 4" air/vacuum valve; paint the sanitary sewer pipe and remove all debris and excess project materials.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

Buyer: Martin L. King

REQUIRED AUTHORIZATION

NOT

Finance Department:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8521

Subject: Approve the Purchase of a Simultaneous Inductively Coupled Plasma Optical Emission Spectrometer (SICPOES) from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program for PW&E Dept./ S17-H23458

Category #
4

Page 1 of 1

Agenda Item

11

FROM (Department or other point of origin):	Origination Date	Agenda Date
Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	October 21, 2009	DEC 02 2009
DIRECTOR'S SIGNATURE <i>Calvin D. Wells</i>	Council District(s) affected All	
For additional information contact: David Guernsey Douglas Moore	Phone: (832) 395-3640 Phone: (832) 393-8724	Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of a Simultaneous Inductively Coupled Plasma Optical Emission Spectrometer (SICPOES) from the General Services Administration Schedule 70 Contract through the Cooperative Purchasing Program in a total amount not to exceed \$86,159.00 for the Public Works & Engineering Department.

Award Amount: \$86,159.00	Finance Budget
\$86,159.00 - Combined Utility System General Purchase Fund (Fund 8305)	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of analytical equipment from the General Services Administration (GSA) Schedule 70 contract through the Cooperative Purchasing Program under Section 211 of the Government Act of 2000 in a total amount not to exceed \$86,159.00 for the Public Works & Engineering Department and that authorization be given to issue a purchase order to the GSA contractor, Varian, Inc.

The spectrometer will be utilized by the Wastewater Division of PW&E. The SICPOES is an analytical instrument that is used to rapidly detect and determine the quantity of various metals, elements and fragments in matrices such as wastewater effluent. This analysis is a requirement of our wastewater treatment plant permits. The contractor will provide PW&E Wastewater Division staff with three days of training on the primary usage of the equipment and other capabilities. The SCIOPE unit has a life expectancy of five years and includes a three-year warranty.

Buyer: Murdock Smith III

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8552

Subject: Emergency Repairs and Construction Services of the 15" Rusk Avenue Sanitary Sewer Line for the Public Works & Engineering Department
S12-E23493

Category # 4

Page 1 of 1

Agenda Item

12-72A

FROM (Department or other point of origin):	Origination Date	Agenda Date
Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	November 11, 2009	DEC 02 2009
DIRECTOR'S SIGNATURE <i>Martin L. King</i>	Council District(s) affected 1	
For additional information contact: David Guernsey Ray DuRousseau	Phone: (832) 395-3640 Phone: (832) 393-8726	Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$241,148.00 out of the Water & Sewer System Consolidated Construction Fund (Fund 8500) and approve payment to Fuquay, Inc. in the total amount of \$241,148.00 for emergency repairs and construction services of the 15" Rusk Avenue sanitary sewer line for the Public Works & Engineering Department.

Payment Amount: \$241,148.00

Finance Budget

\$241,148.00 - Water & Sewer System Consolidated Construction Fund (8500) WBS R-000019-0058-4

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$241,148.00 from the Water and Sewer System Consolidated Construction Fund. It is further recommended that City Council approve payment to Fuquay, Inc. in the amount of \$241,148.00 for emergency repairs and construction services due to failure of the 15" sanitary sewer line along Rusk Avenue for the Public Works & Engineering Department.

On July 16, 2009, a depression developed at the intersection of Rusk Avenue and Main Street. Closed-Circuit TV inspections revealed multiple joint failures in the 15" sanitary sewer line and heavy infiltrations of ground water through cracks in the vicinity of the depression. Also, ground water infiltrated the sewer line resulting in a street cave-in at the intersection of Rusk and Main, which posed an immediate public safety hazard to the citizens traversing this area. The Strategic Purchasing Division issued an emergency purchase order to address the failure of the 15" sanitary sewer line.

The scope of work required the contractor to provide all labor, supervision, permits, insurance, bonds materials, equipment, traffic control and transportation necessary to excavate the affected area and install sewer bypass lines; repair the damaged sewer line; rehabilitate 1,000 linear feet of 15" sanitary sewer line; restore the street and pavement to its original condition; and remove all debris and excess project materials.

This recommendation is made pursuant to Chapter 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

Buyer: Martin L. King

REQUIRED AUTHORIZATION		
Finance Department:	Other Authorization:	Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8518

Subject: Formal Bid Received for Freightliner, Cab and Chassis Replacement Parts and Repair Services for the Solid Waste Management Department
S49-S23403

Category #
4

Page 1 of 1

Agenda Item

13

FROM (Department or other point of origin):

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

Origination Date

November 09, 2009

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE*Calvin D. Wells*

Council District(s) affected

All

For additional information contact:

Vic Ayres Phone: (713) 837-9131
Desiree Heath Phone: (832) 393-8742

Date and Identification of prior authorizing
Council Action:RECOMMENDATION: (Summary)

Approve an award to Houston Freightliner, Inc. on its sole bid in an amount not to exceed \$620,000.00 for Freightliner cab and chassis replacement parts and repair services for the Solid Waste Management Department.

Estimated Spending Authority: \$620,000.00

Finance Budget

\$620,000.00 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Houston Freightliner, Inc. on its sole bid in an amount not to exceed \$620,000.00 for Freightliner cab and chassis replacement parts and repair services for the Solid Waste Management Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. This award consists of a price list for various Freightliner cab and chassis replacement parts, which includes, but is not limited to, radiators, clutch fans, valves, and air condition condensers to be used by the Department to maintain and repair sanitation trucks citywide. This award also includes a \$200,000.00 labor component for equipment repairs that cannot be performed by City maintenance personnel.

This bid was advertised in accordance with the requirements of the State of Texas bid laws, and one bid was received. Houston Freightliner, Inc. is the sole authorized distributor for Freightliner cab and chassis parts in the greater Houston area and the surrounding counties.

M/WBE Subcontracting:

This bid was advertised with an 11% goal for M/WBE participation. **Houston Freightliner, Inc.** has designated the below-named company as its certified M/WBE subcontractor:

<u>Name</u>	<u>Type of work</u>	<u>Dollar Amount</u>
Peter Batarse Enterprises, Inc. dba Wayside Auto & Truck Parts	Provide Truck & Trailer Parts	\$68,200.00

Buyer: Norbert Aguilar

Estimated Spending Authority:

DEPARTMENT	FY10	OUTYEARS	TOTAL
Solid Waste Management	\$62,000.00	\$558,000.00	\$620,000.00

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

M

DAP

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

09-Single Family

SUBJECT: A Resolution approving issuance and sale by Houston Housing Finance Corporation of single family mortgage revenue bonds to finance qualifying mortgage loans for single family residences located within the boundaries of the City of Houston, and approving the official statement with respect to such bonds.		Page 1 of 2	Agenda Item #
FROM (Department or other point of origin): Richard Celli, Director Housing and Community Development Department		Origination Date 11-12-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: 		Council District affected: All	
For additional information contact: Richard Celli Phone: 713-868-8305		Date and identification of prior authorizing Council action: None	
<p>RECOMMENDATION: (Summary) The Department recommends adoption of a Resolution approving issuance by Houston Housing Finance Corporation of one series of Single Family Mortgage Revenue Bonds in an amount not to exceed \$15,000,000, and approving the Official Statement with respect to such bonds.</p>			
Amount of Funding: No City Funding or Liability		FIN Budget:	
SOURCE OF FUNDING		<input type="checkbox"/> General Fund	<input type="checkbox"/> Grant Fund
<input checked="" type="checkbox"/> Other (Specify) Single Family Mortgage Revenue Bonds		<input type="checkbox"/> Enterprise Fund	
SPECIFIC EXPLANATION:			
<p>This item is not taggable due to the specific timeframe and sequence of events that are required to close the Bond issue.</p> <p>The City has created the Houston Housing Finance Corporation ("Corporation") to assist persons of low and moderate income in acquiring and owning decent, safe, sanitary and affordable housing.</p> <p>To help accomplish the City's goal, the Corporation has established a Single Family Mortgage Purchase Program (2009) (the "Program") to finance the purchase of mortgage-backed securities backed by mortgage loans to finance owner-occupied single family residential property located within the City, to be owned by persons of low and moderate income.</p> <p>To implement the Program, the Corporation will issue its Single Family Mortgage Revenue Bonds, Series 2009A in an aggregate principal amount not to exceed \$15,000,000 (the "Bonds"). The Corporation has received an allocation to participate in the Treasury Department's New Issue Bond Program ("NIBP") under which Treasury will buy securities issued by Fannie Mae and Freddie Mac that are backed by the Bonds. The Bonds will initially be issued on a taxable basis and upon delivery of an opinion of bond counsel to the effect that interest on the Bonds is excludable from gross income for federal income tax purposes (the "Tax Exempt Conversion") and satisfaction of other conditions set forth in the Trust Indenture between the Corporation and Wells Fargo Bank, National Association (the "Trustee"), the interest rate on the Bonds will be converted from a short term floating rate to a long term fixed rate. Proceeds of the Bonds will be made available to finance qualifying mortgage loans for single family residences located within the City. Under the Program, certain procedures have been established for the purpose of verifying that the mortgage loans satisfy applicable federal law requirements including purchase price limits, mortgagor income limits (including both State and federal limits), new mortgage, assumption, loan-to-value ratio, insurance and documentation requirements. Upon the Tax-Exempt Conversion, the Trustee will purchase mortgage pass-through securities backed by qualifying mortgage loans and guaranteed as to timely payment of principal and interest by the Government National Mortgage Association, Fannie Mae or Freddie Mac (the "Certificates"). The Certificates will be pledged as security for the payment of the principal of and interest on the tax-exempt, long-term fixed rate Bonds. Under the NIBP, the Bonds must be delivered by December 23, 2009 and conversion must be occur by no later than December 31, 2010. The Bonds are expected to be rated "Aaa" by Moody's Investors Service and/or "AAA" by Standard and Poor's.</p>			
REQUIRED AUTHORIZATION			
FIN Director:	Other Authorization:	Other Authorization:	

Date	Subject:	Originator's Initials	Page 2 of 2
	Subject: A Resolution approving issuance and sale by Houston Housing Finance Corporation of single family mortgage revenue bonds	<i>WCH</i>	

The Corporation's Board, at its meeting to be held on December 1, 2009, will consider approval of a resolution authorizing the issuance and sale of the Bonds. City Council approval of the official statement with respect to the Bonds is required by the Corporation's Articles of Incorporation and Bylaws. The City has no obligation or liability in regard to the Bonds.

The Department recommends that City Council adopt the Resolution to authorize the issuance of the Bonds.

Cc: City Secretary
Legal Department
Mayor's Office

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

SUBJECT: Approving and authorizing a Resolution Regarding Assurances to Federation Internationale de Football Association ("FIFA") for the 2018 and 2022 FIFA World Cup.

Category #	Page 1 of 1	Agenda Item#
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15

FROM: (Department or other point of origin):

Dawn Ullrich, Director
Convention and Entertainment Facilities Department

Origination Date

November 19, 2009

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE:

Dawn Ullrich

For additional information contact:

Stephen W. Lewis **Phone:** 713-853-8888

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

That City Council approve and authorize a Resolution Regarding Assurances to FIFA for the 2018 and 2022 World Cup.

Amount of Funding: None

Finance Budget:

SPECIFIC EXPLANATION:

The FIFA World Cup consists of a series of matches held in various cities in the host country over a one (1) month period that culminate in a final match for the World Cup of soccer. Currently, 27 metropolitan regions are bidding to be one of the potential 12 to 18 cities to host matches should FIFA award the United States with either the 2018 or 2022 FIFA World Cup. The City of Houston desires to host some of the matches along with related official events as these activities generate prestige for the host city and substantial beneficial economic impact and financial activity.

The USA Bidding Committee expects to select the host cities to be included in the USA bid by the end of December and Houston's hope to be among the selected cities requires that all resolutions of support, including the subject Resolution, be submitted as early as possible in December. The Houston/USA Host City Bid Committee ("LOC") is in the process of executing various agreements required as part of the bid process to the USA Bidding Committee. The City's Resolution will be included as a part of the LOC's submittals.

For the FIFA World Cup, an overall estimated economic impact of \$400 to 600 million is expected. The FIFA World Cup is estimated to last 31 days during the month of matches. The International Broadcast Center ("IBC") is estimated to last 196 days (January 1-July 15), utilizing 400,000 square feet of space and housing national and global media before and during the FIFA World Cup. The IBC alone is expected to generate over \$81 million dollars in the region in which it is hosted. Fan Fests are expected to be set up during the week before the first game of the World Cup in each host city and then be open to the public for all 31 days of the tournament. Fan Fests are expected to generate over \$30 million dollars in each participating city.

In approving the Resolution, the City Council will be committing support services (including security, fire, police, medical emergency, traffic, aviation and public works/street maintenance) reasonably necessary to the success of the proposed events, subject to reimbursement of the City by the LOC for its actual cost of providing the services. All such commitments, including financial commitments described in the Resolution, are subject to future City Council approval. The City has worked successfully with local organizing committees in the past to host a Super Bowl, MLB and NBA All-Star games, and each time received reimbursement. The LOC will also act on behalf of the City to request the Texas Comptroller to establish a Major Events Trust Fund in connection with the FIFA World Cup. Various incremental tax revenues (with a 6.25 times match of State tax revenues) are placed in the Major Events Trust Fund and are used toward satisfying expenses incurred resulting from the event.

City Council is urged to approve the Resolution to further an effort to secure a host role for the FIFA World Cup in 2018 and/or 2022.

REQUIRED AUTHORIZATION

Finance Department	Other Authorization	Other Authorization
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance authorizing a Code of Ordinance change to Chapter 47-61(f) and the subsequent execution of a Treated Water Supply Contract between the City of Houston and Anheuser Busch, Inc.		Category	Page 1 of 2	Agenda Item # 16 & 16A
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 11-19-09	Agenda Date DEC 08 2009	
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D.WRE, BCEE		Council District affected: ALL		
For additional information contact:  Ann Marie Stone Sheridan, P.E. Phone: (713) 837-9142		Date and identification of prior authorizing Council action		

RECOMMENDATION: (Summary)

It is recommended that City Council approve an ordinance authorizing change to the Code of Ordinances to enable the subsequent ordinance for the Mayor to execute a Treated Water Supply Contract between the City of Houston and Anheuser Busch, Inc. also requested.

Amount and Source of Funding: NO FUNDS REQUIRED; REVENUE CONTRACT FOR TREATED WATER.

SPECIFIC EXPLANATION:

Anheuser Busch, Inc. ("ABI") has agreed to a revised Treated Water Supply Contract to replace the original 1961 agreement. ABI is the only customer in its class and currently qualifies for contract rates by purchasing more than 150 million gallons per month. However, with today's available technology, ABI is able to implement infrastructure and process changes to conserve its water use below that amount. The current Code of Ordinances as written would penalize ABI for its conservation efforts and require that ABI pay commercial rates, an economic incentive to not conserve water. The practice of water conservation postpones investments in future water treatment infrastructure expansion. The commitment to water conservation at the state level has led to the requirement of water conservation plans from all City wholesale customers by the Texas Administration Code. The revised contract for ABI will reduce the monthly minimum to 110 million gallons.

The changes to the Code of Ordinance follow.

Section 47-61(f)(1) (d), of Division 1, of Article II of Chapter 47 of the Code of Ordinances, Houston, Texas, is hereby added to read as follows:

d. The customer would otherwise be a commercial customer and is in compliance with a conservation plan pursuant to chapters 288 and 295 of title 30 Texas Administrative Code to reduce its minimum water consumption from 150,000,000 or more gallons per month while continuing to provide the same or higher levels of production or services.

CUIC# 20UPA27

Finance Director	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services Div.	Other Authorization: 
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Date:	Subject: An Ordinance authorizing a Code of Ordinance change to Chapter 47-61(f) and the execution of a Treated Water Supply Contract between the City of Houston and Anheuser Busch, Inc.	Originator's Initials	Page 2 of 2
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Section 47-61(f) (2) (b), of Division 1, of Article II of Chapter 47 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

(2)(b). The minimum monthly quantity of water to be taken by the customer. This minimum for customers other than those described under items (1) a, (1) c and (1) d of this subsection shall be 150,000,000 gallons per month.

Customers defined under items (1) a, (1) c and (1) d of this subsection shall be permitted to change the minimum monthly quantity only in accordance with the terms of their contracts;

This contract charges rates for treated water as specified in the City of Houston Code of Ordinances, Section 47-61(f). The base rate is currently \$1.884 per thousand gallons.

PWE has evaluated the request and found that the water supply and delivery system is adequate to provide the requested quantities.

PWE requests approval of the change to the Code of Ordinances Chapter 47-61(f) to enable the subsequent and additional approval of the Anheuser Busch, Inc. Water Supply Contract also requested.

cc: Marty Stein
 Waynette Chan
 Andrew F. Icken
 Jun Chang, P.E.
 Gary Drabek

REDLINE of Excerpt from Section 47-61(f):

(f) *Contract treated water service:*

(1) *Eligibility and applications.* Any customer or potential customer is eligible for contract treated water service under this subsection if:

- a. The customer is a municipality or conservation and reclamation district organized under article XVI, section 59 of the Texas Constitution which proposes to resell water purchased from the city;
- b. The customer would otherwise be a commercial customer and has a minimum water consumption equal to at least 150,000,000 gallons per month; ~~or~~
- c. The customer is a private utility company holding a certificate of convenience and necessity from the state that (i) resells water to single family or multi-family dwellings only and (ii) maintains a water distribution system in public rights-of-way or public easements; ~~or~~
- d. The customer would otherwise be a commercial customer and is in compliance with a conservation plan pursuant to chapters 288 and 295 of title 30 Texas Administrative Code to reduce its minimum water consumption from 150,000,000 or more gallons per month while continuing to provide the same or higher levels of production or services.

Applications for contract treated water service shall be made on forms prescribed by the director. Each application shall include a nonrefundable processing fee equal to \$250.00.

(2) *Contract requirements.* Upon receipt of a completed application, the department shall determine water availability and, if sufficient water is available for the customer, shall secure a written agreement from the applicant, which shall include:

- a. The term of the agreement;
- b. The minimum monthly quantity of water to be taken by the customer. This minimum for customers other than those described under items (1)a, ~~and (1)c and (1)d~~ of this subsection shall be 150,000,000 gallons per month.

Customers defined under items (1)a, ~~and (1)c and (1)d~~ of

this subsection shall be permitted to change the minimum monthly quantity only in accordance with the terms of their contracts;

- c. The designation of the point or points of delivery;
- d. Rates as described in subsection (f)(3) of this section; and
- e. Any special requirements regarding metering or facilities desired by the parties.

No agreement for contract treated water service shall be valid unless approved by the city council.

5 SHADOW LAWN STREET

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2006 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$666,950	\$403,726	\$375,560	\$800,340	\$488,360

Expenditures as % of Base Value 93%

Maximum Exemption on Structure/Improvement, beginning TY2010 * \$375,560

Projected Annual Tax Revenue				
(Based upon 100% of Improvements)				
Year	Tax Year	Revenue to be received (Land)	Revenue to be received (Structure)	Revenue exempt (Structure)
1	2010	\$5,112	\$721	\$2,399
2	2011	\$5,317	\$721	\$2,399
3	2012	\$5,529	\$721	\$2,399
4	2013	\$5,750	\$721	\$2,399
5	2014	\$5,981	\$721	\$2,399
6	2015	\$6,220	\$721	\$2,399
7	2016	\$6,469	\$721	\$2,399
8	2017	\$6,727	\$721	\$2,399
9	2018	\$6,996	\$721	\$2,399
10	2019	\$7,276	\$721	\$2,399
11	2020	\$7,567	\$721	\$2,399
12	2021	\$7,870	\$721	\$2,399
13	2022	\$8,185	\$721	\$2,399
14	2023	\$8,512	\$721	\$2,399
15	2024	\$8,853	\$721	\$2,399
Total		\$102,364	\$10,808	\$35,983

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON
Application for Historic Site Tax Exemption

RECEIVED

MAR 24 2009

BY:

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: GEORGE D. SOLTES, ALICIA D. BYE

OWNER'S ADDRESS: 5 SHADOW LAWN ST Houston, TX 77005

APPLICANT'S NAME: (If other than owner) same

APPLICANT'S ADDRESS: same

NAME OF GRANTEE IN DEED GEORGE D. SOLTES & ALICIA D. BYE
(Please attach copy of deed)

EMAIL: GEORGESOLTES@comcast.net TELEPHONE: 713-526-3738

PROPERTY IDENTIFICATION

TAX ACCOUNT NUMBER(S): 05232300 00005

LEGAL DESCRIPTION: LT 5 SHADOLAWN

LOCATION ADDRESS: 5 SHADOLAWN ST Houston, TX 77005

BUILDING NAME: N/A

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.):

RESIDENTIAL, SINGLE FAMILY

4,330 SQ FT

YEAR BUILT: 1933

2 FLOORS & FINISHED ATTIC SPACE, DETACHED
GARAGE WITH QUARTERS

SLAB FOUNDATION

BRICK / VENEER EXTERIOR WALL

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

— We purchased the house at 5 Shadow Lawn Street in August 2006. The house was in poor repair and the only other potential buyer at that time was a builder with plans to demolish it. We undertook an extensive renovation of the house, including replacement of a crumbling sewer system, a new roof, upgrading the electrical system, fencing of the property, painting and replacing rotted wood on the exterior of the house and a thorough renovation of the house's interior. The renovations were started in September 2006 and are now essentially complete.

— The value of the house at the time of purchase and initiation of renovation in 2006 (per HCAD) was \$403,726.00. The cost of restoration to date is \$415,300.33.

— Enclosed with this application please find:

- HCAD appraisal for 2006
- Deed and release of lien/paid in full documents
- Summary of expenditures
- Invoices and cancelled checks for all restoration expenses

— We are thrilled to have been able to restore this historical home and are gratified that the Shadow Lawn Historical District was designated by the City of Houston in September 2008.

— Please contact us if you have any questions or require any more information.

Total projected cost of the restoration work: \$ 415,300.33 Approved \$375,559.50

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to commence: SEPTEMBER 2006

Completion or estimated completion date: DECEMBER 2008

PROVISIONS FOR REVOCATION OF EXEMPTION

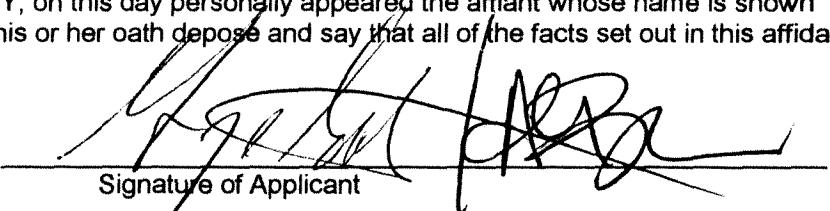
Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District *annually*. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.


Signature of Applicant

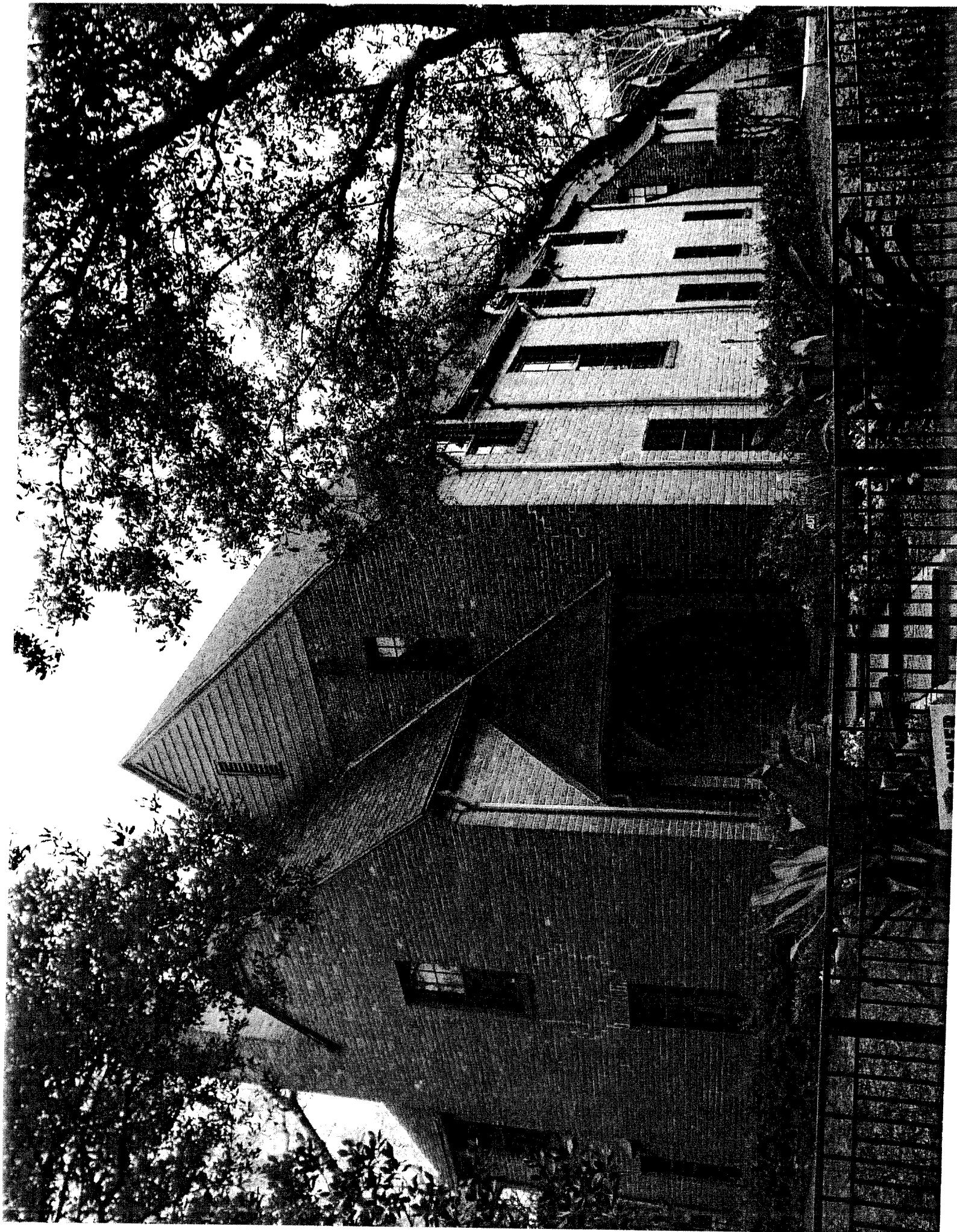
SWORN TO AND SUBSCRIBED BEFORE ME, this the 30th day of

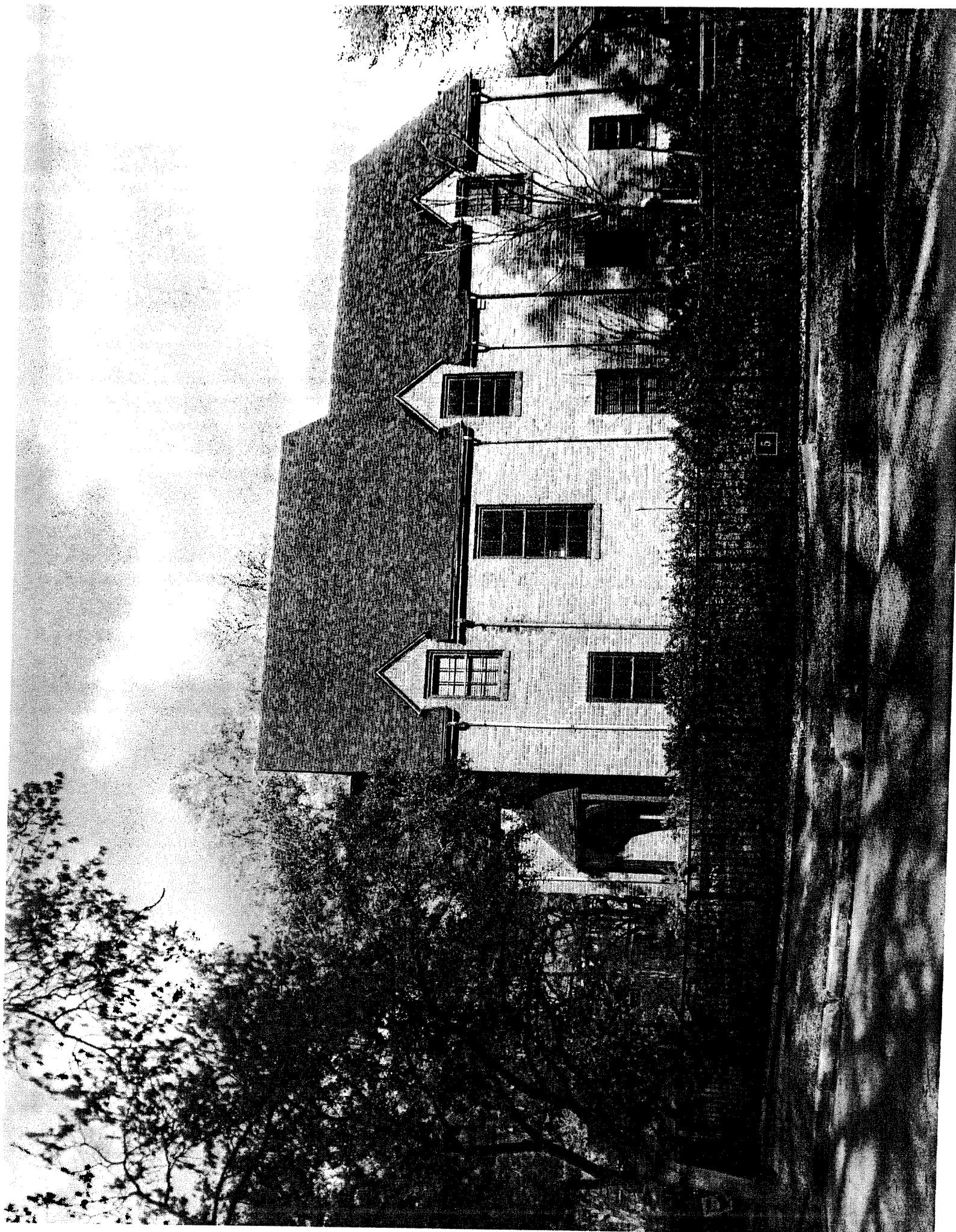
January, 2009.


Diana Garrett
Notary Public, Harris County

Please return completed application and required documentation to:

Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002
(713)837.7828



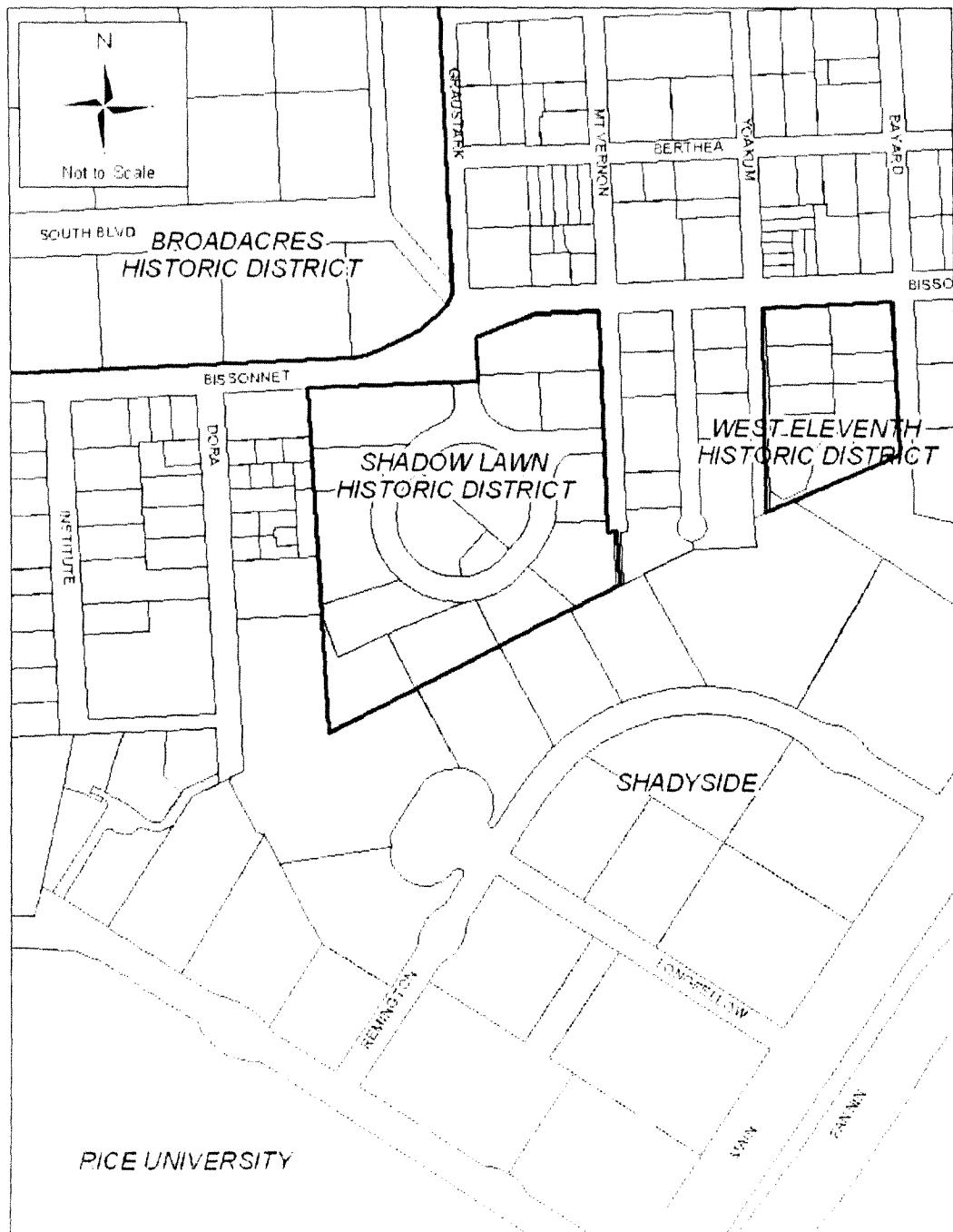


CITY OF HOUSTON

Houston Archaeological and Historical Commission

Planning & Development Dept.

EXHIBIT A
SITE LOCATION MAP
SHADOW LAWN HISTORIC DISTRICT
HOUSTON, TEXAS



224 W 16TH STREET
HISTORIC SITE TAX EXEMPTION
15 YEAR ANALYSIS

Initial Exemption Criteria				
2008 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$146,300	\$48,700	\$70,124	\$175,560	\$54,440

Expenditures as % of Base Value 144%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

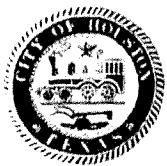
Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$1,121	\$348
2	2011	\$1,166	\$348
3	2012	\$1,213	\$348
4	2013	\$1,261	\$348
5	2014	\$1,312	\$348
6	2015	\$1,364	\$348
7	2016	\$1,419	\$348
8	2017	\$1,476	\$348
9	2018	\$1,535	\$348
10	2019	\$1,596	\$348
11	2020	\$1,660	\$348
12	2021	\$1,726	\$348
13	2022	\$1,795	\$348
14	2023	\$1,867	\$348
15	2024	\$1,942	\$348
Total		\$22,454	\$5,220

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON
Application for Historic Site Tax Exemption

RECEIVED
SEP 11 2009
By: Coff Euon Dev

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: Kyle + Leslie Countryman

OWNER'S ADDRESS: 224 W 16th St. Houston TX 77008

APPLICANT'S NAME: (If other than owner) _____

APPLICANT'S ADDRESS: 224 W 16th St. Houston TX 77008

NAME OF GRANTEE IN DEED Kyle J. and Leslie Elizabeth Countryman
(Please attach copy of deed)

EMAIL: Kyle.j.countryman@exxonmobil.com TELEPHONE: 713-876-2885

PROPERTY IDENTIFICATION

TAX ACCOUNT NUMBER(S): 0201380000024

LEGAL DESCRIPTION: TR 23A + 24A BLK 142 Houston Heights

LOCATION ADDRESS: 224 W 16th St Houston TX 77008

BUILDING NAME: _____

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.):

No. of floors: 1, Single story

Type: Residential Single family

Year built: 1920

Square footage: 1,197 SF (pre-renovation)

Foundation Type: crawl space

Heating/AC: Central Heat/AC

Exterior wall: Frame/ Concrete B1K

Room Total: 6 (pre-renovation)

Room Full Bath: 1 (pre-renovated)

Room: Bedroom: 2 (pre-renovation)

Extra Features: Detached Single Garage

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances.

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

The building plan for 224 W 16th St is to improve the existing house and construct a one-story addition on the south side of the house. The additional square footage (275 squarefeet) will expand the existing family room and add a bedroom and bathroom. The purpose of this project is to improve the existing house, maintain the historic character, and expand the house to account for an expanding family. Another purpose of the project is to improve the roofline on the west side of the house. In the pre-renovation structure, the roofline/leaves did not line up with the historic home. The new plan involves fixing the roofline/leaves to ensure the house appears continuous and historic. The rear addition will then be connected to the existing detached garage via a covered breezeway.

Total projected cost of the restoration work: \$ 76,647 Approved \$70,124.33

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to commence: 10/31/08

Completion or estimated completion date: 6/30/09

PROVISIONS FOR REVOCATION OF EXEMPTION

Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

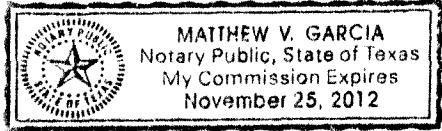
IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District *annually*. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.


Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 9/14 day of

September, 2009


Notary Public, Harris County

Please return completed application and required documentation to:

Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002
(713)837.7828

4 COURTLANDT PLACE
HISTORIC SITE TAX EXEMPTION
15 YEAR ANALYSIS

Initial Exemption Criteria				
2007 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$484,000	\$650,875	\$830,025	\$616,000	\$588,890

Expenditures as % of Base Value 128%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$3,935	\$3,762
2	2011	\$4,092	\$3,762
3	2012	\$4,256	\$3,762
4	2013	\$4,426	\$3,762
5	2014	\$4,603	\$3,762
6	2015	\$4,787	\$3,762
7	2016	\$4,979	\$3,762
8	2017	\$5,178	\$3,762
9	2018	\$5,385	\$3,762
10	2019	\$5,600	\$3,762
11	2020	\$5,824	\$3,762
12	2021	\$6,057	\$3,762
13	2022	\$6,300	\$3,762
14	2023	\$6,552	\$3,762
15	2024	\$6,814	\$3,762
Total		\$78,787	\$56,430

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: **AMY AND ERIC POWITZKY**

OWNER'S ADDRESS: **4 COURTLANDT PLACE, HOUSTON, TEXAS 77006**

APPLICANT'S NAME: (If other than owner) _____

APPLICANT'S ADDRESS: _____

NAME OF GRANTEE IN DEED: **AMEGY MORTGAGE COMPANY, LLC (Dale H. Andreas – Trustee)**

EMAIL: epowitzky@gmail.com

TELEPHONE: **713-520-7889, 281-732-1093**

PROPERTY IDENTIFICATION

TAX ACCOUNT NUMBER(S): **010-249-000-0002**

LEGAL DESCRIPTION: **TRS 2 3A B10 & C1 COURTLANDT PLACE**

LOCATION ADDRESS: **4 COURTLANDT PLACE, HOUSTON, TX 77006**

BUILDING NAME: **THE STERLING MYER HOUSE**

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.):

THE STERLING MYER HOUSE WAS BUILT ON COURTLANDT PLACE IN 1910 IN THE TUDOR REVIVAL STYLE. THE TWO-AND-A-HALF STORY HOUSE CONTAINS A MAIN BLOCK OF FIRST STORY MASONRY WALLS AND A SECOND AND A HALF STORY OF STUCCO AND HALF-TIMBERING. THERE IS A STEEP, DOUBLE-PITCHED ROOF AND TWO STEEP GABLES FACING THE STREET (SOUTH). THE EAST PROJECTION IS A FIRST FLOOR SUNROOM AND THE WEST PROJECTION A PORTE-COCHERE. THERE ARE THREE FLOORS AND A BASEMENT ENCLOSING APPROXIMATELY 6000 SQUARE FEET.

THE STERLING MYER HOUSE IS ONE OF 18 PROMINENT RESIDENCES FACING AN AVENUE WHICH STILL RETAINS THE AMBIENCE OF ITS EARLY 20TH CENTURY ORIGINS. ESTABLISHED AS AN EXCLUSIVE NEIGHBORHOOD IN 1906, COURTLANDT PLACE, A TREE-LINED, DIVIDED BOULEVARD HAS MAINTAINED ITS RESIDENTIAL INTEGRITY. SIX RESTRICTIVE COVENANTS, ESTABLISHED IN AND ENFORCED BY A BOARD OF TRUSTEES OF OWNER-RESIDENTS, FORM THE BASIS FOR THE NEIGHBORHOOD'S CONTINUED SURVIVAL. THE HOME AT #4 COURTLANDT PLACE IS INDIVIDUALLY LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES AND IS A CONTRIBUTING BUILDING TO BOTH THE COURTLANDT PLACE NATIONAL REGISTER, AS WELL AS CITY OF HOUSTON HISTORIC DISTRICTS.

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances.

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

A RESTORATION OF THE ORIGINAL OR EARLY RESIDENTIAL STRUCTURE WAS BEGUN BY REMOVING AND REBUILDING THE FRONT PORCH FOUNDATION AND STRUCTURE, THE EAST FACING SUNROOM FOUNDATION AND STRUCTURE, AND THE PORTE COCHERE. THE ORIGINAL MATERIALS WERE PRESERVED WHERE POSSIBLE (I.E. MASONRY) OR REPLACED WITH LIKE MATERIALS. DETERIORATED HALF-TIMBERING AND OVERHANGS WERE REPLACED AND MASONRY WAS CLEANED AND REPOINTED. THE ROOF STRUCTURES WERE RE-DECKED AND REDONE COMPLETELY. NEW RAILS, COLUMNS, BALUSTRADES, AND WINDOWS WERE CONSTRUCTED AND REPLACED. ALL MECHANICAL SYSTEMS WERE REMOVED AND REPLACED (HVAC, PLUMBING, ELECTRIC). THE INTERIOR ORIGINAL FLOORS, PANELING, STAIR CASES, HANDRAILS, MOULDINGS, DOORS, AND WINDOWS WERE PRESERVED AND REWORKED TO FUNCTION.

Total projected cost of the restoration work: \$856,000.00

*Approved
\$830,025.49*

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to commence: 12-01-2007

Completion or estimated completion date: 02-01-2009

PROVISIONS FOR REVOCATION OF EXEMPTION

Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District **annually**. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.

Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 28 day of

September 2009

Notary Public, Harris County



Cheryl Y. Kennedy

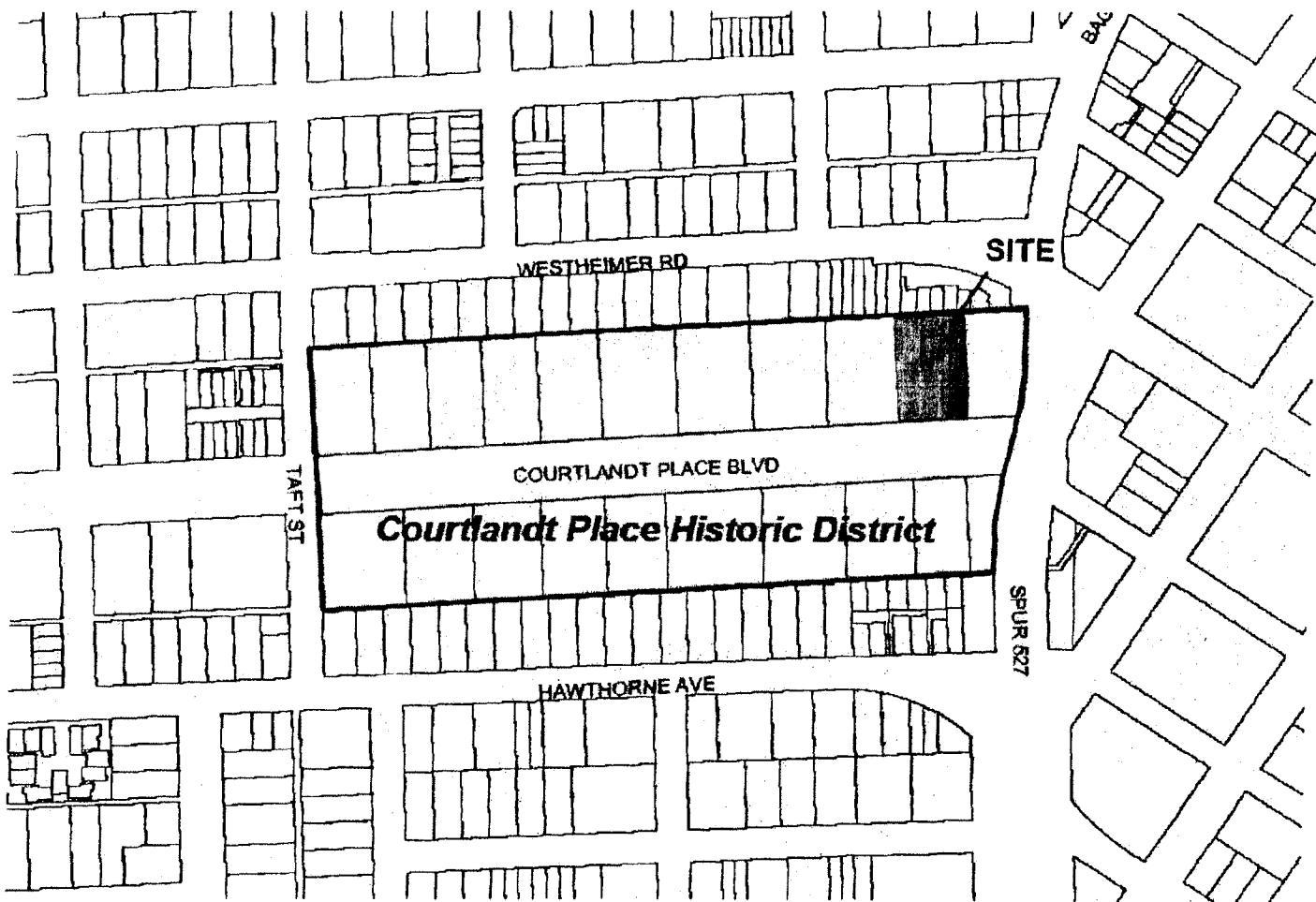
Please return completed application and required documentation to:

Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002
(713)837.7828

SITE NAME: Sterling Myer House

SITE LOCATION: # 4 Courtlandt Place – Courtlandt Place Historic District

Site Location Map
Not to scale

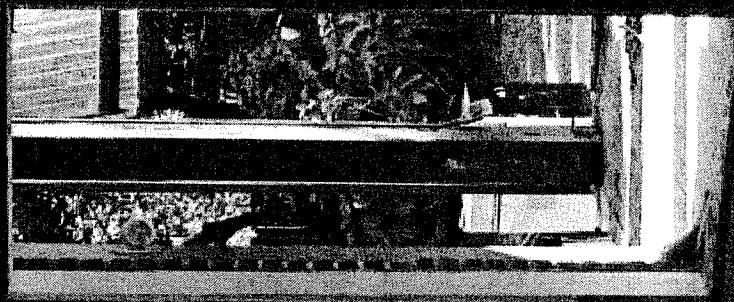


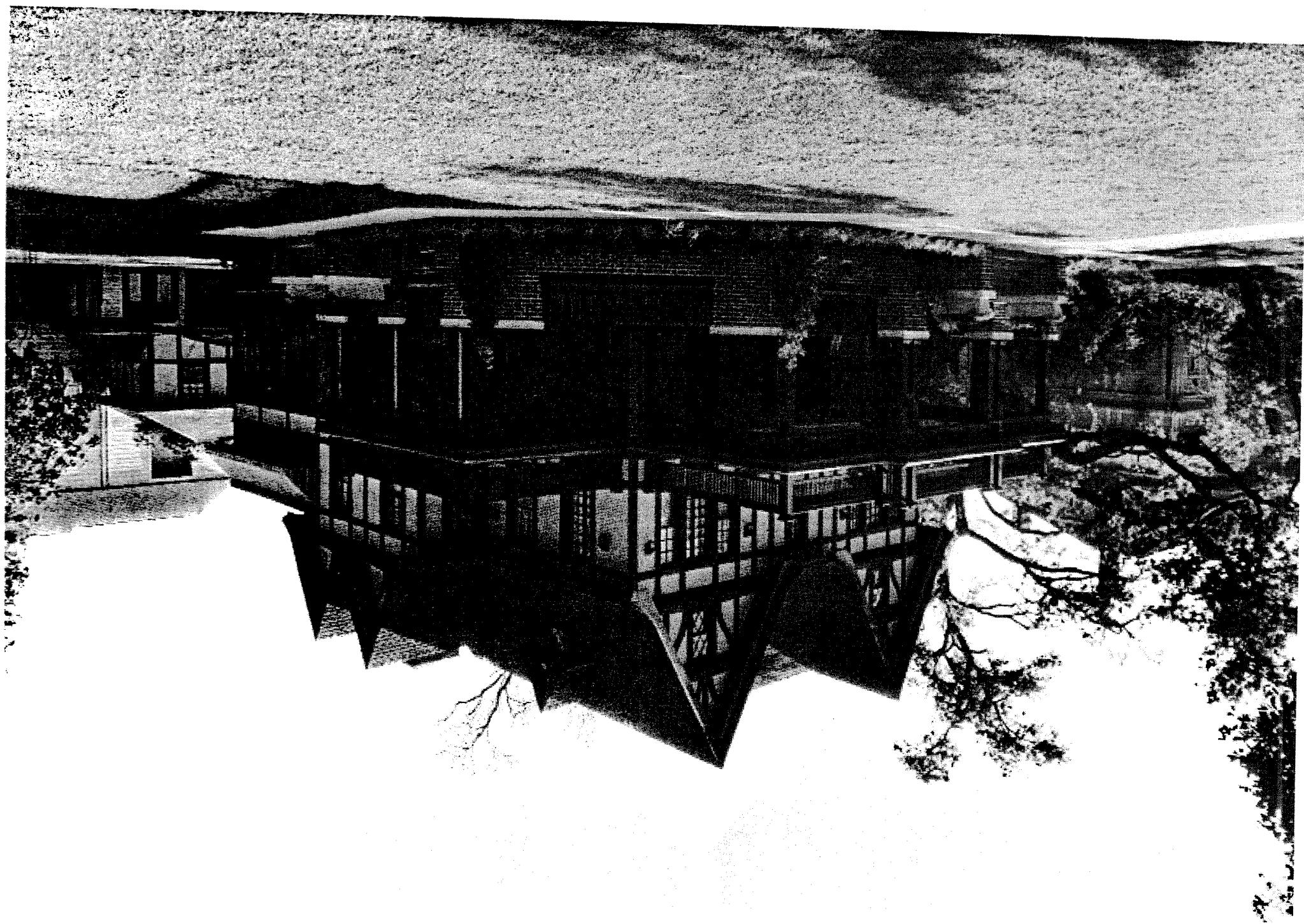
CERTIFICATE OF APPROPRIATNESS

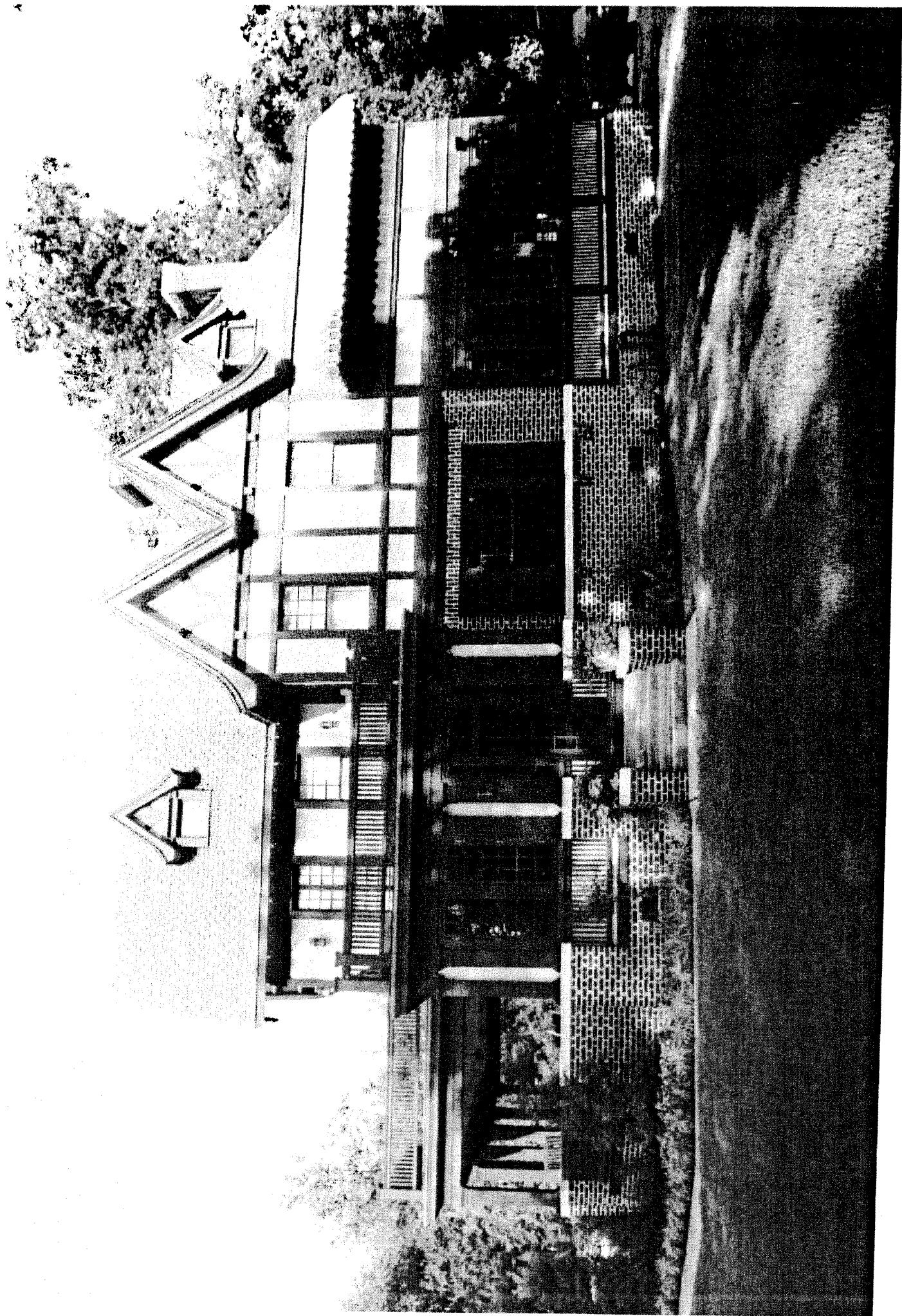
City of Houston

Planning and Development Department, Development Services

1:\Planning Services\Historic Preservation\HACHA\HC 04-25-07\COA 070412 #4 Courtlandt Place.doc









1515 SOUTH BLVD.

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2008 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$2,393,283	\$373,317	\$1,204,365	\$2,393,283	\$1,206,717

Expenditures as % of Base Value 323%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$15,287	\$7,708
2	2011	\$15,899	\$7,708
3	2012	\$16,535	\$7,708
4	2013	\$17,196	\$7,708
5	2014	\$17,884	\$7,708
6	2015	\$18,599	\$7,708
7	2016	\$19,343	\$7,708
8	2017	\$20,117	\$7,708
9	2018	\$20,921	\$7,708
10	2019	\$21,758	\$7,708
11	2020	\$22,629	\$7,708
12	2021	\$23,534	\$7,708
13	2022	\$24,475	\$7,708
14	2023	\$25,454	\$7,708
15	2024	\$26,472	\$7,708
Total		\$306,102	\$115,620

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.

CITY OF HOUSTON
Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: Scott V. Van Dyke

OWNER'S ADDRESS: 1515 South Boulevard Houston TX 77006

APPLICANT'S NAME: (If other than owner) _____

APPLICANT'S ADDRESS: 1515 South Boulevard Houston TX 77006

NAME OF GRANTEE IN DEED Scott V. Van Dyke
(Please attach copy of deed)

PROPERTY IDENTIFICATION

TAX ACCOUNT NUMBER(S): 0530390000006

LEGAL DESCRIPTION: TR 6 Broadacres

LOCATION ADDRESS: 1515 South Boulevard Houston TX 77006

BUILDING NAME: _____

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age;
etc.) Residential, single family home with 8,952 square feet.

— This two story structure was designed by Birdsall Briscoe

— and built in 1926.

— Carriage house is second building, built in 1926 and is 1860

— square feet.

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

<u>04/11/2007</u>	Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances.
<u> </u>	Has <u>not</u> received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.
<u>03/16/2007</u>	Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

See Exhibit "A"

Total projected cost of the work: The restoration cost is in excess of \$1,207,025.05

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred after designation and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to commence: January 2008

Completion or estimated completion date: October 2009

PROVISIONS FOR REVOCATION OF EXEMPTION

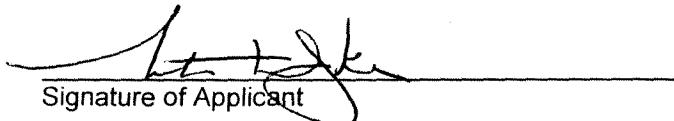
Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

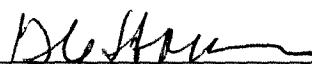
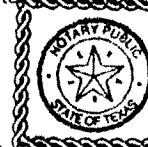
Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District **annually**. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.


Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 30 day of
September, 2009.


Notary Public, Harris County

GERALYN C HOVEN
Notary Public, State of Texas
My Commission Expires Oct. 20, 2012

Please Return Completed Application To:

Mr. Keith R. Phillips, RTA
Deputy Tax Assessor / Collector
Tax Administration
Finance & Administration Department
P. O. Box 1562
Houston, Texas 77251

Proposed Broadacres Historic District

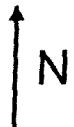


Not To Scale

Legend

- ▲ Contributing Structures
- ! Potentially Contributing Structures

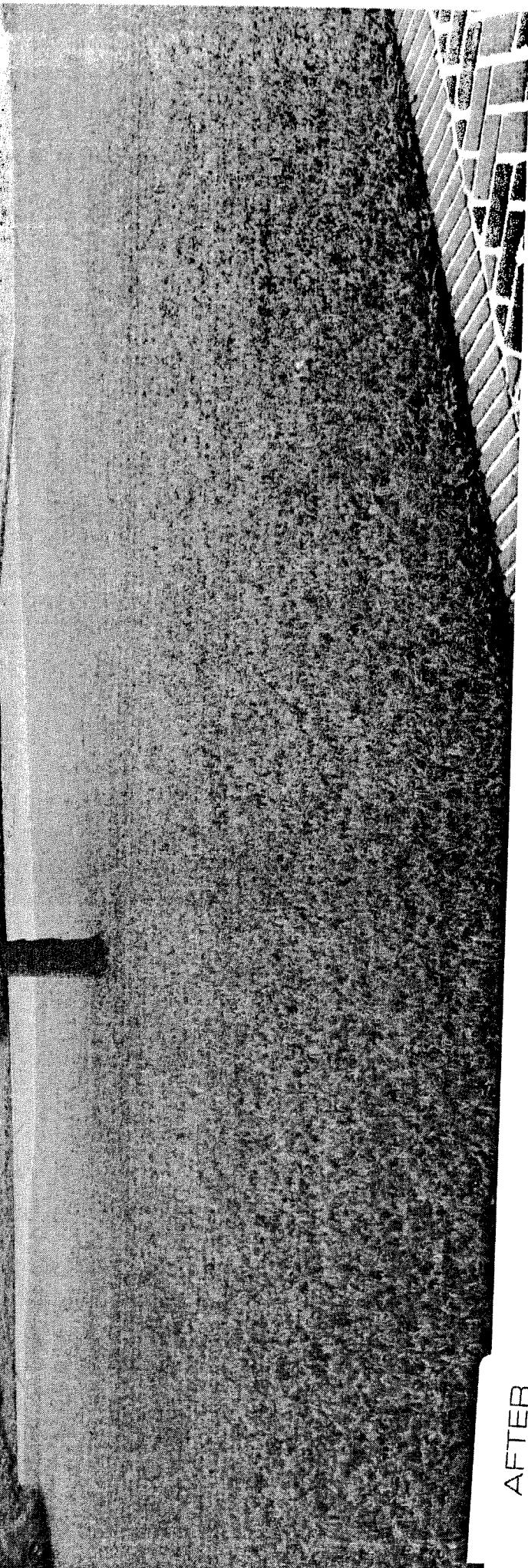
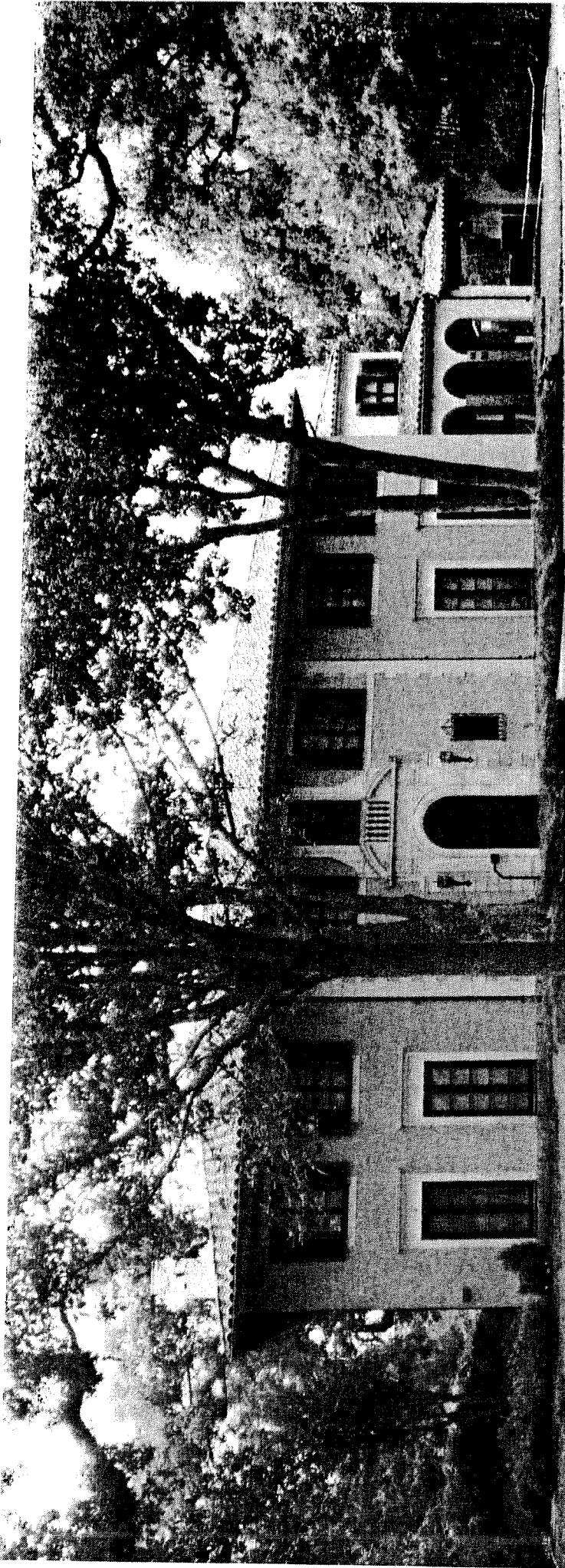
January 2007



EXHIBIT

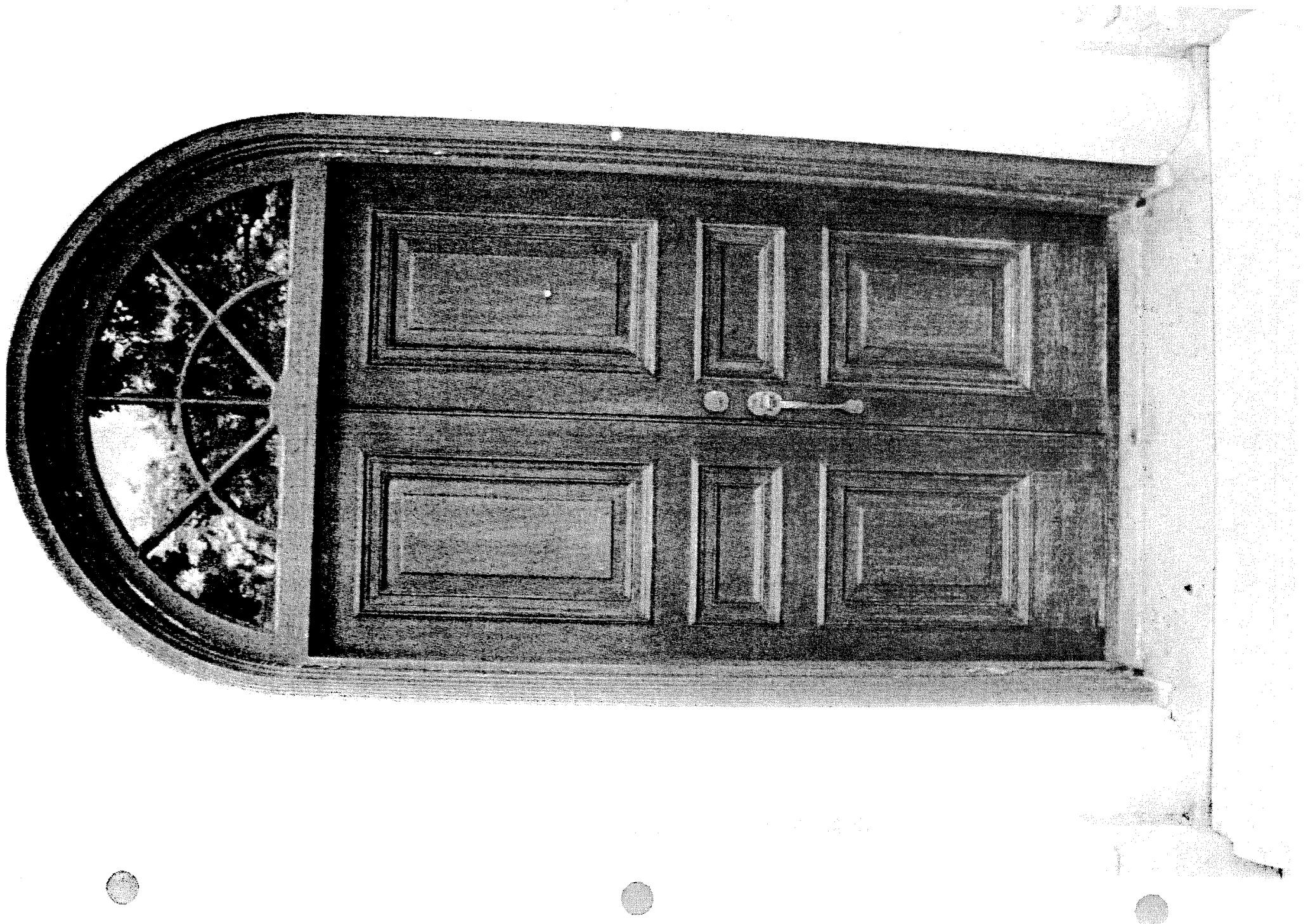
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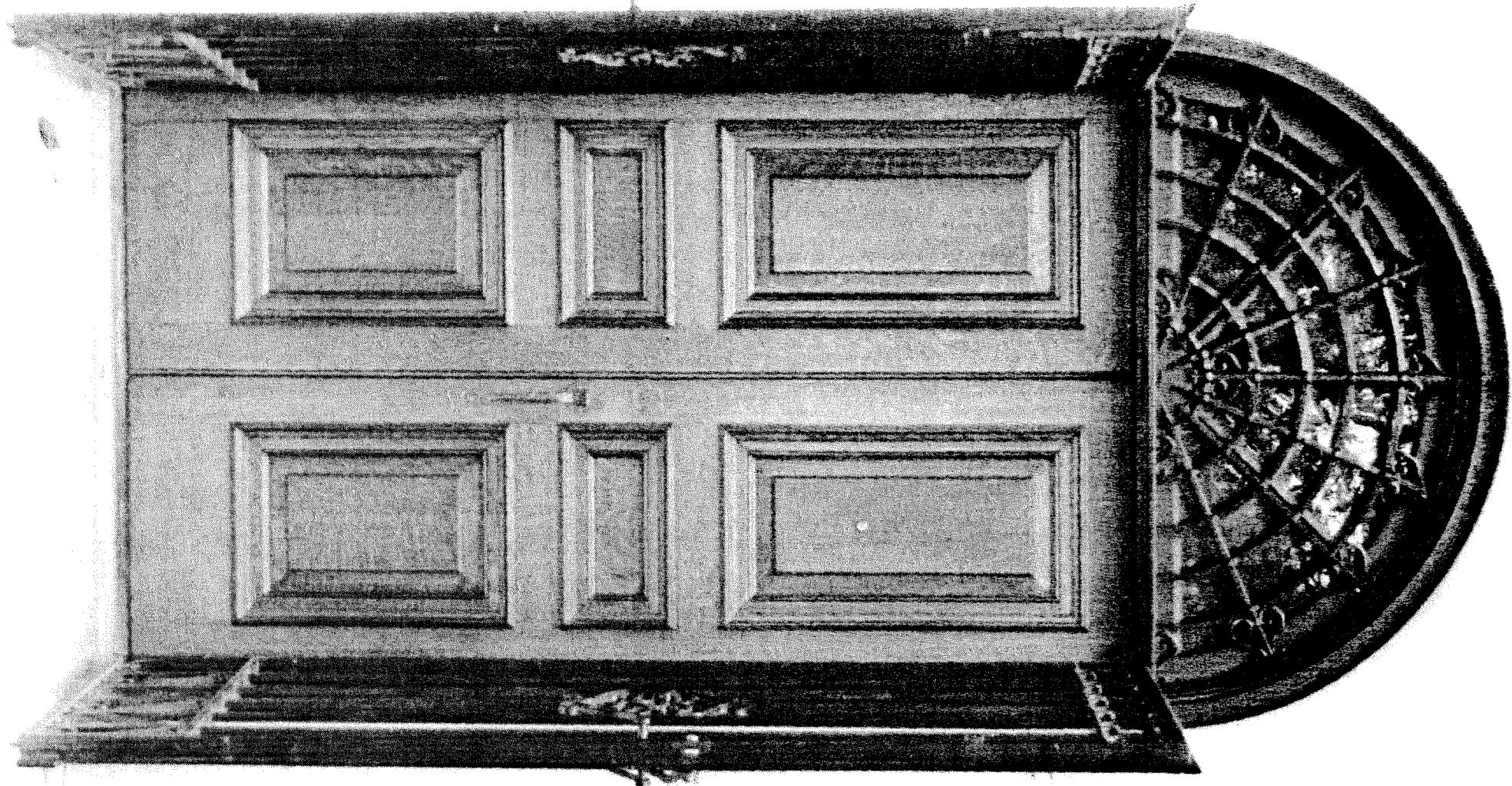
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AFTER

BEFORE





AFTER

912 W. TEMPLE STREET

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2008 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$127,500	\$98,203	\$209,564	\$127,500	\$123,800

Expenditures as % of Base Value 213%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$814	\$791
2	2011	\$847	\$791
3	2012	\$881	\$791
4	2013	\$916	\$791
5	2014	\$953	\$791
6	2015	\$991	\$791
7	2016	\$1,030	\$791
8	2017	\$1,072	\$791
9	2018	\$1,115	\$791
10	2019	\$1,159	\$791
11	2020	\$1,206	\$791
12	2021	\$1,254	\$791
13	2022	\$1,304	\$791
14	2023	\$1,356	\$791
15	2024	\$1,410	\$791
Total		\$16,307	\$11,865

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON
Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public. BY COTTLETON DEV

RECEIVED
OCT 16 2009
ode of Ordinances, the
BY ~~sign before a notary~~
COTTLETON DEPT

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: Patrick & Melinda Flannery

OWNER'S ADDRESS: 912 W Temple Ave, Houston, TX 77009

APPLICANT'S NAME: (If other than owner) N/A

APPLICANT'S
ADDRESS: _____ N/A

NAME OF GRANTEE IN DEED _____ Lender Mortgage Factory, Inc. Borrower Patrick D. Flannery and wife, Melinda Reagor Flannery _____

(Please attach copy of deed)

EMAIL: reagor@rice.edu TELEPHONE: 713-348-3773

PROPERTY IDENTIFICATION

TAX ACCOUNT
NUMBER(S): 0621330190007

LEGAL DESCRIPTION: LT7 BLK 219 EAST NORHILL

LOCATION ADDRESS: 912 W Temple Ave, Houston, TX 77009

BUILDING NAME: N/A

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.):

One-story, 2,038 SF frame residence (including 720 SF addition), year built 1920

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances.

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

Addition of 720 SF constructed on pier and beam foundation to the rear of existing historic bungalow. Addition connected to rear of historic house via narrow L-shaped wing addition to rear of house. Roof hipped to match rear hipped roof of existing historic home; total height of new addition to roof ridge same height as existing; all exterior walls of addition clad in horizontal lap wood "117" siding installed to match existing historic house except for rear elevation clad in horizontal lap siding, trim and corner boards installed to match existing. Double hung wood sash windows used throughout.

Repairs to existing house include repairing sheetrock cracks and texture, painting entire interior using low VOC paint. Wood floors refinished, new shoe mould installed. Kitchen pantry upgraded as well as shelving in washer/dryer area. Runner hardware on kitchen drawers replaced. Caulk replaced over exterior windows, paint repaired at roofline at front of house. Hose bib installed on deck. High shelf installed in child's room, bookcases installed on N wall of dining room. New front door installed. New A/C, ductwork, and heater installed. New PVC pipe installed in plumbing in yard. Plumbing under W side of house upgraded. Gas line upgraded. Deck door stained and sealed, other interior doors varnished/sealed, hardware installed. Porch repaired post-leveling (board added under front windows, railings adjusted, doorsill gap addressed, column supports upgraded and painted. Kitchen cabinet doors repaired. All doors repaired to close firmly. Lights installed in master bedroom closets.

Total projected cost of the restoration work: \$209,563.50

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to commence: 07/10/08

Completion or estimated completion date: 07/13/09

PROVISIONS FOR REVOCATION OF EXEMPTION

Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District **annually**. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.

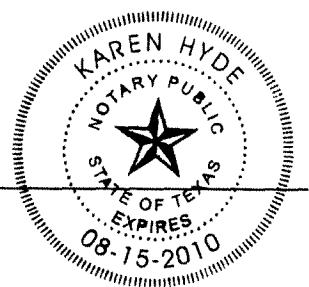
Karen Hyde

Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 15th day of
October, 2009.

Karen Hyde

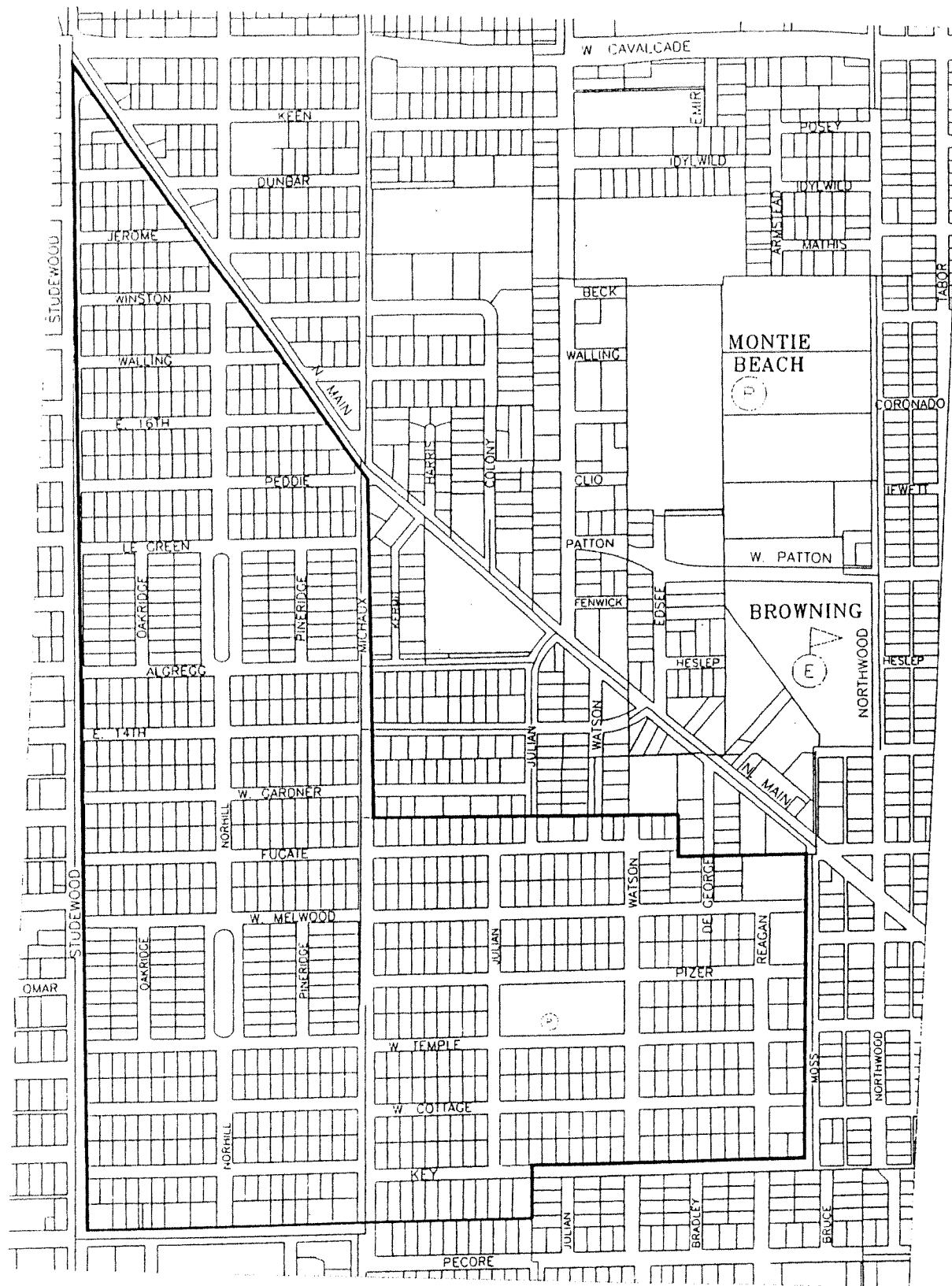
Notary Public, Harris County



Please return completed application and required documentation to:

Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002
(713)837.7828

PROPOSED NORHILL HISTORIC DISTRICT
SITE LOCATION MAP
(Not to Scale)



HISTORIC DISTRICT DESIGNATION

City of Houston

Planning and Development Department, Development Services

EXHIBIT B

Page 101





REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the six (6) properties located at 2232 Brentwood Drive, 77019; 2175 Troon Road, 77019; 1046 Harvard Street, 77008; 3740 Willowick Road, 77019; 3223 Inwood Drive, 77019; and 2947 Inwood Drive, 77019.	Category #	Page 1 of 1	Agenda Item#
			22-27

FROM: (Department or other point of origin): Michelle Mitchell, Director Finance Department	Marlene Gafrick, Director Planning and Development	Origination Date November 10, 2009	Agenda Date DEC 02 2009
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DIRECTOR'S SIGNATURE: 	Council Districts affected: G, H
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For additional information contact: Tim Douglass Julia Gee	Phone: (713) 837-9857 Phone: (713) 837-7828	Date and identification of prior authorizing Council Action: Ord. 2007-658, 12/6/2007; Res. 2007-29, 7/3/07; 2008-13, 5/24/08; 2007-02, 1/3/07; 2009-06, 2/25/09; 2007-14, 4/11/07; 2007-07, 2/7/07
--	--	---

RECOMMENDATION: (Summary) That City Council adopt ordinances approving Historic Site Tax Exemptions for Historic Landmarks for the six (6) properties located at 2232 Brentwood Drive, 77019; 2175 Troon Road, 77019; 1046 Harvard Street, 77008; 3740 Willowick Road, 77019; 3223 Inwood Drive, 77019; and 2947 Inwood Drive, 77019, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.
--

Amount of Funding: No funding required	Finance Budget:
--	-----------------

SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)
--

SPECIFIC EXPLANATION: Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Historic Landmarks. Prior City Council designation of the property as an Historic Landmark is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). The exemption is for a 15-year period but is capped each year at the exemption amount calculated for year one.

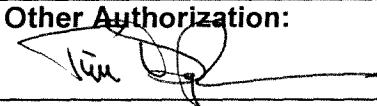
The owners of the following Historic Landmarks submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2009 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

Historic Landmarks	Building	Base Value of Improvement	Restoration Investment	Estimated Year-One Exemption	Maximum Exemption over 15 years
2232 Brentwood Drive	Joseph H. Russell House	\$ 555,992	\$ 609,380	\$ 5,088	\$ 76,320
2175 Troon Road	Kendall-Harris House	\$ 522,024	\$ 609,503	\$ 4,495	\$ 67,425
1046 Harvard Street	Mulcahy House	\$ 80,281	\$ 127,033	\$ 713	\$ 10,695
3740 Willowick Road	Ben M. Anderson House	\$ 596,275	\$ 929,645	\$ 2,934	\$ 44,010
3223 Inwood Drive	John & Audrey Jones Beck House	\$ 613,802	\$ 650,000	\$11,039	\$165,592
2947 Inwood Drive	Dr. Benjamin Weems Turner House	\$ 567,916	\$ 698,786	\$ 8,799	\$198,944

Since the properties have been designated as Historic Landmarks, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.
--

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization: 	Other Authorization:
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2232 BRENTWOOD DRIVE

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria

2007 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$869,008	\$555,992	\$609,380	\$1,086,260	\$796,540

Expenditures as % of Base Value 110%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue

(Based upon 100% of Improvements)

Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$6,938	\$5,088
2	2011	\$7,216	\$5,088
3	2012	\$7,505	\$5,088
4	2013	\$7,805	\$5,088
5	2014	\$8,117	\$5,088
6	2015	\$8,442	\$5,088
7	2016	\$8,779	\$5,088
8	2017	\$9,131	\$5,088
9	2018	\$9,496	\$5,088
10	2019	\$9,876	\$5,088
11	2020	\$10,271	\$5,088
12	2021	\$10,681	\$5,088
13	2022	\$11,109	\$5,088
14	2023	\$11,553	\$5,088
15	2024	\$12,015	\$5,088
Total		\$138,933	\$76,320

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

***The tax exemption for the (Structure) Improvement remains the same.**

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S

NAME: MOSSY, DAVID L AND LISA

OWNER'S

ADDRESS: 2232 BRENTWOOD DR HOUSTON, TEXAS 77019-3514

APPLICANT'S NAME: (If other than
owner) N/A

APPLICANT'S

ADDRESS: N/A

NAME OF GRANTEE IN

DEED DAVID L MOSSY AND LISA H MOSSY

(Please attach copy of deed)

PROPERTY IDENTIFICATION

TAX ACCOUNT

NUMBER(S): 0601550470025

LEGAL

DESCRIPTION: LT 25 & TR24A BLK 47 RIVER OAKS SEC 1

LOCATION

ADDRESS: 2232 BRENTWOOD DR

BUILDING

NAME: THE JOSEPH H. RUSSELL HOUSE

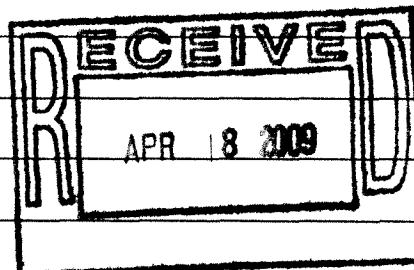
BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.:

3 FLOORS (and a basement)

5000 SQ FT

PIER & BEAM, BRICK CONSTRUCTION, TUDOR STYLE

BUILT 1929, PLASTER WALLS, BASEMENT



HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances.

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

The restoration and addition did not impact the facade of the original 1929 home.

All new air conditioning, plumbing, electrical systems, alarm were completed.

Renovation and addition to the kitchen, family room (poor addition done in the 1980's
was completely re-done). All bathrooms were re-done. (4) The garage was rebuilt
to accommodate 2 cars, the pool was relocated, new landscaping added to enhance the
home.

Total projected cost of the restoration work: \$609,380.48

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

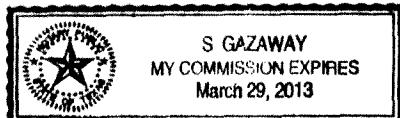
Date the work commenced or is expected to commence: July 2007

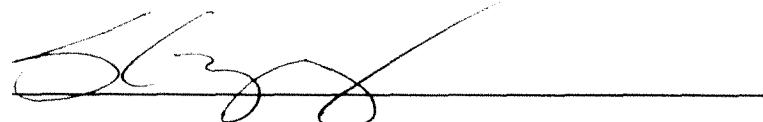
Completion or estimated completion date: March 2009

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.

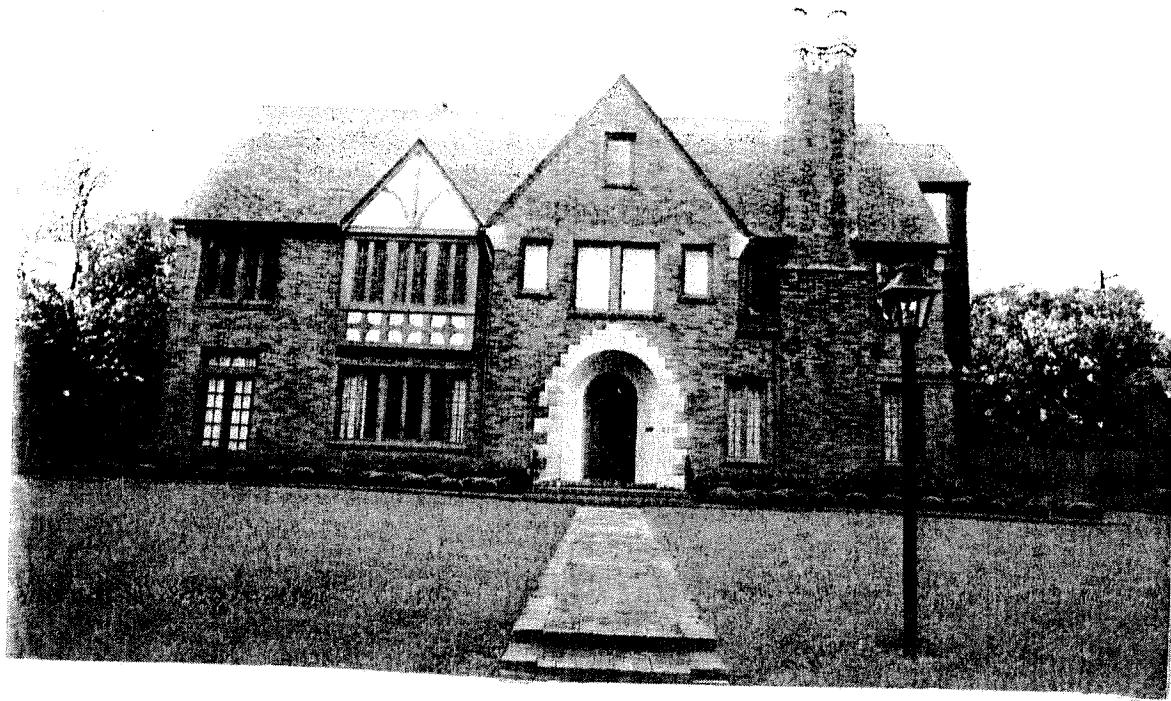

Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 20th day of
March, 2009.




Notary Public, Harris County

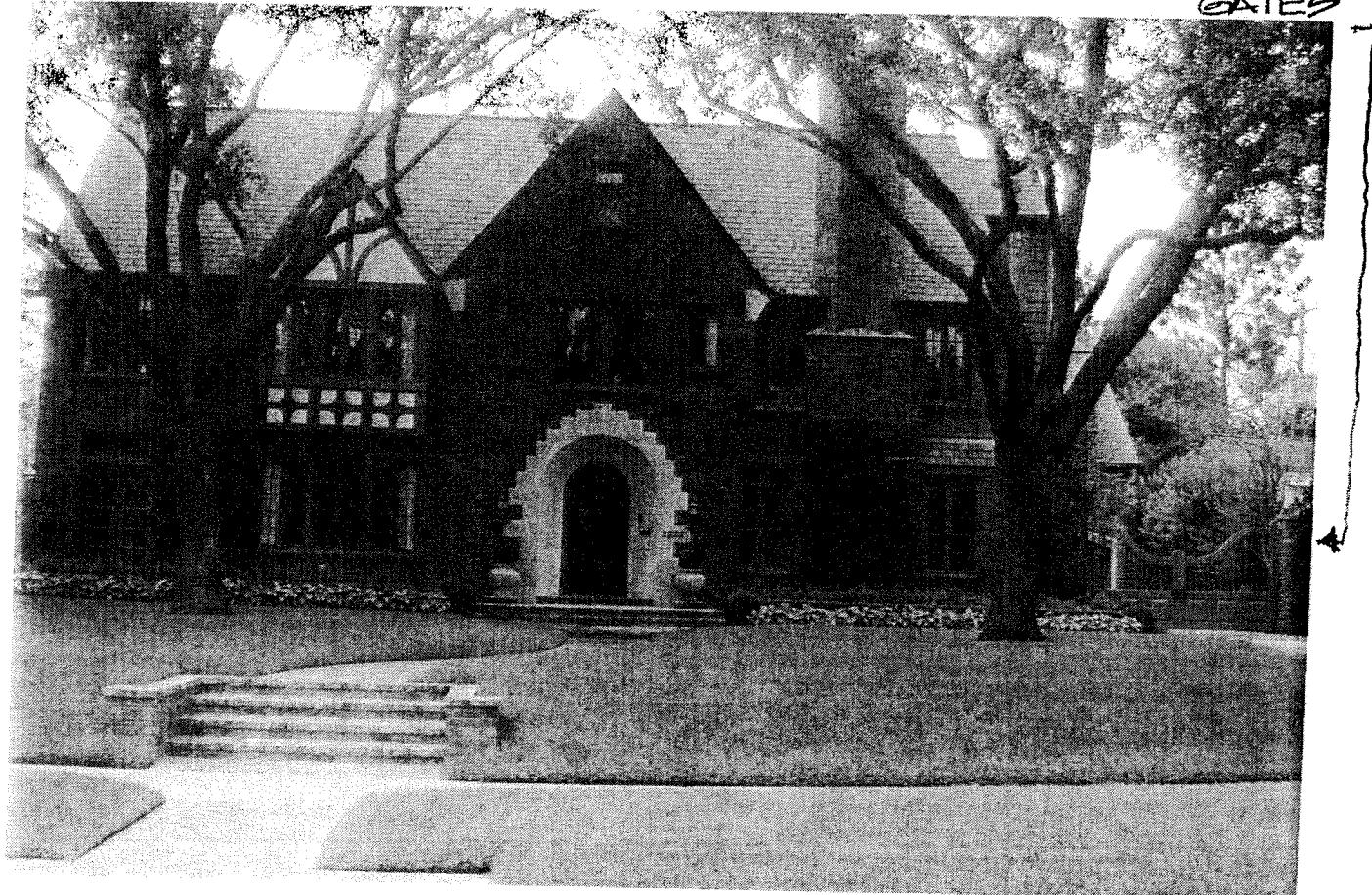
Please return completed application to:
Mr. Keith R. Phillips, RTA
Deputy Tax Assessor / Collector
Economic Development Division
Finance & Administration Department
P. O. Box 1562
Houston, Texas 77251

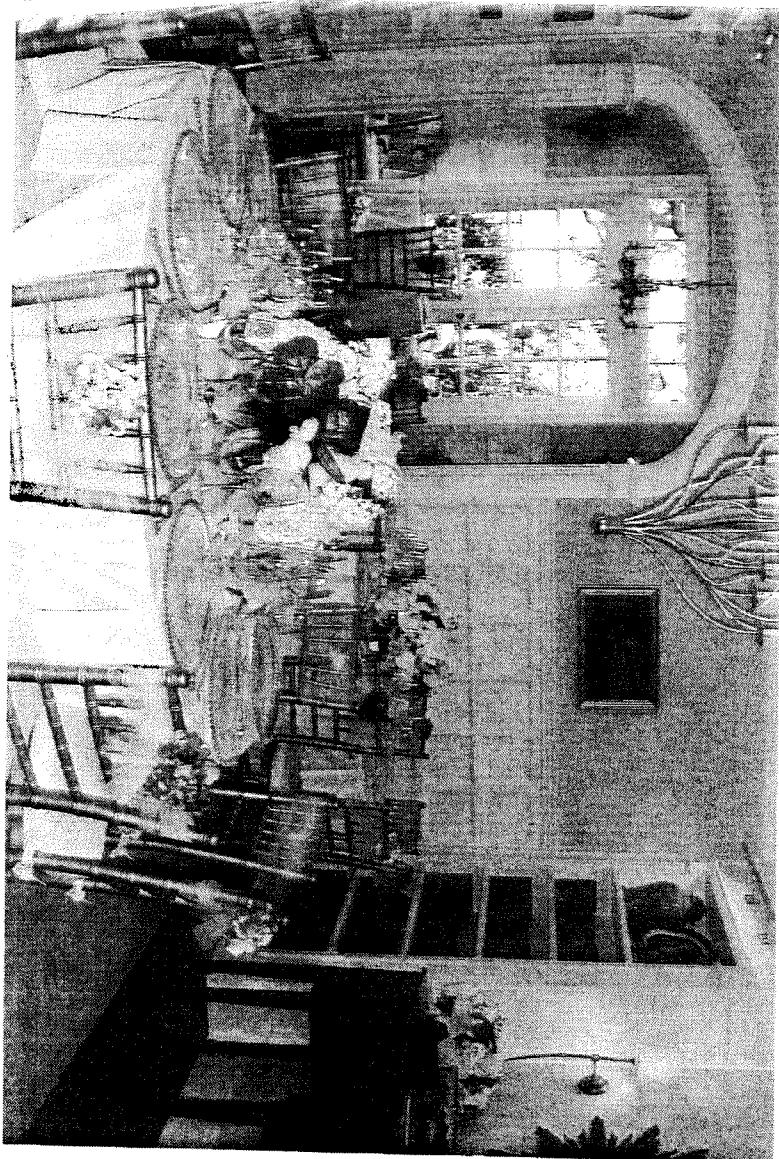


FACADE: 2232 BRENTWOOD
(WHEN WE PURCHASED)

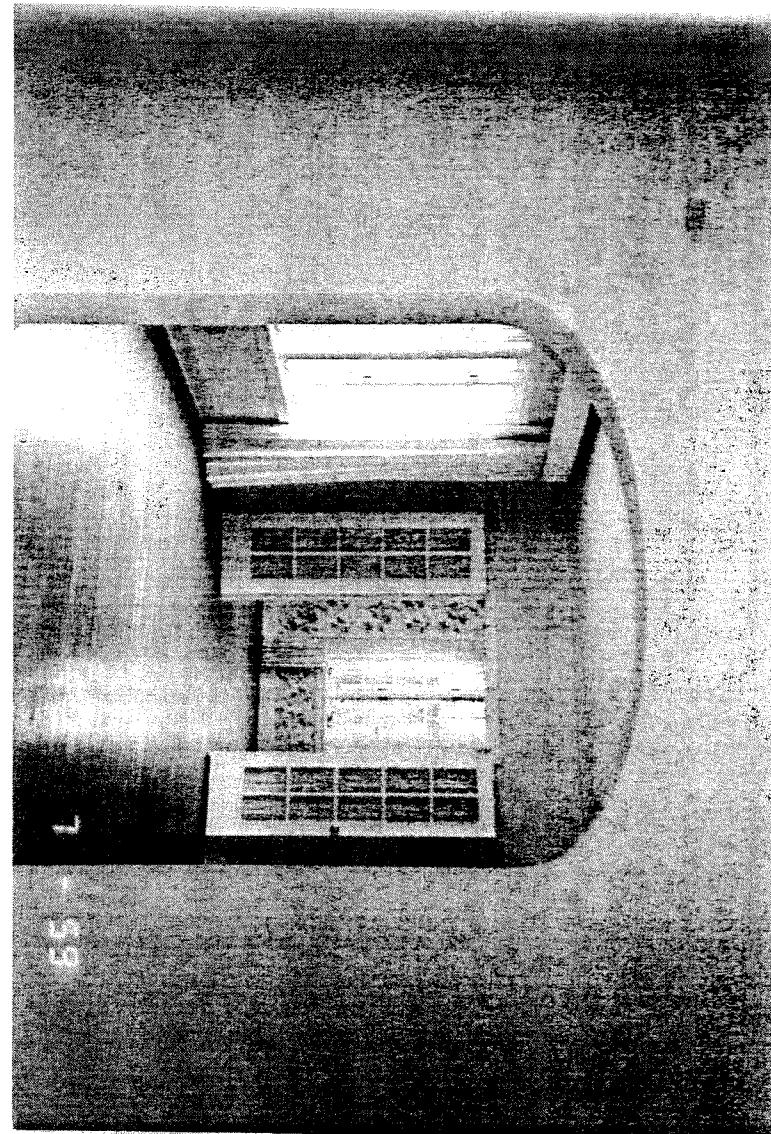
RENOVATED:

NOTE: NEW DRIVE
GATES





SAME VIEW: ARCH ADDED, TRIM, DOORS TO WEST GARDEN



VIEW TO DINING
ROOM AND
ALCOVE

2175 TROON ROAD

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2005 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$726,916	\$522,024	\$609,503	\$1,158,300	\$703,757

Expenditures as % of Base Value 117%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue <i>to be received</i> (Land)	Revenue exempt (Structure)
1	2010	\$7,399	\$4,495
2	2011	\$7,695	\$4,495
3	2012	\$8,002	\$4,495
4	2013	\$8,322	\$4,495
5	2014	\$8,655	\$4,495
6	2015	\$9,002	\$4,495
7	2016	\$9,362	\$4,495
8	2017	\$9,736	\$4,495
9	2018	\$10,126	\$4,495
10	2019	\$10,531	\$4,495
11	2020	\$10,952	\$4,495
12	2021	\$11,390	\$4,495
13	2022	\$11,845	\$4,495
14	2023	\$12,319	\$4,495
15	2024	\$12,812	\$4,495
Total		\$148,147	\$67,425

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON

Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: David R. and Susan T. Lummis

OWNER'S ADDRESS: 2175 Truon Road, Houston, Texas 77019

APPLICANT'S NAME: (If other than owner) _____

APPLICANT'S ADDRESS: 2175 Truon Road, Houston, Texas 77019

NAME OF GRANTEE IN DEED _____

(Please attach copy of deed)

PROPERTY IDENTIFICATION

TAX ACCOUNT NUMBER(S): 0601560520005-001

LEGAL DESCRIPTION: Tract 5, Block 52, River Oaks Section 3, City of Houston, Harris County, Texas

LOCATION ADDRESS: 2175 Truon Road, Houston, Texas 77019

BUILDING NAME: Kendall-Harris House

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.):

Historic three-story brick residence. Built in 1937-38.

Extensively re-modified by present owner in 2005-2006.

Home has 4 bedrooms, 4 1/2 baths, total living area is 4,475 square feet.

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:



Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances.



Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.



Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

Extensive re-modelling of historic home, including new HVAC, new electrical, new plumbing, new fixtures, and ~~new~~ re-working of closets, replacing mouldings, re-screening porch, restoring marble mantel, conversion of garage/quartes into family room/conventer.

Total projected cost of the restoration work: 629,204 Approved \$609,502.52

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to

commence: Commenced 5/2005 completed 12/2006.

PROVISIONS FOR REVOCATION OF EXEMPTION

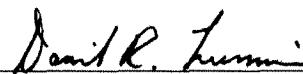
Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District *annually*. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.

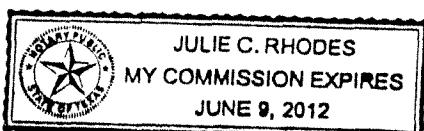


Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 27th day of



April, 2009.




Julie C. Rhodes
Notary Public, Harris County

Please return completed application and required documentation to:

Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002

2175 Tropic



Front of house
where purchased (2006)
House



After

1046 HARVARD STREET

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2008 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$247,500	\$80,281	\$127,033	\$247,500	\$111,573

Expenditures as % of Base Value 158%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$1,581	\$713
2	2011	\$1,644	\$713
3	2012	\$1,710	\$713
4	2013	\$1,778	\$713
5	2014	\$1,849	\$713
6	2015	\$1,923	\$713
7	2016	\$2,000	\$713
8	2017	\$2,080	\$713
9	2018	\$2,164	\$713
10	2019	\$2,250	\$713
11	2020	\$2,340	\$713
12	2021	\$2,434	\$713
13	2022	\$2,531	\$713
14	2023	\$2,632	\$713
15	2024	\$2,738	\$713
Total		\$31,655	\$10,695

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S
NAME:

Carole C. Johnston

OWNER'S
ADDRESS:

1046 Harvard; Houston, TX 77008

APPLICANT'S NAME: (If other than
owner)

Same

APPLICANT'S
ADDRESS:

Same

NAME OF GRANTEE IN
DEED

Same

(Please attach copy of deed)

EMAIL: c.johnston @ jefferies.com TELEPHONE: 281.774.2029

PROPERTY IDENTIFICATION

TAX ACCOUNT
NUMBER(S):

0202140000023

LEGAL
DESCRIPTION: Lot 24 and adjoining north 1/2 of Lot 23, Block 218, Harris Co., TX Houston Heights

LOCATION
ADDRESS:

1046 Harvard; Houston, TX 77008

BUILDING
NAME:

Mulcahy House

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.):

The building is a two story, cross gambrel frame house built in 1907 in The Dutch Colonial Revival style. It was listed in the National Register of Historic Places on May 14, 1984. It is included within the boundaries of the Houston Heights, designated as a Multiple Resource Area by the National Register Program on June 22, 1983. The house has been recorded as a Texas Historic Landmark and the Houston City Council has given it a Landmark designation. In August of 2008 the Houston Archaeological and Historical Commission awarded a Certificate of Appropriateness for renovation. 9-21-08

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances.

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

Exterior Completed - remove window and build chimney and Reemford fireplace on north; replace front and back porch flooring, reframe and rescreen back porch, repair and replace front porch railings and columns; replace inappropriate windows on south; repair foundation, tent for termites; add lattice surround; repair siding, add flashing, remove all exterior lighting, rewire and replace ^{all new screen} ETC. Exterior planned - paint entire exterior and siding repair ^{Add garage} Interior completed - replace all electrical and plumbing, add bathroom, gut kitchen, make new closets, raise staircase to code, add columns, remove low ceiling to code, repair all floor, doors, all new hardware, fixtures, sheetrock, molding, build cabinets, ETC.

Total projected cost of the restoration work: \$ 200,000 Approved \$ 127,032.93

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. **All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.**

Date the work commenced or is expected to commence: August 2008

Completion or estimated completion date: December 2009

PROVISIONS FOR REVOCATION OF EXEMPTION

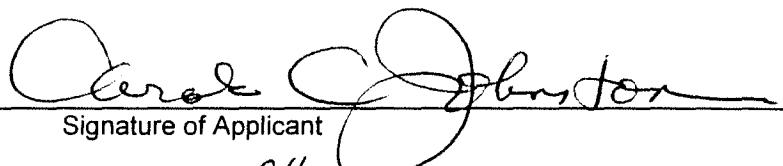
Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

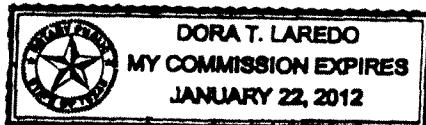
IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District *annually*. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.


Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 9th day of

July, 2009.




Notary Public, Harris County

Please return completed application and required documentation to:

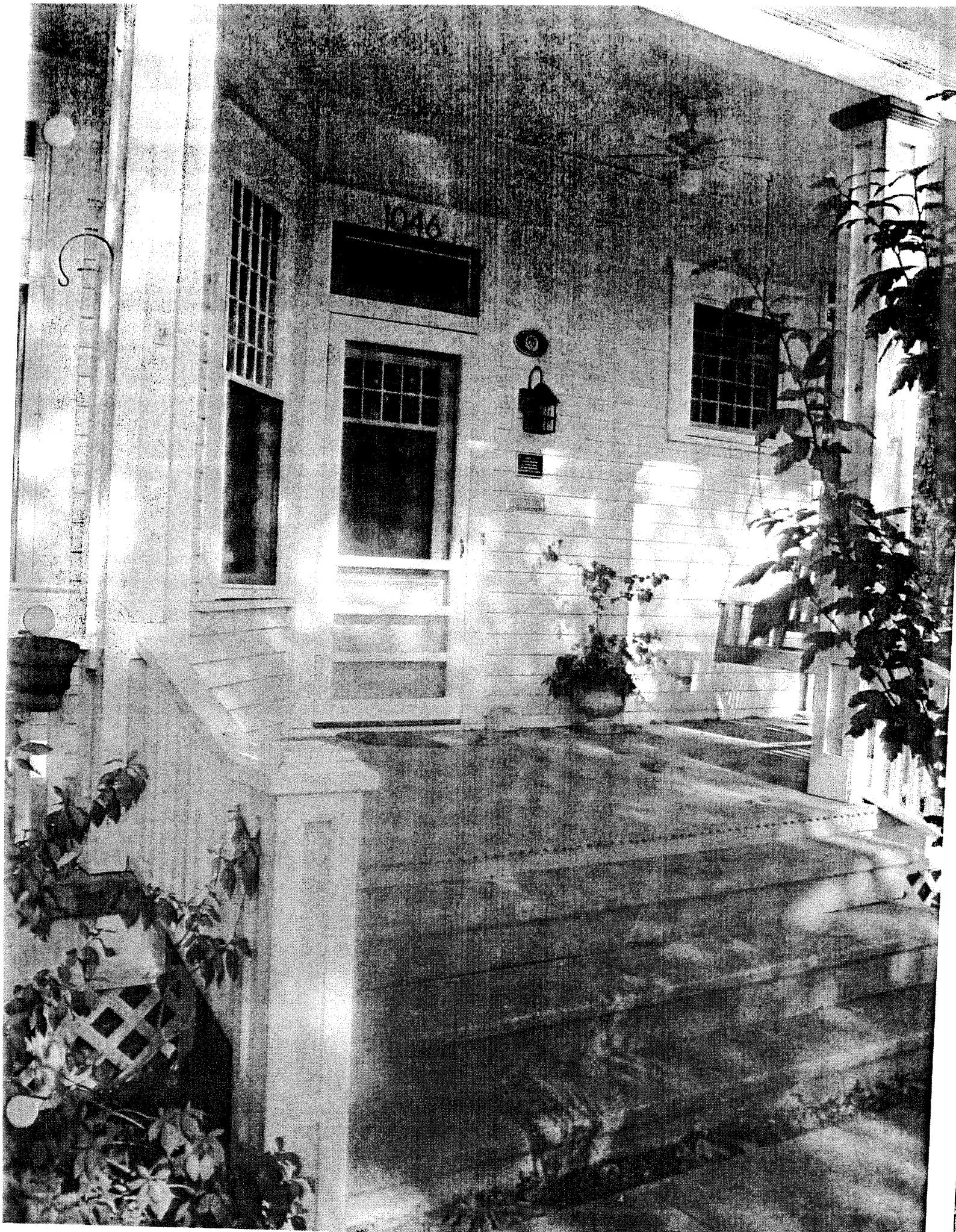
Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002
(713)837.7828

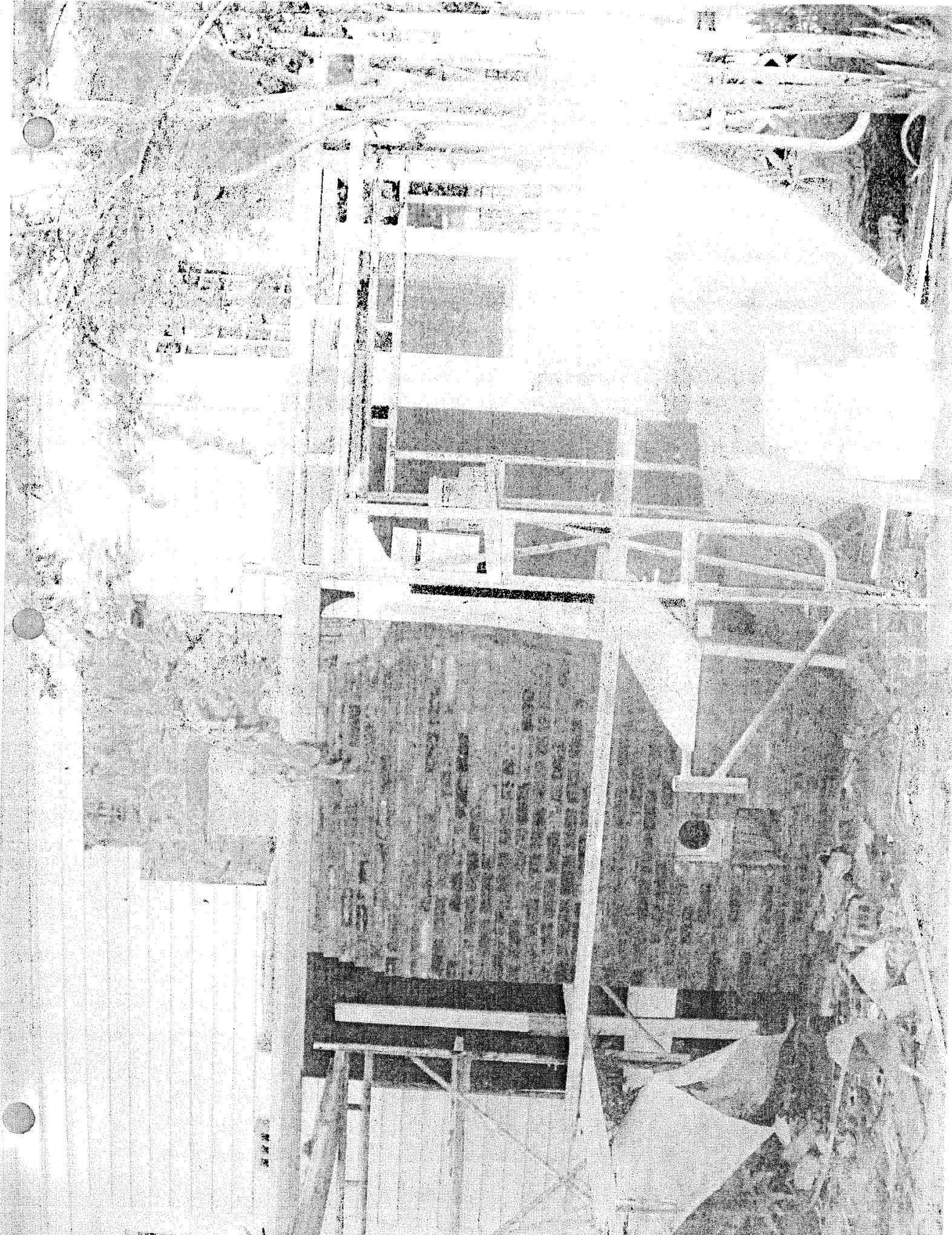
1046 Harvard
Mulcahy House



Southwest Corner Front Porch









3740 WILLOWICK ROAD
HISTORIC SITE TAX EXEMPTION
15 YEAR ANALYSIS

Initial Exemption Criteria				
2008 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$3,910,032	\$596,275	\$929,645	\$4,640,740	\$459,260

Expenditures as % of Base Value 100%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$29,643	\$2,934
2	2011	\$30,828	\$2,934
3	2012	\$32,062	\$2,934
4	2013	\$33,344	\$2,934
5	2014	\$34,678	\$2,934
6	2015	\$36,065	\$2,934
7	2016	\$37,508	\$2,934
8	2017	\$39,008	\$2,934
9	2018	\$40,568	\$2,934
10	2019	\$42,191	\$2,934
11	2020	\$43,878	\$2,934
12	2021	\$45,634	\$2,934
13	2022	\$47,459	\$2,934
14	2023	\$49,357	\$2,934
15	2024	\$51,332	\$2,934
Total		\$593,554	\$44,010

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON
Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: GLEN GONZALEZ, WILLOWICK GRANTOR TRUST

OWNER'S ADDRESS: 3740 WILLOWICK ROAD HOUSTON, TX 77019

APPLICANT'S NAME: (If other than owner)

APPLICANT'S ADDRESS:

NAME OF GRANTEE IN DEED: WILLOWICK GRANTOR TRUST

(Please attach copy of deed)

PROPERTY IDENTIFICATION

TAX ACCOUNT NUMBER(S): CAD#0601620920034

LEGAL DESCRIPTION: TR8D BLK 92, RIVER OAKS TALL TIMBERS

LOCATION ADDRESS: 3740 WILLOWICK ROAD HOUSTON TX 77019

BUILDING NAME: _____

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.):

SINGLE FAMILY RESIDENCE, TWO STORY, 5532 SF, BRICK/VENEER, YR BUILT: 1955

SEE ATTACHED HISTORICAL DESIGNATION INFORMATION FOR FULL PROPERTY DESCRIPTION

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

xx Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances.

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

GENERAL CONSTRUCTION RESTORATION AND/OR PRESERVATION OF ALL INTERIOR ROOMS AND EXTERIOR IS 80% COMPLETE FOR USE AS SINGLE FAMILY RESIDENCE.

Total projected cost of the restoration work: \$1,200,000.00

Approved \$929,645

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to commence: 7/1/08

Completion or estimated completion date: 9/20/09

PROVISIONS FOR REVOCATION OF EXEMPTION

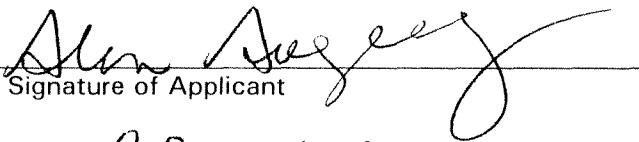
Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District *annually*. Failure to file before May 1st of each year will result in denial of the exemption for that year.

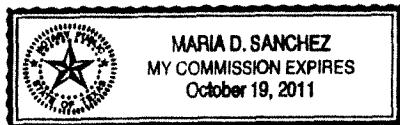
BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.



Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 28 day of

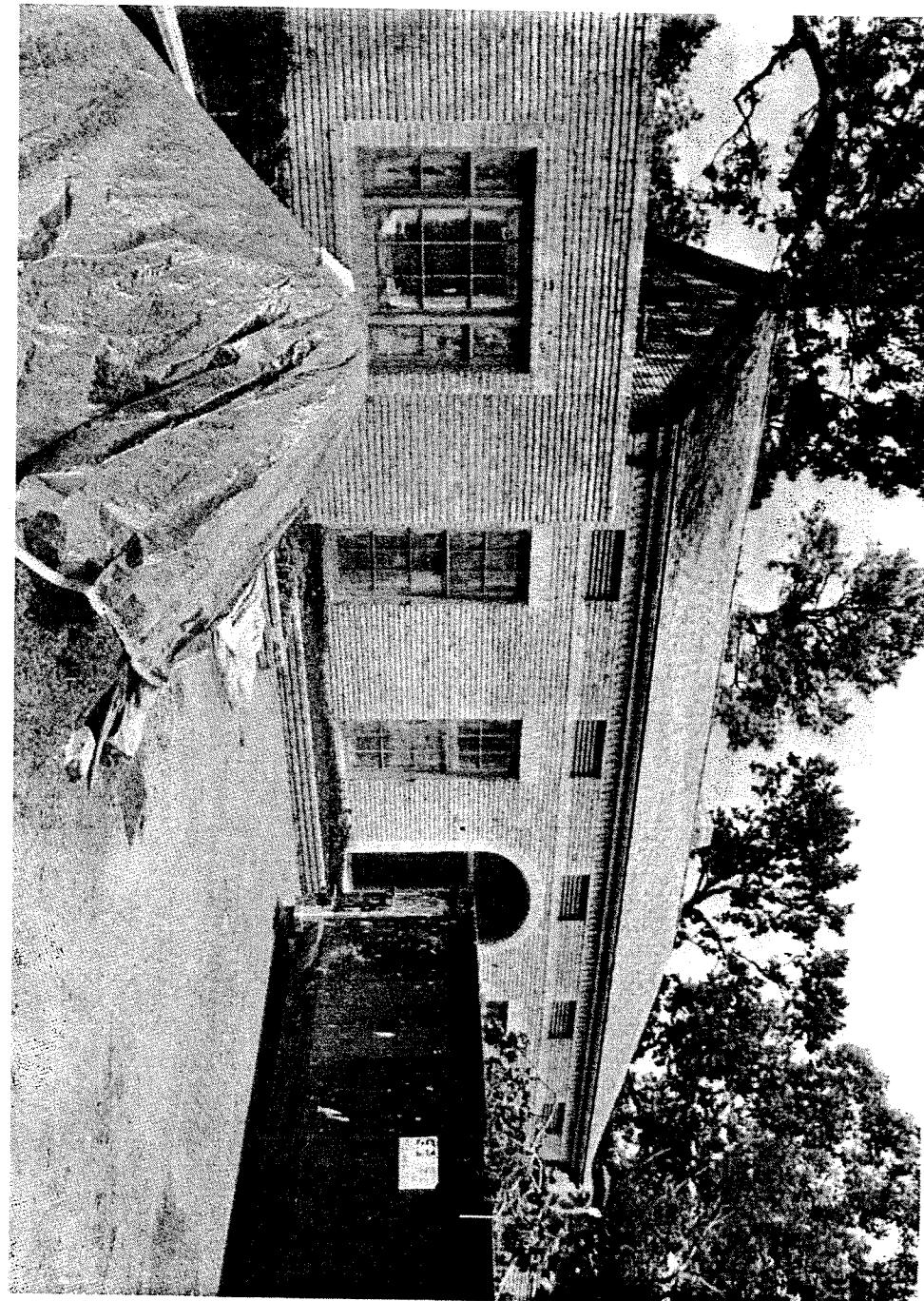
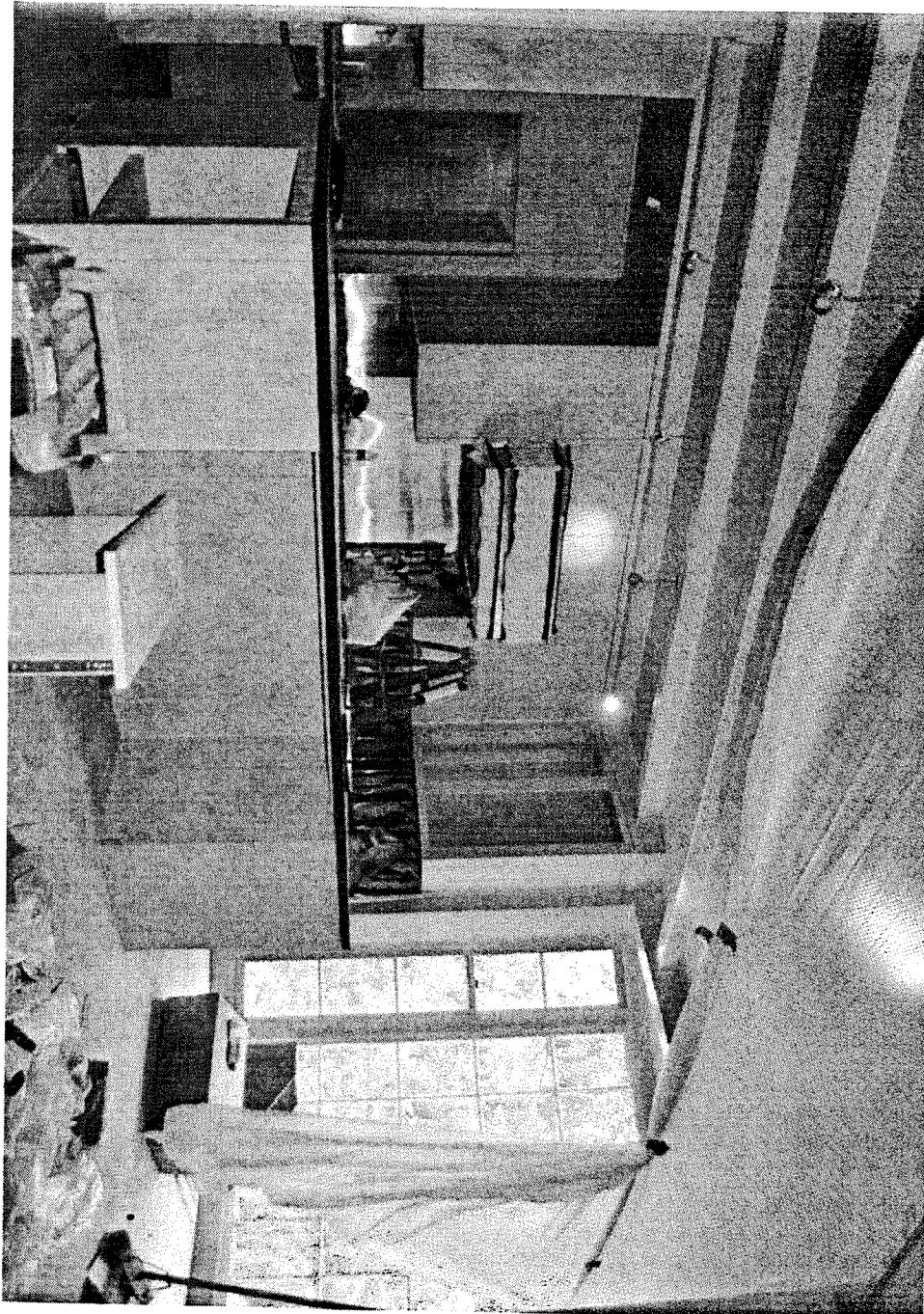
July, 2009.

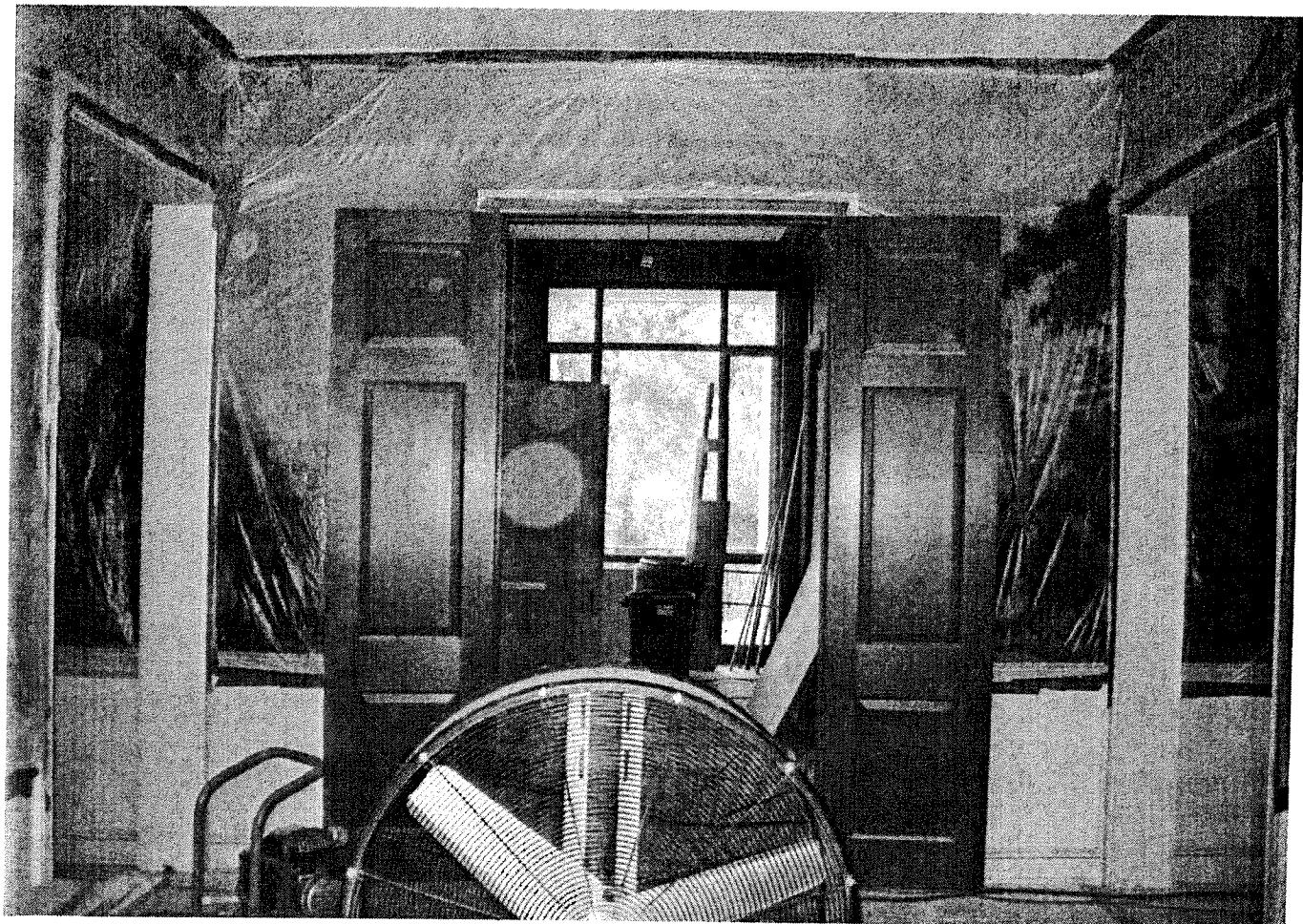
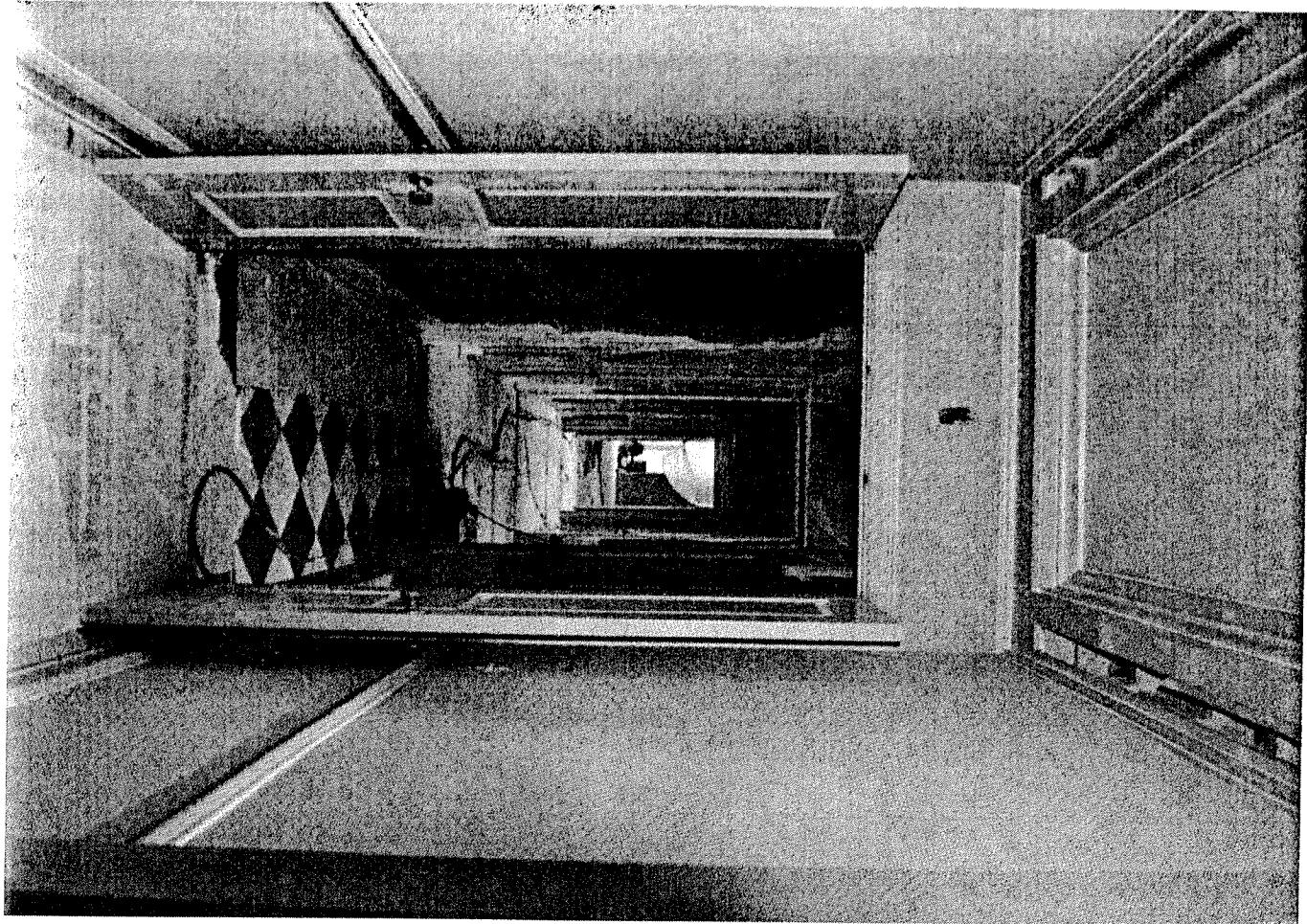


Julia Gee
Notary Public, Bexar County

Please return completed application and required documentation to:

Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002





3223 Inwood Drive

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2005 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$1,522,470	\$613,802	\$650,000	\$2,216,930	\$1,728,291

Expenditures as % of Base Value 106%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

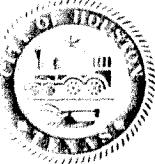
Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$14,161	\$11,039
2	2011	\$14,727	\$11,039
3	2012	\$15,316	\$11,039
4	2013	\$15,929	\$11,039
5	2014	\$16,566	\$11,039
6	2015	\$17,229	\$11,039
7	2016	\$17,918	\$11,039
8	2017	\$18,634	\$11,039
9	2018	\$19,380	\$11,039
10	2019	\$20,155	\$11,039
11	2020	\$20,961	\$11,039
12	2021	\$21,800	\$11,039
13	2022	\$22,672	\$11,039
14	2023	\$23,579	\$11,039
15	2024	\$24,522	\$11,039
Total		\$283,547	\$165,592

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the proper owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: Lisa P. Sindess

OWNER'S ADDRESS: 3223 Inwood Drive, Houston, Texas 77019

APPLICANT'S NAME: (If other than owner) Same

APPLICANT'S ADDRESS:

NAME OF GRANTEE IN DEED Lisa Puckett Sindess and John W. Sindess, Jr.
(Please attach copy of deed)

EMAIL: lsindess@aol.com

TELEPHONE: 713.522.6874
281.389.5708

PROPERTY IDENTIFICATION

TAX ACCOUNT NUMBER(S): 060131 0000005

LEGAL DESCRIPTION: Lot 5, Block 3, River Oaks Country Club Estates

LOCATION ADDRESS: 3223 Inwood Drive, Houston, Texas

BUILDING NAME: John and Audrey Jones Beck House

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.:

Notable Houston architects, Wilson, Morris & Crain, designed the home in 1948 for John and Audrey Jones Beck. The Beckes are best known for donating their world-renowned Impressionist and Post-Impressionist art collection to the Museum of the Arts Houston (MFAH).

The home has: (1) 8914 square feet, (2) two stories, (3) brick and wood veneer.

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:



Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinance
(HAC hearing date December 21, 2006)

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

H/A

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributory structure. *(No changes to facade of home)*

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

Complete restoration and renovation of the home with no changes made to the facade of the main house.

The work included:

- * Replacement of roof; restoration of copper gutters
- * Complete renovation of the kitchen
- * Replacement of HVAC system
- * All new bathroom fixtures, toilets, tubs, etc.
- * Painting, removal of old wallpaper, resurfacing, resheetrock
- * Addition of garage and quarters
- * Restoration of swimming pool to original condition
- * Replaced / refurbished all existing wood.

Total projected cost of the restoration work: Well in excess of \$600,000

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vendor checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to commence: Started work, March 11, 2005

Completion or estimated completion date: March 2005 July 15, 2007

PROVISIONS FOR REVOCATION OF EXEMPTION

Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 250 which are an approval to demolish or a ninety day waiver certificate which indicates the site longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

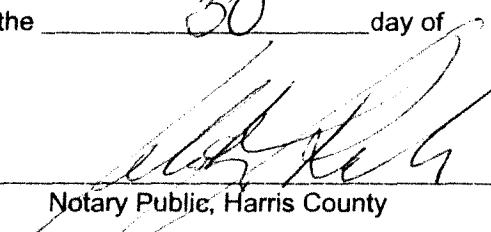
IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District *annually*. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.

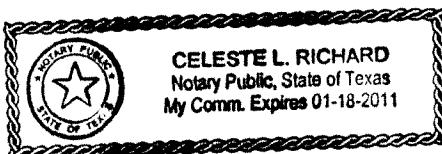


Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 30 day of
September, 2009.



Notary Public, Harris County



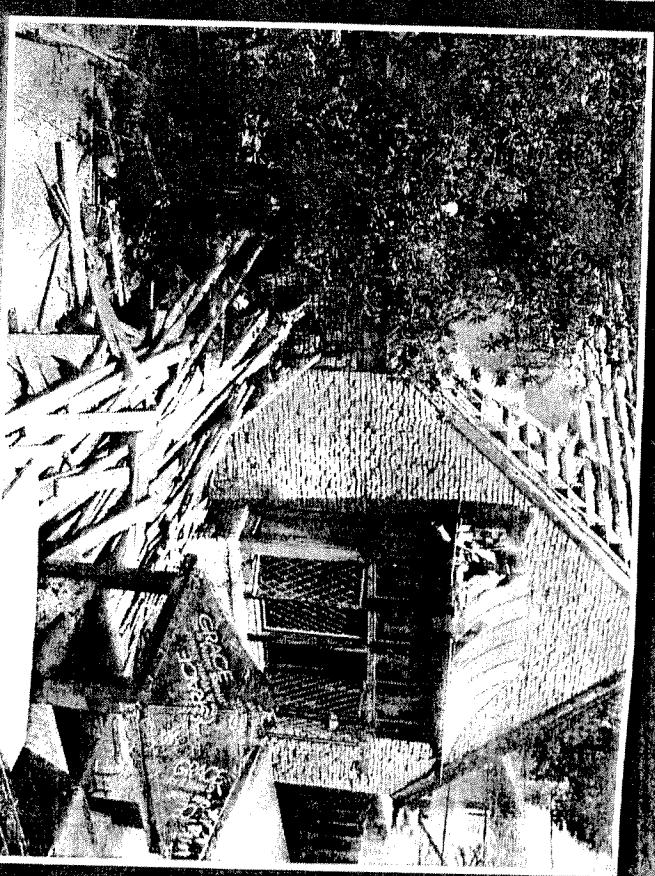
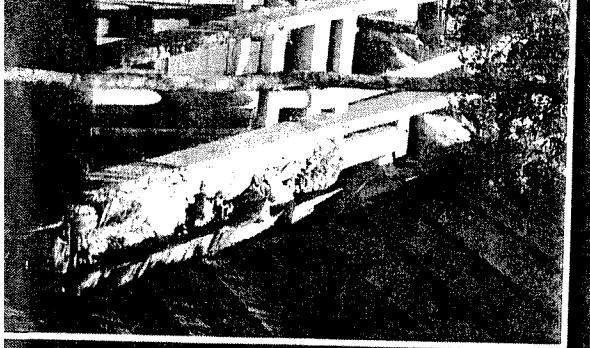
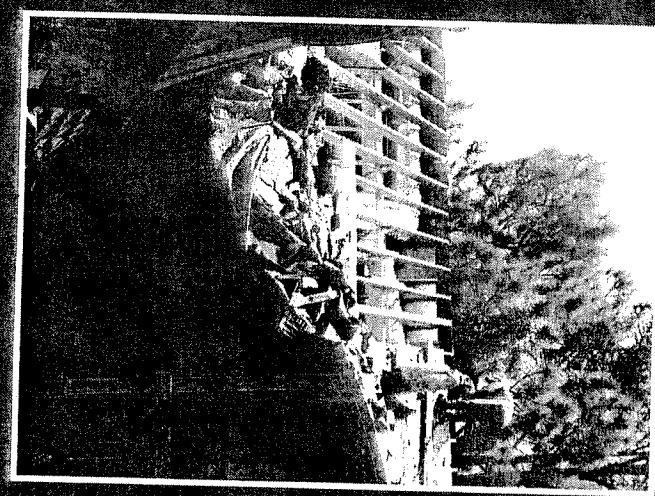
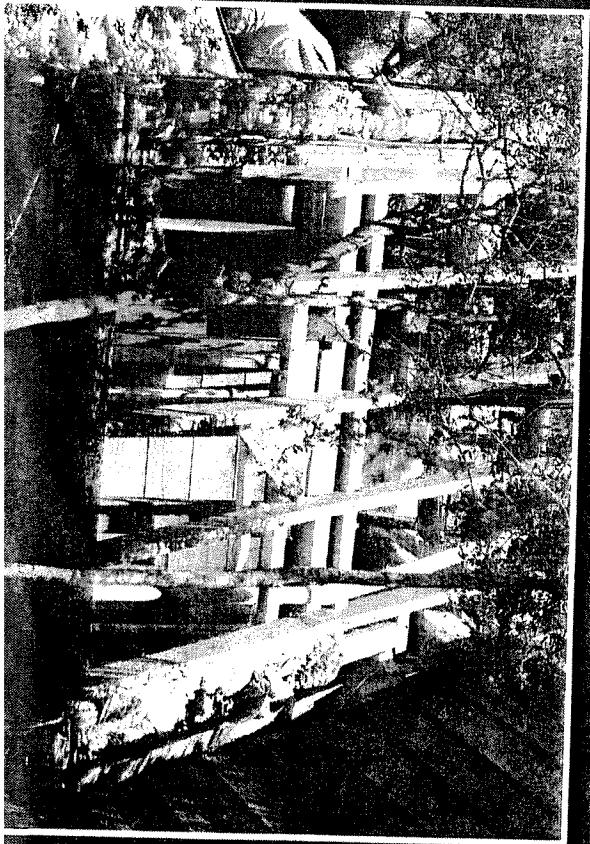
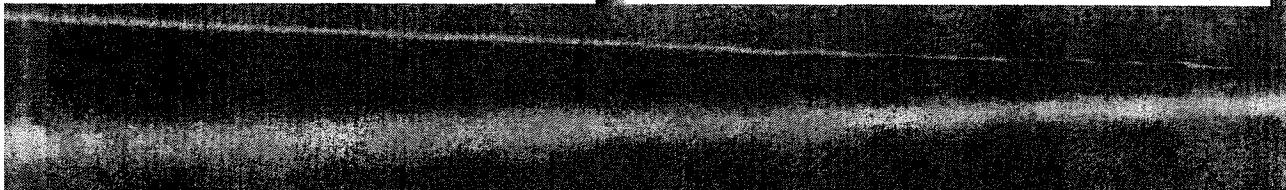
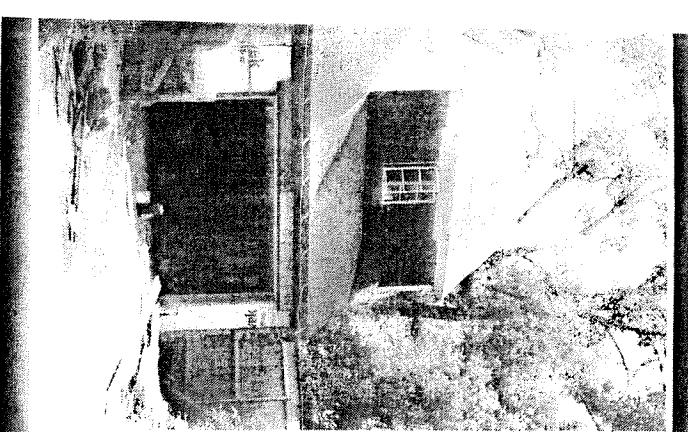
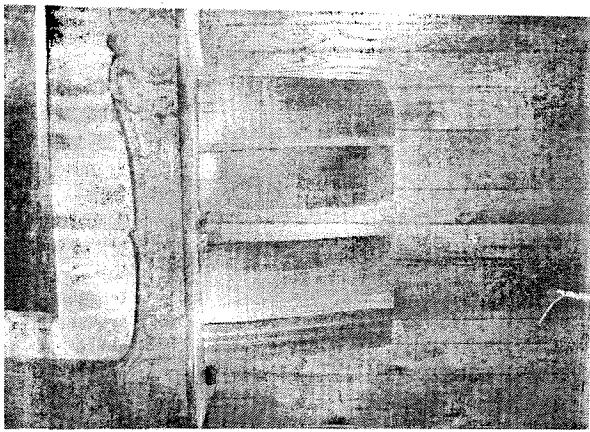
Please return completed application and required documentation to:

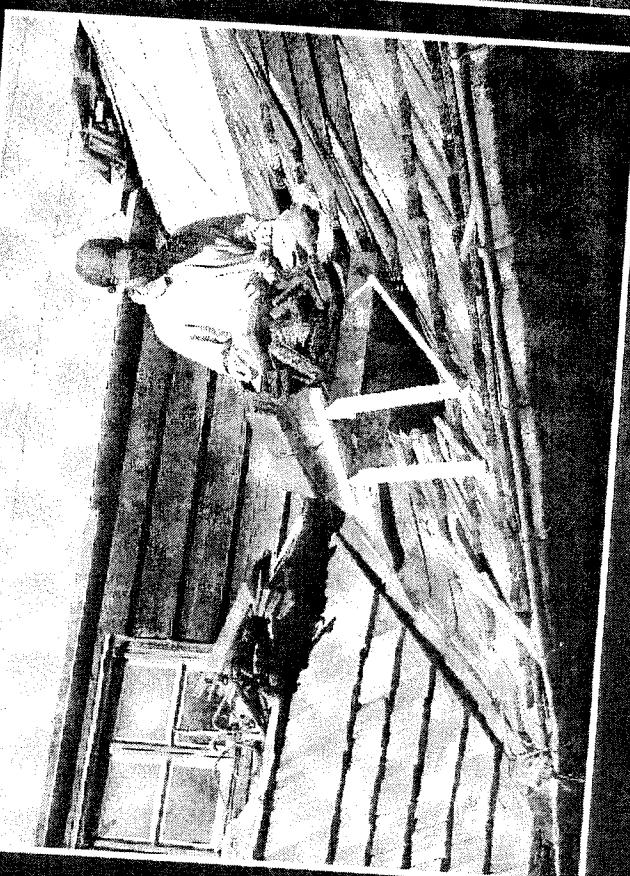
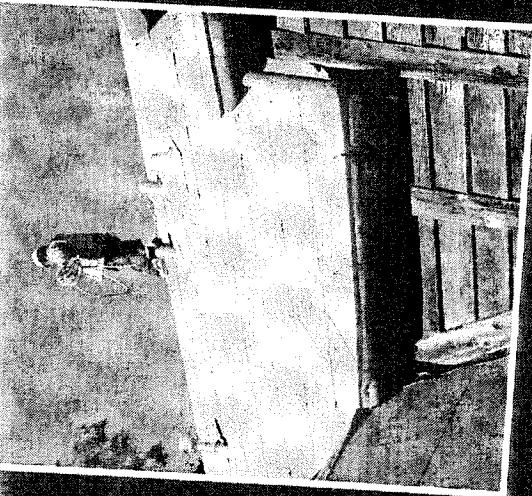
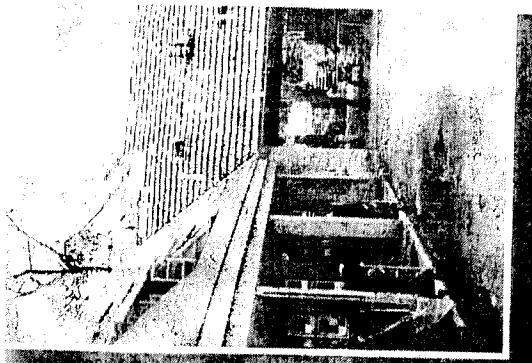
Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002
(713)837.7828



The Sinders REsidence

Houston, Texas





2947 Inwood Drive

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2006 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$1,823,484	\$567,916	\$698,786	\$2,664,798	\$2,076,384

Expenditures as % of Base Value 123%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$17,021	\$13,263
2	2011	\$17,702	\$13,263
3	2012	\$18,410	\$13,263
4	2013	\$19,147	\$13,263
5	2014	\$19,913	\$13,263
6	2015	\$20,709	\$13,263
7	2016	\$21,537	\$13,263
8	2017	\$22,399	\$13,263
9	2018	\$23,295	\$13,263
10	2019	\$24,227	\$13,263
11	2020	\$25,196	\$13,263
12	2021	\$26,204	\$13,263
13	2022	\$27,252	\$13,263
14	2023	\$28,342	\$13,263
15	2024	\$29,476	\$13,263
Total		\$340,829	\$198,944

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year.

*The tax exemption for the (Structure) Improvement remains the same.

The tax revenue may change relative to the tax rate.



CITY OF HOUSTON

Application for Historic Site Tax Exemption

To be considered for a tax exemption under Section 44-5 of the Code of Ordinances, the property owner or designated agent must complete this form in full and sign before a notary public.

IDENTIFICATION OF PROPERTY OWNER

OWNER'S NAME: Nancy D. McGregor and Neal S. Manne

OWNER'S ADDRESS: 2947 Inwood Drive

APPLICANT'S NAME: (If other than owner) same

APPLICANT'S ADDRESS: _____

NAME OF GRANTEE IN DEED: Nancy D. McGregor and Neal S. Manne
(Please attach copy of deed)

PROPERTY IDENTIFICATION

TAX ACCOUNT NUMBER(S): 0601520320004

LEGAL DESCRIPTION: Lot 5 & Tract 4, Block 32, River Oaks Section 1

LOCATION ADDRESS: 2947 Inwood

BUILDING NAME: Dr. Benjamin Weems Turner House

BUILDING DESCRIPTION: (No. of floors; square footage; type of construction; age, etc.):

Historic 2-story Tudor style single family residence built in 1930 and constructed by Katharine Mott for Dr. Benjamin Weems Turner. Details of building:

7,589 improved square feet

2 story brick home with pier and beam foundation, casement windows, high pitched slate roof, half timbering and two prominent chimneys.

Floorplan is modified rectangular and the home is one room deep in most places. There are 6 bays across the principal façade and the entry is stone trimmed with a projecting entry bay. Inside the home has plastered walls and a distinctive iron balcony.

HISTORICAL DESIGNATION

Check all appropriate items regarding the property:

Designated as an historic site by Houston City Council under Section 33-225 of the Code of Ordinances. (April 7, 2007 Consent Agenda 15)

Has not received a Certificate of Appropriateness under Sec. 33-247 or Sec. 33-250 of the Code of Ordinances.

Has received a Certificate of Appropriateness for restoration or preservation of a potentially contributing structure.

Please attach supporting documentation for all of the above.

NATURE OF THE RESTORATION OR PRESERVATION WORK

Describe the nature of the restoration or preservation work either completed or planned and the site's intended use:

The historic home at 2947 Inwood was extensively restored and sensitively expanded. The owners went to extensive efforts to maintain the original character of the home. On the façade, they added a new chimney, with two flues, on the east side of the front elevation that matches the existing chimney on the front northern elevation. The brick used was the original brick from the original guest cottage. The owners also performed maintenance work that included replacing the original copper gutters with new copper gutters, replacing the rusted and non-functioning casement windows with new copies of the originals (but using the original diamond leaded glass which was removed and reinserted), and resetting the limestone entry steps in the front, and the limestone patio in the back. The breakfast room was expanded in the rear of the house by 4 feet, and a new patio was added to the family room in the rear. The owners also converted an old interior garage into a family room by replacing the old garage doors with windows and doors in the rear of the house. All exteriors were made of a mix of old and reclaimed brick to match the existing house. They also replaced the non-original iron fence that ran along the front of the house to the east, and the chain link fence on the east side of the house, with a brick wall.

Total projected cost of the restoration work: The owners spent well in excess of \$600,000.00.

Note: Before the tax exemption may become effective, the applicant must provide sufficient supporting documentation to demonstrate that all costs were incurred either any time following designation of the property by the city council or within five years of the designation of the property by the city council and are related to the historic structure. All qualified expenditures must be supported by records such as copies of invoices, vouchers, checks and accounting records. A summary listing of all such costs should be included.

Date the work commenced or is expected to commence:
Work commenced January 2006.

Completion or estimated completion date: The work was completed in June 2008.

PROVISIONS FOR REVOCATION OF EXEMPTION

Any of the following shall constitute grounds for revocation of the exemption:

- a. The site has deteriorated, been destroyed or demolished, or any City taxes relative to the historical site become delinquent.
- b. The site has been the subject of a Certificate of Appropriateness issued under Sec. 33-247 or Sec. 33-250 which are an approval to demolish or a ninety day waiver certificate which indicates the site no longer qualifies as historic.
- c. Sufficient restoration work on the designated historic site has not been completed to satisfy either subdivision (1) or (2) of subsection (c) of Ordinance 2001-212 within five years of the passage of the applicant's historic site tax exemption ordinance.

Revocation of an exemption will subject the property to recapture of additional back taxes for a period of up to five years.

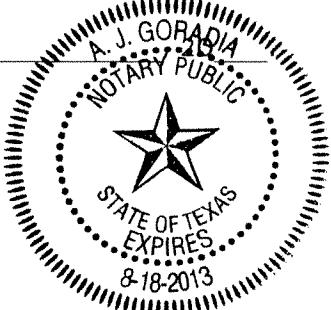
IMPORTANT NOTE: Section 11.43 of the State Tax Code requires the property owner to file an application for a historic site exemption with the Harris County Appraisal District **annually**. Failure to file before May 1st of each year will result in denial of the exemption for that year.

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.



Signature of Applicant
29th Sept. day of 2009.

SWORN TO AND SUBSCRIBED BEFORE ME, this the





Notary Public, Harris County

Please return completed application and required documentation to:

Julia Gee
City of Houston Finance Department
Economic Development Division
611 Walker Street, 10th Floor
Houston, Texas 77002

Roy Pruden L.C.

3526 BELLEFONTAINE, HOUSTON, TX 77025 • TEL. (713) 349-8388 • FAX (713) 349-9666

Affidavit of Roy D. Pruden, L.C. regarding 2947 Inwood Drive

My clients, Neal S. Manne and Nancy D. McGregor, who reside at 2947 Inwood Drive, Houston, Texas, are applying for 2010 Historic Site Tax Exemption. This is my sworn statement in support of their application.

1. I served as the General Contractor on the renovation of the historic home at 2947 Inwood Drive, Houston, Texas.

2. Renovations were begun in earnest by my company in January 2006, and were completed by my company in June 2008.

3. The total cost of the renovations were in substantial excess of \$600,000.00.

4. My company has been paid in full for all costs of the renovations.

Approved ✓

\$123,410

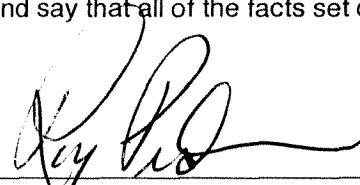
121,889

136,349

317,138

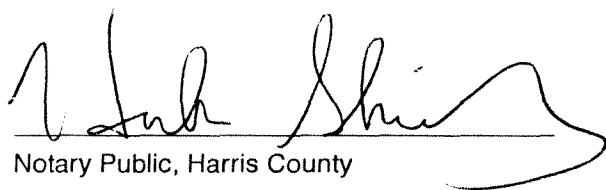
BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the affiant whose name is shown below, who, being by me first duly sworn did on his or her oath depose and say that all of the facts set out in this affidavit are the truth pertaining to this property.

\$698,786



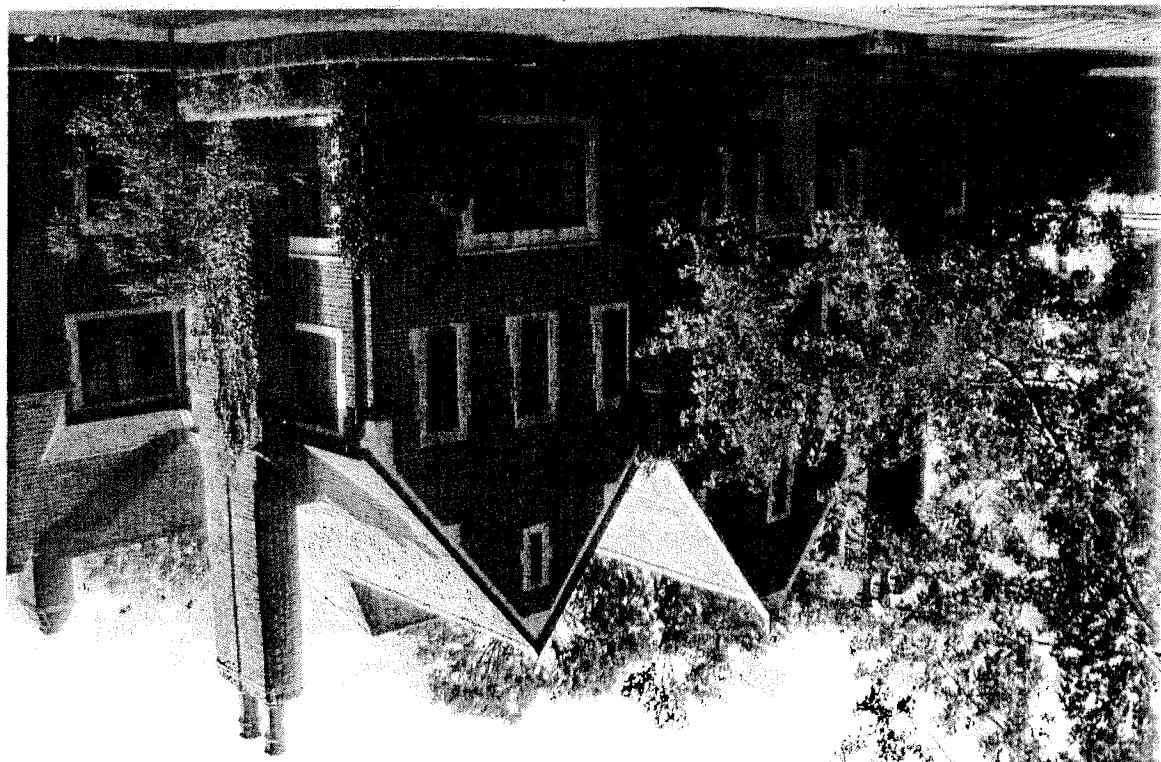
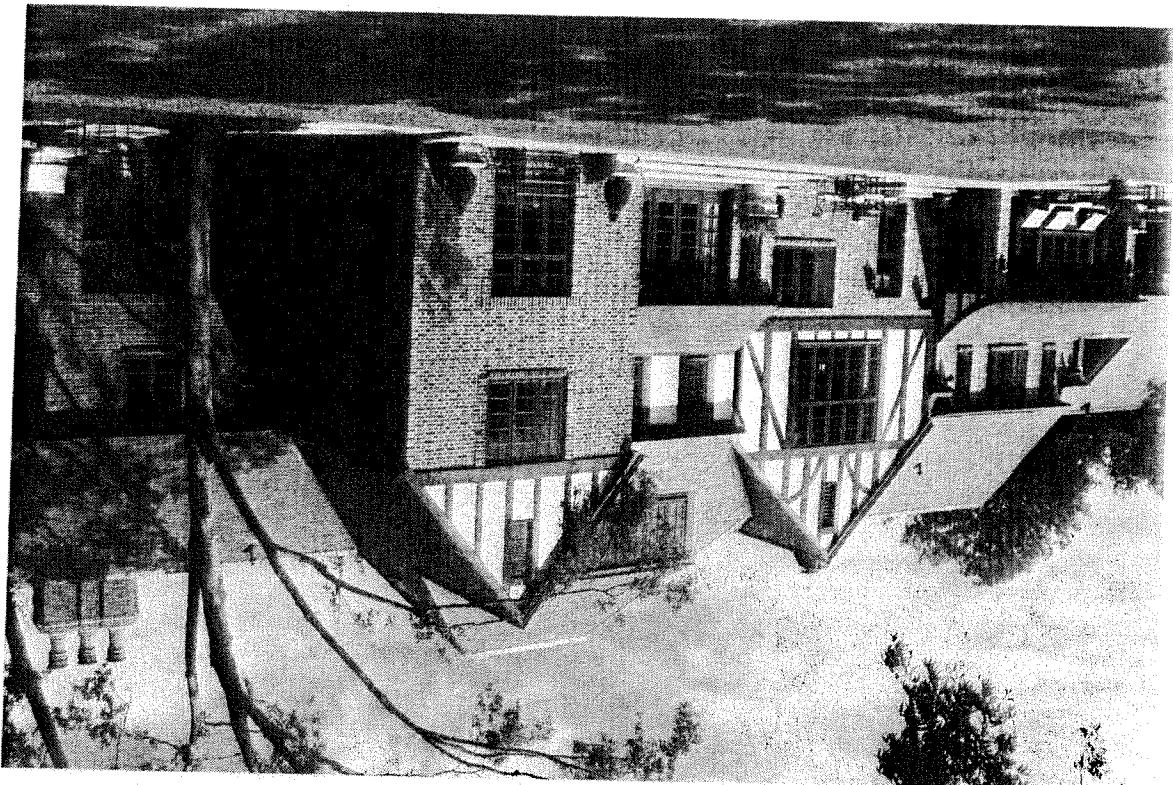
Roy D. Pruden, Signature of Applicant

SWORN TO AND SUBSCRIBED BEFORE ME, this the 29th day of September, 2009



Notary Public, Harris County





6000' be. 1000'

"A (A) - 54"

- o Following mortar proportions and mixing instructions.
- o Using full head joints and full unfurrowed bed joints.
- o Maintaining clean cavities, otherwise weep holes will be blocked.
- o Laying bricks on mortar spread only several feet at a time during summer heat.
- o Using approved flashings under and behind windowsills and the first course of bricks.
- o Proper type, spacing and positioning of brick veneer ties. Brick veneer and other masonry assemblies must be securely anchored to the vertical support elements. These include stud walls in the case of brick veneer construction. These brick ties or anchors are made in various shapes from several types of metals including galvanized steel. An invasive/destructive evaluation would be necessary to comment on the presence and condition of any brick ties.

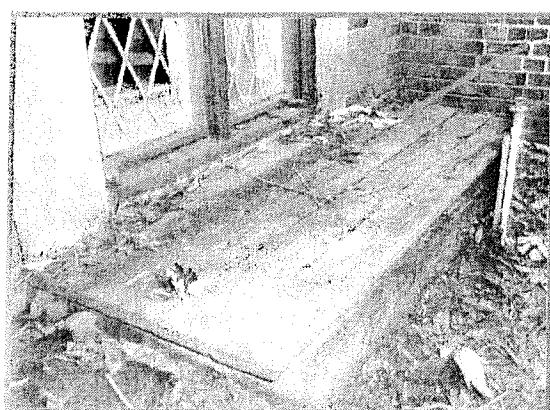
Other than commenting on the type of mortar joint used, it is not possible with this type of inspection, to determine if the preceding criteria have been met. The concave type mortar joint used on this house is one of the most water tight.



REPOINTED MORTAR JOINTS



REPOINTED MORTAR JOINTS



DARK STAINS ON BRICKS AND DECKING



REPOINTED MORTAR AND SAGGING HEADER

BRICK VENEER-NO EXPANSION JOINTS

Expansion joints were not formed within the brick veneer. Expansion joints are used to separate brick masonry into segments to prevent cracking due to changes in wall temperature, moisture expansion, elastic deformation, creep and other foundation or structural movement. The joints are formed of highly *elastic* materials placed in a continuous, unobstructed opening through the single thickness brick wall or section. The lack of joints is common in older structures.

EXTERIOR WOOD SURFACE MAINTENANCE

Periodic caulking, painting, and occasional repair will be necessary to help prevent extensive damage to the structure from the elements. Painting problems are usually caused by moisture problems. Most paint fails when moisture

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinances approving Historic Site Tax Exemptions for Landmarks and Protected Landmarks for the two (2) properties located at 1801 Lubbock Street, 77007 and 417 San Jacinto Street, 77002.

Category #

Page 1 of 1

Agenda Item#

28-29

FROM: (Department or other point of origin):Michelle Mitchell, Director
Finance DepartmentMarlene Gafrick, Director
Planning and Development

Origination Date

November 10, 2009

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE:*Michelle Mitchell**Marlene Gafrick*

Council Districts affected:

H, I

For additional information contact:Tim Douglass
Julia GeePhone: (713) 837-9857
Phone: (713) 837-7828**Date and identification of prior authorizing****Council Action:**

Ord. 2007-658, 12/6/2007;

Res. 2009-23, 9/2/09; 2008-06, 3/12/08

RECOMMENDATION: (Summary)

That City Council adopt ordinances approving Historic Site Tax Exemptions for Landmarks and Protected Landmarks for the two (2) properties located at 1801 Lubbock Street, 77007 and 417 San Jacinto Street, 77002, which meet the relevant eligibility requirements of Section 44-5 of the Code of Ordinances.

Amount of Funding: No funding required**Finance Budget:****SOURCE OF FUNDING:** General Fund Grant Fund Enterprise Fund Other (Specify)**SPECIFIC EXPLANATION:**

Section 44-5 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Landmarks and Protected Landmarks. Prior City Council designation of the property as a Landmark and Protected Landmark is a prerequisite to granting an historic site tax exemption. The property owner must then demonstrate to the Director of Finance that restoration and preservation expenditures were made in an amount equal to at least 50% of appraised value of the improvements and within the time frames prescribed in the Ordinance. The tax exemption amount is then calculated based on the amount spent on restoration, up to 100% of ad valorem taxes that would be owed the following year on the appraised value of improvements only (not land). **The exemption is for a 15-year period but is capped each year at the exemption amount calculated for year one.**

The owners of the following Landmarks and Protected Landmarks submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. The table below shows the base value of improvement (pre-restoration), the amount of the restoration investment made by the property owner, the approximate dollar amount of the taxes that will be foregone for the first year, based on HCAD's 2009 property valuation and the City's current property tax rate, and the maximum amount that would be exempt over 15 years:

Landmarks and Protected Landmarks	Building	Base Value of Improvement	Restoration Investment	Estimated Year-One Exemption	Maximum Exemption over 15 years
1801 Lubbock Street	Francois and Marie Tajan House	\$ 50,420	\$ 373,215	\$ 2,271	\$ 34,065
417 San Jacinto Street	Anna Stabe Kerstings Building	\$ 100	\$ 340,377	\$ 160	\$ 2,400

Since the properties have been designated as Landmarks and Protected Landmarks, and meet all other criteria, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-5 of the Code of Ordinances.

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

REQUIRED AUTHORIZATION

Finance Director:**Other Authorization:****Other Authorization:**

1801 Lubbock

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2007 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$117,000	\$50,420	\$373,215	\$157,500	\$355,562

Expenditures as % of Base Value 740%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue (Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$1,006	\$2,271
2	2011	\$1,046	\$2,271
3	2012	\$1,088	\$2,271
4	2013	\$1,132	\$2,271
5	2014	\$1,177	\$2,271
6	2015	\$1,224	\$2,271
7	2016	\$1,273	\$2,271
8	2017	\$1,324	\$2,271
9	2018	\$1,377	\$2,271
10	2019	\$1,432	\$2,271
11	2020	\$1,489	\$2,271
12	2021	\$1,549	\$2,271
13	2022	\$1,611	\$2,271
14	2023	\$1,675	\$2,271
15	2024	\$1,742	\$2,271
Total		\$20,144	\$34,065

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the improvement remains the same after the first year pursuant to the ordinance.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

CERTIFICATE OF APPROPRIATENESS

SITE NAME:

SITE LOCATION: 1801 Lubbock St- Old Sixth Ward Historic District

OWNER: Ann and Sal Guercio

APPLICANT: Same

DATE APPLICATION ACCEPTED: Apr-02-2007

70-DAY ACTION: June-11-2007

SITE INFORMATION: Trs. 17 and 17a, Block 441, W.R. Baker NSBB Addition, City of Houston, Harris County, Texas. The site includes a one-story, wood frame single family residence.

AGENDA ITEM: Ic

MEETING DATE: April-25-2007

HPO FILE NO.: 070403

35-DAY ACTION: May-07-2007

90-DAY TIME LIMIT: July-1-2007

Type of Approval Requested:

The house located at the Southwest corner of Sabine and Lubbock Street, now known as 1801 Lubbock Street was moved to the site in March 2007. A certificate of appropriateness to move the historic house located at 1719 Lubbock Street to a new vacant site at 1801 Lubbock Street in order to prevent its demolition was granted by the HAHC on July 13, 2006. Prior to the move, the roof structure was dismantled in order to clear low lying telecommunication and power wires. The house was moved to the vacant lot at the southwest corner of Lubbock and Sabine Street, where it was placed on a raised pier and beam foundation. At this time the house is sited on the lot at 1801 Lubbock on a pier and beam foundation. The roof has not been reconstructed. The applicant/owner of the house and new site on which it is located seeks a certificate of appropriateness for the following work:

- Reconstruct the original cross gabled roof as original to front of house; Front portion of roof will be same height and pitch as original; Roof gables facing the Lubbock and Sabine streets will be reconstructed as original.
- Reconstruct rear roof at point of intersecting roof ridges; Roof ridge south of intersecting roof ridge will be raised to facilitate the construction of additional living space in the former attic area to the rear of the house; New roof ridge, which is parallel to Sabine street will be raised an additional 3'-9 3/8" higher than the historic roof ridge beginning at the point of intersection with perpendicular roof ridge at point of intersection, but which will blend with the original portion of roof via a hipped roof connection of the same pitch as the original; Roof ridge will be extended southward toward State Street to encompass an early 20th century bathroom addition which was appended on to the rear of the house and which formerly had a hipped roof which abutted the wood siding of the rear of the structure below the roof eaves.
- North Elevation; North Elevation which is the historic primary façade will be restored to original. Door and window configuration will remain unchanged; Restore porch floor, door, windows, columns, siding, balustrade, and trim board; North elevation will remain unchanged with exception of intersecting roof ridge which will tie into historic roof at central axis and which will be raised an additional 3'-9 3/8" higher than the roof ridge which is parallel to Lubbock Street. The raised portion of the roof ridge behind the ridge parallel to Lubbock will incorporate within it additional second floor living space.
- East Elevation: The roof ridge, which is parallel to Sabine Street, will be raised at the southern point of intersection with the cross gabled roof ridge which is parallel to Lubbock Street. Construct a new gable end over original side facing porch which formerly featured one dormer window. Side facing gable addition will intersect with raised roof ridge located behind it at the same height; Gable to feature paired two over two light wood sash windows with trim and cap rail to match those found elsewhere on the historic house; Gable will be clad in horizontal Hardie simulated 105 siding and trim board to match historic house; Remove two windows on first floor which face side porch and replace with two pairs of paneled wood doors with glass transom above each door opening.
- South Elevation: Raise and extend roof ridge which is oriented north to south towards State Street. Roof ridge will be raised 3'-9 3/8" and will be extended south to cover an early 20th century bathroom addition at the southernmost end of the house; The historic dormer window, which was dismantled when the entire roof structure was removed will be rebuilt/relocated to face south from rear of roof ridge which faces Lubbock Street; Add new window opening to south side of original first floor bedroom which is an original location; Replace existing small window in east "L" with matching two over two pane wood sash window as used elsewhere in historic house; Extend existing gable roof over east facing porch to allow for more living space; All siding on the south facing surfaces to be carefully removed to allow for replacement on street facing north and west elevations.

BASIS FOR ISSUANCE:

Commission Approval **Expiration of agreed time without action**
 35 Days without action **Mandatory Repair**
 70 Days without action **Demolition of Non-contributing structure**
 90-Day waiver (Commission Denial) **90-Day waiver (No Commission Action)**

Authorization for Certificate of Appropriateness

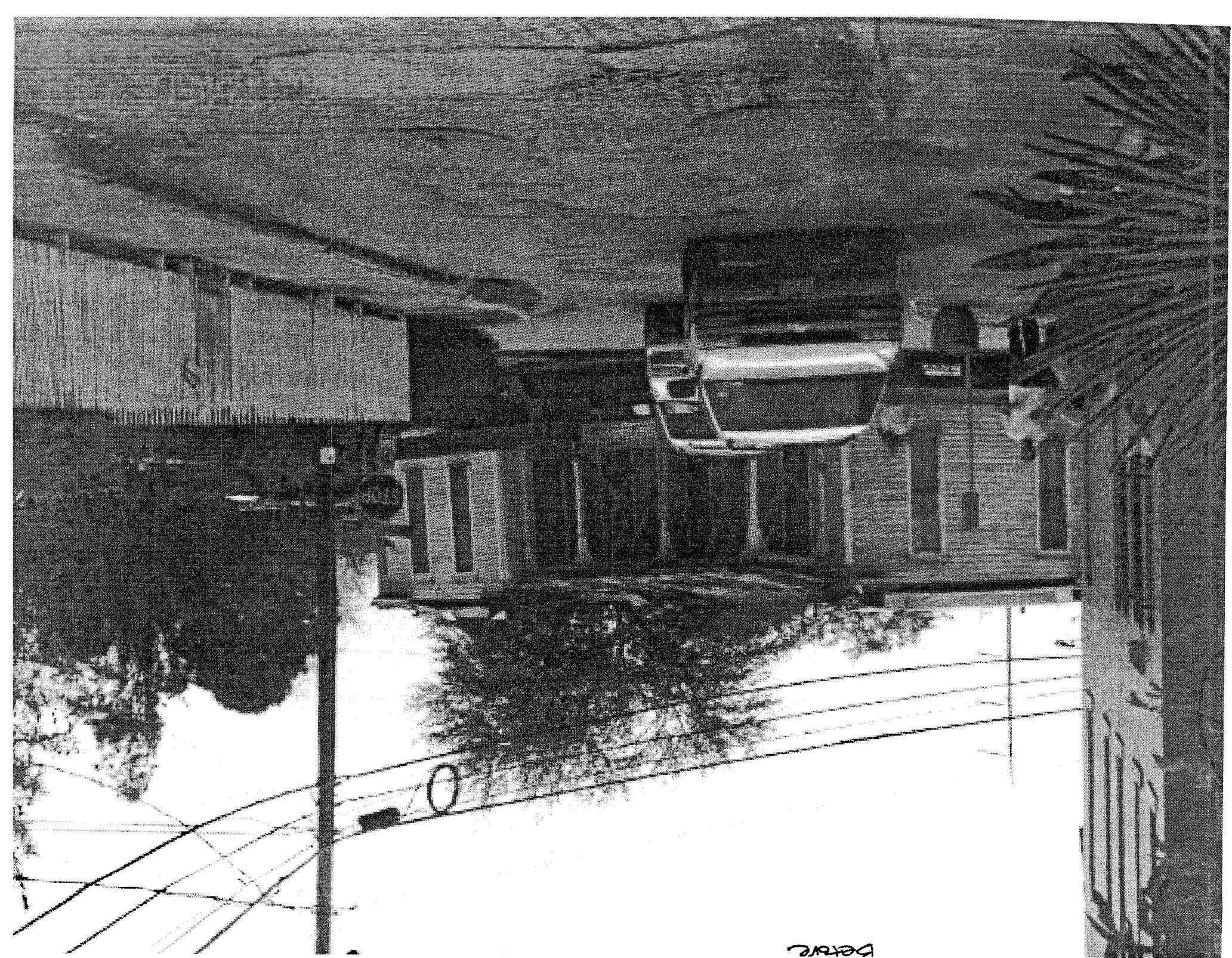
Miles S. Befric
Planning Official

11/19/07

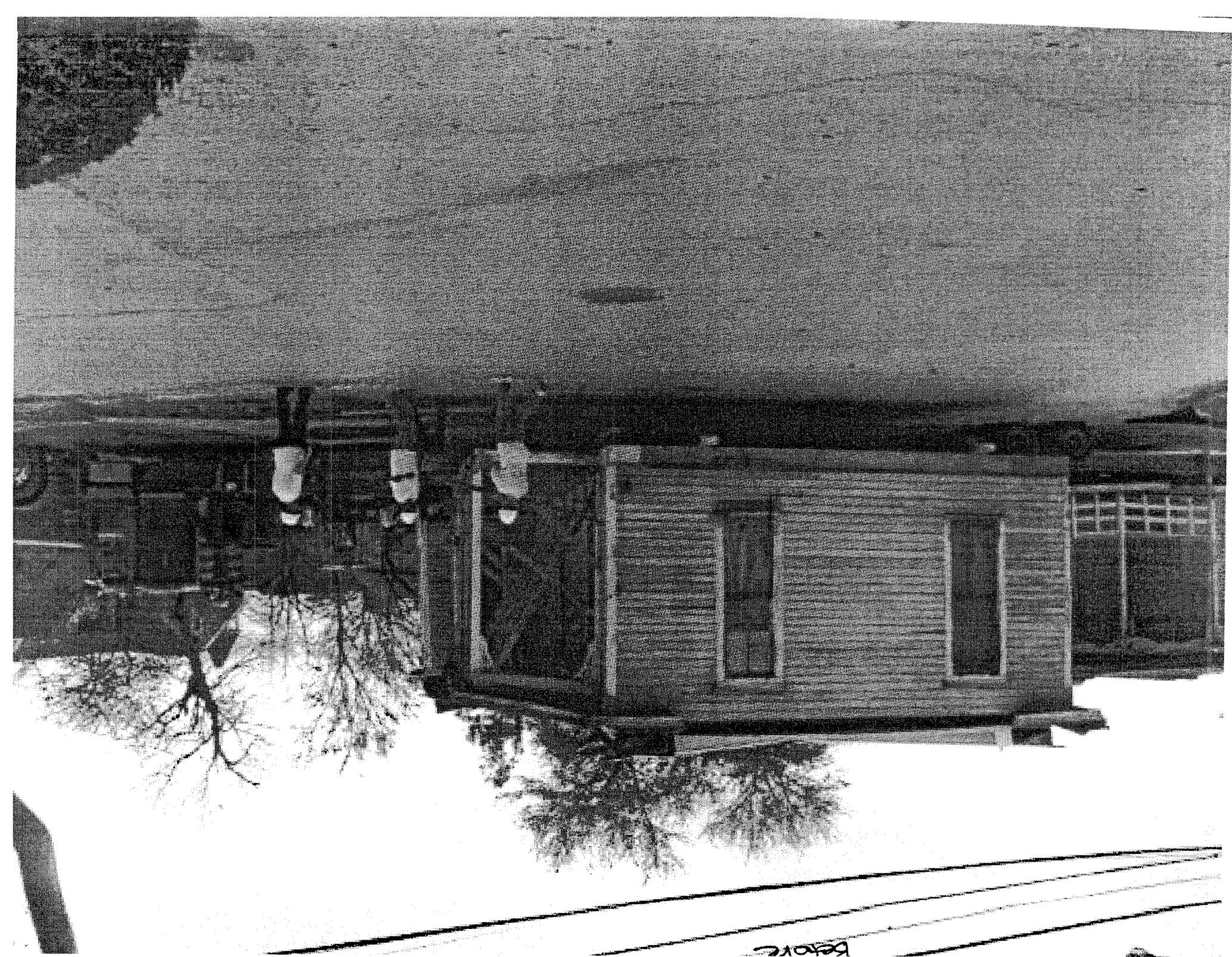
Date

NOTES:

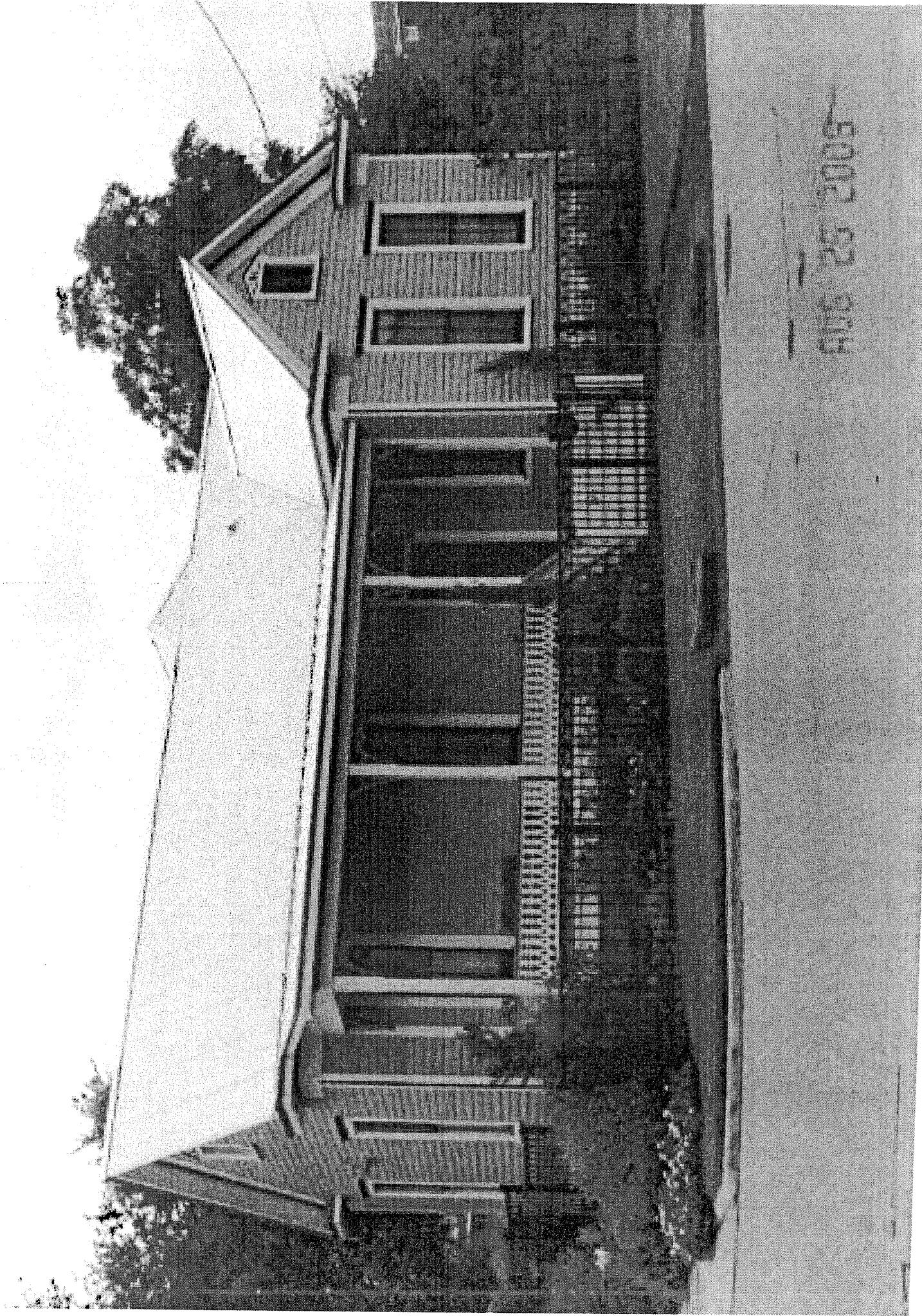
1. This Certificate of Appropriateness is valid for one year from its effective date.
2. This Certificate is in addition to any permits or approvals that are required by municipal, state and federal law.
3. An applicant aggrieved by a decision of the HAHC with respect to any Certificate of Appropriateness may appeal to the Planning Commission by filing a written notice of appeal, stating the grounds of the appeal, with the Planning Official within ten (10) calendar days following the date on which the decision was made.



DETRE



WOMAN IN A
MILK



417 San Jacinto

HISTORIC SITE TAX EXEMPTION 15 YEAR ANALYSIS

Initial Exemption Criteria				
2008 Values (base year)		Preservation Expenditures	2009 Values	
Land	Structure		Land	Structure
\$540,000	\$100	\$340,377	\$618,750	\$25,000

Expenditures as % of Base Value 340377%

Maximum Exemption on Structure/Improvement will be equal to TY2010 value (not yet available)*

Projected Annual Tax Revenue			
(Based upon 100% of Improvements)			
Year	Tax Year	Revenue to be received (Land)	Revenue exempt (Structure)
1	2010	\$3,952	\$160
2	2011	\$4,110	\$160
3	2012	\$4,275	\$160
4	2013	\$4,446	\$160
5	2014	\$4,624	\$160
6	2015	\$4,809	\$160
7	2016	\$5,001	\$160
8	2017	\$5,201	\$160
9	2018	\$5,409	\$160
10	2019	\$5,625	\$160
11	2020	\$5,850	\$160
12	2021	\$6,084	\$160
13	2022	\$6,328	\$160
14	2023	\$6,581	\$160
15	2024	\$6,844	\$160
Total		\$79,139	\$2,400

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in land value each year. The tax exemption for the improvement remains the same after the first year pursuant to the ordinance.



REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinances approving a Significant Historic Structure Tax Exemption for the four (4) properties located at 305 Travis, 307 Travis, 813 Congress and 910 Prairie, 77002.

Category #

Page 1 of 1

Agenda Item#

30-33

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance DepartmentMarlene Gafrick, Director
Planning and Development

Origination Date

November 10, 2009

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE:

Michelle Gafrick

Council Districts affected:

I

For additional information contact:

Tim Douglass Phone: (713) 837-9857
Julia Gee Phone: (713) 837-7828Date and identification of prior authorizing
Council Action:

Ord. #2007-658, 12/6/2007

Res. #2008-6, 3/12/08; 2009-18, 6/24/09

RECOMMENDATION: (Summary)

That City Council adopt ordinances approving Significant Historic Structure Tax Exemptions for four (4) properties located at 305 Travis, 307 Travis, 813 Congress and 910 Prairie, 77002, which meet the relevant eligibility requirements of Section 44-29 of the Code of Ordinances.

Amount of Funding: No funding required

Finance Budget:

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

SPECIFIC EXPLANATION:

Section 44-29 of the Code of Ordinances provides an incentive for historic preservation in the form of a tax exemption for Significant Historic Structures. The only statutory prerequisite to granting a Significant Historic Structure tax exemption is prior City Council designation of the property as a Significant Historic Structure. The tax exemption applies to ad valorum taxes that would be owed on both land and improvements for the entire duration of the property's compliance as a Significant Historic Structure.

The owners of the following designated Significant Historic Structures submitted sworn affidavits that meet the criteria set out in the Code of Ordinances. Based on HCAD's 2009 property valuation and the City's current property tax rate, the approximate dollar amount of the taxes that will be foregone for the first year of the exemption are shown below:

Address	Significant Historic Structure	2009 Taxes	2009 Appraised Value
305 Travis Street	Fox – Kuhlman Building	\$2,035	\$318,682
307 Travis Street	Fox – Kuhlman Building	\$2,096	\$328,221
813 Congress Street	Kennedy Steam Bakery Building	\$ 742	\$116,282
910 Prairie Street	Henry Brashear Building	\$ 2,281	\$357,000

Since the properties have been designated as Significant Historic Structures, it is recommended that City Council grant each of the properties the exemption from ad valorem taxation provided under Section 44-29 of the Code of Ordinances.

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Houston Archeological and Historical Commission

July 16, 2009

Agenda item IIc

Tax Relief for Significant Historic Structures -

Fox - Kuhlman Building

305 Travis Street

The City Council may, by ordinance, grant tax relief in the form of an exemption from ad valorem taxation to any significant historic structure that meets the following criteria and has received at least 75% approval from the Houston Archaeological and Historical Commission present at a regularly scheduled meeting.

Criteria:

1. Is at least 50 years old;
2. If a residence, the structure:
 - a. Was originally built and used for non-residential purposes and
 - b. Now contains more than four residential units
3. Has received a city protected landmark designation under article VII of chapter 33 of this Code; and
4. Has been designated as a Recorded Texas Historical Landmark, or is individually listed in the National Register of Historic Places, or has been mentioned as having historic significance in an authoritative survey conducted by a non-profit or government agency.

Staff Evaluation:

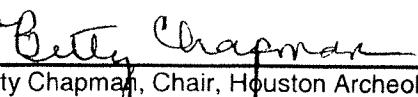
1. The Fox - Kuhlman Building was built between 1862-1866 and is 143 years old;
2. The Fox - Kuhlman Building is used for commercial purposes;
3. The Fox - Kuhlman Building was designated by City Council as a Protected Landmark on March 12, 2008 with a unanimous vote and was recommended for designation as a Protected Landmark by the HAHC on January 30, 2008 also by a unanimous vote;
4. The Fox - Kuhlman Building has been listed in two authoritative surveys:
 - a. *The Last of the Past – Houston Architecture: 1847-1915* by William Scott Field for the Greater Houston Preservation Alliance and the Harris County Heritage Society with a grant from the Cultural Arts Council of Houston (1981); and
 - b. *Houston Architectural Guide* by Stephen Fox with American Institute of Architects, Houston Chapter (1990) - (it meets two of this particular criteria but only needs to meet one)

Staff Recommendation:

The Fox - Kuhlman Building meets all of the criteria for tax relief in Section 44-29(a) of the Code of Ordinances. Therefore, staff recommends that the HAHC recommends to City Council the tax relief for the Fox - Kuhlman Building at 305-307 Travis Street.

Commission Action:

Recommended tax relief in Section 44-29(a) to City Council for the Fox - Kuhlman Building at 305-307 Travis Street with at least 75% approval or more.



Betty Chapman, Chair, Houston Archeological and Historical Commission

July 16, 2009

305 Travis

SIGNIFICANT HISTORIC STRUCTURE TAX EXEMPTION ANALYSIS

Initial Exemption Criteria

2009 Values

Land	Structure	Total
\$153,000	\$165,682	\$318,682

Maximum reduction of tax revenue allowed per year \$30,000

Maximum Exemption on Total Assessed Value, beginning TY2010 \$4,696,673

Projected Annual Tax Revenue

(Based upon 100% exemption)

Year	Tax Year	Land	Structure	Total Revenue Exempted
1	2010	(\$977)	(\$1,058)	(\$2,035)
2	2011	(\$1,016)	(\$1,101)	(\$2,117)
3	2012	(\$1,057)	(\$1,145)	(\$2,201)
4	2013	(\$1,099)	(\$1,190)	(\$2,289)
5	2014	(\$1,143)	(\$1,238)	(\$2,381)
<p>↓ for the duration of compliance as a significant historic structure (in perpetuity)</p>				

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in property value each year.

Houston Archeological and Historical Commission

July 16, 2009

Agenda item IIc

Tax Relief for Significant Historic Structures -

Fox - Kuhlman Building

307 Travis Street

The City Council may, by ordinance, grant tax relief in the form of an exemption from ad valorem taxation to any significant historic structure that meets the following criteria and has received at least 75% approval from the Houston Archaeological and Historical Commission present at a regularly scheduled meeting.

Criteria:

1. Is at least 50 years old;
2. If a residence, the structure:
 - a. Was originally built and used for non-residential purposes and
 - b. Now contains more than four residential units
3. Has received a city protected landmark designation under article VII of chapter 33 of this Code; and
4. Has been designated as a Recorded Texas Historical Landmark, or is individually listed in the National Register of Historic Places, or has been mentioned as having historic significance in an authoritative survey conducted by a non-profit or government agency.

Staff Evaluation:

1. The Fox - Kuhlman Building was built between 1862-1866 and is 143 years old;
2. The Fox - Kuhlman Building is used for commercial purposes;
3. The Fox - Kuhlman Building was designated by City Council as a Protected Landmark on March 12, 2008 with a unanimous vote and was recommended for designation as a Protected Landmark by the HAHC on January 30, 2008 also by a unanimous vote;
4. The Fox - Kuhlman Building has been listed in two authoritative surveys:
 - a. *The Last of the Past – Houston Architecture: 1847-1915* by William Scott Field for the Greater Houston Preservation Alliance and the Harris County Heritage Society with a grant from the Cultural Arts Council of Houston (1981); and
 - b. *Houston Architectural Guide* by Stephen Fox with American Institute of Architects, Houston Chapter (1990) - (it meets two of this particular criteria but only needs to meet one)

Staff Recommendation:

The Fox - Kuhlman Building meets all of the criteria for tax relief in Section 44-29(a) of the Code of Ordinances. Therefore, staff recommends that the HAHC recommends to City Council the tax relief for the Fox - Kuhlman Building at 305-307 Travis Street.

Commission Action:

Recommended tax relief in Section 44-29(a) to City Council for the Fox - Kuhlman Building at 305-307 Travis Street with at least 75% approval or more.



July 16, 2009

Betty Chapman, Chair, Houston Archeological and Historical Commission

307 Travis

SIGNIFICANT HISTORIC STRUCTURE TAX EXEMPTION ANALYSIS

Initial Exemption Criteria		
2009 Values		
Land	Structure	Total
\$153,000	\$175,221	\$328,221

Maximum reduction of tax revenue allowed per year \$30,000

Maximum Exemption on Total Assessed Value, beginning TY2010 \$4,696,673

Projected Annual Tax Revenue (Based upon 100% exemption)				
Year	Tax Year	Land	Structure	Total Revenue Exempted
1	2010	(\$977)	(\$1,119)	(\$2,096)
2	2011	(\$1,016)	(\$1,164)	(\$2,180)
3	2012	(\$1,057)	(\$1,210)	(\$2,267)
4	2013	(\$1,099)	(\$1,259)	(\$2,358)
5	2014	(\$1,143)	(\$1,309)	(\$2,452)
↓				
for the duration of compliance as a significant historic structure (in perpetuity)				

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in property value each year.

305 & 307 TRAILS



Houston Archeological and Historical Commission
July 16, 2009
Agenda item IIb
Tax Relief for Significant Historic Structures -
Kennedy Steam Bakery Building – 813 Congress Street

The City Council may, by ordinance, grant tax relief in the form of an exemption from ad valorem taxation to any significant historic structure that meets the following criteria and has received at least 75% approval from the Houston Archaeological and Historical Commission present at a regularly scheduled meeting.

Criteria:

1. Is at least 50 years old;
2. If a residence, the structure:
 - a. Was originally built and used for non-residential purposes and
 - b. Now contains more than four residential units
3. Has received a city protected landmark designation under article VII of chapter 33 of this Code; and
4. Has been designated as a Recorded Texas Historical Landmark, or is individually listed in the National Register of Historic Places, or has been mentioned as having historic significance in an authoritative survey conducted by a non-profit or government agency.

Staff Evaluation:

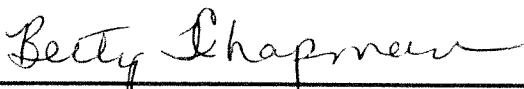
1. The Kennedy Steam Bakery Building was built in 1860 and is 149 years old;
2. The Kennedy Steam Bakery Building is used for commercial purposes;
3. The Kennedy Steam Bakery Building was designated by City Council as a Protected Landmark on March 12, 2008 with a unanimous vote and was recommended for designation as a Protected Landmark by the HAHC on January 30, 2008 also by a unanimous vote;
4. The Kennedy Steam Bakery Building has been designated as a Recorded Texas Historical Landmark and has been listed in two authoritative surveys:
 - a. *The Last of the Past – Houston Architecture: 1847-1915* by William Scott Field for the Greater Houston Preservation Alliance and the Harris County Heritage Society with a grant from the Cultural Arts Council of Houston (1981);
 - b. *Houston Architectural Guide* by Stephen Fox with American Institute of Architects, Houston Chapter (1990) - (it meets two of this particular criteria but only needs to meet one)

Staff Recommendation:

The Kennedy Steam Bakery Building meets all of the criteria for tax relief in Section 44-29(a) of the Code of Ordinances. Therefore, staff recommends that the HAHC recommends to City Council the tax relief for the Kennedy Steam Bakery Building at 813 Congress Avenue.

Commission Action:

Recommended tax relief in Section 44-29(a) to City Council for the Kennedy Steam Bakery Building at 813 Congress Street with at least 75% approval or more.



Betty Chapman, Chair, Houston Archeological and Historical Commission

July 16, 2009

813 Congress
SIGNIFICANT HISTORIC STRUCTURE
TAX EXEMPTION ANALYSIS

Initial Exemption Criteria		
2009 Values		
Land	Structure	Total
\$56,250	\$60,032	\$116,282

Maximum reduction of tax revenue allowed per year \$30,000

Maximum Exemption on Total Assessed Value, beginning TY2010 \$4,696,673

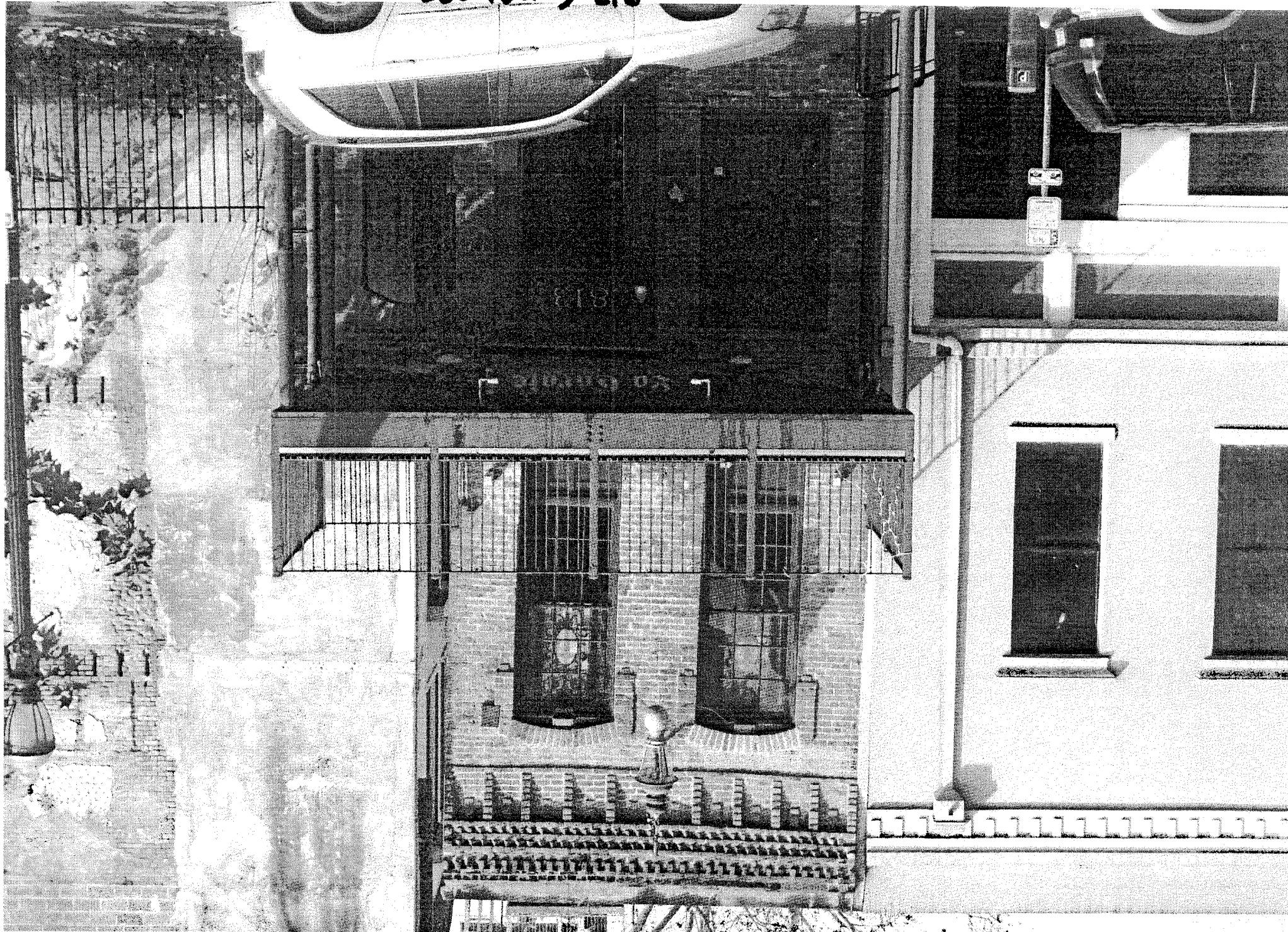
Projected Annual Tax Revenue				
(Based upon 100% exemption)				
Year	Tax Year	Land	Structure	Total Revenue Exempted
1	2010	(\$359)	(\$383)	(\$742)
2	2011	(\$373)	(\$398)	(\$772)
3	2012	(\$388)	(\$414)	(\$803)
4	2013	(\$404)	(\$431)	(\$835)
5	2014	(\$420)	(\$448)	(\$868)

↓
for the duration of compliance as a significant historic structure
(in perpetuity)

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in property value each year.

813 Congress



Houston Archeological and Historical Commission
July 16, 2009
Agenda item IIa
Tax Relief for Significant Historic Structures -
Henry Brashear Building - 910 Prairie Street

The City Council may, by ordinance, grant tax relief in the form of an exemption from ad valorem taxation to any significant historic structure that meets the following criteria and has received at least 75% approval from the Houston Archaeological and Historical Commission present at a regularly scheduled meeting.

Criteria:

1. Is at least 50 years old;
2. If a residence, the structure:
 - a. Was originally built and used for non-residential purposes and
 - b. Now contains more than four residential units
3. Has received a city protected landmark designation under article VII of chapter 33 of this Code; and
4. Has been designated as a Recorded Texas Historical Landmark, or is individually listed in the National Register of Historic Places, or has been mentioned as having historic significance in an authoritative survey conducted by a non-profit or government agency.

Staff Evaluation:

1. The Henry Brashear Building was built in 1882 and is 127 years old;
2. The Henry Brashear Building is used for commercial purposes;
3. The Henry Brashear Building was designated by City Council as a Protected Landmark on June 24, 2009 with a unanimous vote and was recommended for designation as a Protected Landmark by the HAHC on February 12, 2009 also by a unanimous vote;
4. The Henry Brashear Building has been listed in three authoritative surveys:
 - a. *The Last of the Past – Houston Architecture: 1847-1915* by William Scott Field for the Greater Houston Preservation Alliance and the Harris County Heritage Society with a grant from the Cultural Arts Council of Houston (1981);
 - b. *Houston Architectural Guide* by Stephen Fox with American Institute of Architects, Houston Chapter (1990)
 - c. *Houston Architectural Survey* by the Southwest Center for Urban Research (1980) (it meets three of this particular criteria but only needs to meet one)

Staff Recommendation:

The Henry Brashear Building meets all of the criteria for tax relief in Section 44-29(a) of the Code of Ordinances. Therefore, staff recommends that the HAHC recommends to City Council the tax relief for the Henry Brashear Building at 910 Prairie Street.

Commission Action:

Recommended tax relief in Section 44-29(a) to City Council for the Henry Brashear Building at 910 Prairie Street with at least 75% approval or more.



July 16, 2009

Betty Chapman, Chair, Houston Archeological and Historical Commission

910 Prairie
SIGNIFICANT HISTORIC STRUCTURE
TAX EXEMPTION ANALYSIS

Initial Exemption Criteria		
2009 Values		
Land	Structure	Total
\$356,900	\$100	\$357,000

Maximum reduction of tax revenue allowed per year \$30,000

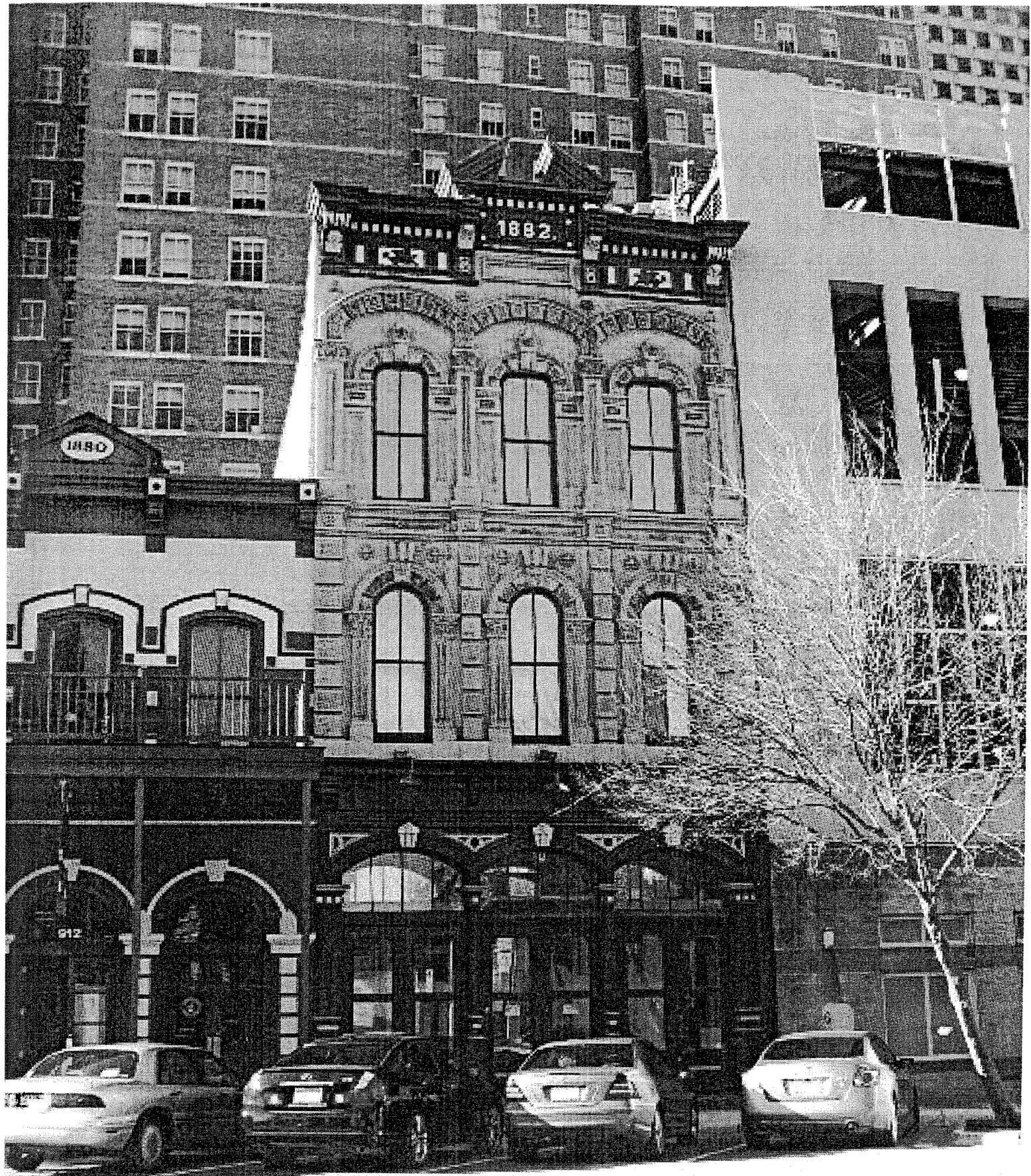
Maximum Exemption on Total Assessed Value, beginning TY2010 \$4,696,673

Projected Annual Tax Revenue				
(Based upon 100% exemption)				
Year	Tax Year	Land	Structure	Total Revenue Exempted
1	2010	(\$2,280)	(\$0.64)	(\$2,281)
2	2011	(\$2,371)	(\$1)	(\$2,372)
3	2012	(\$2,466)	(\$1)	(\$2,467)
4	2013	(\$2,565)	(\$1)	(\$2,565)
5	2014	(\$2,667)	(\$1)	(\$2,668)
↓				

for the duration of compliance as a significant historic structure
(in perpetuity)

Projection based on latest rate (Tax Year 2009): \$.63875 per \$100 of taxable value

Assumes a 4% increase in property value each year.



910 Prairie

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1700 block of Branard Street, north and south sides, between Woodhead Street and the dead end as a Special Building Line Requirement Area

Category #

Page 1 of 1

Agenda Item #

34

FROM (Department or other point of origin):

Marlene L. Gafrick, Director
Planning and Development Department

Origination Date

09/23/09

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE:

Marlene L. Gafrick

Council District affected:

D

For additional information contact: Kevin Calfee
Phone: 713.837.7768

Date and identification of prior authorizing
Council action: N/A

RECOMMENDATION: (Summary) Approval of an ordinance designating the 1700 block of Branard Street, north and south sides, between Woodhead Street and the dead end as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 21'-0" special building line.

Amount and
Source of Funding:

Finance Budget:

SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Lot 7, 8&TR 9A, Block 9 of the Lancaster Place Ext 3 Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from owners of 76% of the area. Notification was mailed to 12 property owners indicating that the special building line requirement area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a 21 ft Special Building Line for the area.

MLG:md

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

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

Special Building Line Requirement Area No. 159

Planning Director's Approval

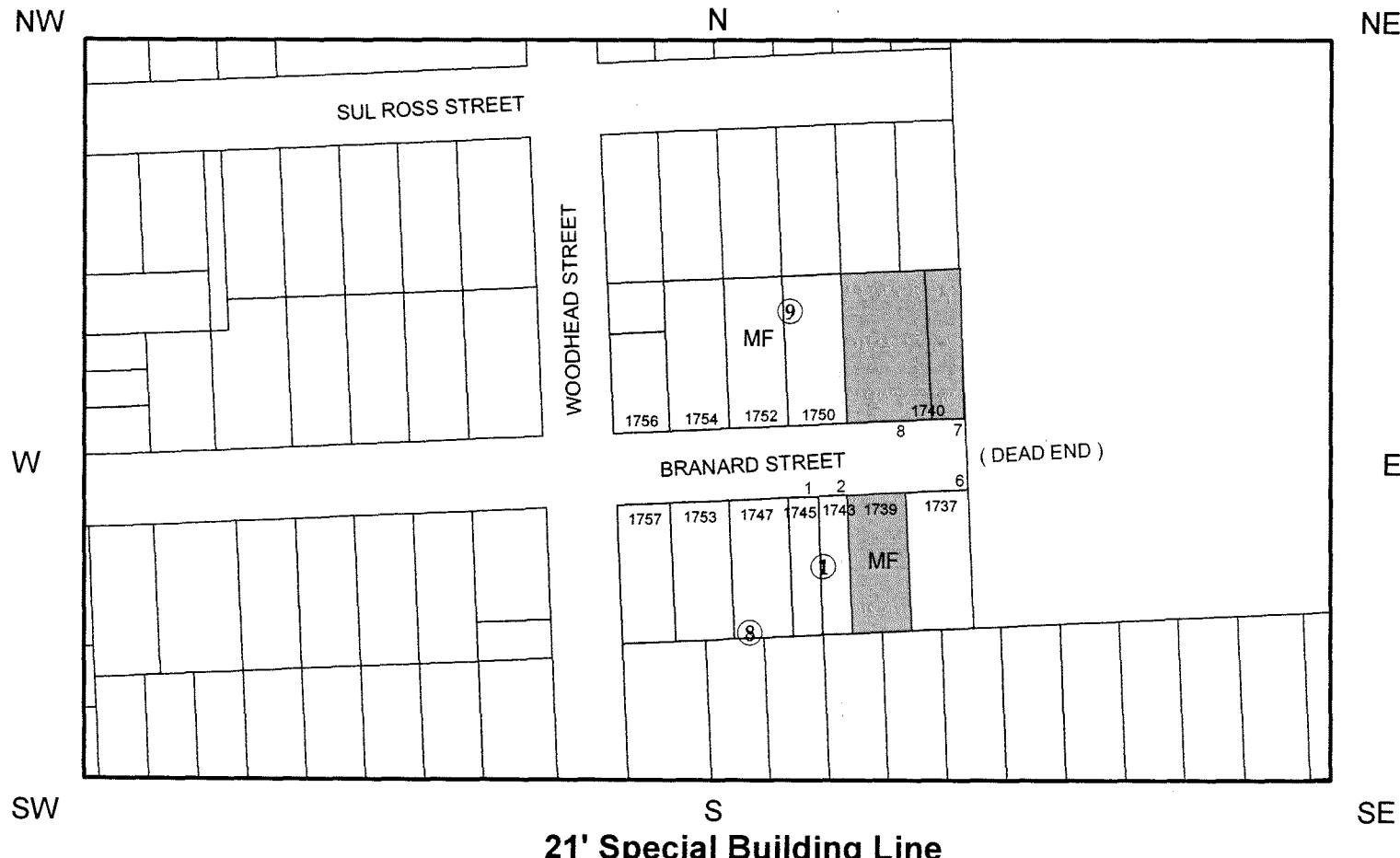
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>SBLRA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1700 block of Branard Street, north and south sides</p>
X		<p><i>More than 60% of the proposed SBLRA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>83% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 76% of the SBLRA.</p>
X		<p><i>Establishment of the SBLRA will further the goal of preserving the building line character of the area; and,</i></p> <p>A minimum building line of 21 ft exists on ten (10) properties in the blockface.</p>
X		<p><i>The proposed SBLRA has a building line character that can be preserved by the establishment of a special building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1923. The houses mostly originate from the 1930's. The establishment of a 21 ft minimum building line will preserve the building line character of the area.</p> <p><i>The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area.</i></p>
		<p>Ten (10) out of twelve (12) developed properties (representing 77% of the application area) have a building line of at least twenty one (21) feet.</p>

The Special Building Line Requirement Area meets the criteria.

Marlene L. Gafrick 9/23/09
 Marlene L. Gafrick, Director Date

LANCASTER PLACE EXTN 3 & BRANARD PLACE GARDENS



21' Special Building Line

MAP/SKETCH

SBLRA No.159

Properties that meet the 21' Special Minimum Building Line

Properties less than the 21' Special Minimum Building Line

MF Multi Family

COM Commercial

VAC Vacant

EXC Excluded

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 1700 block of Branard Street, north and south sides, between Woodhead Street and the dead end as a Special Minimum Lot Size Area

Category # _____
Page 1 of _____
Agenda Item # *35*

FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 09/23/2009	Agenda Date <i>DEC 02 2009</i>
DIRECTOR'S SIGNATURE: <i>Marlene L. Gafrick</i>	Council District affected: D	
For additional information contact: Kevin Calfee Phone: 713.837.7768	Date and identification of prior authorizing Council action: N/A	

RECOMMENDATION: (Summary) Approval of an ordinance designating the 1700 block of Branard Street, north and south sides, between Woodhead Street and the dead end as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a special minimum lot size of 5,750 square feet.

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

SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of of Lot 7, 8&TR 9A, Block 9, of the Lancaster Place Ext 3 Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 76% of the area. Notification was mailed to the 12 property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 5,750 sf for the area.

MLG:kw

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

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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Special Minimum Lot Size Area No. 314
Planning Director's Approval

Planning Director Evaluation:

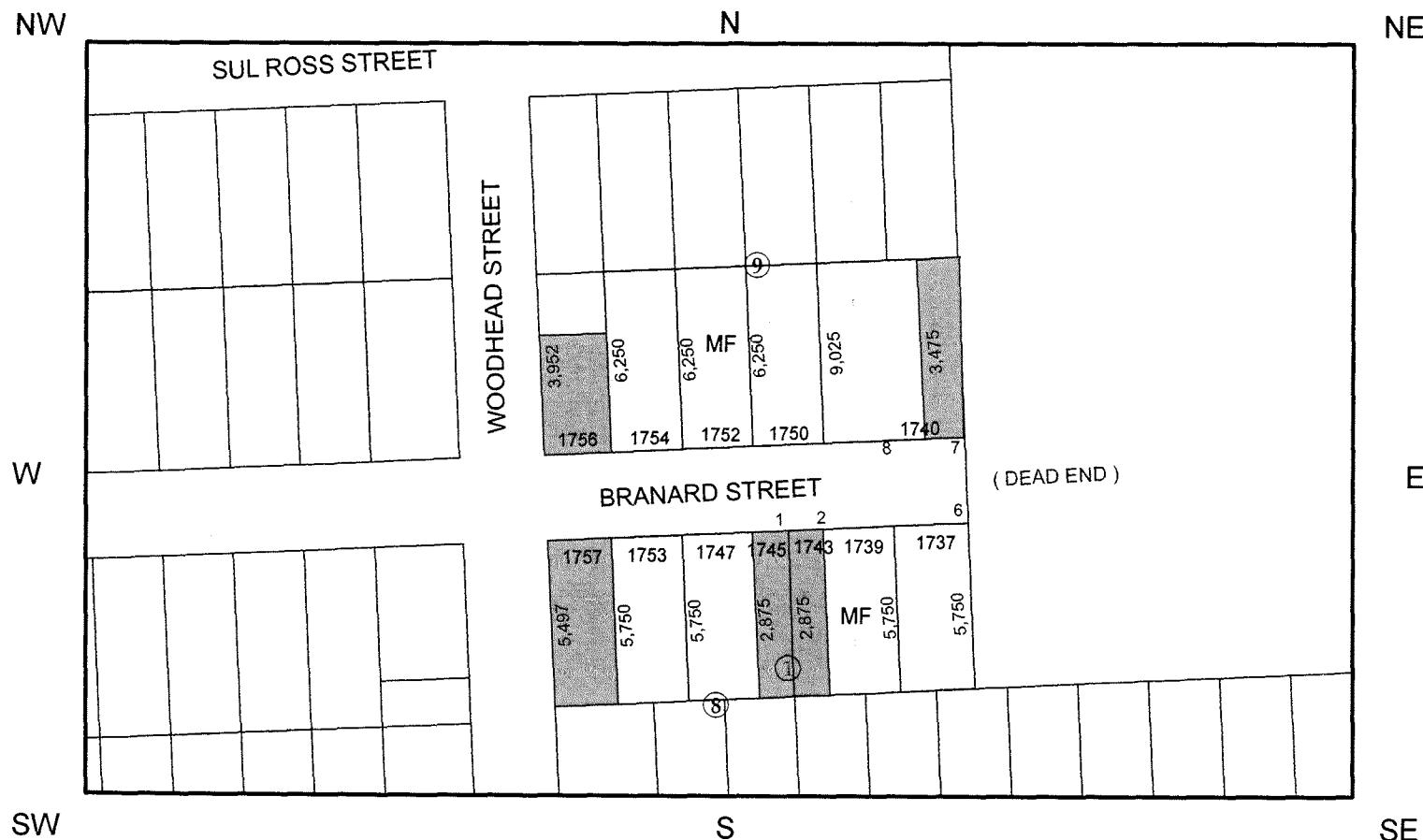
Satisfies	Does Not Satisfy	Criteria
X		<p><i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i></p> <p>The application is for the 1700 block of Branard Street, north and south sides.</p>
X		<p><i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i></p> <p>83% of the proposed application area is developed with not more than two SF residential units per property.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by owners of 76% of the SMLSA.</p>
X		<p><i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i></p> <p>A minimum lot size of 5,750 sq ft exists on eight (8) lots in the blockface.</p>
X		<p><i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i></p> <p>The subdivision was platted in 1923. The houses mostly originate from the 1930's. The establishment of a 5,750 sf minimum lot size will preserve the lot size character of the area.</p>
<p><i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i></p> <p>Eight (8) out of thirteen (13) lots (representing 73% of the application area) are at least 5,750 square feet in size.</p>		

The Special Minimum Lot Size Area meets the criteria.

Marlene L. Gafrick
 Marlene L. Gafrick, Director

9/23/09
 Date

LANCASTER PLACE EXTN 3 & BRANARD PLACE GARDENS



5750sf Special Minimum Lot Size

MAP/SKETCH

SMLSA No. 314

- Properties that meet the 5,750sf Special Minimum Lot Size
- Properties less than the 5,750sf Special Minimum Lot Size
- MF Multi Family
- COM Commercial
- VAC Vacant
- EXC Excluded

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 500 block of Woodland Avenue, north side, between Helen and Northwood Avenues as a Special Minimum Lot Size Area		Category #	Page 1 of _____	Agenda Item #
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date 10/9/2009	Agenda Date DEC 02 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: N/A		
RECOMMENDATION: (Summary) Approval of an ordinance designating the 500 block of Woodland Avenue, north side, between Helen and Northwood Avenues as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.				
Amount and Source of Funding:		Finance Budget:		
SPECIFIC EXPLANATION: In accordance with Section 42-194 of the Code of Ordinances, the property owner of Lot 10 & Tract 11A, Block 21, of the Woodland Heights Subdivision initiated an application for the designation of a special minimum lot size area. The application includes written evidence of support from the owners of 100% of the area. Notification was mailed to the six (6) property owners indicating that the special minimum lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.				
It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size of 6,200 sf.				
MLG:kw				
Attachments: Planning Director's Approval, Special Minimum Lot Size Application, Evidence of support, Map of the area				
xc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo G. Michel, City Attorney Deborah McAbee, Land Use Division, Legal Department				
REQUIRED AUTHORIZATION				
Finance Director:	Other Authorization:	Other Authorization:		

Special Minimum Lot Size Area No. 317

Planning Director's Approval

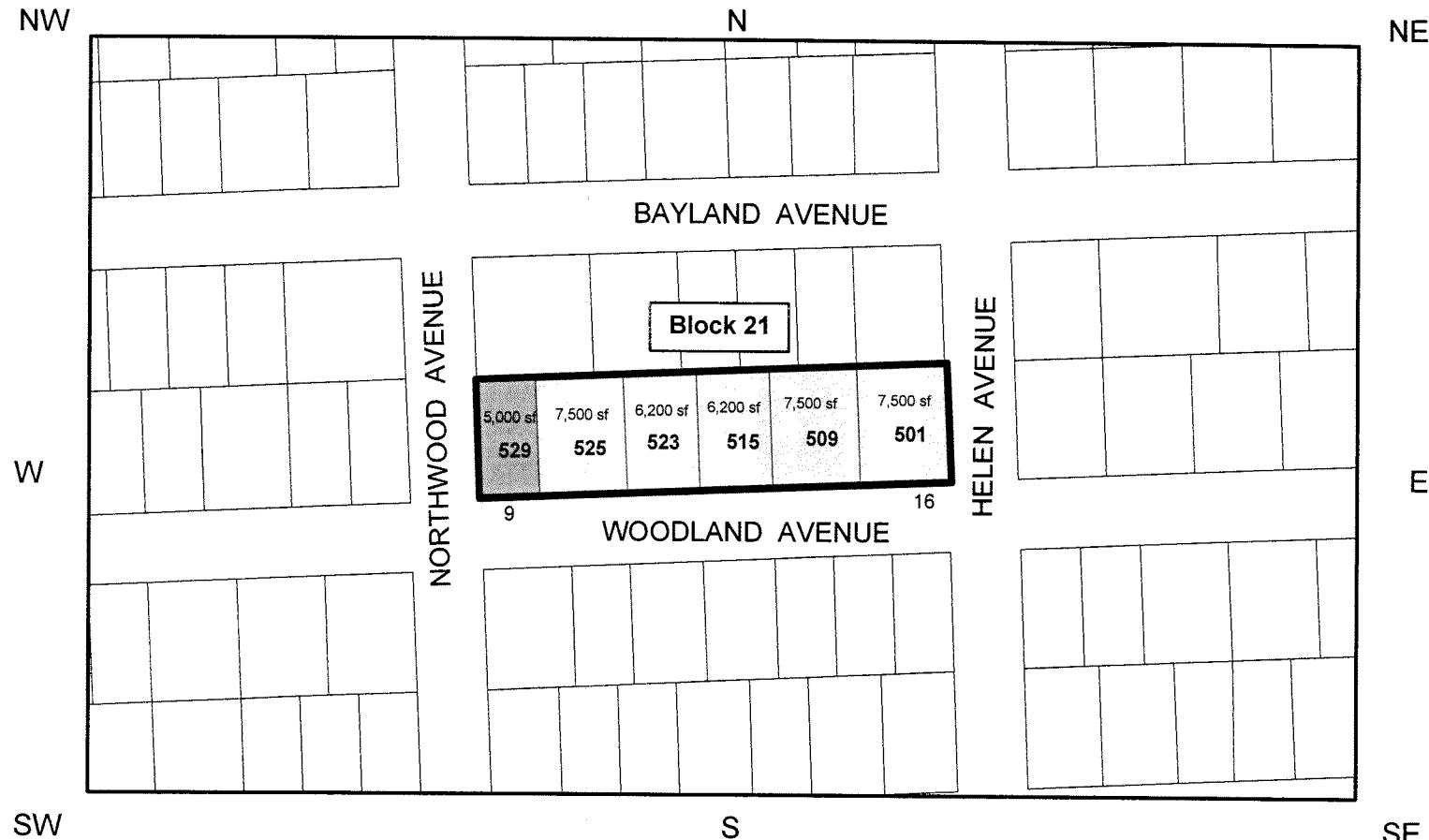
Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<i>SMLSA includes all property within at least one block face and no more than two opposing block faces;</i> The application is for the 500 block of Woodland Avenue, north side.
X		<i>At least 60% of the proposed SMLSA is developed with or is restricted to not more than two single-family residential (SFR) units per lot;</i> 100% of the proposed application area is developed with not more than two SF residential units per property.
X		<i>Demonstrated sufficient evidence of support;</i> Petition signed by owners of 100% of the SMLSA.
X		<i>Establishment of the SMLSA will further the goal of preserving the lot size character of the area; and,</i> A minimum lot size of 6,200 sq ft exists on five (5) lots in the blockface.
X		<i>The proposed SMLSA has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.</i> The subdivision was platted in 1907. The houses originate from the 1900's. The establishment of a 6,200 sf minimum lot size will preserve the lot size character of the area.
<i>The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area.</i>		
Five (5) out of six (6) lots (representing 83% of the application area) are at least 6, 200 square feet in size.		

The Special Minimum Lot Size Area meets the criteria.

Marlene L. Gafrick 10/9/09
Marlene L. Gafrick, Director Date

WOODLAND HEIGHTS



6,200sf Special Minimum Lot Size

MAP/SKETCH

SMLS A No. 317

Properties that meet the 6,200sf Special Minimum Lot Size

Properties less than the 6,200sf Special Minimum Lot Size

MF Multi Family

COM Commercial

VAC Vacant

EXC Excluded

SUBJECT: Ordinance amending Ordinance 2007-534 relating to health benefits for employees of City contractors and responsibility of bidders on certain City contracts		Page 1 of 2	Agenda Item # 37
FROM (Department or other point of origin): Mayor's Office of Health and Environmental Policy	Origination Date November 5, 2009	Agenda Date DEC 02 2009	
DIRECTOR'S SIGNATURE: 	Council District affected:		
For additional information contact: Elena Marks – 832.393.1081	Date and identification of prior authorizing Council action: Ord. No. 2007-534, May 2, 2007		
RECOMMENDATION: (Summary) Approve an ordinance authorizing revisions to the "Pay or Play Program" ordinance			
Amount and Source of Funding: N/A			
<p>SPECIFIC EXPLANATION: The Pay or Play ("POP") program was initiated as of July 1, 2007 pursuant to Ordinance No. 2007-534. That ordinance described the dual purposes of the program: ensuring a level playing field for contractors who incur the cost of providing health benefits to their employees and accounting for the costs of healthcare for uninsured people that are borne by the City and others. Under the current program, contractors with contracts valued at \$100,000 or more are required to either pay into the Contractor Responsibility Fund \$1 per hour for each hour a full time employee works on a City contract ("pay") OR offer a certain level of health benefits to their full time employees ("play").</p> <p>The POP program has been successful, with over 250 contracts now enrolled in the program, valued at \$1.48 billion. Data from our first two years show that 49% of our contractors "play", meaning that they offer health benefits to their employees. 29% of our contractors "pay" on behalf of some employees and "play" on behalf of others. Only 15% of our contractors "pay" on behalf of all employees. The Contractor Responsibility Fund has received approximately \$1 million in "pay" funds since 2007. Council approved the use of \$250,000 to partially fund the Telehealth Nurse program operated by the Harris County Healthcare Alliance. Additional appropriations from the Contractor Responsibility Fund will be the subject of Council action in the near future.</p> <p>The proposed changes to the Pay or Play program are largely non-substantive but provide updates and clarifications based on experience gained while administering the program. The program rules are set out in the Mayor's Executive Order 1-7 (Revised), which substantially conforms to the guidelines set out in the attached policy memorandum. The memo contains a change from the proposal presented at the November 5, 2009 M/WBE, Small Contractor Development and Contract Compliance Committee, which voted to recommend the ordinance. In response to public comment at the Committee, the administration had further discussions with the Houston Contractors Association and has agreed to adjust the policy in response to their concerns by revising the proposed amendment to exempt contractors whose employees decline to participate in the health benefit plan IF the plan requires that the employee pay no more than \$40/month to participate.</p>			
C: Marty Stein; Velma Laws			
REQUIRED AUTHORIZATION			
Finance Department:	Other Authorization:	Other Authorization:	

POLICY GUIDANCE FOR PAY OR PLAY PROGRAM

BACKGROUND

- Contractors who do not provide health benefits for their workforce impose a burden on agencies that provide health care to uninsured persons and to individuals and businesses whose health insurance premiums increase because of the shifting of costs onto those payers.
- The provision of health benefits is instrumental in attracting and retaining a good workforce and is a characteristic of a responsible contractor.
- The City of Houston intends to enhance fairness in the competition for contracts between contractors that provide a health benefit to their workforce and those that do not.

SCOPE OF PROGRAM

Covered contracts. This Program applies to contracts for services in which the total value of the contract, including contingencies, amendments, supplemental terms and/or change orders equals or exceeds \$100,000. The Program does not apply to (1) any contract in which the primary purpose is the procurement of property, goods, supplies, and/or equipment; (2) an intergovernmental contract; or (3) a contract awarded via an intergovernmental agreement or purchasing cooperative.

Covered subcontracts. This Program applies to subcontracts for services in which the total value of the subcontract, including contingencies, amendments, supplemental terms and/or change orders equals or exceeds \$200,000. The Program does not apply to (1) any subcontract in which the primary purpose of the agreement is the procurement of property, goods, supplies, and/or equipment; (2) an intergovernmental contract; or (3) a contract awarded via an intergovernmental agreement or purchasing cooperative. The contractor is responsible to the City for compliance for covered employees of covered subcontractors.

Covered employees. This program applies to employees of a covered contractor or subcontractor, including contract labor, who are over age 18, work at least 30 hours per week and work any amount of time under a covered city contract or subcontract.

City departments. This program applies to all departments within the City of Houston.

PROCEDURES

Pay. If the contractor elects to comply by paying, the contractor will pay to the City \$1 for each regular hour of work performed by covered employees, including covered employees of covered subcontractors. All payments to the City under this section shall be

deposited in the Contractor Responsibility Fund, which shall be used to defray the costs of providing health care services to uninsured persons in the Houston Area.

Play. If the contractor elects to comply by playing, the contractor/subcontractor will provide health benefits to each covered employee. The health benefits must meet or exceed the following standards: (1) the employer contributes no less than \$150 per covered employee per month toward the cost; and (2) the covered employee contributes, if any amount, no greater than 50% of the cost and no more than \$150 per month toward the cost. A contractor/subcontractor is deemed to have complied with this provision with respect to a covered employee who is not provided health benefits (a) if the employee refuses the benefits and the employee's contribution to the premium is no more than \$40 per month or (b) the employee is covered by a comparable or superior health benefit plan provided by another source.

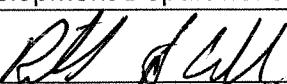
Pay and Play. A contractor may pay on behalf of some covered employees and play on behalf of other covered employees, including subcontractors' covered employees.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

HC0 D9-177

SUBJECT: An ordinance approving and authorizing a Contract for Legal Services between the City of Houston and Barnes & Turner, Attorneys at Law, in connection with the City's Single Family Home Repair and Downpayment Assistance Programs		Category #	Page 1 of 1	Agenda Item #
				38

FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department	Origination Date 11-12-2009	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: 	Council District affected: All Districts	
For additional information contact: Kody Kobza Phone # 713-868-8334	Date and identification of prior authorizing Council action:	

RECOMMENDATION: (Summary)

The Housing and Community Development Department (HCDD) is requesting authorization and approval of a legal services contract for up to \$280,000 with Barnes & Turner, Attorneys at Law, in connection with the Single Family Home Repair and Downpayment Assistance Programs.

Amount of Funding: \$280,000.00	Finance Budget:
SOURCE OF FUNDING [] Other (Specify) \$140,000 - CDBG Grant \$140,000 - CDBG Disaster Grant	[] General Fund [X] Grant Fund [] Enterprise Fund

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD), through the Legal Department, issued a Request for Proposals (RFP) in search of a legal services provider for the Single Family Home Repair and Downpayment Assistance Programs. The legal services provider's key function will be to generate standardized contract packages for Single Family Home Repair and Downpayment Assistance Program to streamline and expedite the current contract process. Through this process Barnes & Turner, Attorneys at Law, was found to have met the requirements of the RFP and has been recommended to perform legal services pursuant to a contract. The legal services to be provided by Barnes & Turner will include, but are not limited to, providing current title reports on applicant properties, issuing title opinions, making recommendations for curing title defects, preparing and arranging for closings, the preparation of standardized contract packages, execution and filing of deeds, deeds of trust, promissory notes, preparation of affidavits of heirship and other documents related to the ownership of property, handling limited probate proceedings/litigation and performing other related legal work as may be necessary under the Single Family Home Repair and Downpayment Assistance Programs. Such legal services are essential to the operation of the Single Family Home Repair Program and Downpayment Assistance Programs, and based on the anticipated volume of applications (700), would be most expeditiously performed by specialized outside counsel.

The managing attorney for Barnes & Turner under this contract is Barry Barnes. The amount of the contract is \$280,000.00. The term of the contract is for 1 year, with a 1 year renewal option which must be exercised at least 30 days prior to the expiration of the initial 1 year term. In connection with the City's Pay or Play Program, Barnes & Turner have elected to Play.

The Housing and Community Development Department recommends approval of the contract.

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

Finance Director: 	Other Authorization:	Other Authorization:
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REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8580

Subject: Ordinance appropriating authorizing a pole attachment agreement with Center Point Energy and Appropriating Funds

Category #
5

Page 1 of 2

Agenda Item

39

FROM (Department or other point of origin):

Richard Lewis
Chief Information Officer
Information Technology

Origination Date

November 24, 2009

Agenda Date

DEC-02 2009

DIRECTOR'S SIGNATURE

Janis Benton

Council District(s) affected

All

For additional information contact:

Janis Benton
Phone: (832) 393-0004
Frank Rodriguez
Phone: (832) 393-0205Date and Identification of prior authorizing
Council Action:

RECOMMENDATION: (Summary)

Adopt an Ordinance approving an agreement with Center Point Energy for Pole Attachment Rights and appropriating \$255,000.00 from the FY10 Equipment Acquisition Consolidated Fund (1800).

Maximum Agreement Amount: \$1,232,182 - 5 years

Finance Budget

Source of Funding:

\$255,000 - Equipment Acquisition Consolidated Fund (1800) (WBS: X-685001)

\$ 38,400 - Combined Utility System General Pur Fund (8305)

\$ 36,000 - Digital Houston Fund (2422)

\$ 9,600 - Central Service Revolving Fund (1002)

\$ 9,600 - Parking Management Operating Fund (8700)

\$348,600 Total FY10

SPECIFIC EXPLANATION:

BACKGROUND

The City's municipal wireless broadband network initiative is intended to improve public safety, make City Hall more efficient, foster economic development, and bridge the digital divide. The City consolidated over 27 separate wireless broadband projects into a single municipal wireless network infrastructure strategy that will improve service and reduce ongoing expenses.

The consolidated network infrastructure strategy includes both WiMAX and WiFi technology that will provide efficient and effective remote access for the City's 2500 traffic signals, 500,000 water accounts and 500 remote public works facilities. The network will make it possible to expand parking pay stations, provide field access for public safety and public service personnel, and public community WiFi access across 10 – 27 neighborhoods. This will enable free community broadband service for up to 500,000 residents and 50,000 small businesses in underserved areas of the city.

The City of Houston needs to contract with Center Point Energy (CPE) to attach City-owned equipment to CPE streetlight poles to support current and future wireless application requirements. The proposed agreement is for an initial five-year term, with three additional five-year options. The maximum spending authority for the first five years is not to exceed \$1,232,182. Spending authority for the additional term options, if exercised, would require separate Council action.

It is further recommended that City Council approve the appropriation of \$255,000.00 out of the Equipment Acquisition Consolidated Fund (1800). The City will procure and provide Center Point Energy with a prepaid

REQUIRED AUTHORIZATION

Finance Department:

Other Authorization:

Other Authorization:

Date: 11/24/2009	Subject: Ordinance appropriating authorizing a pole attachment agreement with Center Point Energy and Appropriating Funds	Originator's Initials JB	Page 2 of 2
security deposit in the form of a performance bond in the amount of \$255,000.00. This security deposit guarantees and assures the City's obligations under this agreement.			

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

10-LARA 6th Amend HCD 09-176

SUBJECT: Ordinance appropriating \$5,720,000 out of various TIRZ -Affordable Housing Funds and approving and authorizing a Sixth Amendment to Land Assembly Grant Agreement between the City of Houston and the Land Assemblage Redevelopment Authority

Page
1 of 2Agenda Item
#

40

FROM (Department or other point of origin): Richard Celli, Director Housing and Community Development Department	Origination Date 11-18-2009	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: 	Council District affected: All	
For additional information contact: Steve Tinnermon Phone: 832-393-0966	Date and identification of prior authorizing Council action: Ordinance 2004-0800: July 28, 2004 Ordinance 2005-0902: July 27, 2005 Ordinance 2005-1073: September 14, 2005 Ordinance 2006-0902: August 30, 2006 Ordinance 2008-0255: March 26, 2008 Ordinance 2009-0261: May 4, 2009	

RECOMMENDATION: (Summary)

Adopt an Ordinance appropriating and reallocating various TIRZ Affordable Housing Funds; approving a Sixth Amendment to the Land Assembly Grant Agreement between the City of Houston and the Land Assemblage Redevelopment Authority (LARA) to provide funds for certain approved costs to continue land assemblage and related activities to promote the development of affordable single family houses in designated Houston low and moderate income neighborhoods.

Amount of Funding: \$5,720,000	Finance Budget
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SOURCE OF FUNDING	<input type="checkbox"/> General Fund	<input type="checkbox"/> Grant Fund	<input type="checkbox"/> Enterprise Fund
[X] Other (Specify)	\$ 4,540,000 TIRZ Affordable Housing Fund No. 2409		
	\$ 400,000 TIRZ Affordable Housing Uptown Fund No. 2400		
	\$ 300,000 Affordable Housing Uptown 2002B Fund No. 2410		
	\$ 230,000 Affordable Housing Midtown Series 2001 Fund No. 2416		
	\$ 250,000 Affordable Housing Uptown Series 2004D Fund No. 2418		

SPECIFIC EXPLANATION:

City Council approved a Land Assembly Grant Agreement with LARA in July 2004 which provided the initial funding for the purchase of designated tax delinquent properties in low income neighborhoods at foreclosure auction. Through subsequent amendments Council has allocated funding for land acquisition, marketing and activities to attract Community Development Corporations (CDCs) and builders to construct affordable single family houses in targeted inner-city low income neighborhoods.

LARA has been successful in its mission to convert tax-delinquent lots – often neighborhood eyesores and magnets for crime - into affordable homes for families who contribute to Houston's tax base. LARA's key accomplishments to date include:

- Acquired 1,100 parcels in neighborhoods with high concentrations of abandoned, severely tax-delinquent, vacant lots-- including Acres Home, Denver Harbor, Fifth Ward, Independence Heights, Near Northside, Settegast, Sunnyside, and Trinity Gardens
- 420 lots are under contract with builders and CDCs for new affordable housing construction
- 105 new affordable homes constructed and sold to low and moderate income families; and 50 houses are under construction or are available for sale
- 250 lots are available to CDCs and builders under LARA's Solicitation for Proposals
- 1,200 abandoned, severely tax-delinquent vacant lots remain in the LARA foreclosure pipeline

REQUIRED AUTHORIZATION

Finance Director: 	Other Authorization:	Other Authorization:
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Date: 11-18-09	Subject: Ordinance appropriating \$5,720,000 out of various TIRZ - Affordable Housing Funds and approving and authorizing a Sixth Amendment to Land Assembly Grant Agreement between the City of Houston and the Land Assemblage Redevelopment Authority	Originator's Signature 	Page: 2 of 2
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The requested appropriation of \$5,720,000 would be used as follows:

Land Assemblage - \$4,500,000

The goal is to position LARA to offer lots in its inventory (898 lots) to participating builders and CDCs at prices as low as \$1.00 per lot, as market conditions warrant. This land subsidy will stimulate continued development of new affordable housing in Houston Hope and other low and moderate income neighborhoods designated for revitalization by the Mayor. Builders and CDC's can purchase lots at discounted prices on the condition that they close into building construction loans and start construction on expedited schedules set by LARA.

The \$4,500,000 will be restricted to: 1) acquisition of about 538 tax delinquent vacant lots for new affordable housing; 2) payment of \$1,800,000 to the Houston Housing Finance Corporation (HHFC) to retire an outstanding balance against a \$2.5 million lot acquisition line of credit; and 3) reimbursement to LARA for actual related costs incurred in selling lots-in-inventory to builders and CDCs.

Energy Star Incentives - \$250,000

Proposed ordinance will authorize LARA to continue to make payments to participating builders for each house constructed to industry recognized, Home Energy Rating System (HERS) "Energy Star" standards. A payment of \$2,500 will be made after the house is constructed and certified by an independent inspector as meeting "Energy Star" HERS requirements. The benefit of covering this cost is two-fold. First, it helps to reduce the sales price of the new affordable home; and second, it helps to reduce the monthly utility costs for the new low or moderate-income owner, thereby increasing the likelihood that the owner will avoid future foreclosure risks.

Water and Wastewater Connections - \$640,000

Proposed ordinance provides up to \$640,000 to allow LARA to continue to reimburse builders for the installation of water and sewer taps needed in connection with new housing construction. Reimbursement to builders for the actual cost of water and sewer taps will not exceed \$3,500 per tap for short water and sewer taps and \$6,500 per tap for long water and sewer taps. Typically, this expense is passed on to the buyer, but to increase the affordability of the homes, the builder will be reimbursed for this expense.

Marketing - \$360,000

Effective marketing of lots to builders and CDCs is key to the success of LARA's mission. The proposed ordinance provides \$360,000 to continue with program marketing activities. The scope of these activities includes publication of pamphlets, signs and other written materials; outreach through targeted TV, radio and newspaper advertising; and sponsorship of housing fairs and other public outreach initiatives.

Administration - \$200,000

Proposed ordinance provides \$100,000 to support corporate administrative costs (legal, accounting, bookkeeping, etc.) and another \$100,000 for lot holding costs (including about \$110 per lot to support lot maintenance activity).

Reallocation of Previous Funding - (\$230,000)

Proposed ordinance reallocates \$230,000, previously appropriated by Ordinance No. 2008-0255, and authorizes the reallocation of these funds for the purposes proposed above. Originally, the funding was to be used for sprinkler system installation to support new tree planting along esplanades in Houston Hope neighborhoods. As an alternative, the Parks Department is utilizing sprinkler trucks to keep newly planted trees along the esplanades irrigated.

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

09-

HCD-09-178
GHDI

SUBJECT: An ordinance approving and authorizing a contract between the City of Houston and Greater Houston Development, Inc., to construct two (2) single family model homes in Trinity Gardens and appropriating funds from TIRZ Affordable Housing Fund 2409.		Category #	Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Housing and Community Development Department		Origination Date: 11/04/09	Agenda Date: DEC 09 2009	

DIRECTOR'S SIGNATURE:

Richard S. Celli, Director

**Council District affected:**
"B"

For additional information contact: Christon Butler
713-837-7693
Phone:

Date and identification of prior authorizing Council action:**RECOMMENDATION: (Summary)**

The Department recommends approval of an ordinance authorizing a contract between the City of Houston and Greater Houston Development, Inc., to construct two (2) single family model homes in Trinity Gardens and appropriating funds from TIRZ Affordable Housing Fund 2409.

Amount of Funding: \$180,000	Finance Budget:
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SOURCE OF FUNDING	<input type="checkbox"/> General Fund	<input type="checkbox"/> Grant Fund	<input type="checkbox"/> Enterprise Fund
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Other (Specify) TIRZ FUND 2409

SPECIFIC EXPLANATION:

Greater Houston Development, Inc., ("Greater Houston") is a 501 (c) 3 non profit corporation and a certified Community Housing Development Organization (CHDO). The Housing and Community Development Department (HCDD) proposes providing a total of \$180,000 to Greater Houston in TIRZ funds to assist in the development of two (2) affordable single family model homes in Trinity Gardens. The \$180,000 will be in the form of a secured grant. The TIRZ construction subsidy will be \$90,000 per house. HCDD will require that there be an interim construction lender that finances the entire project cost. At the completion of construction, HCDD will reduce the interim construction loan with the subsidy.

The newly constructed houses will be sold to families whose annual incomes do not exceed 110% of AMI, and who will occupy the property as their principal residence.

The development is consistent with the City's Plan to provide affordable housing for low to moderate income families.

The Department recommends approval of an ordinance authorizing a contract between the City of Houston and Greater Houston Development, Inc., to construct two (2) affordable single family model homes in Trinity Gardens and appropriating funds from TIRZ Affordable Housing Fund 2409.

RSC:CB:meb

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization:
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To: Mayor via City Secretary

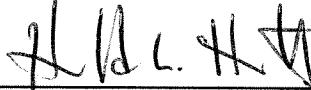
REQUEST FOR COUNCIL ACTION

R

SUBJECT: Edward Byrne Memorial Justice Assistance Grant ARRA Grant Award from State Allocation		Category	Page 1 of 1	Agenda Item # <i>42</i>
FROM (Department or other point of origin): Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security		Origination Date: 11/13/2009	Agenda Date DEC 02 2009	
DIRECTOR'S SIGNATURE: <i>D. Storemski</i>		Council District affected: All		
For additional information contact: Cheryl Murray Phone: 832-393-0929		Date and Identification of prior authorizing Council action:		
RECOMMENDATION: (Summary)		Approval of an ordinance authorizing execution a sub-recipient agreement with the Governor's Criminal Justice Division to accept ARRA funding through the state allocation of Edward Byrne Memorial Justice Assistance Grant funds.		
Amount of Funding: \$109,248		FIN Budget:		
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Funds: \$109,248 Governor's Criminal Justice Division				
SPECIFIC EXPLANATION: <p>The City of Houston has been awarded \$109,248 in funding through the Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) Program. <i>Note that this award is from the state formula grant opportunity, not the local formula grant or the national competitive opportunity. Houston received \$7.6 million from the local formula program, and was not awarded funding for its application to the competitive program.</i></p>				
BACKGROUND In FY2005, the JAG program was established by combining the previous Byrne and Local Law Enforcement Block Grant (LLEBG) programs. State and local allocations are computed by formulas that include population and Part I violent crime statistics. Of the funds awarded to states, at least 40% must be passed on to local jurisdictions. In Texas, this grant is administered by the Governor's Criminal Justice Division, in partnership with local councils of government (COGs). Each COG accepts, reviews and prioritizes applications before making funding recommendations to the Governor's Office.				
Houston sought \$1,024,200 to support the purchase and installation of 300 mobile radios in HPD vehicles. The proposal was initially ranked second highest of all proposals received. However, the HGAC Criminal Justice Advisory Committee elected to dramatically reduce Houston's allocation based on the opinion that it was duplicative of efforts underway with homeland security funding.				
Appeals to the HGAC Criminal Justice Advisory Committee, the HGAC Projects Review Committee, the full HGAC board and the Governor's Criminal Justice were unsuccessful.				
RECOMMENDATION It is staff's recommendation that we accept this award to fund the purchase and installation of 32 mobile radios. It is recommended that Council authorize the Mayor to accept the grant, and the director of the Mayor's Office of Public Safety and Homeland Security to act as an authorized official with authority to sign all subsequent documentation. Further, the ordinance certified that in the event of loss or misuse of funds, the City will reimburse the Governor's Criminal Justice Division for the amount in question.				
REQUIRED AUTHORIZATION				
FIN Director:	Other Authorization:	Other Authorization:		

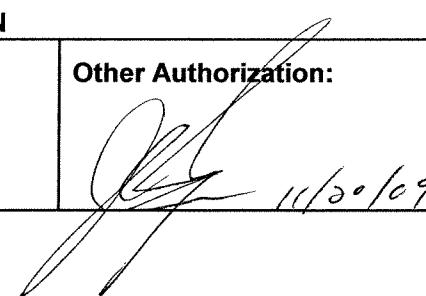
TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

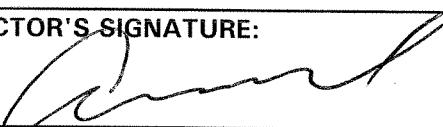
SUBJECT: Approval of the Interlocal agreement between the City of Houston and Harris County for the 2009 Justice Assistance Grant		Category # 1	Page 1 of 1	Agenda Item # 43
FROM: (Department or other point of origin): Houston Police Department		Origination Date 11-5-09		Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: Harold L. Hurt, Chief of Police 		Council Districts affected: All		
For additional information contact: Lt. Steve Ward, HPD (713) 308-1934		Date and identification of prior authorizing Council Action: Joseph A. Fenninger, <i>JAF</i> 10/26/09 HPD CFO & Deputy Director (713) 308-1700		
RECOMMENDATION: (Summary) Adopt an Ordinance approving an Interlocal Agreement between the City of Houston and Harris County in support of the 2009 Edward Byrne Memorial Justice Assistance Grant.				
Amount of Funding: Bureau of Justice Assistance \$3,720,810			Finance and Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION:				
2009 Justice Assistance Grant Interlocal Agreement with Harris County				
<p>The Houston Police Department and the Harris County Sheriff's Office have been awarded \$3,720,810 under the Fiscal Year 2009 Edward Byrne Memorial Justice Assistant Grant (JAG) from the U.S. Department of Justice. The Houston Police Department and the Harris County Sheriff's Department will each receive \$1,860,405 from the grant. The Houston Police Department will use the JAG funding for law enforcement overtime and salaries/benefits for eight civilian positions. Grant funding in the amount of \$1,105,824 will provide targeted law enforcement overtime for patrol and other high demand areas as enforcement needs dictate. Seven of the grant funded positions will be in the Information Services group to provide critical support in implementing and supporting computer systems across the Houston Police Department. One position will be funded in the Budget and Finance Division to provide financial services and professional oversight of various grants administered by the Houston Police Department. Harris County will utilize their funding for equipment upgrades and salary/benefits for one civilian position. This grant does not require a cash match.</p>				
<p>In support of the administration of the grant, the Chief of the Houston Police Department recommends approval of an Interlocal Agreement with Harris County. Per the agreement, the City of Houston agrees to serve as the grant applicant/fiscal agent and agrees to provide Harris County with their share of the grant proceeds within 30 days of the receipt of the funds. Harris County agrees to provide the City of Houston with all documentation of grant-related expenditures as required by the U.S. Department of Justice</p>				
<p>Cc: Arturo Michel, City Attorney Marty Stein, Agenda Director Anna Russell, City Secretary</p>				
10SPW010				
Finance Director: <i>Arturo Michel</i>		Other Authorization: <i>10/26/09</i>	Other Authorization:	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Ordinance No. 2009-1016 to correct the name of the granting agency.		Page 1 of 1	Agenda Item # 44
FROM: (Department or other point of origin): Houston Police Department		Origination Date: 11-20-09	Agenda Date: DEC 02 2009
DIRECTOR'S SIGNATURE:  Harold L. Hurt, Chief of Police		Council District affected: All	
For additional information contact:  Joseph A. Fenninger 11/20/09 Phone: 713-308-1719 CFO and Deputy Director		Date and identification of prior authorizing Council action: Ordinance No. 2009-1016; October 21, 2009	
RECOMMENDATION: (Summary) Adopt an ordinance amending Ordinance 2009-1016 to correct the name of the granting agency.			
Amount and Source of Funding: N/A			
Specific Explanation: On October 21, 2009, City Council approved Ordinance No. 2009-1016 authorizing the Houston Police Department to submit an application for and accept a Federal Motor Carrier Safety Administration Motor Carrier Safety Assistance Program High Priority Grant from the Texas Department of Transportation. However, the correct name of the granting agency is the US Department of Transportation. Therefore, the Houston Police Department recommends that Council adopt an ordinance amending Ordinance No. 2009-1016 to correct the name of the granting agency.			
REQUIRED AUTHORIZATION		10JAF007	
Finance:	Other Authorization:  11/20/09	Other Authorization:	

SUBJECT: Ordinance Authorizing an Agreement between Harris County and the City of Houston, the City of Bellaire and the Houston Independent School District relating to a Joint Runoff election to be held on December 12, 2009.		Category #	Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Legal Department		Origination Date 11-17-2009	Agenda Date DEC 02 2009	
DIRECTOR'S SIGNATURE: 		Council District affected: All		
For additional information contact: Don Cheatham Phone: (832) 393-6437		Date and identification of prior authorizing Council action: N/A		
<p>RECOMMENDATION: (Summary) The City Council pass an ordinance approving and authorizing an election services agreement ("Agreement") with Harris County for the December 12, 2009 runoff election to be held jointly with City of Bellaire and the Houston Independent School District, and setting a maximum contract allocation.</p>				
Amount of Funding: \$1,548,029.45	F & A Budget:			
SOURCE OF FUNDING: <input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify) Fund 1000				
SPECIFIC EXPLANATION: <p>The proposed ordinance approves the Agreement under which Harris County will conduct a joint entity runoff election for the City of Houston, City of Bellaire and Houston Independent School District, to be held on Saturday, December 12, 2009. Under the Agreement, each participating governmental entity is allocated, and obligated to pay, its pro rata share of the actual cost of the election, including expenses for polling locations and election personnel. The \$1,548,029.45 sum allocated in the ordinance is the amount estimated by the Harris County Clerk's Office as the City's share of the total election cost. If the final cost of the election exceeds the estimated cost, and the amount allocated by the proposed ordinance is insufficient to pay the City's allocated share of such cost, Council approval will be sought for any additional amount needed to meet the City's obligation under the Agreement.</p>				
REQUIRED AUTHORIZATION				
Finance Director:	Other Authorization:		Other Authorization:	

SUBJECT: Approve an amendment to Ordinance No. 2007-0821 increasing the maximum contract amount and authorizing an Amended contract with Municipal Code Corporation for codification services for City ordinances		Page 1 of 1	Agenda Item # 46
FROM (Department or other point of origin): Legal Department	Origination Date 11/9/2009	Agenda Date DEC 02 2009	
DIRECTOR'S SIGNATURE: 	Council District affected: N/A		
For additional information contact: Phone: Alice Wilson 832-393-6408	Date and identification of prior authorizing Council action: Ord. No. 2007-821		
RECOMMENDATION: (Summary) Approve an amendment to Ordinance No. 2007-0821, to increase the maximum contract amount to \$190,000, and authorize a first amendment to the City's contract with Municipal Code Corporation for codification services for City ordinances			
Amount and Source of Funding: \$115,000 from General Fund (\$35,000 FY2010)			
SPECIFIC EXPLANATION: The City Attorney recommends that City Council approve an amendment to Ordinance No. 2007-0821 to increase the maximum contract amount and authorize an amended contract between the City of Houston and Municipal Code Corporation to amend the scope of services of the contract. Under this contract, the contractor assists the City with the publication of the current City Code, which was adopted in 1985 and contains ordinances that are of a permanent nature and of public interest. The City Code is currently published in two loose leaf volumes that have been kept current with the addition of supplements since its adoption. In addition, contractor, on behalf of the City, publishes the electronic version of the City Code on the Internet to provide easy access to City residents. Several hundred copies of the two loose leaf volumes have been distributed to various offices of City government for use by employees and to the Houston Public Library branches for use by the public. There are also a number of private subscribers, such as law firms and universities, that have purchased sets and pay annual subscription fees for the supplements. The Legal Department is amending this contract to better reflect the services the City uses to keep the City Code current with supplements and related services used to publish the updated electronic version. The maximum contract amount is being raised to reflect the costs of updating the City Code with supplements, which is subject to substantial fluctuation because the fees are based on the actual number of pages of ordinance text that must be amended or added, which is a function of the number of ordinances adopted by City Council. Over the last two years, such supplementation costs have averaged over \$30,000 per year, and with the addition of \$115,000 authorized by this ordinance, the maximum contract will be \$190,000 to fund services for the next three years, or more.			
REQUIRED AUTHORIZATION			
Other Authorization:	Other Authorization:	Other Authorization:	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Wireless Local Area Network ("WIFI") Services Concession Agreement – Concourse Communications Group, LLC - George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).		Category #	Page 1 of 2	Agenda Item #
FROM (Department or other point of origin): Houston Airport System		Origination Date November 2, 2009	Agenda Date DEC 02 2009	
DIRECTOR'S SIGNATURE: <i>Am. Kae</i> <i>Eric R. Sosa</i>		Council District affected: B, I		
For additional information contact: Janet L. Schafer <i>JS</i> Randy W. Goodman <i>RWG</i>		Date and identification of prior authorizing Council action: N/A		
AMOUNT & SOURCE OF FUNDING: REVENUE <i>1111</i>		Prior appropriations: N/A		
RECOMMENDATION: (Summary) Enact an ordinance approving and authorizing the execution of a Wireless Local Area Network ("WIFI") Services Concession Agreement with Concourse Communications Group, LLC for the provision of services at George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).				
SPECIFIC EXPLANATION: In August 2008, the Houston Airport System (HAS) issued a Request for Proposal (RFP) inviting proposals from qualified parties to operate, maintain and manage a state-of-the-art, roaming reliable, user friendly Wireless Local Area Network ("WIFI") Service Concession at George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU). The RFP was advertised in <i>The Houston Chronicle</i> and notices were sent to interested parties that were on file with HAS. Three proposals were received in response to the RFP and two of the three participated in the best and final proposal process. Based on the information provided in the proposals and the evaluation criteria defined in the RFP document, Concourse Communications Group, LLC was selected for further negotiations. HAS recommends that City Council approve a concession agreement between the City and Concourse Communications Group, LLC to provide Wireless Local Area Network ("WIFI") services at IAH and HOU. The pertinent terms and conditions of this agreement are as follows: 1. <u>Term</u> The term will be five (5) years plus three (3) one-year option periods. 2. <u>Scope of Service</u> ○ Concessionaire shall have the right to operate a 24 hours a day WIFI service concession at IAH and HOU.				
REQUIRED AUTHORIZATION				
Finance Department:	Other Authorization:	Other Authorization:		

Date November 2, 2009	Subject: Wireless Local Area Network (“WIFI”) Services Concession Agreement – Concourse Communications Group, LLC - George Bush Intercontinental Airport/Houston (IAH) and William P. Hobby Airport (HOU).	Originator's Initials ERP	Page 2 of 2
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- Concessionaire shall provide forty five (45) minutes of complimentary WiFi service. Additional complimentary sessions are available after a three (3) hour period.
- Complimentary Sessions are sponsor supported. Sponsorship is limited to one, 30 second advertisement per session.
- Premium pay services available at:
 - \$9.95 per month
 - \$7.95 per day (24 hour period transferrable to any Boingo location)
 - \$4.95 per hour

3. Financial Terms

The Concessionaire will pay the City 35% of gross revenues generated from the WIFI services.

4. Capital Investment

Concessionaire agrees to spend no less than \$50,000 within the first 12 months to upgrade WIFI equipment.

5. ACDBE

The Airport Concession Disadvantaged Business Enterprise goal for this agreement is 35% of gross revenues.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease and Development Agreement – IAH Land Partners, L.P. – George Bush Intercontinental Airport/Houston (IAH)		Category #	Page 1 of 3	Agenda Item #
				48

FROM (Department or other point of origin): Houston Airport System	Origination Date November 12, 2009	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: 	Council District affected: B	
For additional information contact: Janet Schafer  Roxane Bustos	Date and identification of prior authorizing Council action: N/A	
AMOUNT & SOURCE OF FUNDING: REVENUE 	Prior appropriations: N/A	

RECOMMENDATION: (Summary)

Enact an ordinance approving and authorizing the execution of a Lease and Development Agreement between the City of Houston and IAH Land Partners, L.P. for certain premises at George Bush Intercontinental Airport/Houston (IAH).

SPECIFIC EXPLANATION:

In 2007, a Request for Proposals (RFP) was advertised to develop, design, construct, operate and manage a mixed use commercial development on a certain tract of land at George Bush Intercontinental Airport/Houston (IAH). Two firms responded to the RFP (Redico and a joint venture of JDDA/Vaughan Ford Properties). Based on the selection criteria, the evaluation committee, consisting of Houston Airport System (HAS) management and representatives of HAS tenants, selected JDDA/Vaughan Ford Properties as the best respondent. IAH Land Partners, L.P. (Developer) is the contracting entity of JDDA and Midway Companies (a joint venture partner), which replaced Vaughan Ford Properties after they withdrew from the joint venture.

Under the agreement, Developer will lease and develop a certain tract of land consisting of approximately 24 acres (Land) within the boundary of the Airport at the corner of John F. Kennedy Blvd. and Rankin Road, divided by the consolidated rental car facility flyover into two parts known as the South and North tracts. Developer will construct infrastructure to provide services for both South and North tracts.

Developer will commence with a Right of Entry Period for up to two (2) years on the South Tract and a maximum of five (5) years on the North Tract. During the Right of Entry Period, Developer shall complete the preconstruction activities and obtain sublessees and tenants previously approved by the HAS Director. The Developer will then commence the construction period and accompanying rental rate on the South tract and the Lease term shall commence. As the project surpasses 50% occupancy, the fixed ground rental rate shall commence. The Developer must obtain approval from the HAS Director prior to developing the North tract.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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Date: November 12, 2009	Subject: Lease and Development Agreement – IAH Land Partners, L.P. – George Bush Intercontinental Airport/Houston (IAH)	Originator's Initials	Page 2 of 3
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This item was presented before the Transportation, Infrastructure and Aviation (TIA) Committee on November 12, 2009. No action was taken due to lack of quorum.

The pertinent terms and conditions of this agreement are as follows:

1. Leased Premises: Approximately 24 acres of unimproved land, divided into South and North Tracts.
2. Term: Two (2) years Right of Entry on the South Tract and a maximum of five (5) years for the North Tract.
Forty (40) years with an option to terminate at the end of 30 years upon 180 days' prior written notice from Developer. Developer may also terminate during the lease term prior to the commencement of any infrastructure and construction upon 90 days' prior written notice.
3. Use: Developer may develop, design, construct, operate and manage a mixed use commercial development. The developed facilities must at a minimum provide the following required services: Service Station, Convenience Center, Fast Food Concept, Casual Dining Concept, Coffee Concept, Automatic Teller Machine and a Cell Phone Lot. The Developer is also permitted to provide retail space, hotel and office buildings.
4. Rent and Fees: Right of Entry: \$0.025 per square foot per year
Construction Period (until 50% Occupancy Date): \$0.05 per square foot per year
Fixed Ground Rental Schedule:

Lease Years	Annual Rate per Square Foot
1-5	\$0.54
6-10	\$0.62
11-15	\$0.71
16-20	\$0.82
21-25	\$0.94
26-30	\$1.08
31-35	\$1.30
36-40	\$1.56

Developer shall pay two percent (2%) of gross sales over the sublessees/tenants negotiated breakpoint and two percent (2%) of triple net office rental over \$21 per square foot as additional rental to HAS.

A sublessee or tenant operating a service station that sells fuel shall pay an established Percentage Rent of 0.25% on all fuel sold which will be paid directly to the City.

If the Director terminates the North tract development, the Developer shall be granted rent abatement up to \$400,000.00 for the incremental cost of the infrastructure constructed to support the North tract.

5. Improvements: Developer shall construct infrastructure and improvements on the Land. Sublessees and Tenants may develop their own improvements.

Date November 12, 2009	Subject: Lease and Development Agreement – IAH Land Partners, L.P. – George Bush Intercontinental Airport/Houston (IAH)	Originator's Initials	Page 3 of 3
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6. Maintenance and Utilities: Developer shall assume the entire responsibility, cost and expense for all repair and maintenance of the land and shall be responsible for all utilities furnished to the land.

7. Indemnification and Insurance: Developer shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the Lease and Development Agreement.

8. MWBE: Developer shall make good faith efforts to award construction agreements in at least 16.5% of the value of the construction to MWBEs.

9. Environmental and Other Laws: Developer agrees to comply with all rules and regulations adopted by the airport and/or TSA and/or the FAA, and to comply with all federal, state and local statutes, ordinances, regulations and policies.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Supplemental Allocation to Contract for Professional Consulting Services with Jacobs Engineering Group, Inc. for Airport Spatial Information System (ASIS) Development/Management Services for the Houston Airport System, Project 584A (WBS# A-000417-0002-3-01; Contract No. 4600007373)	Category # 9	Page 1 of 2	Agenda Item # 49
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FROM (Department or other point of origin): Houston Airport System	Origination Date November 3, 2009	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: <i>Am. Kae Eric R. Poore</i>	Council District affected: B, E, & I	
For additional information contact: John Silva <i>J</i> Phone: 281-233-1925 Monica Newhouse <i>M</i> 281-233-1973	Date and identification of prior authorizing Council action: 11/15/2006 (O) 2006-1150 04/02/2008 (O) 2008-0268 04/29/2009 (O) 2009-0351	
AMOUNT & SOURCE OF FUNDING: CIP No. A-0417.15.2.....\$2,000,000.00 Arpts Improvemt Fd (8011) <i>IPW</i> <i>EW</i>	Prior appropriations: 11/15/06.....\$2,000,000.00 Arpts Improvement Fd (8011) 4/2/08.....\$2,000,000.00 Arpts Improvement Fd (8011) 4/29/09.....\$1,000,000.00 Arpts Improvement Fd (8011) Total.....\$5,000,000.00	

RECOMMENDATION: (Summary) Enact an ordinance to approve Supplemental Allocation to the professional consulting services contract with Jacobs Engineering Group, Inc. and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION: On November 15, 2006, the City entered into a professional consulting services contract with Jacobs Engineering Group, Inc. (formerly Carter & Burgess, Inc.) for Airport Spatial Information System (ASIS) Development Services for the Houston Airport System (HAS). Services provided to date include: the development of an organizational structure for GIS administration, system components for future GIS projects, acquisition of required hardware and software, development of standards and procedures, training of aviation personnel to use the ASIS, and the development and deployment of a Digital Document Management System (DDMS) that integrates with the ASIS application. Additionally, utility infrastructure mapping databases and maintenance procedures for George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Airport (EFD) have been created and are currently being populated with utility data.

The development of ASIS is a long-term project that is part of HAS's Capital Improvement Program with the current projected completion date in 2017. It was anticipated at the time of the original appropriation that supplemental funding would be requested for continued development and update of ASIS. On April 2, 2008 and April 29, 2009, Council approved Amendment Nos. 1 and 2 to provide additional funding for further development and update of ASIS. The originally intended appropriation for Amendment No. 2 was \$4,000,000.00, but due to budget constraints at the time, the funding was curtailed to \$1,000,000.00 pending the close on the sale of airport bonds. Supplemental appropriation of \$2,000,000.00 is now requested to provide continued services for the following ongoing initiatives:

REQUIRED AUTHORIZATION

NDT

Finance Department:	Other Authorization:	Other Authorization:
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Date November 3, 2009	Subject: Supplemental Allocation to Contract for Professional Consulting Services with Jacobs Engineering Group, Inc. for Airport Spatial Information System (ASIS) Development/Management Services for the Houston Airport System, Project 584A (WBS# A-000417-0002-3-01; Contract No. 4600007373)	Originator's Initials TB	Page 2 of 2
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- Enhancements and extensions to ASIS and the web portal (OASIS), (i.e., additional software licenses, additional computer workstations and/or servers, and application development and systems integration).
- Update the controlled aerial surveys and plan metric maps for HOU and EFD.
- Integrating and linking other HAS information systems to ASIS.
- Scanning, indexing and data loading of HAS record documents.
- Conducting field surveys and inventory of IAH, HOU and EFD utility surface features, such as manholes, valves, meters, hydrants, etc.
- Extending the web portal (OASIS) to support access to interior floor plans, base maps, utility data and documents online through a Digital Document Management System (DDMS).
- On-site personnel to provide training, technical support and continued development and maintenance of the ASIS.

Approval by City Council for additional work to further enhance the ASIS application may be requested in the future.

DBE PARTICIPATION: The Disadvantaged Business Enterprise (DBE) goal for this contract is twenty-four percent (24%) and will be met by the following certified firms:

Firm	Type of Work	Amount	%
Jacqueline Chen & Associates, Inc.	System Planning, Design and Development	\$120,000.00	6%
Landtech Consultants, Inc.	Survey and Asset Inventories	<u>\$360,000.00</u>	<u>18%</u>
	Total:	\$480,000.00	24%

Jacobs Engineering Group, Inc. is currently achieving 20.38% DBE Participation on a 24% goal. The work under the contract is still in progress, and approximately \$500,000 remains unexpended. Out of this remaining balance, \$386,000 has been committed in a Letter of Authorization for services that will be performed by two subcontracted DBEs, Landtech Consultants, Inc. and Jacqueline Chen & Associates, Inc. Therefore, the total DBE participation is expected to meet or exceed 24%.

The Houston Airport System Office of Small Business Development and Contract Compliance approves of this plan.

This project may be eligible for federal funding through the FAA's AIP program. Appropriate fund source adjustments will be made in the future, if additional funding becomes available.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Purchase Agreement between Houston Heights Association, Inc (Purchaser) and City of Houston (Seller) for purchase of the former Fire Station No. 14, located at 107 West 12 th Street, Houston, Texas, for the Houston Fire Department. Parcel SY9-027		Page 1 of 1	Agenda Item 50
FROM (Department or other point of origin): General Services Department		Origination Date 11-25-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.		Council District(s) affected: H	
For additional information contact: Jacquelyn L. Nisby Phone: (832) 393-8023		Date and identification of prior authorizing Council Action: Ordinance No. 95-1043; September 27, 1995 Resolution No. 2005-16; August 17, 2005	
RECOMMENDATION: 1) Declare surplus and authorize the sale of Parcel SY9-027 and 2) Approve and authorize a Purchase Agreement between Houston Heights Association, Inc. (Purchaser) and City of Houston (Seller) for purchase of the former Fire Station No. 14, 107 West 12 th Street, for the Houston Fire Department.			
Amount and Source of Funding: Revenue - \$350,000.00		Finance Budget:	

SPECIFIC EXPLANATION: By Ordinance No. 95-1043, City Council authorized a \$1 per year, 30 year lease of the former Fire Station No. 14 to Houston Heights Association for use as a community center. By Resolution No. 2005-16, City Council designated the property as a Protected Landmark. The property located at 107 West 12th Street, Parcel SY9-027, consists of 20,926 square feet of land with improvements, being all of Lots 13, 14, and 15, and a portion of the 15-foot alley in Block 186, Houston Heights, Houston, Harris County, Texas. The Houston Fire Department has determined the property to be surplus to their needs. All City departments have been canvassed and it has been determined that the property is not needed for City purposes.

Houston Heights Association, Inc. (HHA), a Texas nonprofit corporation, formed in 1973 for the purpose of encouraging and promoting the enhancement of the Houston Heights community, desires to purchase the former fire station for a purchase price of \$350,000.00. As additional consideration for the sale, the property will be maintained as a Protected Landmark, owned and operated by a non-profit organization, and will be deed restricted to utilizing the property as a community activity center and base of operations for at least 20 years after the date of the Deed. The City believes that HHA's planned historic restoration and operation of a community center, serves a municipal and public purpose that materially benefits the citizens of Houston.

The sale is in accordance with Section 272.001(b) 4, of the Texas Local Government Code, which permits a political subdivision to sell real property to an independent foundation for development and is subject to the City's billboard restrictions; historic landmark restrictions; all easements and public utilities; and the applicable covenants, conditions and restrictions.

Therefore, the General Services Department recommends that City Council declare surplus and authorize the sale of Parcel SY9-027, and approve and authorize a Purchase Agreement with HHA for the above-described property for a purchase price of \$350,000.00. It is further recommended that City Council authorize the Mayor to execute and the City Secretary to attest a Special Warranty Deed conveying the property to the HHA.

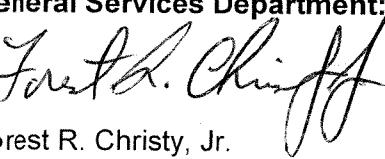
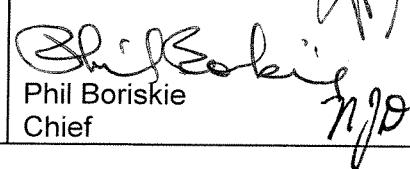
The net proceeds of this sale will be directed to the Historic Preservation Fund (2306).

IZD:BC:JLN:WW:ww

c: Marty Stein, Jacquelyn L. Nisby, Anna Russell, Jack Williams

REQUIRED AUTHORIZATION

CUIC #25 WW 11

General Services Department:  Forest R. Christy, Jr. Director, Real Estate Division		Houston Fire Department:  Phil Boriskie Chief
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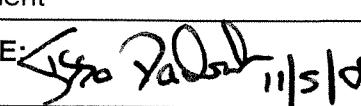
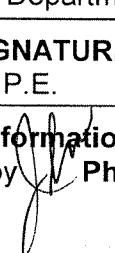


VICINITY MAP (NO SCALE)

Former Fire Station No. 14
107 West 12th Street

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Tower License Agreement with Crown Communication Inc. at 9220 Tigner Road, Rosharon, Texas for the Radio Communications Division of the Information Technology Department		Page 1 of 2	Agenda Item 51
FROM (Department or other point of origin): General Services Department		Origination Date 11-11-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. 		Council District affected: N/A	
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023		Date and identification of prior authorizing Council action: Ordinance No. 2008-0952; 10/29/2008; Ordinance No. 2009-0713; 8/05/2009	
RECOMMENDATION: Approve and authorize a Tower License Agreement with Crown Communication Inc., for communication tower and ground space at 9220 Tigner Road, Rosharon, Texas for the Radio Communications Division of the Information Technology Department.			
Amount and Source Of Funding: FY2010 – \$28,800.00 Police Consolidated Construction Fund (4504) – previously appropriated by Ordinance 2009-0713		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 Crown Communication 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 Crown tower located in the City of Rosharon.			
FY2010 funding necessary for this license agreement was appropriated August 5, 2009 and will fund the lease through June 30, 2010. Subsequent annual appropriations will be requested during the project implementation. 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.			
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 - \$3,600.00 (increased by the annual escalator of 2% during the license term): 			
REQUIRED AUTHORIZATION			CUIC ID# 25 RB 68
General Services Department:  Forest R. Christy, Jr., Director Real Estate Division		Information Technology Department:  Richard F. Lewis Director	

Date	SUBJECT: Tower License Agreement with Crown Communication Inc. at 9220 Tigner Road, Rosharon, 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.
- **Estimated Site improvement fees:** - \$100,000.00
- **Total Cost for Initial Base Term (10 years):** \$473,028.36

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 Crown Communication Inc., at 9220 Tigner Road, Rosharon, Texas for the Radio Communications Division of the Information Technology Department.

IZD:BC:JLN:RB:ddc

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Antenna Site License Agreement with Texas Tower Limited, a Texas limited partnership at 600 Travis Street, Houston, Texas for the Radio Communications Division of the Information Technology Department.		Page 1 of 2	Agenda Item 52
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FROM (Department or other point of origin): General Services Department	Origination Date 11-19-09	Agenda Date DEC 02 2009
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 11/19/09</i>	Council District affected: 1
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For additional information contact: Jacquelyn L. Nisby <i>Jacquelyn L. Nisby</i>	Date and identification of prior authorizing Council action: Ordinance No. 2008-0952; 10/29/2008 Ordinance No. 2009-0713; 08/05/2009
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RECOMMENDATION: Approve and authorize an Antenna Site License Agreement between Texas Tower Limited, Texas limited partnership (Licensor), and the City of Houston (Licensee) for roof top and pre fabricated shelter at the JPMorgan Chase Tower, 600 Travis Street, Houston, Texas for the Radio Communications Division of the Information Technology Department.		
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Amount and Source Of Funding: FY2010 - \$72,000.00 Police Consolidated Construction Fund (4504) – previously appropriated by Ordinance 2009-0713	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 Antenna Site License Agreement with Texas Tower Limited, Texas limited partnership will allow IT to lease ground and roof top space for antenna mounts and floor space for its communications equipment along with an emergency generator. IT will use the licensed premises for the transmission and reception of communications signals and will install, construct, maintain and operate its communications equipment, including antennas, cables, connectors, radios, and related transmission and reception hardware on the JPMorgan Chase Tower located in the City of Houston.

FY2010 funding necessary for this license agreement was appropriated August 5, 2009 and will fund the lease through June 30, 2010. Subsequent annual appropriations will be requested during the project implementation. 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.

The major provisions of the License Agreement are as follows:

- **Term** - ten-year lease term with three five-year automatic renewal options.

REQUIRED AUTHORIZATION

CUIC ID# 25 RB 80

General Services Department: <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr. Director of Real Estate	Information Technology Department: <i>Richard F. Lewis</i> Richard F. Lewis Director
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Date	SUBJECT: Antenna Site License Agreement with Texas Tower Limited, a Texas limited partnership at 600 Travis Street, Houston, Texas for the Radio Communications Division of the Information Technology Department.	Originator's Initials RB	Page 2 of 2
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- **Monthly License Fee** - \$12,000.00 for the initial term (increased by the annual escalator of 2% during the license term)
- **Maintenance** - IT is responsible for all maintenance and utilities.
- **Estimated Site Improvement fees:** - \$100,000.00
- **Total Cost for Initial Base Term (10 years):** \$1,576,759.82

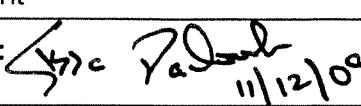
The General Services Department recommends that City Council approve and authorize an Antenna Site License Agreement with Texas Tower Limited, a Texas limited partnership, at the JPMorgan Chase Tower, 600 Travis Street, Houston, Texas for the Radio Communications Division of the Information Technology Department

IZD:BC:JLN:RB:npd

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreement with the Houston Police Federal Credit Union at 1200 Travis Street for the Houston Police Department		Page 1 of 1	Agenda Item 53
FROM (Department or other point of origin): General Services Department		Origination Date 11-19-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E.  11/12/09		Council District affected: 1	
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023		Date and identification of prior authorizing Council action:	
RECOMMENDATION: Approve and authorize a Lease Agreement with the Houston Police Federal Credit Union (Tenant), for lease space in the Houston Police Department Headquarters at 1200 Travis Street, for the Houston Police Department (HPD).			
Amount and Source Of Funding: Revenue		Finance Budget:	

SPECIFIC EXPLANATION The General Services Department recommends that City Council approve and authorize a Lease Agreement with the Houston Police Federal Credit Union (HPFCU), tenant, for 1,023 square feet of space, consisting of 999 square feet of office space on the 20th floor and 24 square feet for an ATM machine on the 1st floor of the HPD Headquarters located at 1200 Travis Street. HPFCU has operated a credit union out of this lease space since 1999.

The current lease expires on December 2, 2009. The proposed Lease Agreement provides for a five-year lease term at a monthly rental of \$1,278.75 (\$1.25 psf per month/\$15.00 psf per annum), with three five-year renewal options at the current market rental rate.

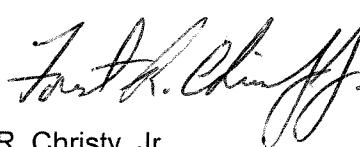
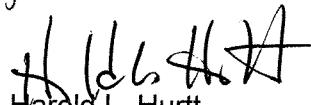
The new lease term will commence on the earlier of: (i) the date this Lease is countersigned by the City Controller, or (ii) December 3, 2009. The City is responsible for janitorial services and utilities.

IZD:BC:JLN:FA:fa

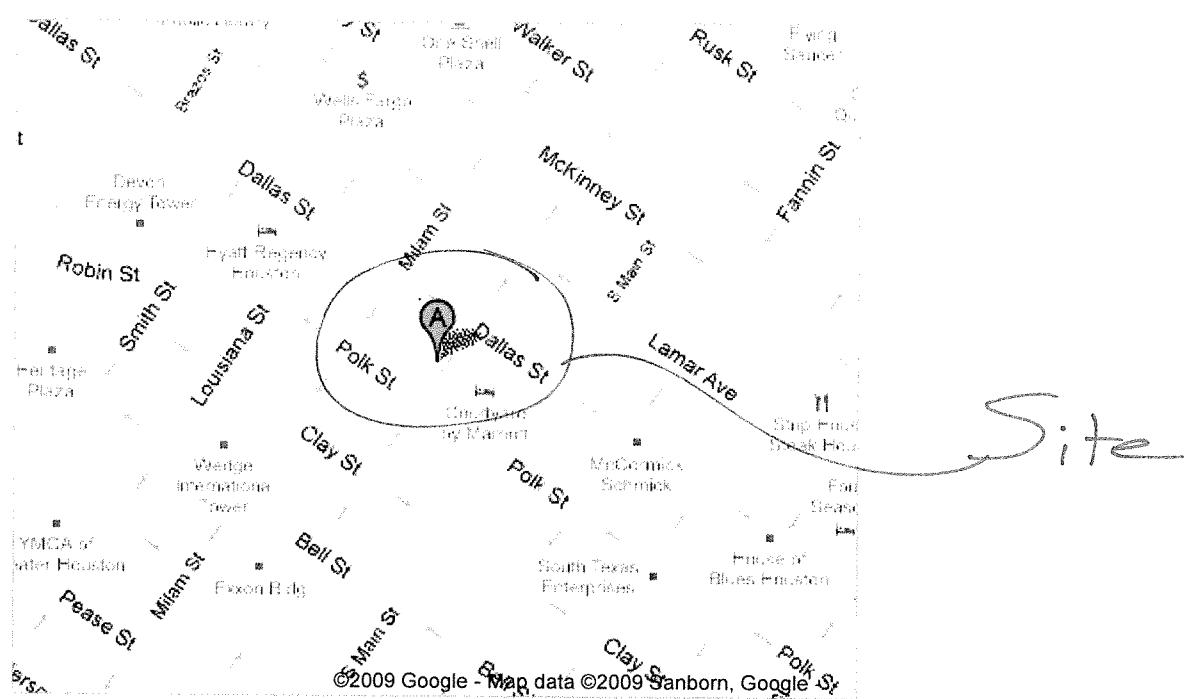
xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby, Henry Chavez

REQUIRED AUTHORIZATION

CUIC ID# 25 FA23

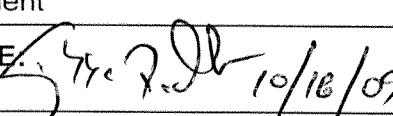
General Services Department:  Forest R. Christy, Jr. Director, Real Estate Division	Houston Police Department:  Harold L. Hurtt Chief
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Google maps Address



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

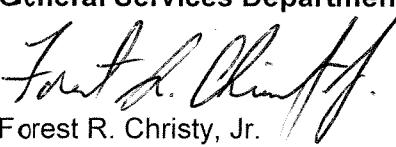
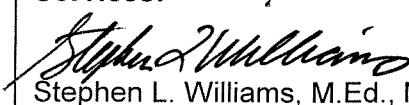
SUBJECT: An Ordinance Amending Ordinance 2009-752 to correct the monthly payment recited in an Occupancy Agreement with Harris County Department of Education – Head Start Program at the Fifth Ward Multi-Service Center at 4014 Market Street for the Department of Health and Human Services.		Page 1 of 1	Agenda Item 54
FROM (Department or other point of origin): General Services Department	Origination Date 11-19-09	Agenda Date DEC 02 2009	
DIRECTOR'S SIGNATURE: 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: Ordinance 2009-752; 08/19/09		
RECOMMENDATION: Approve an amending ordinance to correct the monthly payment recited in an Occupancy Agreement with Harris County Department of Education, a Texas county school district (Occupant), and replace with corrected Occupancy Agreement.			
Amount and Source Of Funding: Revenue	Finance Budget:		

SPECIFIC EXPLANATION: On August 19, 2009, Ordinance 2009-752, City Council approved an Occupancy Agreement with Harris County Department of Education – (HCDE), a Texas county school district, for 3,840 square feet of space in the Fifth Ward Multi-Service Center located at 4014 Market Street, to operate a Head Start Program to improve school readiness for children, families, and the community. However, the approved Occupancy Agreement recited an incorrect monthly payment of \$4,488.86 to be made by HCDE. The correct monthly payment is \$2,565.12 (\$0.67 psf per month/\$8.02 psf per annum).

Therefore, the General Services Department and Department of Health and Human Services request that City Council amend Ordinance 2009-0752 to correct the monthly payment and substitute the Occupancy Agreement approved by Ordinance 2009-0752 with the corrected Occupancy Agreement.

IZD:BC:JLN:RB:npb

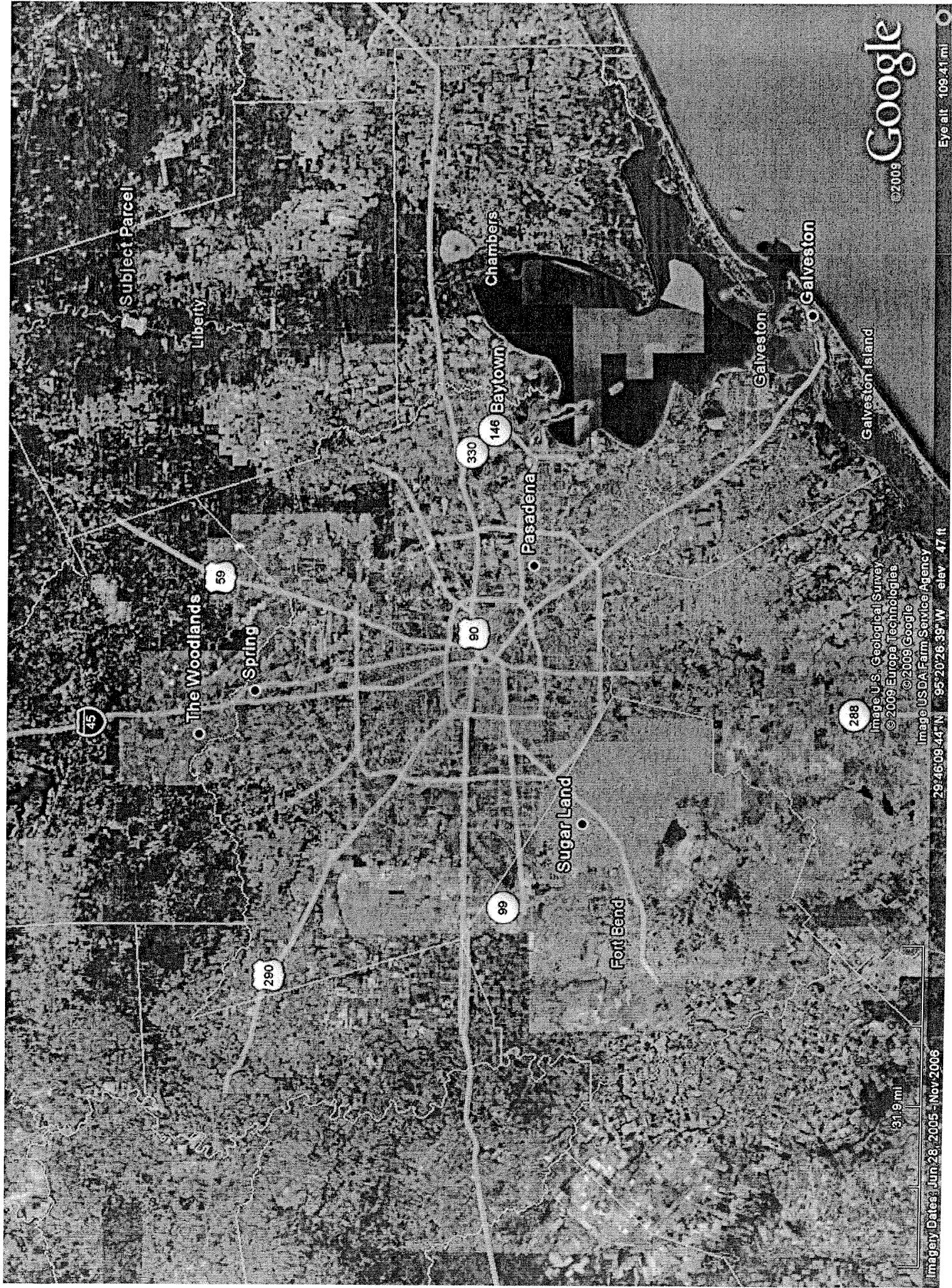
xc: Marty Stein, Jacquelyn L. Nisby, Anna Russell, and Darren Asher

REQUIRED AUTHORIZATION		CUIC ID# 25 RB 56
General Services Department:  Forest R. Christy, Jr. Director, Real Estate Division		Department of Health and Human Services:  Stephen L. Williams, M.Ed., M.P.A. Director

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Purchase and Sale Agreement between City of Houston (Seller) and Coastal Water Authority (Buyer) for the sale of 90.52 acres of land located along the Trinity River, Liberty County, Texas, for the Public Utilities Division of the Department of Public Works and Engineering.		Page 1 of 1	Agenda Item 55
FROM (Department or other point of origin): General Services Department		Origination Date 11-19-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>[Signature]</i>		Council District(s) affected: All	
For additional information contact: Jacquelyn L. Nisby <i>[Signature]</i> Phone: (832) 393-8023		Date and identification of prior authorizing Council action: Ord. 09-53, 1-28-09	
RECOMMENDATION: Approve and authorize a Purchase and Sale Agreement between City of Houston (Seller) and Costal Water Authority ("Buyer") for the sale of 90.52 acres of land in the William Whitlock League Survey located along the Trinity River in Liberty County for a purchase price of \$91,000.00, for the Public Utilities Division of the Department of Public Works and Engineering.			
Amount and Source Of Funding: Revenue		Finance Budget:	
<p>SPECIFIC EXPLANATION: The City proposes to sell to Coastal Water Authority (CWA), a conservation and reclamation district, 90.52 acres of land located along the Trinity River in the William Whitlock League Survey, Abstract 118, Liberty County, Texas, also known as the Caper's Ridge Diversion Point, for a purchase price of \$91,000.00, which represents the appraised fair market value.</p> <p>This site is the planned diversion point for the Luce Bayou Inter-Basin Transfer Project ("Luce Bayou Project"). The Luce Bayou Project is the proposed construction of a combined canal and pipeline to bring surface water from the Trinity River Basin to the San Jacinto River Basin (Lake Houston). This land is the subject of a number of previous council actions, the most recent being January 28, 2009, Ordinance 2009-53, whereby City Council approved a Projects Contract with CWA for the construction and delivery of this project for the benefit of the City of Houston. It is necessary for CWA to obtain title to all land required for the project, including this parcel, to satisfy the requirements of the project debt instruments.</p> <p>This sale is in accordance with Section 272.001(b)(5) of the Texas Local Government Code, which permits a political subdivision to sell real property to a governmental entity that has the power of eminent domain.</p> <p>Therefore, the General Services Department recommends that City Council approve and authorize a Purchase and Sale Agreement with CWA for the above-described land for a purchase price of \$91,000.00. It is further recommended that City Council authorize the Mayor to execute and the City Secretary to attest a Special Warranty Deed conveying the property to CWA.</p> <p>The sale proceeds will be deposited in the PWE -Water and Sewer System Consolidated Construction Fund (8500).</p> <p>IZD:BC:JLN:WW:ddc xc: Marty Stein, Jacquelyn L. Nisby, Anna Russell, Ann Sheridan</p>			
REQUIRED AUTHORIZATION			CUIC ID# 25 WW 07
General Services Department: <i>[Signature]</i> Forest R. Christy, Jr., Director Real Estate Division	Department of Public Works and Engineering: <i>[Signature]</i> Jun Chang, P.E. Deputy Director Public Utilities Division	Department of Public Works and Engineering: <i>[Signature]</i> Michael S. Marcotte, P.E., D.WRE, BCEE Director	

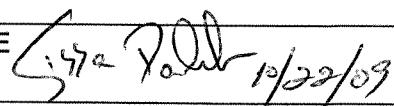


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Energy Savings Performance Contract for Energy Conservation Measures
 Schneider Electric Buildings Americas, Inc. f/k/a T.A.C. Americas, Inc.
 Phase Two Implementation of Energy Conservation Measures

Page
1 of 3Agenda
Item
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FROM (Department or other point of origin): General Services Department	Origination Date 11.04.09	Agenda Date DEC 08 2009
DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E. 	Council District(s) affected: A, B, E, H, I	
For additional information contact: Jacquelyn L. Nisby  Phone: 832-393-8023	Date and identification of prior authorizing Council action: Ordinance No. 2008-439; May 14, 2008 Ordinance No. 2009-0297; April 8, 2009 Motion No. 2009-0198; April 15, 2009 Ordinance No. 2009-588; June 24, 2009	

RECOMMENDATION: Approve an energy savings performance contract for energy conservation measures with Schneider Electric Buildings Americas, Inc. f/k/a T.A.C. Americas, Inc. and appropriate funds for the project.

Amount and Source Of Funding: \$ 17,356,262.00 - Reimbursement of Equipment/Projects Fund (1850) \$ 9,103,131.00 - American Recovery and Reinvestment Act of 2009 (ARRA) Grant Fund (5300) \$ 26,459,393.00 - Total Project Cost	Finance Budget: <i>Finance for Michelle Mitchell 11/06/09</i>
Previous Funding: \$ 236,000.00 In-House Renovation Fund (1003) \$ 9,664,360.00 Reimbursement of Equipment/Projects Fund (1850) \$ 9,900,360.00 Total	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the Phase Two Energy Savings Performance Contract for Energy Conservation Measures with Schneider Electric Buildings Americas, Inc. (formerly T.A.C. Americas, Inc.) to implement energy conservation measures designed to improve the system infrastructure and operational efficiencies of specified City facilities. It is expected that the Reimbursement of Equipment/Projects Fund will be reimbursed from the guaranteed energy savings. The consultant guarantees the City of Houston will save a total of \$26,983,560 with a 12 year payback timeframe. However, this payback timeframe is lowered significantly to 9 years with the addition of the ARRA Federal Grant money. Annually, this project will generate savings of \$1,798,904 with \$718,630 of that savings coming from capital cost avoidance. The lifetime of the new equipment and systems installed and implemented during this project is between 25 and 30 years. If the costs savings are less than the guaranteed annual savings of \$1,798,904, the consultant will pay the City the difference. To date, Schneider Electric Buildings Americas, Inc. has completed approximately 80% of the 1.2 million square foot Phase One project. Recently, Schneider Electric Buildings Americas, Inc. completed its Phase Two energy analysis of an additional 1,574,610 square feet.

PROJECT DESCRIPTION: Many of the City's buildings use older, inefficient lighting, mechanical systems and control systems. This project will upgrade these systems through the installation and implementation of measures to reduce energy, water consumption and/or operating costs of City facilities. Further, this project will replace several pieces of equipment that are at the end of their useful life, and if not included in this project, would have to be financed through the Capital Improvement Plan. Work is to begin within ten days of the effective date and work shall be completed within 600 days from the date of commencement.

REQUIRED AUTHORIZATION

CUIC ID # 25MSCL50

NDT

Date:	SUBJECT: Energy Savings Performance Contract for Energy Conservation Measures Schneider Electric Buildings Americas, Inc. f/k/a T.A.C. Americas, Inc. Phase Two Implementation of Energy Conservation Measures	Originator's Initials GD	Page 2 of 3
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PREVIOUS HISTORY AND PROJECT SCOPE: On May 14, 2008, Ordinance No. 2008-439, City Council approved an energy audit services contract with T.A.C. Americas, Inc., (Schneider Electric Buildings Americas, Inc.) to provide the City a detailed energy analysis and plans for the implementation of energy conservation measures (ECM) for various City facilities. At the conclusion of its analysis, City Council approved an Energy Savings Performance Contract on April 8, 2009, Ordinance No. 2009-297, for Phase I implementation of the ECM. Subsequently, on April 15, 2009, Motion 2009-0198, City Council approved a supplemental allocation in the amount of \$136,000 for the consultant to conduct an assessment of a Downtown Cooling Facility and the Police Headquarters at 1200 Travis. With the success of the program, on June 24, 2009, Ordinance No. 2009-0588, City Council amended the energy audit services contract to allow the consultant to perform energy audits on facilities when requested by other City departments.

FUNDING SUMMARY:

\$23,148,472.00 Construction Contract Services
\$ 2,153,497.00 Performance Assurance Payments
\$ 1,157,424.00 5% Contingency
\$26,459,393.00 Total Contract Services

PROJECT LOCATIONS: The following facilities total approximately 1.6 million square feet.

<u>Facility</u>	<u>Location</u>	<u>Key Map</u>	<u>Council District</u>
1. City Hall	901 Bagby	493L	I
2. City Hall Annex	900 Bagby	493L	I
3. Municipal Courts	1400 Lubbock	493L	H
4. HPD Auto Theft Burned Vehicle Lot	1300 Dart	493G	H
5. HPD Homicide Print Stall	1305 Dart	493G	H
6. HPD Lake Patrol – Office Complex	22619 W. Shorewood Drive	338U	E
7. HPD SWAT	1500 W. Dallas	493K	I
8. HPD Uniform Supply	700 Houston Avenue	493L	H
9. Kingwood Police Station	3915 Rustic Woods Drive	337B	E
10. Northeast Police Station Complex	8301 Ley Road	455K	B
11. North Police Station Complex	9455 W. Montgomery Road	412N	B
12. Northwest Police Station Complex	6000 Teague	410W	A
13. Police Academy Complex	17000 Aldine-Westfield	373H	B
14. Volker Building	1103 Goliad	493L	H
15. Police Headquarters	1200 Travis	793Q	I
16. Southeast Water Purification Plant	3100 Genoa Red Bluff	577M	E

M/SBE PARTICIPATION: An MBE goal of 14% and SBE goal of 10% have been established for this contract. The consultant has submitted the following certified firms to achieve the goals:

<u>MBE Firm</u>	<u>Scope of Work</u>	<u>Amount</u>	<u>% of Contract</u>
Rincon	Mechanical Retrofits	\$3,264,861	14.10%
<u>SBE Firm</u>			
Ursin's Energy Efficient Lighting	Lighting Retrofits	\$ 162,322	0.70%
Distrib Aire, Inc.	Mechanical Retrofits	\$ 7,500	0.03%
D.C. Services, LLC	Low Voltage Data Wiring	\$ 850,000	3.68%
EDH Plumbing Contractors, LLC	Plumbing Fixture Installation	\$ 65,000	0.28%
Bocci Engineering	Design/Engineering	\$ 78,406	0.34%
NexLevel	Mechanical Retrofits	\$1,167,181	5.04%
	TOTAL	\$ 2,330,409	10.07%

Date:	SUBJECT: Energy Savings Performance Contract for Energy Conservation Measures Schneider Electric Buildings Americas, Inc. f/k/a T.A.C. Americas, Inc. Phase Two Implementation of Energy Conservation Measures	Originator's Initials	Page
		GD	3 of 3

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

ARRA REQUIREMENTS: The consultant will adhere to and comply with the special reporting requirements associated with this ARRA (American Recovery and Reinvestment Act of 2009) Grant as required by the Department of Energy and/or the City of Houston.

The City of Houston will adhere to and comply with the special reporting requirements associated with this ARRA (American Recovery and Reinvestment Act of 2009) Grant as required by the granting agency and/or U.S. Office of Management and Budget.

IZD:JLN:GMD:mlg

c: Issa Dadoush, P.E., Marty Stein, Jacquelyn L. Nisby, File

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriate Funds to purchase equipment for the Kendall Library and Community Center.
WBS No. F-000673-0001-5

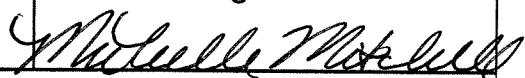
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FROM (Department or other point of origin): General Services Department	Origination Date 11-17-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. 	Council District(s) affected: G	
For additional information contact: Jacquelyn L. Nisby 	Date and identification of prior authorizing Council action:	

RECOMMENDATION: Appropriate funds for the project.

Amount and Source Of Funding:

\$ 4,615.00 Parks Special Fund (4012)

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate \$4,615.00 to purchase bleachers from Belson Outdoors, Inc. and a kiln from Ceramic Store of Houston for the Kendall Library and Community Center for the Parks and Recreation Department.

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>PRICE</u>
Belson Outdoors, Inc.	Bleachers	\$ 3,015.00
Ceramic Store of Houston	Kiln	\$ 1,600.00
Total		\$ 4,615.00

PROJECT LOCATION: 609 N. Eldridge Pkwy (488G)

PROJECT DESCRIPTION: The project consists of the purchase and delivery of the bleachers and kiln for the gym and arts and crafts room.

IZD:HB:JLN:LJMS:ms 

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Christopher Gonzales, Angela Jackson, Yvette Burton, File 712

REQUIRED AUTHORIZATION

CUIC# 25PARK90

General Services Department:

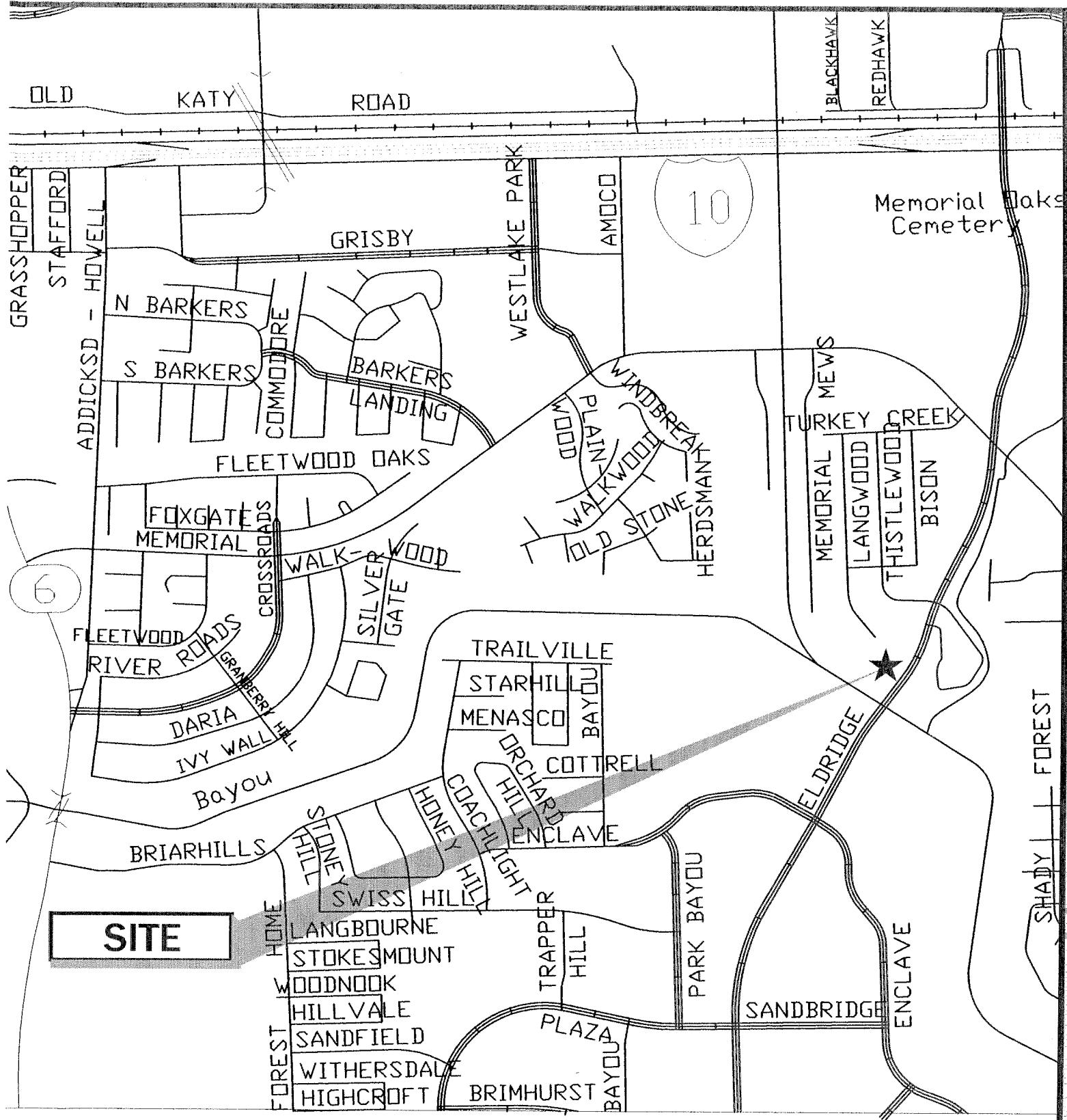


Humberto Bautista, P.E.
Chief of Design & Construction Division

Parks and Recreation Department:



Joe Turner
Director



Kendall Library and Community Center
609 N. Eldridge Pkwy - Houston, Tx 77079

N.T.S.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriate Additional Funds Professional Engineering Services Contract Walter P. Moore and Associates, Inc. Theater District Parking – Structural Assessment and Repairs WBS No. B-000087-0001-3	Page 1 of 1	Agenda Item 58
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FROM (Department or other point of origin): General Services Department	Origination Date 11-19-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush 11/5/09</i>	Council District(s) affected: 1	
For additional information contact: Jacquelyn L. Nisby <i>Jacquelyn L. Nisby</i>	Date and identification of prior authorizing Council action: Ordinance No. 2006-0530; dated 05/24/2006	Phone: 832.393.8023

RECOMMENDATION: Appropriate additional funds for the project.

Amount and Source Of Funding: \$131,000.00 – Convention and Entertainment Construction Fund (8611)	Finance Budget: <i>Martelle Mitchell</i>
Previous Funding: \$121,000.00 – C&E – Civic Center Facility Revenue Fund (8601)	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate an additional amount of \$131,000.00 to the professional engineering services contract with Walter P. Moore and Associates, Inc. to provide additional professional services for the structural repairs to the Theater District Parking Garages for the Convention and Entertainment Facilities Department.

PREVIOUS HISTORY AND PROJECT SCOPE: On May 24, 2006, Ordinance 2006-530, City Council approved a Professional Engineering Services Contract to Walter P. Moore and Associates, Inc. to perform a structural assessment and provide the design for structural repairs to the Theater District Parking Garages. The structural assessment report identified the necessary structural repairs, the associated costs to perform the repairs, and categorized the needed repairs based on priority. The priority concrete repairs were completed in 2008.

PROJECT LOCATION: 511 Rusk (493L)

SCOPE OF WORK: The scope of work for this phase of the project will include repairs to structural columns, stairwells and walls; investigation and repair of reinforcing steel cables within the concrete floor decks; removal and replacement of skylights; joint and crack repair; and addressing waterproofing throughout the garage facility.

M/WBE INFORMATION: The original contract and this additional appropriation have a 20% M/WBE goal. The consultant will utilize the certified firms referenced in the original contract to achieve the goal. The work completed to date did not provide subcontracting opportunities because the scope did not include destructive concrete investigation or geotechnical services, which relate to the M/WBE participation. However, it is anticipated the consultant will achieve the M/WBE goal with this phase of the project.

IZD:HB:MCP:JLN:JJR:jr
[Signature]

cc: Marty Stein, Jacquelyn L. Nisby, Esq., Calvin R. Curtis, Yvette Burton, Christopher Gonzales, Deyanira Rodriguez

REQUIRED AUTHORIZATION

CUIC ID# 25DSGN46 NDT

General Services Department: <i>H. Bautista</i> Humberto Bautista, P.E. Chief of Design & Construction Division	Convention and Entertainment Facilities Department: <i>Dawn Ullrich</i> Dawn R. Ullrich Director
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriate Funds and Authorize Issuance of a Purchase Order to Gametime through the Texas Local Government Purchasing Cooperative (Buyboard) for playground equipment for Stuebner Airline Park and Braeburn Glen Park for the Parks and Recreation Department.
WBS No. F-504B04-0001-5, F-504C14-0001-5

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FROM (Department or other point of origin):
General Services Department

Origination Date
11/19/09

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE
Issa Z. Dadoush, P.E.

Signature
11/12/09

Council District(s) affected

B, F

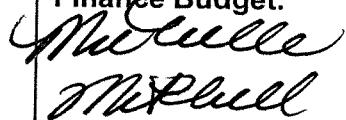
For additional information contact:
Jacquelyn L. Nisby *Per SN* Phone: 832 393 8023

Date and identification of prior authorizing
Council action:

RECOMMENDATION: Appropriate funds and authorize issuance of a purchase order in the amount of \$67,911.00 to Gametime through the Texas Local Government Purchasing Cooperative (Buyboard) for the Parks and Recreation Department.

Amount and Source Of Funding:

\$ 38,209.00 Parks Consolidated Construction Fund (4502)
\$ 29,702.00 Parks Special Fund (4012)
\$ 67,911.00 Total

Finance Budget:


SPECIFIC EXPLANATION: The General Services Department recommends that City Council appropriate \$ 67,911.00 and authorize the issuance of a purchase order to Gametime through the Buyboard to purchase playground equipment for Stuebner Airline Park and Braeburn Glen Park for the Parks and Recreation Department.

<u>PROJECT LOCATION</u>	<u>ADDRESS</u>	<u>KEY MAP</u>	<u>DISTRICT</u>	<u>PRICE</u>
Stuebner Airline Park	9201 Veterans Memorial Blvd.	412K	B	\$ 38,209.00
Braeburn Glen Park	9510 S. Gessner	530T	F	\$ 29,702.00
			Total	\$ 67,911.00

IZD:HB:JLN:LJ:MS:ms

c:Marty Stein, Mark Ross, Jacquelyn L. Nisby, Calvin Curtis, Angela Jackson, Christopher Gonzalez, Yvette Burton, Roy Korthals, File 712

NDT

REQUIRED AUTHORIZATION

CUIC# 25PARK95

General Services Department:

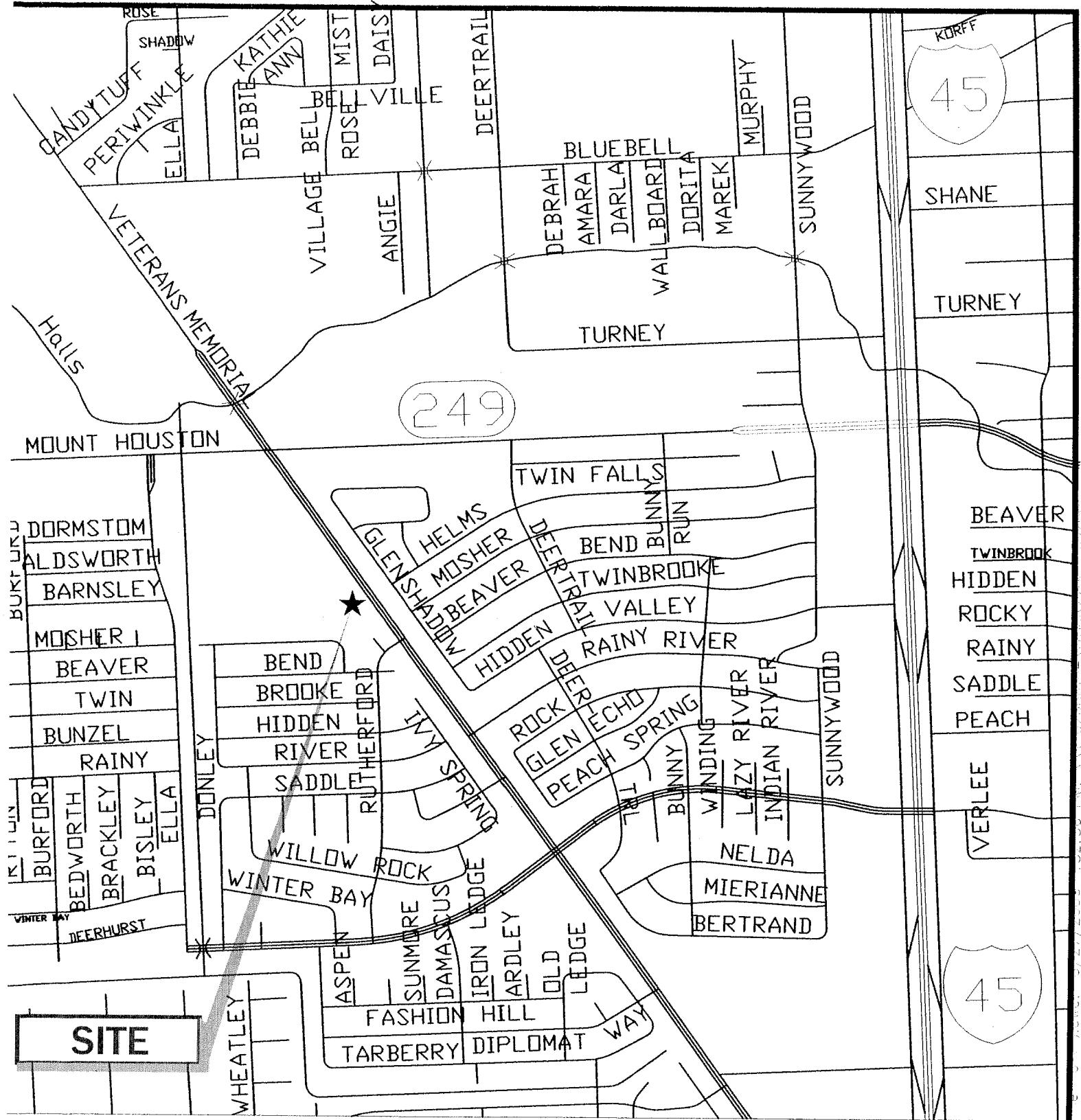


Humberto Bautista, P.E.
Chief of Design & Construction Division

Parks and Recreation Department:



Joe Turner
Director

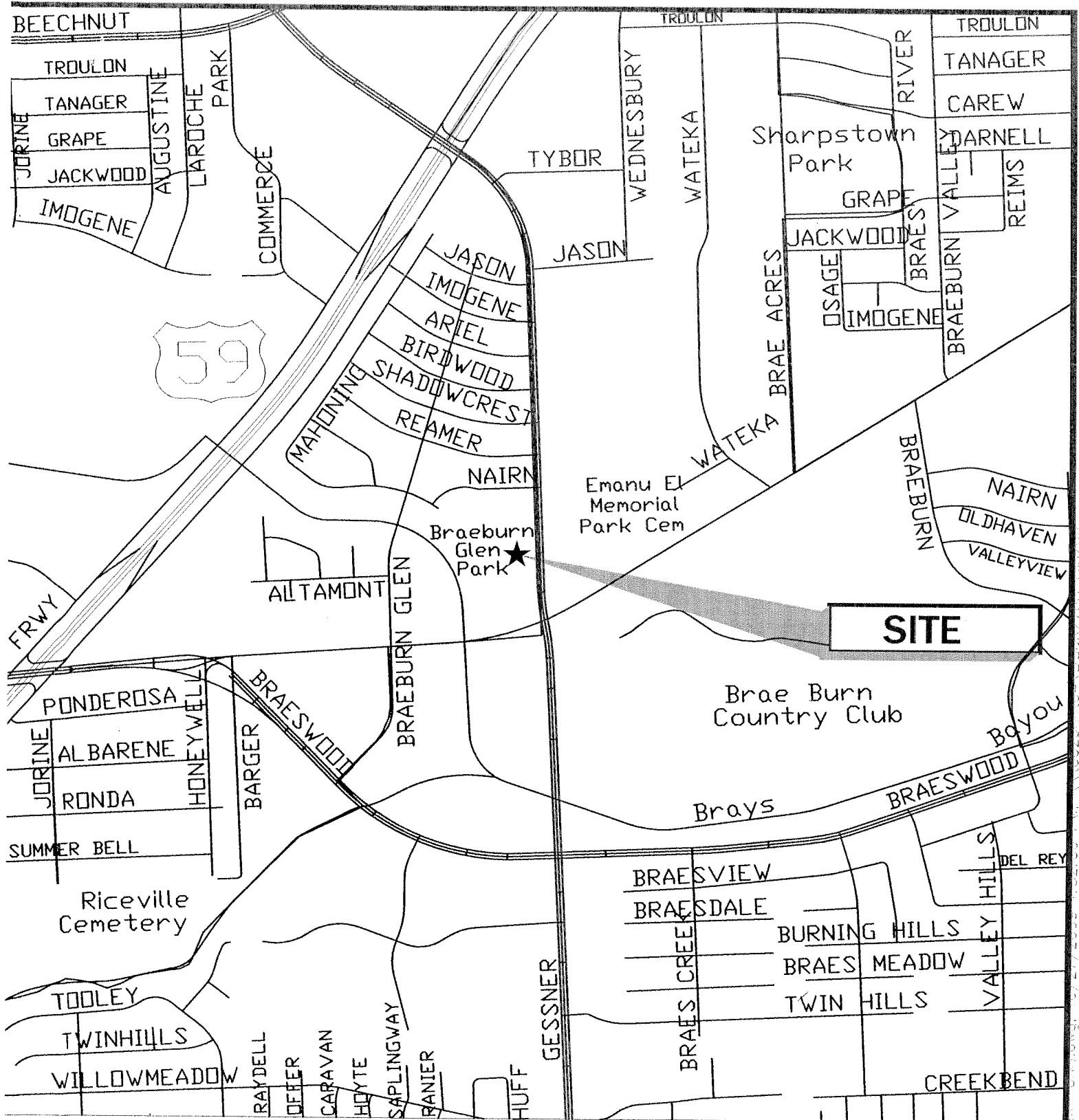


Stuebner Airline Park
9201 Veterans Memorial - Houston, Tx 77088

COUNCIL DISTRICT "B"

SITE MAP

KEY MAP NO. 412K



Braeburn Glen Park
9510 S. Gessner - Houston, Tx 77074

COUNCIL DISTRICT "F"

SITE MAP

KEY MAP NO. 530T

N.T.S.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Award Construction Contract

Millis Development & Construction, Inc.
Wiley Park
WBS No. F-000756-0001-4

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FROM (Department or other point of origin):
General Services Department

Origination Date

11-19-09

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE:

Issa Z. Dadoush, P.E.

11/5/09

Council District affected:

For additional information contact:

Jacquelyn L. Nisby

Phone: 832-393-8023

Date and identification of prior authorizing
Council action:

RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding:

\$381,933.00 Parks Special Fund (4012)

Finance Budget:

Melelle Mitchell

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Millis Development & Construction, Inc. on the proposal amount of \$338,031.00 to provide construction services for Wiley Park for the Houston Parks and Recreation Department. Fourth Ward Redevelopment Authority on behalf of TIRZ 14 will fund this project. On October 21, 2009, Ordinance 2009-1015, City Council approved the Fiscal Year 2010 Operating Budget and the 2010-2014 Capital Improvement Budget for TIRZ 14, which included funding for Wiley Park.

PROJECT LOCATION: 1414 Gillette Street (Key Map No. 493-P)

PROJECT DESCRIPTION: The scope of work includes demolition, earthwork, drainage, concrete sidewalks, brick pavers, concrete curbs, seatwalls, ramps, site lighting, ornamental fencing, picnic shelter improvements, playground and site furniture installation, re-surfacing water playground, water playground equipment replacement, and tree planting with irrigation.

The contract duration for this project is 120 days. James Patterson Associates, Inc. dba White Oak Studio is the design consultant and construction manager for the project.

PROPOSALS: On August 14 and August 21, 2009, GSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The proposals were due on September 17, 2009, and ten firms responded. GSD evaluated the respondents and Millis Development & Construction, Inc. received the most points and offers the best value for the City based on the advertised criteria.

The ten proposals are ranked as follows:

Proposer

1. Millis Development & Construction, Inc.
2. Times Construction, Inc.
3. The Gonzalez Group, LP
4. Gulf Coast Landscape Services, Inc.
5. Resicom, Inc.

REQUIRED AUTHORIZATION

CUIC ID # 25PARK88

General Services Department:

Humberto Bautista, P.E.

Chief of Design & Construction Division

Houston Parks and Recreation Department:

Joe Turner

Director

Date	SUBJECT: Award Construction Contract Millis Development & Construction, Inc. Wiley Park WBS No. F-000756-0001-4	Originator's Initials DE	Page 2 of 2
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6. Carrera Construction, Inc.
7. Meridian Commercial, LP
8. Holliday Builders, Inc.
9. Apache Services, Inc.
10. TF Harper and Associates, Inc.

AWARD: It is recommended that City Council award the construction contract to Millis Development & Construction, Inc. and appropriate funds for the project, including an additional appropriation of \$19,000.45 for construction management services under the existing contract with James Patterson Associates, Inc. dba White Oak Studio, and \$8,000.00 for engineering testing services under the existing contract with HTS, Inc. Consultants.

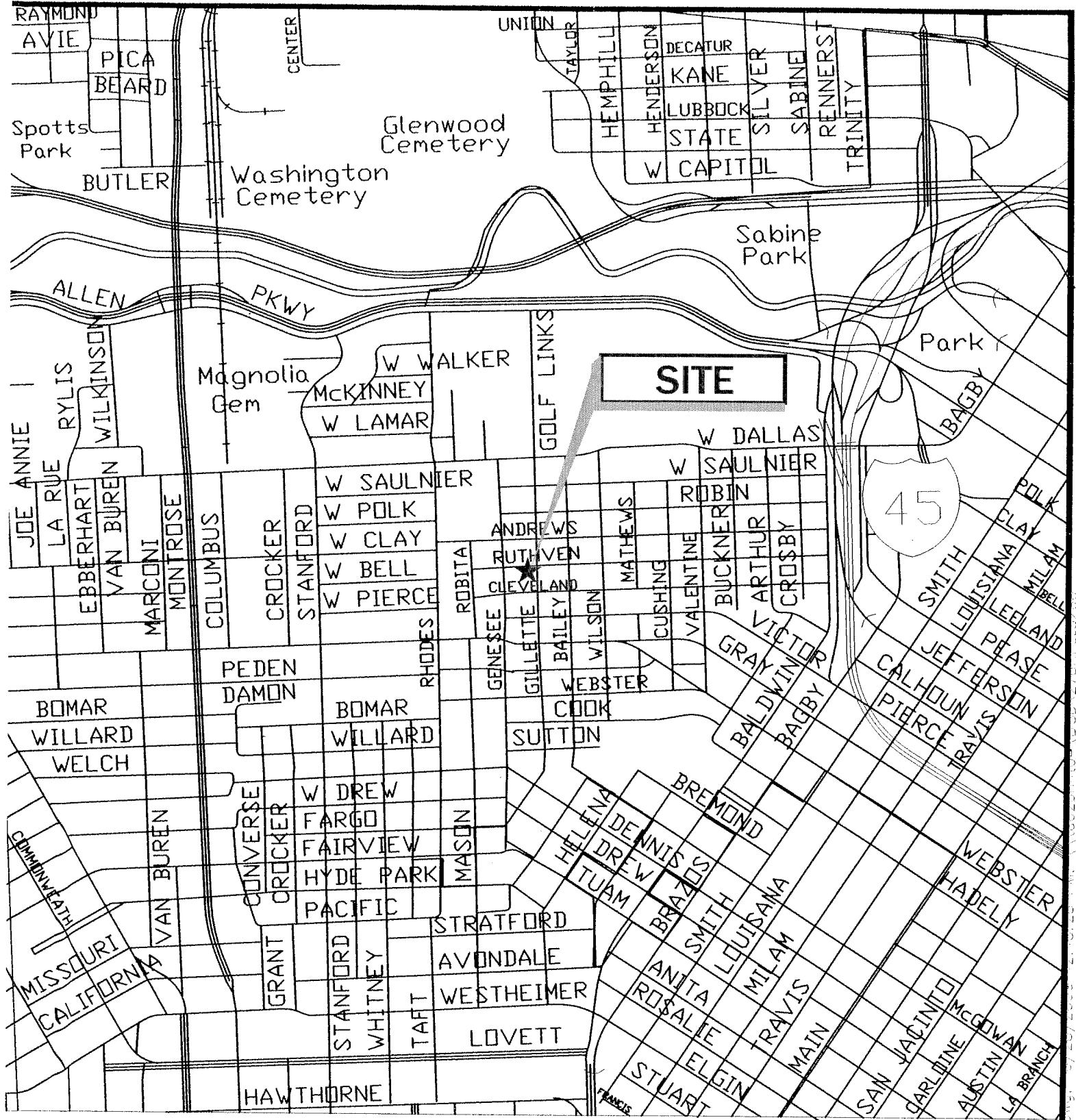
FUNDING SUMMARY:

\$ 338,031.00	Construction Contract Services
<u>\$ 16,901.55</u>	5% Contingency
\$ 354,932.55	Total Contract Services
\$ 19,000.45	Construction Management
<u>\$ 8,000.00</u>	Engineering Testing
\$ 381,933.00	Total Funding

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 will provide health benefits to eligible employees in compliance with City policy.

IZD:HB:JLN:LJ:DE:de

c: Marty Stein, Jacquelyn L. Nisby, Calvin R. Curtis, Mark Ross, Velma Laws, Kim Nguyen, Morris Scott, Gabriel Mussio, Christopher Gonzales, Dan Pederson, Lisa Johnson, Yvette Burton, File



Wiley Park

1414 Gillette St. - Houston, Tx 77019

N.T.S.

COUNCIL DISTRICT "I"

SITE MAP

KEY MAP NO. 493P

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Award Construction Contract
 Times Construction, Inc.
 T.C. Jester Park
 WBS No. F-504B01-0001-4

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FROM (Department or other point of origin):
 General Services Department

Origination Date

11/19/09

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE:
 Issa Z. Dadoush, P.E.

Council District affected:

A

For additional information contact:
 Jacquelyn L. Nisby

Phone: 832-393-8023

Date and identification of prior authorizing
Council action:

RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding:

\$ 1,680,158.00 Parks Consolidated Construction Fund (4502)

Finance Budget:

Marcelle Marshall

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Times Construction, Inc. on the proposal amount of \$1,485,000.00 to provide construction services for T.C. Jester Park for the Houston Parks and Recreation Department.

PROJECT LOCATION: 4201 West T.C. Jester (Key Map No. 451M)

PROJECT DESCRIPTION: The scope of work consists of improvements to the swimming pool complex, which includes removal and replacement of the existing pool deck, renovation of the existing pool restroom facilities, removal and replacement of the wading pool with a new sprayground, replacement of existing pool mechanical equipment; re-plastering, retiling and installation of new coping, new fencing, and compliant pool deck markings. Site work improvements include the removal and replacement of the existing asphalt parking lot with a concrete lot that includes expanded parking; installation of a new metal entrance trellis; landscape and irrigation, site detention, site grading, amphitheater stage, sidewalks, and site lighting along the trail and the new parking lot.

The contract duration for this project is 180 calendar days. M2L Associates, Inc. is the design consultant and construction manager for the project.

PROPOSALS: On August 7 and August 14, 2009, GSD advertised a Request for Competitive Sealed Proposals containing selection criteria that ranked the respondents on price, experience, references, sub-contractors and schedule. The proposals were due on August 27, 2009, and eight firms responded. GSD evaluated the respondents and Times Construction, Inc. received the most points and offers the best value for the City based on the advertised criteria.

The eight proposals are ranked as follows:

Proposer

1. Times Construction, Inc.
2. Millis Development and Construction, Inc.
3. The Gonzalez Group LP
4. Carrera Construction, Inc.
5. Gulf Coast Landscape Services, Inc.
6. Resicom, Inc.
7. Jerdon Enterprises, L.P.
8. Meridian Commercial, LP

REQUIRED AUTHORIZATION

CUIC ID # 25PARK86

General Services Department:

HB

Humberto Bautista, P.E.

Chief of Design & Construction Division

Houston Parks and Recreation Department:

*JT*Joe Turner
Director

Date	SUBJECT: Award Construction Contract Times Construction, Inc. T.C. Jester Park WBS No. F-504B01-0001-4	Originator's Initials DE	Page 2 of 2
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AWARD: It is recommended that City Council award the construction contract to Times Construction, Inc. and appropriate funds for the project, including additional appropriations of \$52,500.00 for construction management services under the existing contract with M2L Associates, Inc., and \$42,420.50 for engineering and materials testing services under the existing contract with Coastal Testing Laboratories, Inc.

FUNDING SUMMARY:

\$ 1,485,000.00	Construction Contract Services
\$ <u>74,250.00</u>	5% Contingency
\$ 1,559,250.00	Total Contract Services
\$ 25,987.50	Civic Art (1.75%)
\$ 52,500.00	Construction Management Services
\$ <u>42,420.50</u>	Engineering Testing
\$ 1,680,158.00	Total Funding

CONSTRUCTION GOALS: An MBE goal of 5% and SBE goal of 5% have been established for this contract. The contractor has submitted the following certified firms to achieve the goals:

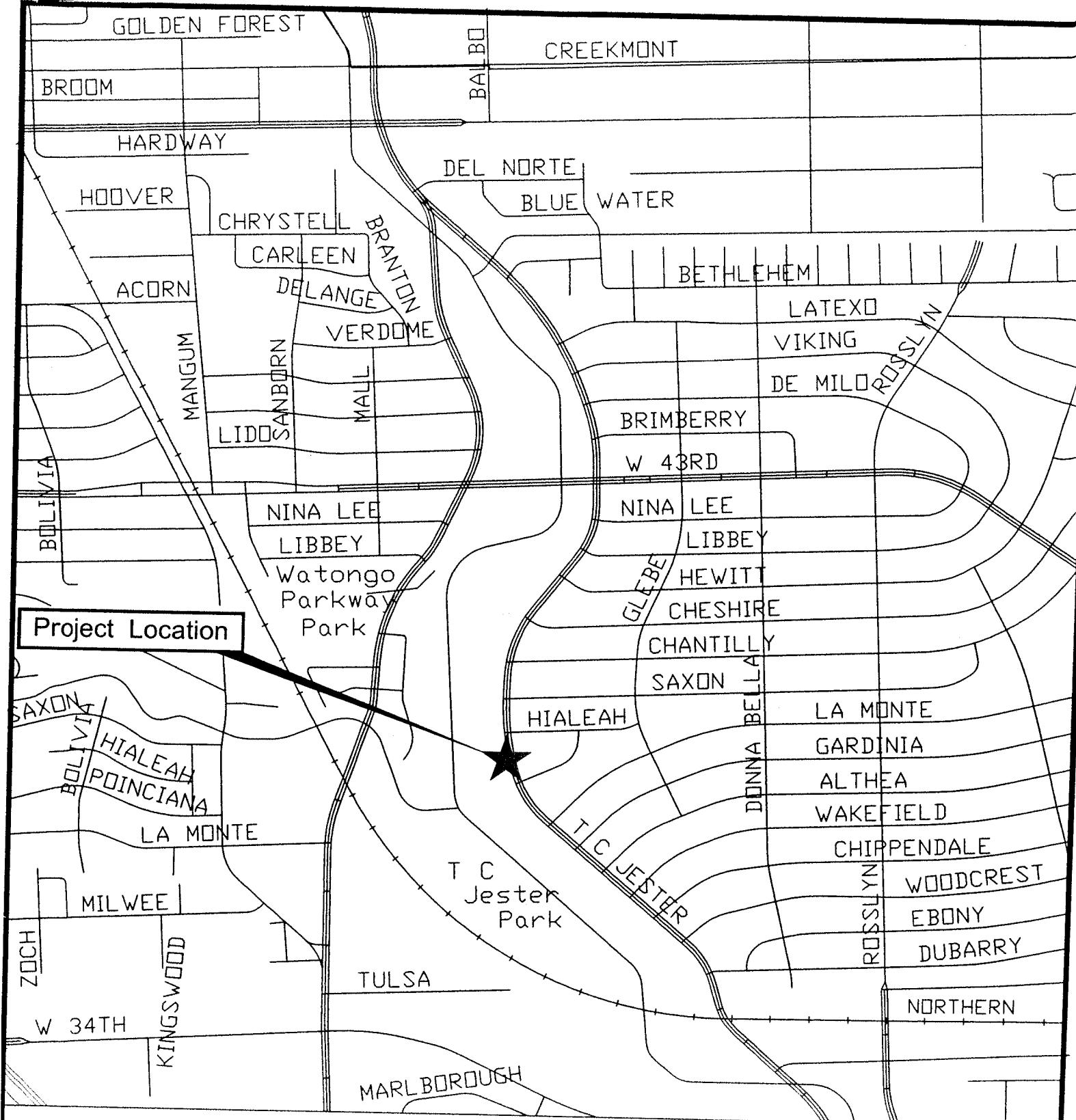
FIRM (MBE)	SCOPE OF WORK	AMOUNT	% of CONTRACT
T. Bradshaw Plumbing Company	Plumbing	\$ 105,000.00	7.07%

FIRM (SBE)	SCOPE OR WORK	AMOUNT	% of CONTRACT
Arc Light Electric, Inc.	Electrical	\$ 135,000.00	9.09%

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

IZD:HB:JLN:LJ:DE:de

c: Marty Stein, Jacquelyn L. Nisby, Mark Ross, Velma Laws, Kim Nguyen, Christopher Gonzales, Dan Pederson, Lisa Johnson, Yvette Burton File 813



T.C. JESTER PARK
4201 WEST T.C. JESTER
HOUSTON, TX

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Three-year contract between the City of Houston and Craig T. Mason for pension related consulting services.

Category #

Page 1 of 2

Agenda Item#

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FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date

10/9/09

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE:

Finance Department

Michelle Mitchell

Council Districts affected:

For additional information contact:

Phone:
Phone:

Date and identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve a three-year contract between the City of Houston and Craig T. Mason for pension related consulting services.

Maximum contract amount: \$295,500.00 for a three year period.

Finance Budget:

FY2010: \$49,250.00

FY2011: \$98,500.00

FY2012: \$98,500.00

FY2013: \$49,250.00

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

SPECIFIC EXPLANATION:

The Director of Finance recommends that City Council approve a three-year professional Services Contract with Craig Mason, Independent Contractor, in an amount not to exceed \$295,500.00. This Contract specifies that the Contractor agrees to provide services to the City related to the three (3) pension systems serving City employees and other duties, as may be assigned by the Director of Finance or her designee, for a three-year term beginning January 02, 2010 through December 31, 2013. The three previous contracts between the City of Houston and Craig Mason for pension related consulting services were written for two one-year terms and one two year term.

Position Specification

- This is a contract service position with the primary responsibility to act on behalf of the City as an "overseer" and internal auditor/consultant or trustee for the City's three (3) defined benefit pension funds.
- The three (3) pension funds include:
 1. Houston Police Officers' Pension System (YHPOPS):
 - \$2.5 billion in assets
 - Over 7,500 participants
 2. Houston Municipal Employees Pension System (HMEPS):
 - \$2.0 billion in assets
 - Over 26,000 participants
 3. Houston Firefighters' Relief & Retirement Fund (HFRRF):
 - \$2.3 billion in assets
 - Over 6,300 participants

Major Responsibilities

- Critically review, analyze and evaluate the funds to gain a thorough understanding of each and then articulate the current structure and position of each fund.
- In a consultative manner, continually ask insightful, probing questions to gain pertinent information and identify and articulate issues for each plan.
- Work with the Executive Directors of all three Pension Funds.
- Help create effective modeling processes to better analyze and understand the fund variances and the impact to the funds of various financial changes.
- Develop and implement processes and procedures to ensure timely variance analysis for each fund including resolution for any issues identified. Routinely prepare and present current and ongoing findings to the Mayor and City Council Pension Review Committee.
- Monitor the funds' valuations on a daily basis. Monitor Distribution Rules.

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance appropriating: \$3,971,260.00 in tax increment revenue from Harris County and authorizing the transfer of tax increment revenues from the various TIRZ Funds pursuant to Tri-Party Agreements and Interlocal Agreements to the Redevelopment Authorities, Harris County and the City for administrative costs.		Category # 1	Page 1 of 1	Agenda Item #
FROM: (Department or other point of origin): Department of Finance		Origination Date November 16, 2009		Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: 		Council Districts affected: Districts B, D, H, I		
For additional information contact: Tim Douglass Phone: (713) 837-9857 Randell Naquin Phone: (713) 837-9646		Date and identification of prior authorizing Council Action:		
RECOMMENDATION: (Summary) An ordinance appropriating: \$3,971,260.00 in tax increment revenue from Harris County and authorizing the transfer of tax increment revenues from the various Tax Increment Funds pursuant to Tri-Party Agreements and Interlocal Agreements.				
Amount of Funding: \$3,971,260.00		Finance Budget		
Source of Funding: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> Other (Specify) Tax Increment Reinvestment Zone Funds (TIRZ) (see attached analysis)				
Specific Explanation: The appropriation of \$3,971,260.00 results from tax increment revenue (Tax Year 2008) from Harris County received in October 2009				
As set forth in the attached spreadsheets:				
<ul style="list-style-type: none"> ▪ \$52,915.33 will be paid to the Harris County Affordable Housing fund pursuant to our Interlocal Agreement; ▪ \$145,258.93 will be transferred to the General Fund for TIRZ Administrative costs ▪ \$3,773,085.74 will be paid to various redevelopment authorities pursuant to Tri-Party Agreements and Interlocal agreements. 				

REQUIRED AUTHORIZATION

REQUIRED AUTHORIZATION		
Finance Director:	Other Authorization: 	Other Authorization:

CITY OF HOUSTON TAX INCREMENT REINVESTMENT ZONES
TAX INCREMENT CALCULATIONS FOR HARRIS COUNTY - TAX YEAR 2008

#	TIRZ	Fund # (SAP)	County Payments Received	(B) Harris County Affordable Housing Fund (col A/3) (2)	(C) Administrative Fee Transfer to General Fund 1000 (col A-B) x 5%	Harris County Net Increment due to Redevelopment Authority (col A-B-C)	Payee
1	Lamar Terrace	7512	\$ 2,314,450.00	\$ -	\$ 115,722.50	\$ 2,198,727.50	Midtown RA
2	Midtown	(Original)	7550	\$ 484,898.00	\$ 24,244.90	\$ 460,653.10	Main Street/Market Square
3	Market Square (3)	(Original)	7551	\$ 449,275.00	\$ 22,463.75		
		Original		\$ 35,623.00	\$ 1,781.15		
4	Village Endclave	7552	N/A			N/A	
5	Memorial Heights	7553	N/A			N/A	
6	Eastside	7554	N/A			N/A	
7	OSS/Almeda	7555	-				
		Original					
		Annexed					
8	Gulfgate	7556	-				
		Original					
		Annexed					
9	South Post Oak	7557	145,455.00				
10	Lake Houston	(Original)	7558				
11	Greenspoint	7559	867,711.00				
12	CityPark	7560	N/A				
13	Old Sixth Ward	7561	158,746.00	52,915.33	\$ 5,291.53	\$ 100,539.14	Old Sixth Ward RA
14	Fourth Ward	7562	N/A			N/A	
15	East Downtown	7563	N/A			N/A	
16	Uptown	7564	N/A			N/A	
17	Memorial City	7565	N/A			N/A	
18	Fifth Ward	7566	N/A			N/A	
19	Upper Kirby	7567	N/A			N/A	
20	Southwest Houston	7568	N/A			N/A	
21	Hardy Yards	7569	N/A			N/A	
22	Leland Woods	7570	N/A			N/A	
	Total		\$ 3,971,260.00	\$ 52,915.33	\$ 145,258.93	\$ 3,773,085.74	

Notes:

(1) County does not contribute to the Administration Fee per the Interlocal Agreement
(2) Directly paid to County per Ordinance 2001-307 (TIRZ #1) and Ordinance 2001-1163 (#13).
(3) #3 Market Square - County funds received separately effective with TY05 revenue.

484,898.00

\$11,000 to be received
to be received

\$ 484,898.00

Special Pay Instructions #1

Payments are for project costs, developer reimbursements, and debt service; invoices to be submitted at a later date.
TIRZ 10 has no Redevelopment Authority.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: An Ordinance extending the termination date of Tax Increment Reinvestment Zone Number Nineteen (Upper Kirby Zone) to December 31, 2029

Category #

Page 1 of 1

Agenda Item#

64

FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date

11-19-09

Agenda Date

DEC 02 2009

DIRECTOR'S SIGNATURE:

Michelle Mitchell

Finance Department

Council Districts affected:

C, G

For additional information contact:

Ralph De Leon
Tim DouglassPhone: (713) 837-9573
(713) 837-9857Date and identification of prior authorizing
Council Action:

Ord. 1999-767, 07/21/99

RECOMMENDATION: (Summary)

Approval of an Ordinance extending the termination date of Tax Increment Reinvestment Zone Number Nineteen, City of Houston, Texas to December 31, 2029

Amount of Funding: No Funding Required

Finance Budget:

SOURCE OF FUNDING:

 General Fund Grant Fund Enterprise Fund N/A

SPECIFIC EXPLANATION:

When City Council approved the creation of Tax Increment Reinvestment Zone Number Nineteen (the "Zone") on July 21, 1999, the purpose was to develop and redevelop a predominately commercial area bounded generally by Westheimer to the north, Bissonnet to the south, Buffalo Speedway to the west, and South Shepherd to the east, plus two roadway extensions along the Kirby Drive right-of-way north from Westheimer to San Felipe and the Richmond Avenue right-of-way from Buffalo Speedway to the Southern Pacific railway line. The Zone duration was established at 15 years with a termination date of December 31, 2014. Since its creation, the Zone, in conjunction with the City, has undertaken a broad public infrastructure rehabilitation and improvement program. Due to increased infrastructure demand and more comprehensive project participation with the City, an additional 15-year period is needed to address a greater-than-expected demand on already distressed public infrastructure in the area. A total duration period of 30 years for the Zone would be consistent with the duration of existing City of Houston Tax Increment Reinvestment Zones with similar purposes and redevelopment objectives.

To support the City's efforts in this regard, the Finance Department recommends that City Council approve an Ordinance to extend the duration of the Zone from December 31, 2014 to December 31, 2029.

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA # <i>65</i>	
SUBJECT: An Ordinance approving a Third Amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Nineteen (Upper Kirby Zone)		Category #	Page 1 of 1
FROM: (Department or other point of origin): Michelle Mitchell, Director Finance Department		Origination Date 11-19-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE:  Finance Department		Council Districts affected: C, G	
For additional information contact: Ralph De Leon Tim Douglass		Date and identification of prior authorizing Council Action: Ord. 1999-0767, 07/21/99, Ord. 1999-0773, 07/28/99, Res. 2001-47, 10/24/01, Ord. 2007-0140, 01/31/07, Ord. 2008-0976, 11/05/08	
RECOMMENDATION: (Summary) Approve an Ordinance for a Third Amendment to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Nineteen (Upper Kirby Zone)			
Amount of Funding: No Funding Required		Finance Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> N/A			

SPECIFIC EXPLANATION:

City of Houston Tax Increment Reinvestment Zone Number Nineteen (the "Zone") was created by Ordinance No. 1999-0767 on July, 21, 1999 for a duration of 15 years. Subsequently, City Council approved a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1999-0773, on July 28, 1999 (the "Plan"), and created the Upper Kirby Redevelopment Authority (the "Authority") by Resolution 2001-47 on October 24, 2001 to help implement the Plan. Thereafter, City Council approved an Amended Plan by Ordinance No. 2007-0140 on January 31, 2007, and a Second Amended Plan by Ordinance No. 2008-0976 on November 5, 2008. On September 16, 2009, the Zone's Board of Directors and the Authority approved a proposed Third Amended Plan and forwarded the proposed amendments to the City for consideration.

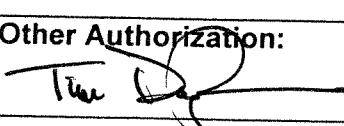
The proposed Third Amended Plan restates the goals and objectives included in the Original, Amended, and Second Amended Plans. The primary purpose of the Third Amended Plan is to continue to provide the ability to fund costs associated with public infrastructure projects including drainage, mobility, parks, and cultural and public facilities. The Third Amended Plan, in conjunction with the adoption of a revised termination date of the Zone to December 31, 2029, will assist the City and the Zone in addressing distressed infrastructure conditions and other quality of life issues resulting from existing and projected densities.

To support the City's efforts in this regard, the Finance Department recommends that City Council approve the Third Amended Plan for the Zone.

Attachments: Third Amended Project Plan and Reinvestment Zone Financing Plan

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

REQUIRED AUTHORIZATION

Finance Director:	Other Authorization:	Other Authorization: 
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**TAX INCREMENT REINVESTMENT ZONE NUMBER NINETEEN
CITY OF HOUSTON, TEXAS**

UPPER KIRBY TIRZ

**Third Amendment to the
Project Plan and Reinvestment Zone Financing Plan**

AMENDED SEPTEMBER 16, 2009

REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS

UPPER KIRBY ZONE

Third Amendment to the Project Plan and Reinvestment Zone Financing Plan

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Attachments:

Map 1	Map of the TIRZ
Map 2	Map of Proposed Land Uses in TIRZ

Exhibits

Exhibit 1	Parts A, B, C and D Plan Project Costs
Exhibit 2	Part D Plan Net Revenue Schedule: Table 1 - All Entities
Exhibit 3	Part D Plan Net Revenue and Transfers Schedule: – All Entities
Exhibit 3A	Part D Plan Revenue Schedule:– City of Houston
Exhibit 3B	Part D Plan Revenue Schedule: – HISD

**TAX INCREMENT REINVESTMENT TIRZ NUMBER NINETEEN
UPPER KIRBY REDEVELOPMENT AUTHORITY
PART D - THIRD AMENDMENT TO THE PROJECT PLAN AND
REINVESTMENT ZONE FINANCING PLAN
SEPTEMBER 16, 2009**

Introduction:

The purpose of the Project Plan and Reinvestment Zone Financing Plan (collectively, the Parts A, B, and C Plans, the “Plans”) for Reinvestment Zone Number Nineteen, City of Houston, Texas, the Upper Kirby Zone (herein referred to as the “TIRZ”) is to set forth goals, expectations and redevelopment plans and programs necessary to create and support an environment attractive to private investment. Land area within the TIRZ includes predominately commercial property in an area generally bounded by Westheimer on the north, Bissonnet on the south, Buffalo Speedway on the west, and South Shepherd on the east, plus two roadway extensions along the Kirby Drive right-of-way north from Westheimer to San Felipe and the Richmond Avenue right-of-way from Buffalo Speedway to the Southern Pacific railway line. The intent of the Plan is to ensure that the improvements will result in the long-term stability and viability of the area.

The City created the TIRZ on July 21, 1999 as an area covering 838.78 acres located primarily north of the Southwest Freeway in the southeast quadrant of the City, and within the limits of the 610 loop. The City adopted the Plan for the area on July 28, 1999 (the “Part A Plan”). On January 31, 2007, the City approved the Amended Project Plan and Reinvestment TIRZ Financing Plan for the TIRZ (the “Part B Plan”). On November 5 2008, the City approved the Second Amended Project Plan and Reinvestment TIRZ Financing Plan (the “Part C Plan”), which consisted predominately of a reallocation of funds within the approved Part B Plan and the addition of new project categories, including construction of the Upper Kirby Civic Complex. The TIRZ and the City now desire to further amend the TIRZ Project Plan and Financing Plan as further described herein (the “Part D Plan”).

Section One:

The Part A Plan: The primary focus of the Part A Plan was to address problems related to extreme traffic congestion, deficient traffic infrastructure, deficient storm sewer infrastructure, inadequate or absent sidewalk infrastructure, limited secondary street network, lack of pedestrian safety, numerous abandoned and vacant structures, and substandard and underutilized parks. The corrective methodology defined in the Part A Plan, consisted primarily of roadway and street reconstruction, public utility infrastructure improvements, street lighting, sidewalk construction the creation of pedestrian environments, and real property acquisition.

The Part B Plan: The Part B Plan sought to build upon the goals previously defined in the Part A Plan. The Part B Plan further defined TIRZ functions specific to assisting in the development of commercial, retail, mixed use, and high density residential development. Additionally, criteria was defined that provided for improvements to secondary streets such as Wakeforest, Lake, Eastside and other smaller streets not capable of assisting in traffic circulation. For example, a Houston Galveston Area Council (HGAC) accident analysis on Kirby Drive revealed an accident

rate higher than the State average due to narrow lanes and the absence of a pedestrian refuge in the center of the roadway. The Part B Plan sought to implement the redefined goals while remaining consistent with the Part A Plan through continued focus on roadway and street reconstruction, associated public utility replacement and system upgrades, street lighting, and the development of pedestrian environments through the construction of sidewalks, street lighting, landscaping, street furniture, pedestrian amenities and the acquisition of real property.

The Part C Plan: The Part C Plan both restated and further defined the fundamental goals and objectives identified in the Part A and Part B Plans. However, the primary intent of the Part C Plan was to alleviate the need for adequate community facilities within the Upper Kirby District and surrounding neighborhoods. As such, the planned Upper Kirby Civic Complex when completed will include Levy Park and encompass an estimated 10.5 acres. The facility will include public parking, a theater, community meeting space, and a public art plaza.

Section Two:

The Part D Plan: The Part D Plan includes provisions for the anticipation of funds associated with the extension of the life of the TIRZ. The additional funds will be utilized for public works and other public improvement project costs categories consistent with the Parts A, B, and C Plans. Additionally, funding increases for other project costs, administrative expenses, and operational costs were included, resulting in an overall increase in project costs value of \$168,563,586 million. Together, Parts A, B, C Plans, combined with the Part D Plan provide the tools needed to help alleviate blight, deteriorated street and site conditions, obsolete public services and facilities and will encourage the sound growth of residential, retail, and commercial development within the area.

Overview:

The TIRZ has made significant strides to reverse deterioration and spur economic revitalization within the boundaries of the TIRZ. This is evident by the completion of current and on-going development of multiple commercial/retail and multi-family residential developments. For example, the West Avenue, 2727 Kirby, Alexan Upper Kirby were completed or underway in 2009 and will have a combined estimated Captured Appraised value of approximately \$117 million. In addition, multiple commercial/retail developments have been constructed on Westheimer and Buffalo Speedway corridors. Much remains to be accomplished, however. Despite its adjacency to major activity centers, the area still remains largely underdeveloped, characterized by areas that include a substantial number of substandard, slum and deteriorated structures, predominance of defective and inadequate sidewalk and street layouts, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, unsanitary and unsafe conditions, deteriorated site improvements that endanger life and property by fire or other causes, a predominance of open and, because of platting and other factors that substantially impair and arrest sound growth of the City of Houston and Harris County.

The Part D Plan Initiatives: The Part D Plan will remedy recent and historic negative trends within the Upper Kirby area by creating a viable and attractive environment for new investment and redevelopment. Improvements have been identified that will enhance the community by attracting new businesses and residents to the area. The proposed Part D Plan projects include

upgrades and improvements to public utility systems, public roadways and thoroughfares, trail systems, parks, provisions for public art, lighting, landscaping, and environmental remediation. The goals of the TIRZ are to create a new urban neighborhood while respecting the historic character of the area; create gateways between Upper Kirby and adjacent districts through the development of connections with other neighborhoods and activity centers; produce a product unique to Upper Kirby; and enhance the sense of civic pride for area residents.

The improvements proposed are in relationship to the original goals of the TIRZ and are as follows:

Goal 1: The creation of pedestrian-friendly, safe environments through the reconstruction of streets and sidewalks, with ample lighting and streetscape amenities.

Streetscape enhancements are required to create an environment that will help stimulate investment in retail, residential, and commercial developments. Enhanced streetscapes components will include: sidewalks, lighting, signage, street trees, landscaping, benches and other pedestrian amenities. The reconstruction of key streets and major thoroughfares will enhance the level of service in the area. The construction of sidewalk systems including ADA compliant ramps and other treatments will improve pedestrian safety, enhance the visual environment and provide connectivity both within the community and to adjacent districts. All improvements will be coordinated with the street reconstruction programs of the City of Houston, METRO, TxDOT, and other public entities. Attention will be placed on the leveraging of TIRZ monies through the funding of elements not addressed by the CIP programs of sister agencies.

Goal 2: Redevelopment and upgrades to public green space, parks, and other appropriate recreational facilities.

Public infrastructure, pedestrian bridges, regional trail systems and other enhancements to area parks and other public open green space will attract and support redevelopment and improve the quality of life of area neighborhoods and visitors by increasing the attractiveness of the area.

Goal 3: The reinforcement of pedestrian-attractive retail developments along Westheimer, Alabama, Richmond, Bissonnet, Buffalo Speedway, Kirby and Shepherd corridors.

The retention and expansion of retail and commercial developments along Westheimer Road, West Alabama Street, Richmond Avenue, Bissonnet Street, Buffalo Speedway, Kirby Drive and Shepherd Drive is of key importance to the successful redevelopment of the area. The provision of base level retail functionality is essential to the continued expansion of mixed use and residential projects in the area. In particular, it is envisioned to assist in the development of primary commercial and retail corridors through the implementation of an enhanced pedestrian environment with an emphasis on parking, lighting, street trees, landscaping, wide sidewalks, public art and adequate pedestrian amenities.

Goal 4: Complementing revitalization activities proposed to occur along potential/future METRO Alignments within the boundaries of the TIRZ.

METRO funding of public transit systems along proposed/future alignments can be complemented by TIRZ activities including the funding of streetscape improvements, roadway upgrades, right-of-way acquisition, and provisions for public art. Future METRO stations within the boundaries of the TIRZ could spur redevelopment while benefiting existing businesses. The METRO Solutions University Alignment potentially could include station locations within the boundaries of the TIRZ. According to the METRO, station locations would likely result in “redevelopment of vacant parcels and intensification of land uses.” The placement of METRO transit stations in the region will be of particular importance, economically speaking, both from the consumer’s and the merchant’s perspectives. The TIRZ will look for specific, key economic development opportunities and capitalize on METRO’s revitalization of key corridors included in the TIRZ.

Goal 5: Cultural and Public Facilities

Increasing public and cultural facilities for current Upper Kirby residents and adjacent districts has emerged as important public policy goal since the date of the Part C Plan. TIRZ funds will be leveraged with private, public, and non-profit developers to integrate cultural and public facilities initiatives into ongoing and proposed redevelopment projects within the TIRZ. As such, property acquisition is anticipated. These projects, collectively with improved infrastructure, more fire, police, library, public health facilities, and cultural/community centers, will lead to improved security and enhance the quality of life for existing and new residents and businesses.

OTHER PROJECT PLAN PROVISIONS

Project Plan:

Existing and Proposed Uses of Land Within the TIRZ: Map 1 reflects the existing land uses within the TIRZ. Map 2 reflects the proposed uses of property and proposed projects.

Estimated Non-Project Cost Items: The Non-Project Cost items below reflect costs that Harris County Improvement District Number Three (“HCID No. 3”) will make towards the total development plan. HCID No. 3 sponsored costs reflect the investment and commitment that has been made and that will continue to be made by the property owners for improvements and services that would not be borne by the TIRZ. Total anticipated costs that will be made by HCID No. 3 are \$13.5 million.

Proposed Changes of Zoning Ordinances, Master Plan of Municipality, Building Codes, and other Municipal Ordinances: All construction will be done in conformance with existing rules and regulations of the City of Houston. There are no proposed changes of any city ordinance, master plan, or building codes.

Statement of Method of Relocating Persons to be Displaced as a Result of Implementing the Plan: The Part C Plan called for the redevelopment of existing properties. 2903 Richmond Avenue, 2925 Richmond Avenue and 3700 Wakeforest Street are properties that will ultimately become the new Upper Kirby Civic Complex. The 2903 and 2925 Richmond properties were vacant, dilapidated buildings. As such no displacement of property owners and/or residents from these properties was needed. The 3700 Wakeforest property is a 101 unit apartment complex

constructed in 1963. 99 units were occupied until March of 2008. According to a phased out already imposed by the existing property owner, the remaining tenants agree to relocate within 1 to 4 months (depending on the size of the unit) after receipt of the written notice from the existing property owner and have since done so. All tenants were given free rent for at least one month.

Financing Plan:

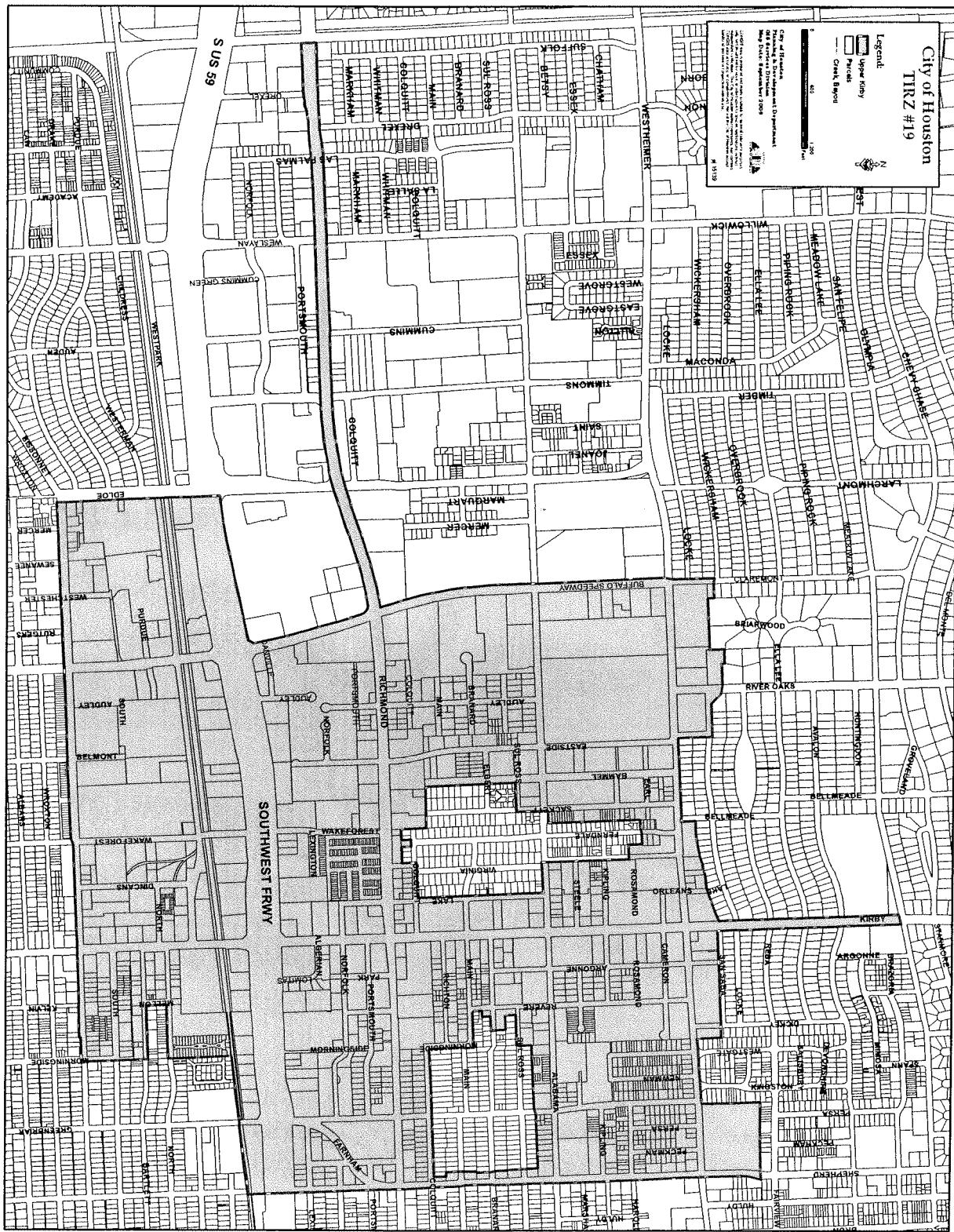
Estimated Project Costs: Exhibit 1 is a detailed listing of the estimated project costs including administrative and educational project costs. Part D contains the categories of Infrastructure, Utility System, Traffic Mobility, Safety and Security Infrastructure, Public Recreation/Public Service, Financing, TIRZ Administration and Educational Project costs. Exhibit 1 also lists costs for Parts A, B, and C, as those projects remain part of the overall Plan.

Economic Feasibility: Exhibits 2, 3, 3-A, and 3-B are updated revenue estimates. These estimates detail the total appraised value, the captured appraised value and the net revenue from each taxing entity participating in the TIRZ over the remaining life of the TIRZ.

Bonded Indebtedness/Methods of Financing: Notes have been issued by the TIRZ. Additional notes issues are anticipated. The value and timing of these future note and bond issues will correlate to the debt capacity as derived from the revenue and project schedules attached herein, and by actual market conditions for the issue and sale of such notes and bonds. The TIRZ will explore other financing methods, as well, including developer agreement financing and collaboration with other entities for grant funding and partnerships.

Reinvestment Zone Duration: When initially created by City Council on July 21, 1999, the term of the TIRZ was established at 15 years. Due to the magnitude of mixed use development within the TIRZ, a greater demand continues to be placed on the already distressed infrastructure than was originally projected. The proposed improvements extending beyond 2014 projects included in the Parts A, B, and C Plans as well as those needed to adequately address future drainage, mobility and quality of life issues resulting from existing and projected densities. It is therefore recommended that the life of the TIRZ be extended to December 31, 2029 as part of this Part D Plan.

EXHIBITS



Map 1 – Map of the TIRZ

Map 2 – Map of Proposed Land Uses in the TIRZ

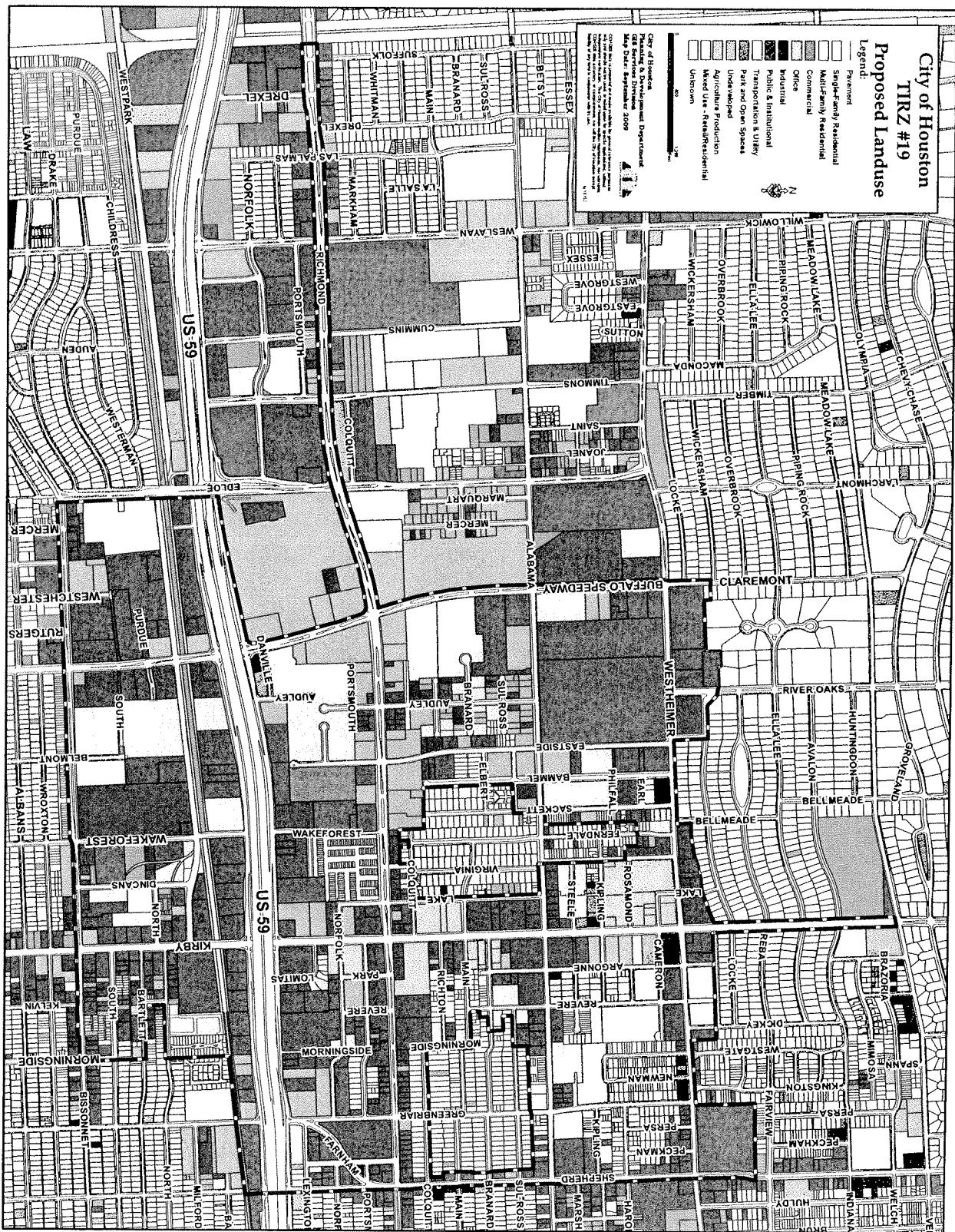


Exhibit 1 - Parts A, B, C & D Project Costs

Exhibit 1 – Parts A, B, C and D Project Costs

	Part A Plan Estimated Costs	Part B Plan Estimated Costs	Part C Plan Estimated Costs	Part D Plan Estimated Costs	Cumulative Costs	Costs through 06/30/09	Remaining Costs
Non-Educational Project Costs							
Infrastructure Improvements:							
Utility System Improvements:							
Storm Drainage Improvements	\$ 1,500,000	\$ 24,500,000	\$ 4,600,000	\$ 18,800,000	\$ 49,400,000	\$ 6,630,746	\$ 42,769,254
Traffic Mobility Improvements:							
Traffic Operational Improvements	\$ 100,000	\$ 780,000	\$ -	\$ -	\$ 880,000	\$ 308,168	\$ 571,832
Esplanades on Kirby Drive	\$ 500,000	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000
Pedestrian Improvements	\$ 5,400,000	\$ 6,300,000	\$ 25,300,000	\$ 70,450,000	\$ 2,450,000	\$ 63,059	\$ 2,386,941
Street Paving Projects	\$ 6,000,000	\$ 7,740,000	\$ 25,890,000	\$ 71,650,000	\$ 11,280,000	\$ 10,223,614	\$ 97,226,386
Total Traffic Mobility Improvements- Part A, B, C & D	\$ 7,500,000	\$ 32,240,000	\$ 30,490,000	\$ 90,450,000	\$ 160,680,000	\$ 17,225,587	\$ 143,454,413
Safety & Security Infrastructure Improvements							
Highway 59 Overpass Security Improvements	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000
Sidewalk Improvements	\$ 1,400,000	\$ -	\$ -	\$ -	\$ 1,400,000	\$ -	\$ 1,400,000
Total Safety & Security Improvements - Part A, B, C & D	\$ 1,600,000	\$ -	\$ -	\$ -	\$ 1,600,000	\$ -	\$ 1,600,000
Public Recreation/Public Service Improvements							
Levy Park Improvements	\$ 750,000	\$ 200,000	\$ -	\$ -	\$ 950,000	\$ 933,167	\$ 16,833
Westpark Rail/Trail System	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000
Upper Kirby Wayfinding Project	\$ -	\$ 100,000	\$ -	\$ -	\$ 28,586	\$ 128,586	\$ 115,374
Urban corridor improvements	\$ -	\$ -	\$ 5,870,000	\$ 19,700,000	\$ 25,570,000	\$ -	\$ 25,570,000
Total Public Recreation/Public Service Improvements - Part A, B, C & D	\$ 900,000	\$ 300,000	\$ 5,870,000	\$ 19,728,586	\$ 26,798,586	\$ 1,048,541	\$ 25,750,045
Public Facility Improvements							
Upper Kirby Civic Complex	\$ -	\$ -	\$ -	\$ 12,400,000	\$ 46,350,000	\$ 58,750,000	\$ 12,310,788
Total Public Facility Improvements - Part A, B, C & D	\$ 900,000	\$ 300,000	\$ 18,270,000	\$ 66,078,586	\$ 85,548,586	\$ 13,359,329	\$ 72,189,257
Total Public Recreational and Public Facility Improvements - Part A, B, C & D	\$ 900,000	\$ 300,000	\$ 18,270,000	\$ 66,078,586	\$ 85,548,586	\$ 13,359,329	\$ 72,189,257
Financing Cost:							
Financing Cost	\$ -	\$ -	\$ -	\$ 4,600,000	\$ 10,000,000	\$ 14,600,000	\$ 63,815
Total Financing Costs - Part A, B, C & D	\$ -	\$ -	\$ -	\$ 4,600,000	\$ 10,000,000	\$ 14,600,000	\$ 63,815
Zone Administration:							
Operations for Duration of Zone	\$ 450,000	\$ 1,050,000	\$ 90,529	\$ 1,875,000	\$ 3,465,529	\$ 765,762	\$ 2,699,767
Zone Creation	\$ 150,000	\$ 60,000	\$ -	\$ 190,000	\$ 400,000	\$ 230,150	\$ 169,850
Total Zone Administration Costs - Part A, B, C & D	\$ 600,000	\$ 1,110,000	\$ 90,529	\$ 2,065,000	\$ 3,865,529	\$ 985,912	\$ 2,689,617
Total Non- Educational Project Costs - Part A, B, C & D	\$ 10,600,000	\$ 33,550,000	\$ 53,450,529	\$ 168,593,586	\$ 266,294,115	\$ 31,644,643	\$ 234,649,472
Education Project Costs							
Cost Associated with the construction/reconstruction of educational facilities	\$ 5,572,812	\$ -	\$ -	\$ -	\$ 5,572,812	\$ 3,122,216	\$ 2,450,596
Total Education Project Costs - Part A, B, C & D	\$ 5,572,812	\$ -	\$ -	\$ -	\$ 5,572,812	\$ 3,122,216	\$ 2,450,596
PROJECT PLAN TOTAL	\$ 16,172,812	\$ 33,650,000	\$ 53,450,529	\$ 168,593,586	\$ 271,866,927	\$ 34,766,859	\$ 237,100,068

Exhibit 2 – Part D Plan Revenue Schedule: Table 1 –All Entities

**TIRZ 19 Upper Kirby Revenue Schedule
2009 Amended Project Plan and Reinvestment Zone Financing Plan**

TY	City of Houston	HISD (1)	Total Revenue	Net Revenue (Total Revenue less Transfers)
2009	\$ 5,518,728	\$ 1,122,885	\$ 6,641,613	\$ 5,966,382
2010	\$ 7,493,858	\$ 1,122,885	\$ 8,616,743	\$ 7,842,755
2011	\$ 7,692,208	\$ 1,122,885	\$ 8,815,092	\$ 8,031,187
2012	\$ 8,169,393	\$ 1,122,885	\$ 9,292,278	\$ 8,484,513
2013	\$ 8,665,665	\$ 1,122,885	\$ 9,788,550	\$ 8,955,972
2014	\$ 9,181,789	\$ 1,122,885	\$ 10,304,674	\$ 9,446,289
2015	\$ 9,718,557	\$ -	\$ 9,718,557	\$ 9,233,629
2016	\$ 10,276,797	\$ -	\$ 10,276,797	\$ 9,762,957
2017	\$ 10,857,365	\$ -	\$ 10,857,365	\$ 10,314,497
2018	\$ 11,461,157	\$ -	\$ 11,461,157	\$ 10,888,099
2019	\$ 12,089,100	\$ -	\$ 12,089,100	\$ 11,484,645
2020	\$ 12,742,161	\$ -	\$ 12,742,161	\$ 12,105,053
2021	\$ 13,421,344	\$ -	\$ 13,421,344	\$ 12,750,277
2022	\$ 14,127,695	\$ -	\$ 14,127,695	\$ 13,421,310
2023	\$ 14,862,299	\$ -	\$ 14,862,299	\$ 14,119,184
2024	\$ 15,626,288	\$ -	\$ 15,626,288	\$ 14,844,974
2025	\$ 16,420,837	\$ -	\$ 16,420,837	\$ 15,599,795
2026	\$ 17,247,167	\$ -	\$ 17,247,167	\$ 16,384,809
2027	\$ 18,106,551	\$ -	\$ 18,106,551	\$ 17,201,223
2028	\$ 19,000,310	\$ -	\$ 19,000,310	\$ 18,050,294
2029	\$ 19,929,819	\$ -	\$ 19,929,819	\$ 18,933,328
	\$ 262,609,087	\$ 6,737,309	\$ 269,346,396	\$ 253,820,172

Notes:

(1) HISD's last payment is for TY2014 per Interlocal Agreement, Ordinance 1999-0913 Section VI.A

Exhibit 3 – Part D Plan Revenue Schedule: Master Increment/ Transfers Schedule

**TIRZ 19 Upper Kirby Revenue Schedule
2009 Amended Project Plan and Reinvestment Zone Financing Plan**

Tax Year	Increment Revenue		Transfers			Net Revenue (Total Revenue less Transfers)
	City of Houston	HISD (1)	Total Revenue	Admin Fee	HISD Education	
2009	\$ 5,518,728	\$ 1,122,885	\$ 6,641,613	\$ 300,936	\$ 374,295	\$ 675,231
2010	\$ 7,493,858	\$ 1,122,885	\$ 8,616,743	\$ 399,693	\$ 374,295	\$ 5,966,382
2011	\$ 7,692,208	\$ 1,122,885	\$ 8,815,092	\$ 409,610	\$ 374,295	\$ 7,842,755
2012	\$ 8,169,393	\$ 1,122,885	\$ 9,292,278	\$ 433,470	\$ 374,295	\$ 8,031,187
2013	\$ 8,665,665	\$ 1,122,885	\$ 9,788,550	\$ 458,283	\$ 374,295	\$ 8,484,513
2014	\$ 9,181,789	\$ 1,122,885	\$ 10,304,674	\$ 484,089	\$ 374,295	\$ 8,955,972
2015	\$ 9,718,557	\$ 9,718,557	\$ 485,928	\$ 485,928	\$ 485,928	\$ 9,232,629
2016	\$ 10,276,797	\$ 10,276,797	\$ 513,840	\$ 513,840	\$ 513,840	\$ 9,762,957
2017	\$ 10,857,365	\$ 10,857,365	\$ 542,868	\$ 542,868	\$ 542,868	\$ 10,314,497
2018	\$ 11,461,157	\$ 11,461,157	\$ 573,058	\$ 573,058	\$ 573,058	\$ 10,888,099
2019	\$ 12,089,100	\$ 12,089,100	\$ 604,455	\$ 604,455	\$ 604,455	\$ 11,484,645
2020	\$ 12,742,161	\$ 12,742,161	\$ 637,108	\$ 637,108	\$ 637,108	\$ 12,105,053
2021	\$ 13,421,344	\$ 13,421,344	\$ 671,067	\$ 671,067	\$ 671,067	\$ 12,750,277
2022	\$ 14,127,695	\$ 14,127,695	\$ 706,385	\$ 706,385	\$ 706,385	\$ 13,421,310
2023	\$ 14,862,299	\$ 14,862,299	\$ 743,115	\$ 743,115	\$ 743,115	\$ 14,119,184
2024	\$ 15,626,288	\$ 15,626,288	\$ 781,314	\$ 781,314	\$ 781,314	\$ 14,844,974
2025	\$ 16,420,837	\$ 16,420,837	\$ 821,042	\$ 821,042	\$ 821,042	\$ 15,599,795
2026	\$ 17,247,167	\$ 17,247,167	\$ 862,358	\$ 862,358	\$ 862,358	\$ 16,384,809
2027	\$ 18,106,551	\$ 18,106,551	\$ 905,328	\$ 905,328	\$ 905,328	\$ 17,201,223
2028	\$ 19,000,310	\$ 19,000,310	\$ 950,015	\$ 950,015	\$ 950,015	\$ 18,050,294
2029	\$ 19,929,819	\$ 19,929,819	\$ 996,491	\$ 996,491	\$ 996,491	\$ 18,933,328
	\$ 262,609,087	\$ 6,737,309	\$ 269,346,396	\$ 13,280,454	\$ 2,245,770	\$ 15,526,224
						\$ 253,820,172

Notes:

(1) HISD's last payment is for TY2014 per Interlocal Agreement, Ordinance 1999-0913 Section VI.A

Exhibit 3A – Part D Plan Revenue Schedule: City of Houston

TIRZ 19 Upper Kirby Revenue Schedule
City of Houston Jurisdiction
2009 Amended Project Plan and Reinvestment Zone Financing Plan

Tax Year	Fiscal Year	Base Value (1)	Projected Value (2)	Captured Appraised Value	Collection Rate (3)	Tax Rate	Increment Revenue	Admin Fee	Increment Revenue Due to TIRZ
2009	2010	\$ 683,628,290	\$ 1,573,971,244	\$ 890,342,954	97.04%	0.63875	\$ 5,518,728	\$ 275,936	\$ 5,242,792
2010	2011	\$ 683,628,290	\$ 1,892,621,189	\$ 1,208,992,899	97.04%	0.63875	\$ 7,493,858	\$ 374,693	\$ 7,119,165
2011	2012	\$ 683,628,290	\$ 1,924,621,189	\$ 1,240,992,899	97.04%	0.63875	\$ 7,692,208	\$ 384,610	\$ 7,307,597
2012	2013	\$ 683,628,290	\$ 2,001,606,037	\$ 1,317,977,747	97.04%	0.63875	\$ 8,169,393	\$ 408,470	\$ 7,760,923
2013	2014	\$ 683,628,290	\$ 2,081,670,279	\$ 1,398,041,989	97.04%	0.63875	\$ 8,665,665	\$ 433,283	\$ 8,232,382
2014	2015	\$ 683,628,290	\$ 2,164,937,090	\$ 1,481,308,800	97.04%	0.63875	\$ 9,181,789	\$ 459,089	\$ 8,722,699
2015	2016	\$ 683,628,290	\$ 2,251,534,573	\$ 1,567,906,283	97.04%	0.63875	\$ 9,718,557	\$ 485,928	\$ 9,232,629
2016	2017	\$ 683,628,290	\$ 2,341,595,956	\$ 1,657,967,666	97.04%	0.63875	\$ 10,276,797	\$ 513,840	\$ 9,762,957
2017	2018	\$ 683,628,290	\$ 2,435,259,794	\$ 1,751,631,504	97.04%	0.63875	\$ 10,857,365	\$ 542,868	\$ 10,314,497
2018	2019	\$ 683,628,290	\$ 2,532,670,186	\$ 1,849,041,896	97.04%	0.63875	\$ 11,461,157	\$ 573,058	\$ 10,888,099
2019	2020	\$ 683,628,290	\$ 2,633,976,994	\$ 1,950,348,704	97.04%	0.63875	\$ 12,089,100	\$ 604,455	\$ 11,484,645
2020	2021	\$ 683,628,290	\$ 2,739,336,073	\$ 2,055,707,783	97.04%	0.63875	\$ 12,742,161	\$ 637,108	\$ 12,105,053
2021	2022	\$ 683,628,290	\$ 2,848,909,516	\$ 2,165,281,226	97.04%	0.63875	\$ 13,421,344	\$ 671,067	\$ 12,750,277
2022	2023	\$ 683,628,290	\$ 2,962,865,897	\$ 2,279,237,607	97.04%	0.63875	\$ 14,127,695	\$ 706,385	\$ 13,421,310
2023	2024	\$ 683,628,290	\$ 3,081,380,533	\$ 2,397,752,243	97.04%	0.63875	\$ 14,862,299	\$ 743,115	\$ 14,119,184
2024	2025	\$ 683,628,290	\$ 3,204,635,754	\$ 2,521,007,464	97.04%	0.63875	\$ 15,626,288	\$ 781,314	\$ 14,844,974
2025	2026	\$ 683,628,290	\$ 3,332,821,184	\$ 2,649,192,894	97.04%	0.63875	\$ 16,420,837	\$ 821,042	\$ 15,599,795
2026	2027	\$ 683,628,290	\$ 3,466,134,032	\$ 2,782,505,742	97.04%	0.63875	\$ 17,247,167	\$ 862,358	\$ 16,384,809
2027	2028	\$ 683,628,290	\$ 3,604,779,393	\$ 2,921,151,103	97.04%	0.63875	\$ 18,106,551	\$ 905,328	\$ 17,201,223
2028	2029	\$ 683,628,290	\$ 3,748,970,569	\$ 3,065,342,279	97.04%	0.63875	\$ 19,000,310	\$ 950,015	\$ 18,050,294
2029	2030	\$ 683,628,290	\$ 3,898,929,391	\$ 3,215,301,101	97.04%	0.63875	\$ 19,929,819	\$ 996,491	\$ 18,933,328
Total						\$ 262,609,087	\$ 13,130,454	\$ 249,478,633	

Notes:

- (1) Base Year is Tax Year 1999
- (2) Projected Value for TY09 to TY11 includes developer projections; TY12 to TY29 Projected Values increase by 4% growth rate
- (3) Collection Rate for TY09 to TY29 uses the actual collection rate for TY08

Exhibit 3B – Part D Plan Revenue Schedule: Houston Independent School District

TIRZ 19 Upper Kirby Revenue Schedule
Houston Independent School District Jurisdiction
2009 Amended Project Plan and Reinvestment Zone Financing Plan

Tax Year	Fiscal Year	Base Value (1)	Projected Value	Captured Appraised Value	Project Plan	Basis (2)	Collection Rate (3)	Tax Rate	Increment Revenue	Admin Fee	ISD Educational Transfer	Increment Revenue Due to TIRZ
2009	2010	\$ 677,486,360	\$ 1,573,971,244	\$ 896,484,894	\$ 121,435,000	\$ 121,435,000	96.32%	0.96000	\$ 1,122,885	\$ 25,000	\$ 374,295	\$ 723,590
2010	2011	\$ 677,486,360	\$ 1,892,621,169	\$ 1,215,134,829	\$ 121,435,000	\$ 121,435,000	96.32%	0.96000	\$ 1,122,885	\$ 25,000	\$ 374,295	\$ 723,590
2011	2012	\$ 677,486,360	\$ 1,974,621,169	\$ 1,247,134,829	\$ 121,435,000	\$ 121,435,000	96.32%	0.96000	\$ 1,122,885	\$ 25,000	\$ 374,295	\$ 723,590
2012	2013	\$ 677,486,360	\$ 2,001,606,037	\$ 1,324,119,677	\$ 121,435,000	\$ 121,435,000	96.32%	0.96000	\$ 1,122,885	\$ 25,000	\$ 374,295	\$ 723,590
2013	2014	\$ 677,486,360	\$ 2,081,670,279	\$ 1,404,183,919	\$ 121,435,000	\$ 121,435,000	96.32%	0.96000	\$ 1,122,885	\$ 25,000	\$ 374,295	\$ 723,590
2014	2015	\$ 677,486,360	\$ 2,164,937,050	\$ 1,487,450,730	\$ 121,435,000	\$ 121,435,000	96.32%	0.96000	\$ 1,122,885	\$ 25,000	\$ 374,295	\$ 723,590
								Total		\$ 6,737,309	\$ 150,000	\$ 2,245,770
								\$ 4,347,539				

Notes:

- (1) Base Year is Tax Year 2000
- (2) Basis is the lower of Project Plan or Caputured Appraised Value. Basis is used to calculate Increment Revenue
- (3) Collection Rate for TY09 to TY16 uses the actual collection rate for TY08
- (4) Last payment is for TY2014 per Ordinance 1999-0913 Section VI.A

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Approve the Fiscal Year 2010 Operating Budget for Midtown Redevelopment Authority and the FY2010-2014 CIP Budget (Tax Increment Reinvestment Zone Number Two).

Category #

Page 1 of 1

Agenda Item#

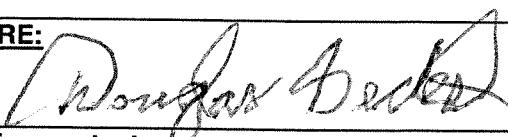
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FROM: (Department or other point of origin):

Michelle Mitchell, Director
Finance Department

Origination Date
November 13, 2009Agenda Date
DEC 02 2009

DIRECTOR'S SIGNATURE:


Council Districts affected:
D & I

For additional information contact:

Tim Douglass Phone: (713) 837-9857
Julia Gee Phone: (713) 837-7828

Date and identification of prior authorizing
Council Action:
Ord. 2008-0516, 06/11/08

RECOMMENDATION: (Summary)

City Council to approve the Fiscal Year 2010 Operating Budget for Midtown Redevelopment Authority and the FY2010-2014 CIP Budget (Tax Increment Reinvestment Zone Number Two).

Amount of Funding: No Funding Required

Finance Budget:

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

SPECIFIC EXPLANATION:

The administration has undertaken a comprehensive review of proposed FY10 TIRZ budgets. The Finance Department recommends approval of the FY10 Operating Budget and the FY2010-2014 CIP Budget for Midtown Redevelopment Authority (Tax Increment Reinvestment Zone Number Two).

- Total Operating Budget for FY10 is \$24,425,744, which includes \$4,017,882 for required fund transfers and \$20,407,862 for Project Costs.
- The 2010–2014 CIP for Midtown Redevelopment Authority totals \$51,574,000. The CIP includes mobility and street projects including reconstruction on McGowen, Gray, Alabama and Bagby Streets. The budget for Public and Cultural Facilities (T-0232) is effective only upon final approval of a Third Amended Project Plan containing provisions for the use of funds for named cultural facilities.
- The FY10 Operating Budget includes \$13,984,000 for capital expenditures and \$537,750 for administration and overhead. The Redevelopment Authority has full time staff to manage redevelopment activities of the TIRZ and provide administrative support to the Management District. Administration and overhead costs (staff, board insurance, legal, accounting and audits) are budgeted to remain in line with equivalent City costs for a zone undertaking redevelopment activities. The Redevelopment Authority must advise the Director of any budget amendments. Adjustments to the Project Costs in the budget of the lesser \$400,000 or 5% or more require City Council approval.
- The budget includes a municipal services payment in FY10 of \$910,000.

Attachments: TIRZ Profile, FY10 Operating Budget, and FY 2010-2014 CIP.

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

REQUIRED AUTHORIZATION

Finance Director:

Other Authorization:

Other Authorization:

**CITY OF HOUSTON
DEPARTMENT OF FINANCE
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2010 BUDGET PROFILE
FOR TIRZ ADMINISTRATORS**

Fund Summary
Fund Name: **Midtown Redevelopment Authority**
TIRZ: **02**
Fund Number: **7550/64**

P	Base Year:	1995
R	Base Year Taxable Value:	\$ 211,775,890
O	Taxable Value (TY2009) per HCAD as of 9/25/09:	\$ 1,219,076,194
F	Taxable Value (TY2008):	\$ 1,199,962,428
I	Acres:	775 acres
L	Administrator (Contact):	Matt Thibodeaux
E	Contact Number:	713-526-7577

Zone Purpose:

The Midtown Zone was created by the City for the purpose of eliminating urban blight with revitalization providing public right of way improvements and enhancements such as: street resurfacing, utilities, street lighting, street art, street furniture, enhanced landscaping, irrigation, and decorative and wider sidewalks.

N	Accomplishments in FY09 (Projects Underway):
A	In fiscal year 2009, the Midtown TIRZ accomplished:
R	- The Elgin Phase IIB project (Main to Brazos), with an estimated construction amount of \$770,000, is being completed with assistance of a FTA Grant in the anticipated amount of \$800,000 (\$335,913 to be received during FY 2008 and \$233,804 in FY 2009; the balance to be received in FY 2010) . The project was completed April 2009.
R	- The Parker District project consists of 9 blocks of street reconstruction, replacement of public utilities, landscape improvements and sidewalks and handicap accessibility ramps in the amount of approximately \$2,950,000. The project was completed in March 2009.
A	- At the request of the City of Houston, TIRZ#2 engaged Pate Engineers to conducted a preliminary engineering and cost allocation study for Bagby Street from St. Johnson to Tuam and McGowen Street from Smith to Albany at a cost of \$180,000. This study developed a cost allocation for design and construction of improvements to be shared by Midtown and the City of Houston.
T	- The McGowen Street project consists of 13 blocks from Smith to Hamilton and will include the street reconstruction and upgrades to public utilities in designated areas, landscape improvements, sidewalks and accessibility ramps.
I	- The McGowen Street project began construction February 2009 and is also included as part of the FTA Livable Communities pedestrian/transit master plan. The estimated construction cost of the project is \$6,100,000 with a construction duration of 14 months.
V	- The Midtown Affordable Housing Land Banking Program has acquired 1,196,917 square feet of land in the Third Ward, begun the design phase for the pilot program for an affordable housing rental development and granted land to several Community Development Corporations in the Third Ward neighborhood for the purpose of building affordable housing.
E	-

P R O J E C T		Total Plan	Cumulative Expenses	Variance
			(to FY09)	
Capital Projects:				
Real Property Assembly	\$	20,000,000	\$ 8,070,370	\$ 11,929,630
Historic Preservation		9,500,000	139,992	9,360,008
Parks & Paths		16,210,000	6,178,085	10,031,915
Streets & Utilities		62,365,000	9,273,151	53,091,849
Streetscape & Gateways		36,190,000	14,035,466	22,154,534
Security Equip		4,550,000	-	4,550,000
Demolition & Cleanup		3,900,000	-	3,900,000
Total Capital Projects	\$	152,715,000	\$ 37,697,064	\$ 115,017,936
Affordable Housing		115,287,000	27,909,525	87,377,475
School & Education/Cultural Facilities		83,770,000	17,928,999	65,841,001
Financing Costs		62,869,111	24,270,430	38,598,681
Administration Costs/ Professional Services		19,424,000	9,831,786	9,592,214
Creation Costs		557,300	557,300	-
Total Project Plan	\$	434,622,411	\$ 118,195,104	\$ 316,427,307

D E B T	Additional Financial Data	FY2009 Budget	2009 Actual	FY2010 Budget
Debt Service	\$ 4,758,158	\$ 4,758,159	\$ 4,762,612	
Principal	\$ 2,060,000	\$ 2,060,000	\$ 2,170,000	
Interest	\$ 2,698,158	\$ 2,698,159	\$ 2,592,612	
	Balance as of 6/30/08	Balance as of 6/30/09	Balance as of 6/30/10	
Year End Outstanding (Principal)	\$ 53,635,000	\$ 51,575,000	\$ 49,405,000	
Bond Debt	\$ -	\$ -	\$ -	
Bank Loan	\$ -	\$ -	\$ -	
Developer Agreement	\$ -	\$ -	\$ -	
Other	\$ -	\$ -	\$ -	

**CITY OF HOUSTON
DEPARTMENT OF FINANCE
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2010 BUDGET SUMMARY
FOR TIRZ ADMINISTRATORS**

Fund Summary
Fund Name: **Midtown Redevelopment Authority**
TIRZ: **02**
Fund Number: **7550/64**

TIRZ Budget Line Items	FY2009 Budget	2009 Actual	FY2010 Budget
Available Resources			
Beginning Fund Balance			
Land Held for Resale	\$ 18,168,789	\$ 17,113,811	\$ 19,507,019
Beginning Balance - Land	\$ 18,168,789	\$ 17,113,811	\$ 19,507,019
Restricted Funds - Capital Projects	\$ 10,798,894	\$ 10,276,720	\$ 7,119,498
Restricted Funds - Affd. Housing	\$ 4,878,346	\$ 5,115,516	\$ 3,452,647
Restricted Funds - Bond Reserve	\$ 9,536,680	\$ 9,666,182	\$ 10,195,178
Unrestricted Fund Balance	\$ 7,262,924	\$ 4,107,341	\$ 7,351,163
Beginning Balance	\$ 32,476,844	\$ 29,165,759	\$ 28,118,486
Total Beginning Fund Balance	\$ 50,645,633	\$ 46,279,570	\$ 47,625,505
TIRZ Revenue			
City	\$ 5,592,068	\$ 6,048,621	\$ 5,961,946
ISD	\$ 7,129,654	\$ 5,321,634	\$ 5,594,470
County	\$ 3,247,707	\$ 3,393,882	\$ 3,354,747
Community College	\$ 723,727	\$ 873,491	\$ 855,530
Total Revenues	\$ 16,693,156	\$ 15,637,627	\$ 15,766,693
Bond Proceeds			
Loan Proceeds	\$ -	\$ -	\$ -
Grant Proceeds	\$ 120,000	\$ 568,775	\$ 1,290,000
Land Acquisition (Non-cash)	\$ -	\$ 2,393,208	\$ -
Other	\$ 1,242,000	\$ 1,541,768	\$ 1,544,739
Total Available Resources	\$ 68,700,789	\$ 66,420,948	\$ 66,226,937
Fund Transfers			
Affordable Housing			
City of Houston	\$ -	\$ -	\$ -
ISD Increment to Houston	\$ -	\$ -	\$ -
Harris County	\$ 689,476	\$ 621,857	\$ 634,115
ISD Education Set-Aside	\$ 3,168,231	\$ 1,936,325	\$ 1,957,933
Municipal Services	\$ 650,000	\$ 650,000	\$ 910,000
Administration Fee to General Fund			
COH Admin Fee (5%)	\$ 279,603	\$ 302,431	\$ 298,097
Harris County Admin	\$ 162,385	\$ 169,694	\$ 167,737
ISD Admin	\$ 25,000	\$ 25,000	\$ 25,000
HCC	\$ 25,000	\$ 25,000	\$ 25,000
Total Fund Transfers	\$ 4,999,695	\$ 3,730,307	\$ 4,017,882
Funds Available for Projects	\$ 63,701,093	\$ 62,690,641	\$ 62,209,055
Project Costs			
Administrative Staff	\$ 262,430	\$ 405,201	\$ 270,000
Administrative Consultant	\$ 36,000	\$ 43,150	\$ 36,000
Legal	\$ 50,000	\$ 133,711	\$ 50,000
Accounting/ Audit	\$ 78,450	\$ 85,137	\$ 84,750
Program / Project Consulting	\$ 408,632	\$ 301,041	\$ 451,500
Administrative Operating Expense	\$ 140,000	\$ 159,110	\$ 160,000
Capital Expenditures	\$ 9,305,190	\$ 4,176,670	\$ 12,484,000
Affordable Housing Land Banking Program	\$ 3,000,000	\$ 3,613,440	\$ 1,500,000
Developer/ Project reimbursements	\$ 320,000	\$ 1,389,516	\$ 609,000
Debt Service			
Principal	\$ 2,060,000	\$ 2,060,000	\$ 2,170,000
Interest	\$ 2,698,158	\$ 2,698,159	\$ 2,592,612
Other debt items	\$ -	\$ -	\$ -
Total Project Costs	\$ 18,358,860	\$ 15,065,135	\$ 20,407,862
Total Budget	\$ 23,358,555	\$ 18,795,442	\$ 24,425,744
Resources Less Transfer and Expenses	\$ 45,342,233	\$ 47,625,506	\$ 41,801,193
Planned Ending Fund Balance:			
Land Held for Resale	\$ 18,168,789	\$ 19,507,019	\$ 19,507,019
Ending Balance - Land	\$ 18,168,789	\$ 19,507,019	\$ 19,507,019
Restricted Funds - Capital Projects	\$ 2,535,704	\$ 7,119,498	\$ 2,970,942
Restricted Funds - Affd. Housing	\$ 5,776,166	\$ 3,452,647	\$ 3,856,145
Restricted Funds - Bond Reserve	\$ 9,536,680	\$ 10,195,178	\$ 10,195,178
Unrestricted Fund Balance	\$ 9,324,894	\$ 7,351,163	\$ 5,271,909

CITY OF HOUSTON
 DEPARTMENT OF FINANCE
 ECONOMIC DEVELOPMENT DIVISION
 FISCAL YEAR 2010 BUDGET DETAIL
 FOR TIRZ ADMINISTRATORS

Fund Summary
 Fund Name: Midtown Redevelopment Authority
 TIRZ: 02
 Fund Number: 7550/64

TIRZ Budget Line Items	FY2009 Budget	2009 Actual	FY2010 Budget
RESOURCES			
Land held for Resale - Affordable Housing	\$ 13,787,390	\$ 12,912,412	\$ 15,305,620
Land held for Resale - Unrestricted Funds (Superblock)	\$ 4,381,399	\$ 4,201,399	\$ 4,201,399
Beginning Balance - Land	\$ 18,168,789	\$ 17,113,811	\$ 19,507,019
RESTRICTED Funds - Capital Projects	\$ 10,798,894	\$ 10,276,720	\$ 7,119,498
RESTRICTED Funds - Affordable Housing	\$ 4,878,346	\$ 5,115,516	\$ 3,452,647
RESTRICTED Funds - Bond Debt Service	\$ 9,536,680	\$ 9,666,182	\$ 10,195,178
UNRESTRICTED Funds	\$ 7,262,924	\$ 4,107,341	\$ 7,351,163
Beginning Balance	\$ 32,476,844	\$ 29,165,759	\$ 28,118,486
Total Beginning Fund Balance	\$ 50,645,633	\$ 46,279,570	\$ 47,625,505
City tax revenue	\$ 5,592,068	\$ 6,048,621	\$ 5,961,946
ISD tax revenue *	\$ 7,129,654	\$ 5,321,634	\$ 5,594,470
County tax revenue **	\$ 3,247,707	\$ 3,393,882	\$ 3,354,747
Community College tax revenue	\$ 723,727	\$ 873,491	\$ 855,530
Incremental property tax revenue	\$ 16,693,156	\$ 15,637,627	\$ 15,766,693
Midtown Management District	\$ 210,000	\$ 286,992	\$ 245,000
COH Reimbursement (T-0208 McGowen, water line & other proposed shared costs)	\$ 592,500	\$ 323,015	\$ 1,000,000
Co-located Entities Reimbursements	\$ 139,500	\$ 163,737	\$ 139,500
COH TIRZ interest	\$ -	\$ 269,048	\$ 22,421
Miscellaneous revenue	\$ 942,000	\$ 1,042,792	\$ 1,406,921
Interest Income	\$ 300,000	\$ 498,976	\$ 137,818
Other Interest Income	\$ 300,000	\$ 498,976	\$ 137,818
Developer Advances	\$ -	\$ -	\$ -
FTA Grant(McGowen & Balance of Elgin IIB)	\$ 100,000	\$ 568,775	\$ 1,250,000
FTA Reimbursement for Admin Costs	\$ 20,000	\$ -	\$ 40,000
Grant Proceeds	\$ 120,000	\$ 568,775	\$ 1,290,000
Special assessment bond proceeds	\$ -	\$ -	\$ -
Proceeds from bank loan	\$ -	\$ -	\$ -
Land Acquisition - Affordable Housing	\$ -	\$ 2,393,208	\$ -
Land Acquisition (Non-cash)	\$ -	\$ 2,393,208	\$ -
TOTAL AVAILABLE RESOURCES	\$ 68,700,789	\$ 66,420,948	\$ 66,226,937

CITY OF HOUSTON
 DEPARTMENT OF FINANCE
 ECONOMIC DEVELOPMENT DIVISION
 FISCAL YEAR 2010 BUDGET DETAIL
 FOR TIRZ ADMINISTRATORS

Fund Summary
 Fund Name: Midtown Redevelopment Authority
 TIRZ: 02
 Fund Number: 7550/64

TIRZ Budget Line Items	FY2009 Budget	2009 Actual	FY2010 Budget
EXPENSES			
Accounting	\$ 46,500	\$ 44,137	\$ 48,500
Administration Consultant	\$ 36,000	\$ 43,150	\$ 36,000
Administration Salaries & Benefits	\$ 262,430	\$ 405,201	\$ 270,000
Auditor (GDD)	\$ 19,000	\$ 30,000	\$ 17,750
Bond Services/Trustee			\$ 12,000
Financial Advisor	\$ 5,000	\$ 5,500	\$ 5,500
Insurance	\$ 20,000	\$ 29,510	\$ 23,000
Office Expenses	\$ 120,000	\$ 129,600	\$ 125,000
TIRZ Administration and Overhead	\$ 508,930	\$ 687,098	\$ 537,750
Affordable Housing Real Estate Coordinator	\$ 77,632	\$ 76,644	\$ 79,500
Engineering Consultants	\$ 10,000	\$ 70,761	\$ 10,000
Grant Solicitor	\$ 80,000	\$ 28,700	\$ 80,000
Legal	\$ 50,000	\$ 133,711	\$ 50,000
Construction Audit	\$ 7,950	\$ 5,500	\$ 13,000
Midtown Management District	\$ 161,000	\$ -	\$ 182,000
Midtown Management District (Office Expense)	\$ 50,000	\$ -	\$ 50,000
Planning Consultants	\$ 10,000	\$ 124,936	\$ 10,000
FTA Project/Program Management (Midtown Staff)	\$ 20,000	\$ -	\$ 40,000
Program and Project Consultants	\$ 466,582	\$ 440,252	\$ 514,500
Management consulting services	\$ 975,512	\$ 1,127,350	\$ 1,052,250
Capital Expenditures (See CIP Schedule)	\$ 9,305,190	\$ 4,176,670	\$ 12,484,000
Affordable Housing Land Banking Program	\$ 3,000,000	\$ 3,613,440	\$ 1,500,000
TIRZ Capital Expenditures	\$ 12,305,190	\$ 7,790,110	\$ 13,984,000
Camden Developer Agreement - Principal only (Bagby Apartments)	\$ 300,000	\$ 1,389,516	\$ -
Buffalo Soldiers Museum (pending)			\$ 389,000
Brazos/Drew Bed & Breakfast (pending; in construction)			\$ 200,000
Project Legal	\$ 20,000	\$ -	\$ 20,000
Developer / Project Reimbursements	\$ 320,000	\$ 1,389,516	\$ 609,000
Bond Debt Service			
Principal	\$ 2,060,000	\$ 2,060,000	\$ 2,170,000
Interest	\$ 2,698,158	\$ 2,698,159	\$ 2,592,612
Loan debt service			
Principal	\$ -		
Interest	\$ -		
Debt Refinancing			
System debt service	\$ 4,758,158	\$ 4,758,159	\$ 4,762,612
TOTAL PROJECT COSTS	\$ 18,358,860	\$ 15,065,135	\$ 20,407,862

CITY OF HOUSTON
 DEPARTMENT OF FINANCE
 ECONOMIC DEVELOPMENT DIVISION
 FISCAL YEAR 2010 BUDGET DETAIL
 FOR TIRZ ADMINISTRATORS

Fund Summary
 Fund Name: Midtown Redevelopment Authority
 TIRZ: 02
 Fund Number: 7550/64

TIRZ Budget Line Items	FY2009 Budget	2009 Actual	FY2010 Budget
Payment/transfer to ISD - educational facilities	\$ 3,168,231	\$ 1,936,325	\$ 1,957,933
Administration Fees:			
City	\$ 279,603	\$ 302,431	\$ 298,097
County	\$ 162,385	\$ 169,694	\$ 167,737
ISD	\$ 25,000	\$ 25,000	\$ 25,000
HCC	\$ 25,000	\$ 25,000	\$ 25,000
Affordable Housing:			
City	\$ -	\$ -	\$ -
ISD to City of Houston	\$ -	\$ -	\$ -
HCC to City of Houston			
Transfer to Harris County	\$ 689,476	\$ 621,857	\$ 634,115
Municipal Services (Payable to COH)	\$ 650,000	\$ 650,000	\$ 910,000
Total Transfers	\$ 4,999,695	\$ 3,730,307	\$ 4,017,882
Total Budget	\$ 23,358,555	\$ 18,795,442	\$ 24,425,744
Land held for Resale - Affordable Housing	\$ 13,787,390	\$ 15,305,620	\$ 15,305,620
Land held for Resale - Unrestricted Funds (Superblock)	\$ 4,381,399	\$ 4,201,399	\$ 4,201,399
Ending Balance - Land	\$ 18,168,789	\$ 19,507,019	\$ 19,507,019
RESTRICTED Funds - Capital Projects	\$ 2,535,704	\$ 7,119,498	\$ 2,970,942
RESTRICTED Funds - Affordable Housing	\$ 5,776,166	\$ 3,452,647	\$ 3,856,145
RESTRICTED Funds - Bond Debt Service	\$ 9,536,680	\$ 10,195,178	\$ 10,195,178
UNRESTRICTED Funds	\$ 9,324,894	\$ 7,351,163	\$ 5,271,909
Ending Balance	\$ 27,173,444	\$ 28,118,486	\$ 22,294,174
Total Ending Fund Balance	\$ 45,342,233	\$ 47,625,505	\$ 41,801,193
Total Budget & Ending Fund Balance	\$ 68,700,788	\$ 66,420,948	\$ 66,226,937

Incremental property tax revenue and administration fee 2009 Projections based on payments from City and ISD, County is from TY08 HCAD values on 5/23/09
 Incremental property tax revenue and administration fee 2010 Budget based on forecast derived from TY09 Certified HCAD values on 9/25/09

* The calculation of ISD Revenues and Transfers for the FY09 Budget was based on the TY05 Tax Rate due to House Bill #1. However, ISD has been paying based on their current tax rate. Due to the ISD Education Set-Aside, the net increment received by the TIRZ is the same under either Tax Rate.

** Actual FY09(TY08) County revenue received, not yet appropriated.

2010 - 2014 CAPITAL IMPROVEMENT PLAN
TIRZ No. 02 - Midtown Redevelopment Authority
CIP by Project

CITY OF HOUSTON - TIRZ PROGRAM
Finance Department
Economic Development Division

Council District	CIP No.	Project	FY Planned Appropriations (\$ Thousands)					Total 2010-2014	Cumulative Total (To Date)
			Through 2008	Actual 2009	2010	2011	2012		
D, I	T-0201	Elgin Corridor Enhanced Pathways	\$ 491,922	\$ 295,653	\$ -	\$ -	\$ -	\$ -	\$ 787,575
D, I	T-0202	Land Acquisition - Midtown Parks*	\$ 2,705,483	\$ 13,153	\$ -	\$ -	\$ -	\$ -	\$ 2,718,636
D, I	T-0203	Midtown Gateways	\$ 689,925	\$ 27,486	\$ -	\$ -	\$ -	\$ -	\$ 687,391
D, I	T-0204	Decorative Street Lights	\$ 936,614	\$ 158,026	\$ 75,000	\$ 75,000	\$ -	\$ 150,000	\$ 1,244,640
D, I	T-0205	Parker District Street Reconstruction	\$ 1,216,296	\$ 910,844	\$ -	\$ -	\$ -	\$ -	\$ 2,127,140
D, I	T-0206	Federal Transit Authority Local Match	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
I	T-0207	Houston Technology Center	\$ 6,293,337	\$ 74,286	\$ -	\$ -	\$ -	\$ -	\$ 6,367,623
D, I	T-0208	McGowen (600-1800 Hamilton to Smith)	\$ 105,000	\$ 2,656,075	\$ 3,749,000	\$ -	\$ -	\$ 3,749,000	\$ 6,510,075
D, I	T-0209	Fourth Ward/Midtown Stormwater Study	\$ 180,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,000
D, I	T-0210	Main Street Enhancements	\$ 1,674,000	\$ 4,686	\$ 100,000	\$ 100,000	\$ 300,000	\$ 600,000	\$ 2,278,686
D, I	T-0211	HCC Academic Walk Holman (FTA)	\$ -	\$ -	\$ 760,000	\$ 400,000	\$ 300,000	\$ -	\$ 1,460,000
D, I	T-0212	Gray Street Reconstruction (100-1700 Block)	\$ -	\$ -	\$ 1,100,000	\$ 1,000,000	\$ -	\$ 2,100,000	\$ 2,100,000
D, I	T-0213	Alabama Street Reconstruction	\$ -	\$ -	\$ 160,000	\$ 640,000	\$ 600,000	\$ -	\$ 1,400,000
D, I	T-0214	Caroline Linear park @ HCCS (Tuam to Holman)	\$ 35,000	\$ 3,862	\$ 2,150,000	\$ -	\$ -	\$ -	\$ 2,150,000
D, I	T-0217	Bagby Street Reconstruction	\$ -	\$ 30,723	\$ 2,000,000	\$ 2,000,000	\$ 2,400,000	\$ -	\$ 6,490,723
D, I	T-0220	Affordable Housing Land Banking Program **	\$ 14,424,419	\$ 3,613,440	\$ 1,500,000	\$ 2,000,000	\$ 1,000,000	\$ 5,500,000	\$ 23,537,859
D, I	T-0221	Midtown Superblock Park	\$ -	\$ -	\$ 500,000	\$ 2,250,000	\$ 1,150,000	\$ -	\$ 3,900,000
D, I	T-0222	9 Block Area Project #1 (southeast)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
D, I	T-0223	9 Block Area Project #2 (south central)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
I	T-0224	Alabama Street Reconstruction/HCC (800-1200 & 1400-1800 blocks)	\$ -	\$ -	\$ -	\$ 1,000,000	\$ 3,000,000	\$ 600,000	\$ 4,600,000
I	T-0225	Caroline Linear Park (Pierce to Elgin)	\$ -	\$ -	\$ 250,000	\$ 3,500,000	\$ 3,415,000	\$ -	\$ 7,165,000
D	T-0228	Houston Fire Museum Plaza	\$ -	\$ 1,896	\$ 500,000	\$ 1,200,000	\$ 300,000	\$ 800,000	\$ 2,801,896
D	T-0229	Glover Park	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 300,000
D	T-0230	METRO Transit Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000
I	T-0231	Jackson & Chenevet (Elgin to SH 288)	\$ -	\$ -	\$ -	\$ 800,000	\$ 1,500,000	\$ 1,000,000	\$ 2,300,000
I	T-0232	Public and Cultural Facilities ***	\$ -	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 4,000,000	\$ 4,000,000
		Totals	\$ 28,721,996	\$ 7,790,110	\$ 13,984,000	\$ 13,685,000	\$ 11,305,000	\$ 5,900,000	\$ 51,574,000

* NOTE: City shall review and approve all park land acquisitions. See T-0202.

** NOTE: Affordable Housing Land Banking Program is listed in the CIP Plan. The expenditures are funded by the Affordable Housing Fund (not from the Capital Projects Fund).

*** NOTE: Public and Cultural Facilities budget is subject to a Project Plan Amendment.

2010 - 2014 CAPITAL IMPROVEMENT PLAN
TIRZ No. 02 - Midtown Redevelopment Authority
CIP by Sources of Funds

CITY OF HOUSTON - TIRZ PROGRAM
Finance Department
Economic Development Division

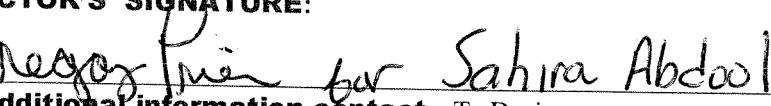
Source of Funds	Through 2008	Actual 2009	FY Planned Appropriations (\$ Thousands)					Cumulative Total (To Date)
			2010	2011	2012	2013	2014	
TIRZ No. 02								
TIRZ funds	6,744,306	157,302	5,747,000	7,510,000	8,265,000	5,200,000	5,100,000	31,822,000
Revenue bond proceeds	11,204,271	3,765,564	4,677,000	2,325,000	1,150,000	-	-	38,723,608
Proceeds from bank loan	-	-	-	-	-	-	-	23,121,835
Developer Advance/Reimbursement	-	-	-	-	-	-	-	-
City of Houston	-	-	1,000,000	-	-	-	-	1,000,000
Grants	2,571,000	253,804	1,060,000	1,850,000	890,000	500,000	800,000	5,100,000
Other (Affordable Housing Fund)	8,202,419	3,613,440	1,500,000	2,000,000	1,000,000	1,000,000	-	5,500,000
Project Total	28,721,996	7,790,110	13,984,000	13,685,000	11,305,000	6,700,000	5,900,000	88,086,106

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving an interlocal agreement with Houston Independent School District to collaborate with the operation of H1N1 influenza vaccination clinics		Category # 9	Page 1 of 8	Agenda Item # <i>67</i>
FROM (Department or other point of origin): Houston Department of Health and Human Services		Origination Date 11/19/09	Agenda Date DEC 02 2009	
DIRECTOR'S SIGNATURE: <i>Celina Garcia Ridge Jr</i>		Council District affected: ALL		
For additional information contact: Kathy Barton <i>(SJM)</i> Telephone: 713-794-9998 ; 713-826-5801		Date and identification of prior authorizing Council action:		
<p>RECOMMENDATION: (Summary) Approval of ordinance approving an interlocal agreement with Houston Independent School District to collaborate with the operation of H1N1 influenza vaccination clinics</p>				
Amount of Funding: Maximum Contract Amount: \$525,984 Initial Allocation: \$150,000 Federal State Local – Pass Through Fund (5030)		Finance Department:		
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input checked="" type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
<p>SPECIFIC EXPLANATION: The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an interlocal agreement with Houston Independent School District (HISD) to collaborate with the operation of H1N1 influenza vaccination clinics. The term of the contract is one year from the date of countersignature by the City Controller with two one-year automatic extensions. The maximum contract amount is \$525,984.</p> <p>HDHHS received a Public Health Emergency Response grant for implementation of pandemic response plans prepared in previous grants. The funds proved through the 2009 Supplemental Appropriations Act are intended to bolster the nation's preparedness and response capabilities in order to decrease morbidity and mortality associated with an influenza pandemic.</p> <p>The proposed agreement is a collaboration between HDHHS and HISD to provide services to the community by providing H1N1 influenza vaccines to the facility, staff, students and their household members within the school district. The proposed agreement specifies the terms and conditions under which HISD will make its facilities available to HDHHS in order to conduct vaccination clinics. The clinics will be conducted during non school hours and HISD nurses and staff will be utilized for clinic operations.</p> <p>Certain HISD personnel staffing the clinics will be paid from the grant. The HISD school board approved the plan for this agreement on November 19, 2009.</p> <p>cc: Finance Department Legal Department Agenda Director</p>				
REQUIRED AUTHORIZATION				
Finance Department	Other Authorization:	Other Authorization:		

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

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for an IVR payment processing portal for the Municipal Courts Administration Department		Category #	Page 1 of	Agenda Item #
FROM (Department or other point of origin): Municipal Courts Administration Department		Origination Date	Agenda Date	
DIRECTOR'S SIGNATURE:  For additional information contact: Ty Davis Phone: 713.221.0258		Council District affected: ALL		
RECOMMENDATION: (Summary) <p>Approve an ordinance awarding a contract between the City of Houston and Western Union Speedpay Service for processing Interactive Voice Response payments for the Municipal Courts Administration Department.</p>		Date and identification of prior authorizing Council action:		
Amount of Funding: Revenue Contract		F&A Budget:		
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
[] Other (Specify):				
SPECIFIC EXPLANATION: <p>The Municipal Courts Administration Department (MCAD) recommends that City Council approve an ordinance awarding a two year contract to Western Union Speedpay Service for processing Interactive Voice Response (IVR) payments for the Municipal Courts Administration Department's One Call Solution Center. The Department Director may terminate this contract for any uncured material breech upon thirty (30) days written notice or for convenience upon ninety (90) days written notice to the contractor.</p> <p>Western Union Speedpay will provide set-up and deployment, a detailed account of debit and credit card processing of convenience fees, merchant processing fees and Originating Depository Financial Institution (ODFI) fees. Western Union Speedpay will also provide application hosting, 24/7/365 technical support, electronic transfer confirmation letters, and standard Western Union Call Center services. The vendor does not charge the City a fee; they will charge the customer a convenience fee for the use of their service. The City of Houston will receive \$1.00 dollar for every transaction over \$100.00 dollars.</p> <p>An evaluation committee from the Municipal Courts Administration Department compared services offered by three vendors: JPMorgan Chase Bank, N.A., Wells Fargo and Western Union Speedpay Service. The vendors were evaluated based upon the following criteria:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Expertise/Experience/Reliability/Qualifications <input type="checkbox"/> Service Features and Design <input type="checkbox"/> Services & Operation Plan <input type="checkbox"/> PCI Compliance <input type="checkbox"/> Transaction Fees to Users <input type="checkbox"/> Marketing incentive <p>Western Union Speedpay Service received the highest overall score. This procurement is exempted under 250.022 of the Local Government Code.</p>				
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:	Other Authorization:		

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 8509

Subject: Approve an Amending Ordinance Authorizing an Increase to the Maximum Contract Amount of the Contract for Jail Food Services for the Houston Police Department
LC-R-0739-063-20647-A2

Category #
4

Page 1 of 1

69

FROM (Department or other point of origin):	Origination Date	Agenda Date
Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	November 04, 2009	DEC 02 2009
DIRECTOR'S SIGNATURE	Council District(s) affected	
<i>Calvin D. Wells</i>	E, I	

For additional information contact:

Joseph Fenninger *MF 11/15/09* Phone: (713) 308-1708
Ray DuRousseau Phone: (832) 393-8726

Date and Identification of prior authorizing

Council Action:

Ord. #05-1286, 11/22/05; Ord. #06-0905 8/29/06

RECOMMENDATION: (Summary)

Approve an amending ordinance authorizing an increase to the maximum contract amount of the contract between the City of Houston and ARAMARK Correctional Services, LLC from \$3,239,075.00 to \$3,339,075.00 for jail food services for the Police Department.

Maximum Contract Increased by: \$100,000.00

Finance Budget

\$100,000.00 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing recommends that City Council approve an amending ordinance to increase the maximum contract amount of the contract between the City of Houston and ARAMARK Correctional Services, LLC from \$3,239,075.00 to \$3,339,075.00 for jail food services for the Police Department. The Police Department experienced a higher level of detentions than was originally anticipated. Therefore an additional spending authority is needed to sustain the department through the end of the contract term.

This contract was awarded on November 22, 2005 by Ordinance No. 2005-1286, for a three-year term with two one year options, for a total five-year term in the original amount of \$3,239,075.00. Expenditures as of October 1, 2009 totaled \$2,765,589.91. On August 29, 2006, City Council approved Ordinance No. 2006-0905 authorizing a first amendment to the contract which granted the contractor permission to use the City's Jail System Kitchen to prepare breakfast and lunch meals for approximately 350 children at the Harris County Excel Academy. Thus far, the contractor has credited the City \$70,284.80 for the use of the Jail System Kitchen to prepare breakfast and lunch for the children at the Harris County Excel Academy.

The scope of work requires the contractor to provide all equipment, labor, materials, supervision and transportation necessary to provide quality jail food services for the City of Houston Jail Systems, located at 61 Riesner and 8400 Mykawa Road. The contractor prepares the meals on-site at the Central Jail Facility, located at 61 Riesner and transports the meals required by the jail system on Mykawa Road direct to the facility.

MWBE Subcontracting:

This contract was awarded with a 12% MWBE participation goal and the contractor is currently achieving 6%. The Affirmative Action Division will continue monitoring this contract.

Pay of Play Program

This contract does not have the "Pay or Play" requirement therein as it was awarded prior to the effective date of the ordinance which established the "Pay or Play Program".

Buyer: Gloria Jordan-King

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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MOT

11/15/09

Crinejo, Marta - MYR

From: Gallegos, Robert - AAD
Sent: Tuesday, November 24, 2009 12:00 PM
To: Crinejo, Marta - MYR
Cc: Laws, Velma - AAD; Scott, Morris - AAD; Hamilton, Daniel - AAD; King, Gloria - ARA; 'ramirez-adrian@aramark.com'
Subject: RCA # 8509 - Jail Food Services

Hello Marta:

RE: RCA 8509, Amending Ordinance Authorizing an Increase to the Maximum Contract Amount of the Contract for Jail Food Services for the Houston Police Department (LC-R-0739-063-20647-A2).

FYI - Previous amount was \$3,329,075; new amount is \$3,339,075 (increase of \$100,000). This project has 12% S/M/W/D/B/E goal.

This contract was reviewed by Daniel Hamilton and he noted that two of Aramark's subcontractors (Wholesale Paper) went out of business and the other (Nature Best Pre-Cut & Produce, LLC) no longer is eligible for COH certification. NOTE: Our office obtained a letter from Mr. Maximiliano Machado, former owner of Nature Best Pre-Cut & Produce stating "as of May 1st, 2009 Nature Best Pre-Cut & Produce, LLC no longer qualifies as a Minority Disadvantaged Business Enterprise."

Since this project calls for 12% S/M/W/D/B/E goal, Daniel Hamilton reviewed the project's "scope of services" and checked our S/M/W/D/B/E firms in order to come up with potential-qualified-certified S/M/W/D/B/E firms who may be able to participate as subcontractors under the auspices of Aramark.

Once Daniel checked our S/M/W/D/B/E directory, he proceeded to send a list of S/M/W/D/B/E firms to Mr. Adrian Ramirez, Aramark's project coordinator.

Now that Aramark has the list of potential subcontractors, it is up to Mr. Adrian Ramirez and Aramark to meet or exceed the 12% S/M/W/D/B/E goal assigned to this project – please see list of S/M/W/D/B/E that Daniel obtained from our S/M/W/D/B/E directory.

Our office will continue to monitor this project to make sure that Aramark meets or exceeds their assigned S/M/W/D/B/E goal OR make sure that Aramark submits Good Faith Efforts as required by our City Ordinances.

Thank you.

Robert D. Gallegos

Assistant Director
Affirmative Action & Contract Compliance
611 Walker, 7th floor
Houston, TX 77002
713-837-9005

Gallegos, Robert - AAD

From: Hamilton, Daniel - AAD
Sent: Tuesday, November 24, 2009 10:55 AM
To: Gallegos, Robert - AAD
Subject: Aramark - Certified Vendors.

CERTIFIED FOOD SERVICE VENDORS

<u>Business Name</u>	<u>Phone Number</u>	<u>Location</u>	<u>Certification</u>
<input style="width: 100px; height: 20px; border: 1px solid black; padding: 2px; margin-bottom: 5px;" type="button" value="All"/>			
Branch McGowen Ventures	866-766-4844 Ext. 3	Houston, TX	Houston <u>ACDBE</u> (Active)
C & A Johnson Vending Service, Inc.	281-499-3494	Houston, TX	Houston <u>M/DBE</u> (Active)
CRB Vending Company, Inc.	281-651-8006	Conroe, TX	Houston <u>ACDBE</u> (Active) Houston <u>WBE</u> (Active)
Diverse Food Group	713-818-6591	Missouri City, TX	Houston <u>MBE</u> (Active)
GJIMPLUS, LLC	713-629-0447	Houston, TX	Houston <u>MBE</u> (Active) Houston <u>W/DBE</u> (Active)
Grandma's Café IAH Ltd	832-971-8050	Houston, TX	Houston <u>ACDBE</u> (Active)
Hank's Ice Cream	713-665-5103	Houston, TX	Houston <u>M/DBE</u> (Active)
Hartsfield Hospitality, LLC	404-768-9073	Atlanta, GA	Houston <u>ACDBE</u> (Active)
Itz All Good	832-282-5623	Houston, TX	Houston <u>MBE</u> (Active) Houston <u>W/DBE</u> (Active)
Now Packaging	281-999-6881	Houston, TX	Houston <u>MBE</u> (Active) Houston <u>WBE</u> (Active)
Wayne A-1 Management, Inc.	281-933-8806	Houston, TX	Houston <u>ACDBE</u> (Active)

1 - 11 of 11 records displayed: Page

CERTIFIED DELIVERY COMPANIES

<u>Business Name</u>	<u>Phone Number</u>	<u>Location</u>	<u>Certification</u>
<input style="width: 100px; height: 20px; border: 1px solid black; padding: 2px; margin-bottom: 5px;" type="button" value="All"/>			
24-7 Delivery Service	281-822-2122	Houston, TX	Houston <u>M/DBE</u> (Active)
Air-Fly Delivery Service	832-605-4791	Houston, TX	Houston <u>MBE</u> (Active)
Alvin Express Inc.	832-744-8971	Houston, TX	Houston <u>M/DBE</u> (Active)
Biz "Z" Bee Courier	713-631-8348	Houston, TX	Houston <u>W/DBE</u> (Active)

Burnetts Package Express, Inc.	713-631-5547	Houston, TX	Houston <u>MBE</u> (Active) Houston <u>W/DBE</u> (Active)
ChampTaylor, Inc., DBA Taylor Packaging	713-921-7877	Houston, TX	Houston <u>MBE</u> (Active) Houston <u>W/DBE</u> (Active)
Cova	281-931-4700 Ext. 126	Houston, TX	Houston <u>MBE</u> (Active)
DLC Delivery Services	281-855-9247	Houston, TX	Houston <u>M/DBE</u> (Active)
ELJ International, Inc., DBA Reliable 100% Delivery Service	832-731-7270	Houston, TX	Houston <u>M/DBE</u> (Active)
Houston Medical Testing Services, Inc.	713-665-4687	Houston, TX	Houston <u>W/DBE</u> (Active)
John D Moving, LLC	281-920-2313	Houston, TX	Houston <u>MBE</u> (Active)
Jones Delivery Service, Inc.	713-686-6518	Houston, TX	Houston <u>M/DBE</u> (Active)
K.T.D. Hot Shot	713-631-1758	Houston, TX	Houston <u>MBE</u> (Active) Houston <u>W/DBE</u> (Active)
KIC Transportation, Inc.	281-351-7001	Tomball, TX	Houston <u>SBE</u> (Active) Houston <u>W/DBE</u> (Active)
Lee's Delivery Service	713-729-2880	Houston, TX	Houston <u>MBE</u> (Active)
NCA Transport Services, Inc.	281-924-1277	Houston, TX	Houston <u>M/DBE</u> (Active)
Now Courier & Delivery Serv.	281-463-6851	Houston, TX	Houston <u>M/DBE</u> (Active)
Pacesetter Courier & Delivery	281-448-4940	Houston, TX	Houston <u>M/DBE</u> (Active)
Pretty Quick Delivery Services, LLC	281-808-5800	Houston, TX	Houston <u>M/DBE</u> (Active)
R & A Transport, Inc.	281-462-8003	Crosby, TX	Houston <u>M/DBE</u> (Active) Houston <u>SBE</u> (Active)

1 - 20 of 25 records displayed: Page 1 > [Next Page](#)

CERTIFIED PAPER PRODUCTS VENDORS

<u>Business Name</u>	<u>Phone Number</u>	<u>Location</u>	<u>Certification</u>
All			
B & E Reprographics, Inc.	713-243-7200	Houston, TX	Houston <u>M/DBE</u> (Active)
Burnetts Package Express, Inc.	713-631-5547	Houston, TX	Houston <u>MBE</u> (Active) Houston <u>W/DBE</u> (Active)
Doc 2 E-File, Incorporated	713-649-2006	Houston, TX	Houston <u>WBE</u> (Active)
Gray-Chem, Inc.	713-920-2121	Pasadena, TX	Houston <u>W/DBE</u> (Active)
Houtex Business Products	281-397-7100	Houston, TX	Houston <u>W/DBE</u> (Active)
P.D. Morrison Enterprises, Incorporated, DBA PDME	713-937-4700	Houston, TX	Houston <u>MBE</u> (Active)
Shiloh Printing , LLC	713-451-9913	Houston, TX	Houston <u>M/DBE</u> (Active)
Tejas Office Products, Inc.	713-864-6004	Houston, TX	Houston <u>M/DBE</u> (Active)

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

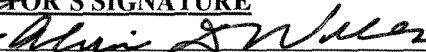
RCA# 8463

Subject: Approve an Ordinance Awarding a Contract for Lightin© and Philadelphia© Mixer Repair/Overhaul Services for the Wastewater Operations Division of the Public Works & Engineering Department
S10-L23199

Category # 4

Page 1 of 2

70

<u>FROM (Department or other point of origin):</u> Calvin D. Wells City Purchasing Agent Administration & Regulatory Affairs Department	<u>Origination Date</u> November 06, 2009	<u>Agenda Date</u> DEC 02 2009
<u>DIRECTOR'S SIGNATURE</u> 	<u>Council District(s) affected</u> All	
<u>For additional information contact:</u> David Guernsey Phone: (832) 395-3640 Douglas Moore Phone: (832) 393-8724		<u>Date and Identification of prior authorizing Council Action:</u>

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Philadelphia Gear Corporation on its low bid in an amount not to exceed \$4,965,708.00 for lightin© and Philadelphia© mixer repair/overhaul services for the Wastewater Operations Division of the Public Works & Engineering Department.

Maximum Contract Amount: \$4,965,708.00	Finance Budget
\$4,965,708.00 - Water & Sewer System Operating Fund (8300)	

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract with two one-year options, to Philadelphia Gear Corporation on its low bid in an amount not to exceed \$4,965,708.00 for Lightin© and Philadelphia© mixer repair/overhaul services for the Wastewater Operations Division of the Public Works & Engineering Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

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

<u>Company</u>	<u>Total Amount</u>
1. Philadelphia Gear Corporation	\$4,965,708.00
2. Coastal Pump Services, Inc.	\$8,945,150.00
3. Baytown Ace Machine Co., LTD	\$9,858,593.50

- In view of the price disparity between the low bidder and the next low bidder, Philadelphia Gear Corporation provided a letter to Strategic Purchasing confirming its bid price includes all costs associated with performing the work called for in the published scope of work. Based on the aforementioned, Strategic Purchasing and the PWE Department are confident that the recommended contractor can perform the specified work for the price bid.

The scope of work requires the contractor to provide all labor, materials, parts, equipment, supervision, and transportation necessary to perform annual inspections and preventative and predictive maintenance, and repair services on Lightnin© and Philadelphia© mixer repair/overhaul services for the Wastewater Operations Division of the Public Works & Engineering Department.

There are 64 mixers at the 69th Street and Southwest Wastewater Treatment Plant (WWTP), located at 2525 S/SGT Macario Garcia; 40 mixers at the Southwest WWTP, located at 4211 Beechnut; 2 mixers at the Sims South WWTP, located at 9500 Lawndale; 1 mixer at the Northwest WWTP, located at 5423 Mangum Road; 8 mixers at the Greenridge WWTP, located at 6301 W. Fuqua; 2 mixers at the Upper Braes WWTP, located at 13525 Old Westheimer Road; and 1 mixer at the WCID 111, located at 10601 Huntington Point, which are used to enhance oxygen transfer from the enclosed reactors' atmosphere to the effluent. Services will include repairing/overhauling the mixers using new parts, cleaning, replacing, reassembling and balancing all internal rotating parts

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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NOT

Date: 11/6/2009	Subject: Approve an Ordinance Awarding a Contract for Lightin© and Philadelphia© Mixer Repair/Overhaul Services for the Wastewater Operations Division of the Public Works & Engineering Department S10-L23199	Originator's Initials GB	Page 2 of 2
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and shaft/blade assemblies. Plant maintenance personnel will perform preventive maintenance such as lubrication, replacement of air filters, vibration analysis, etc., on a routine basis.

M/WBE Subcontracting:

This invitation to bid was issued as a goal-oriented contract with a 3% goal for M/WBE participation level. **Philadelphia Gear Corporation** has designated the below-named company as its certified M/WBE subcontractor.

NAME	TYPE OF WORK	DOLLAR AMOUNT	PERCENT
JTR Constructors, Inc.	General Construction (Installation/Removal)	\$148,971.24	3%

The Affirmative Action Division will monitor this award.

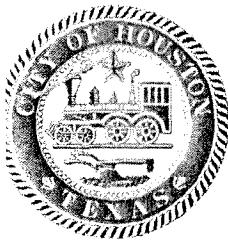
Pay or Play Program:

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

Buyer: Greg Hubbard

Estimated Spending Authority:

Department	FY 2010	Out Years	Total
Public Works & Engineering	\$ 662,094.40	\$ 4,303,613.60	\$ 4,965,708.00



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Greg Hubbard

Date: May 8, 2009

Subject: MWBE Participation Form (a)

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

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

I am requesting a revision of the MWBE Goal: Yes No Original Goal: _____ New Goal: _____

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

Solicitation Number: S10-L23199 Est. Dollar Amount: \$3,000,000.00

Anticipated Advertisement Date: 5/15/2009 Solicitation Due Date: 6/4/2009

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

If goal was not met, what did the vendor achieve: 0%

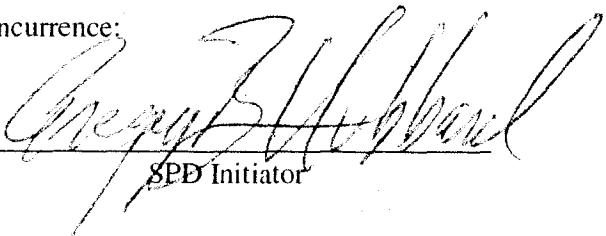
Name and Intent of this Solicitation: Line is expandable

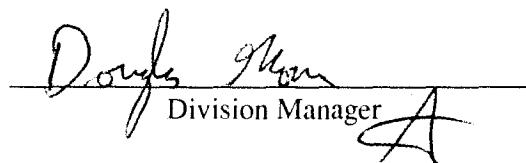
Mixers Repair Services for the Public Works and Engineering Department.

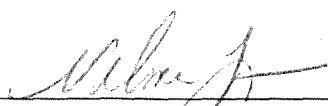
Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement): Line is expandable
(To be completed by SPD)

After two Specification workshops and discussing the current and future subcontracting goals with the incumbent vendor and another vendor for the manufacturer of Mixers, SPD was informed that 95% of the machine work listed on the current 3% MWBE subcontracting goal is performed at the owner's shop located in New Orleans. The other subcontracting goal established (1%) saw limited need for the "parts and supplies" component, with the vendor saying that most fasteners are re-used and are stocked by an outside source. The last MWBE subcontracting component (1%) for supplying chemicals was rarely required and therefore not utilized, in that the chemicals now used are for in-house pressure washers only. However, on this upcoming solicitation, both vendors acknowledged that we will collectively look for alternative ways to achieve a 3% MWBE goal by re-evaluating their courier and administrative needs. Therefore, however challenging, SPD is requesting an aggressive 3% subcontracting goal for this renewal.

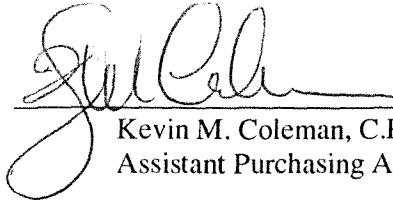
Concurrence:


SPD Initiator


Division Manager



Velma Laws, Director
*Affirmative Action



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

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

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

RECEIVED
AACCO/DIRECTOR'S OFFICE
MAY 12 2009

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Developer Participation Contract for 100% Reimbursement for Paving in Settegast between the City of Houston and CFG TX GP, LLC WBS P-001002-0001-4		Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 11-23-09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE <i>Michael S. Marcotte, P.E., D.WRE, BCEE</i>		Council District affected: B	
For additional information contact: Ann Marie Stone Sheridan 713-837-9142		Date and identification of prior authorizing Council action: none	
RECOMMENDATION: (Summary) Adopt ordinance approving Developer Participation Contract with CFG TX GP, LLC for Reimbursement for Paving Design and Construction in Settegast and appropriate funds.			
Amount and Source of Funding: \$592,728.00 TIRZ Affordable Housing Fund 2409			

SPECIFIC EXPLANATION:

The principle objective of this reimbursement is to support the construction of streets in Settegast, a neighborhood in northeast Houston. Settegast is a platted but undeveloped neighborhood that has been designated as a HOPE neighborhood. It was originally platted in 1913 and the lots were sold prior to the provision of any public infrastructure including streets, drainage, water, and sewer service. Without these services, the individual lot owners were unable to construct homes and the neighborhood has remained undeveloped with portions used for illegal dumping for over 95 years.

CFG TX GP, LLC has purchased 38 lots in Settegast and has agreed to advance the funding for the public infrastructure required for development of a 162-lot section. The City will reimburse CFG TX GP, LLC for design and construction of water, wastewater, and storm sewer infrastructure under a standard form Developer Participation Contract, as authorized by Chapter 47, Article IV of the Code of Ordinances.

In order to facilitate construction of paved roads for the 162-lot section, the Public Works and Engineering Department requests Council approve a Developer Participation Contract for paving, by which the City will reimburse CFG TX GP for 100% of the costs to design and construct roads for the entire section. Although CFG TX GP, LLC owns less than one-quarter of the lots, the developer agrees to advance the funding for infrastructure that will serve all 162 lots, which will facilitate development on the remainder of the lots.

CFG TX GP will be required to design and build the streets to City of Houston standards and will dedicate all infrastructure to the City, once PWE inspects and accepts it.

Attachments**cc:**

Susan Bandy
Chris Butler

REQUIRED AUTHORIZATION		20UPA6
Finance Department	Other Authorization: <i>Signature</i> Andrew F. Icken, Deputy Director Planning and Development Services	Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of three (3) tracts of land totaling 35.09 acres to Harris County Municipal District No. 501 (Key Map No. 406-D & 407-A)		Page 1 of 1	Agenda Item # <i>72</i>
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date <i>11-16-09</i>	Agenda Date <i>DEC 02 2009</i>
DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., D.WRE, BCEE		Council District affected: "ETJ"	
For additional information contact: Ann Marie Stone Sheridan, P.E. Supervising Engineer (713) 837-9142		Date and identification of prior authorizing Council action: <i>AMM</i>	

RECOMMENDATION: (Summary)

The petition for the addition of 35.09 acres of land to Harris County Municipal District No. 501 be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Harris County Municipal District No. 501 has petitioned the City of Houston for consent to add 35.09 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of West Road, Cypress Creek, Fry Road, and Towne Lake Parkway. The district desires to add 35.09 acres, thus yielding a total of 666.28 acres. The district is served by a regional plant, Harris County Municipal Utility District No. 500 Horsepen Creek Wastewater Treatment Plant. The other districts served by this plant are Harris County Municipal Utility District No. 500 and Harris County Municipal Utility District 502. The nearest major drainage facility for Harris County Municipal District No. 501 is Horsepen Creek which flows into Langham Creek then into South Mayde Creek, which flows into Buffalo Bayou, and finally into the Houston Ship Channel.

Potable water is provided by Harris County Municipal Utility District 500. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

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

Attachments

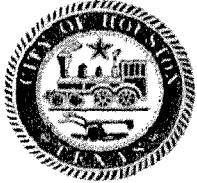
cc: Marty Stein Marlene Gafrick Jun Chang Mark Loethen
Bill Zrioka Waynette Chan Deborah McAbee

REQUIRED AUTHORIZATION

20UPA23

Finance Department	Other Authorization: <i>AFI</i> Andrew F. Icken Deputy Director Planning & Development Services Div.	Other Authorization:
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CITY OF HOUSTON



Department of Public Works and Engineering
Water District Consent Application Form

received
10/18/01 MK

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 35.09 acres to Harris County Municipal Utility District No. 501 under the provisions of Chapter 54 Texas Water Code.

Attorney for the District

Attorney: James A. Boone

Address: 3200 Southwest Freeway, Suite 2600, Houston, TX

Zip: 77027

Phone: 713-860-6404

Engineer: Tom Laster

Address: 10555 Westoffice Drive, Houston, TX

Zip: 77042

Phone: 713-784-4500

Owners: CW SCOA West, L.P.

Address: 7904 N. Sam Houston Parkway, 4th Floor, Houston

Zip: 77064

Phone: 713-664-6608

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

LOCATION

INSIDE CITY

OUTSIDE CITY

NAME OF COUNTY (S) Harris

Survey: Evan Thomas

Abstract: A-775

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

North of: West Road

East of: Fry Road

South of: Cypress Creek

West of: Towne Lake Parkway

WATER DISTRICT DATA

Total Acreage of District: 631.19

Existing Plus Proposed Land 666.28

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

Single Family Residential _____

Multi-Family Residential _____

Commercial 11%

Industrial _____

Institutional _____

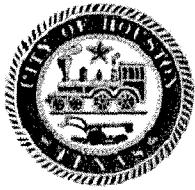
Non-Residential 89%

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

Sewage Treatment Plant Name: Harris County M.U.D. No. 500 Horsepen Creek WWTP

NPDES/TPDES Permit No: 14740-001

TCEQ Permit No: N/A



CITY OF HOUSTON

Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): Phase One – 0.16

Ultimate Capacity (MGD): 1.5 MGD

Size of treatment plant site: 3.8 acres.

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

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

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

Total permitted capacity: 1.5

MGD of (Regional Plant).

Name of District: Harris County M.U.D. No. 501

MGD Capacity Allocation 0.50

or property owner(s)

Name of District: Harris County M.U.D. No. 502

MGD Capacity Allocation 0.50

Name of District: Harris County M.U.D. No. 500

MGD Capacity Allocation 0.50

Water Treatment Plant Name: Harris County M.U.D. No. 500 Water Plant No. 1 (Future)

Water Treatment Plant Address: To be Determined

Well Permit No: N/A

Existing Capacity: N/A

Well(s): _____ GPM

Booster Pump(s): _____ GPM

Tank(s): _____ MG

Ultimate Capacity:

Well(s): N/A (Water Supply from Surface Water) GPM

Booster Pump(s): 10,000 GPM

Tank(s): 1.0 MG

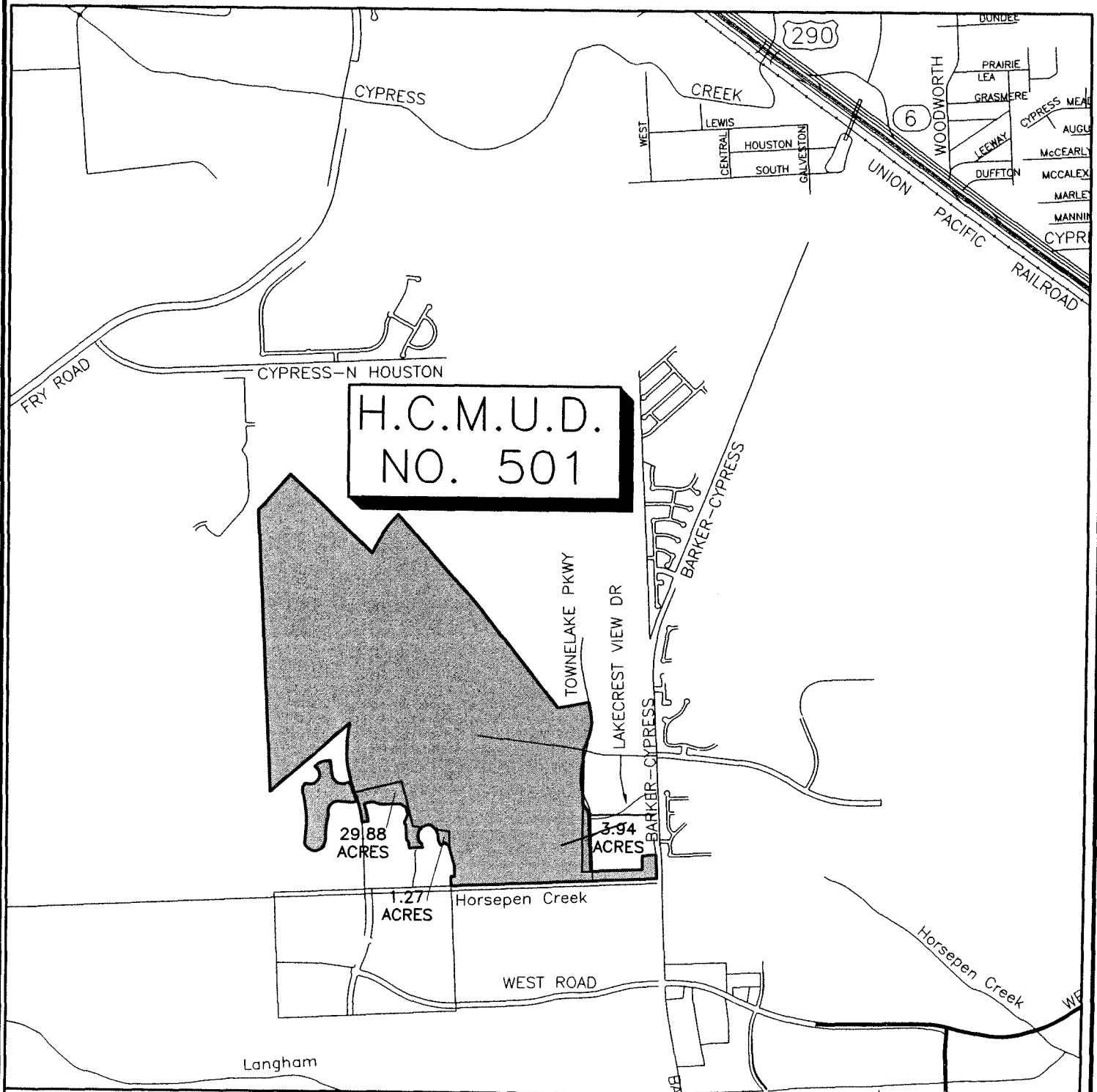
Size of Treatment Plant Site: 1.97 Acres

square feet/acres.

Comments or Additional Information: Harris County M.U.D. No. 501 receives water supply from Harris County M.U.D. No. 500 in accordance with the contractual agreements between the Districts. Harris County M.U.D. No. 500 receives interim water supply from Remington M.U.D. No. 1 in accordance with their agreement dated April 23, 2008. HCMUD 500 has secured capacity of up to 800 ESFC until which time the HCMUD No. 500 Water Plant No. 1 is completed and in service. Water Plant No. 1 will receive surface water from the West Harris County Regional Water Authority upon start-up which is projected to be in the fourth quarter of 2011.

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 501

Proposed Addition of 35.09 Acres of Land
(Key Map Page No. 406D & 407A)



TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance authorizing the execution of a Treated Water Supply Contract between the City of Houston and Harris County Municipal District No. 148.		Category #	Page 1 of 1	Agenda Item #
23				

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 11/5/09	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE <i>Michael S. Marcotte, P.E., D.WRE, BCEE</i> Michael S. Marcotte, P.E., D.WRE, BCEE	Council District affected: All	
For additional information contact: Ann Marie Stone Sheridan, P.E. Phone: (713) 837-9142	Date and identification of prior authorizing Council action	

RECOMMENDATION: (Summary)

It is recommended that City Council approve an ordinance authorizing the Mayor to execute a Treated Water Supply Contract between the City of Houston and Harris County Municipal Utility District No. 148.

Amount and Source of Funding:

NO FUNDS REQUIRED; REVENUE CONTRACT FOR TREATED WATER.

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 148 has submitted a Treated Water Supply Contract drafted by our Legal Department. The initial minimum monthly contract amount is 7.0 million gallons per month.

This contract charges rates for treated water as specified in the City of Houston Code of Ordinances, Section 47-61(f). The base rate is currently \$1.884 per thousand gallons.

The Planning and Development Services Division has evaluated the request and found that the water supply and delivery system is adequate to provide the requested quantities.

Approval of Harris County Municipal Utility District No. 148 Water Supply Contract is requested.

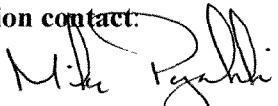
cc: Marty Stein
Waynette Chan
Gary Drabek
Andrew F. Icken
Jun Chang, P.E.

CUIC# 20UPA5

Finance Department	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services	Other Authorization:
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TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Professional Materials Engineering Laboratory Contract between the City of Houston and All-Terra Materials Testing, Inc. for testing laboratory services		Page 1 of 1	Agenda Item # 74
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 11-19-09	Agenda Date DEC 02 2009	
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D.WRE, BCEE, Director	Council District affected: MP ALL		
For additional information contact: Mike Pezeshki, P.E.  Interim Assistant Director	Date and identification of prior authorizing Council action:		
<p>RECOMMENDATION: (Summary) Approve Professional Materials Engineering Laboratory Contract with All-Terra Materials Testing, Inc. for engineering materials testing services for the Department of Public Works and Engineering and the Houston Airport System, respectively.</p>			
Amount and Source of Funding: No funding required.			

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This Professional Materials Engineering Laboratory Contract will support the construction of Capital Improvement Plan, maintenance and aviation projects. The testing laboratory will be assigned to various projects when the construction contract is awarded.

DESCRIPTION/SCOPE: Materials testing assures the quality control of the construction of the project and compliance with the engineering design specifications. The specific engineering testing and analysis will be identified in the technical specifications contained in the contract assigned.

M/WBE Participation: The M/WBE participation is not required.

LOCATION: This contract will cover various locations throughout the City.

SCOPE OF CONTRACT AND FEES: Under the terms of the contract, the testing laboratory will perform quality control of construction materials through testing. The testing laboratory will be paid for the tests performed, based on the established City of Houston Schedule of Fees approved on November 3, 2008. The cost of the testing services will be included with the construction award appropriation.

MSM:DRM:MP:kd

Attachments

cc: Marty Stein
Velma Laws
Adil Godiwala, P.E. 

REQUIRED AUTHORIZATION

CUIC ID#20MP46

NOT

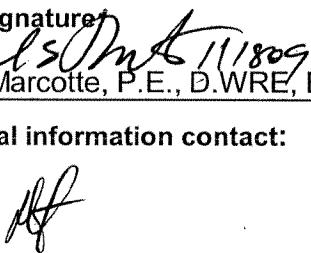
	Other Authorization:  Eric Potts, Interim Director Houston Airport System	Authorization:  Daniel R. Menendez, P.E., Deputy Director, Engineering and Construction Division
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Eric Potts, Interim Director
Houston Airport System

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

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Third Amendment to Professional Engineering Services Contract between the City and AECOM USA Group, Inc. for Services Associated with the Storm Water Management Program WBS Nos. M-000220-0003-3		Page 1 of 2	Agenda Item #
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 11-19-09	Agenda Date DEC 02 2009
Director's Signature:  Michael S. Marcotte, P.E., D.WRE, BCEE		Council District affected: "All" <i>m.s.</i>	
For additional information contact:  Hamlet Hovsepian, P.E. Phone: (713) 837-7033 Interim Senior Assistant Director		Date and identification of prior authorizing Council action: Ord. No. 2003-1195; 12-03-03 Ord. No. 2005-0442; 04-27-05 Ord. No. 2006-0498; 05-17-06 Ord. No. 2007-0026; 01-03-07 Ord. No. 2008-0013; 01-03-08	
RECOMMENDATION: (Summary) Approve Third Amendment with AECOM USA Group, Inc.			
Amount and Source of Funding: No Additional Funding Required Previous (original) funding of \$11,383,080.00 from Storm Sewer Fund No. 436, \$9,425,000.00 from Drainage Improvements Commercial Paper Series F, Fund No.49 R and \$14,910,000.00 from Drainage Improvements Commercial Paper Series F, Fund No. 4030.			
SPECIFIC EXPLANATION: A Contract Amendment is requested to extend the contract by one year until December 11, 2010. This time extension will allow the ongoing program management, technical services and design work to continue. The existing contract has sufficient monies to support these activities by utilizing the available balances from various funds within the contract.			
DESCRIPTION/SCOPE: This project provides program management and engineering services for the Storm Sewer Capital Improvement Program projects.			
LOCATION: Various locations citywide.			
PREVIOUS HISTORY AND SCOPE: City Council approved the original contract on December 3, 2003, Ordinance Number 203-11 with J.F. Thompson, Inc. currently known as AECOM USA Group, Inc. Under this contract, to date the consultant has completed the following:			
<ul style="list-style-type: none"> • Migrated the Comprehensive Drainage Plan into the Geographic Information System database. • Provided technical support to City staff related to the National Flood Insurance Program's Community Rating System and Floodplain Management. • Completed nine (9) Phase II - Final Designs for projects in the Texas Medical Center, twenty-four (24) Phase I – Preliminary Engineering Reports and seventeen (17) Phase II – Final Designs for projects in citywide neighborhoods. 			
REQUIRED AUTHORIZATION Finance Department:		CUIC ID# 20MS104 Other Authorization:	
			

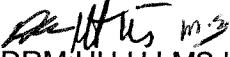
Date	Subject:	Originator's Initials	Page 2 of 2
	Third Amendment to Professional Engineering Services Contract between the City and AECOM USA Group, Inc. for Services Associated with the Storm Water Management Program WBS Nos. M-000220-0003-3	M.B.	

PREVIOUS HISTORY AND SCOPE (CON'T):

- Provided hydrologic and hydraulic studies and technical support services.
- Provided construction management services.
- Maintained a website for public outreach and project status reporting.
- Administered FEMA grants and reporting.

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

M/WBE INFORMATION: The M/WBE goal established for the projects is 24%. The consultant has exceeded the 24% M/WBE contract goal to date.

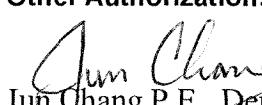
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MSM:DRM:HH:HJ:MS:klw

Z:\design\A-sw-div\WPDATA\SABZEVAR\SWMP\SWMP\RCA\Third Amendment RCA.DOC 10-09.DOC

c: Marty Stein
Velma Laws
Susan Bandy
Gary Drabek
Craig Foster
WBS No. M-000220-0003-3 (ROC)

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0135-4		Page 1 of 2	Agenda Item # 76								
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 11-11-09	Agenda Date DEC 02 2009								
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., D.WRE, BCEE		Council District affected: All									
For additional information contact: Dannelle H. Belhache, P.E. Senior Assistant Director		Date and identification of prior authorizing Council action: N/A									
RECOMMENDATION: (Summary) Accept low bid, award construction contract, and appropriate funds.											
Amount and Source of Funding: \$3,517,867.00 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. 10/22/09</i>									
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: Three (3) bids were received on July 23, 2009 for this project as follows:											
<table> <thead> <tr> <th><u>Bidder</u></th> <th><u>Bid Amount</u></th> </tr> </thead> <tbody> <tr> <td>1. PM Construction & Rehab, L.P.</td> <td>\$3,297,968.43</td> </tr> <tr> <td>2. Huff & Mitchell, Inc.</td> <td>\$3,589,671.25</td> </tr> <tr> <td>3. Portland Utilities Construction Co., LLC</td> <td>\$3,590,613.75</td> </tr> </tbody> </table>				<u>Bidder</u>	<u>Bid Amount</u>	1. PM Construction & Rehab, L.P.	\$3,297,968.43	2. Huff & Mitchell, Inc.	\$3,589,671.25	3. Portland Utilities Construction Co., LLC	\$3,590,613.75
<u>Bidder</u>	<u>Bid Amount</u>										
1. PM Construction & Rehab, L.P.	\$3,297,968.43										
2. Huff & Mitchell, Inc.	\$3,589,671.25										
3. Portland Utilities Construction Co., LLC	\$3,590,613.75										
File/Project No. WW 4257-106		REQUIRED AUTHORIZATION	CUIC# 20DHB296								
Finance Department	Other Authorization: 	Other Authorization:  Jun Chang P.E., Deputy Director Public Utilities Division	<i>10/22/09</i>								

Date	Subject: Contract Award for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0135-4	Originator's Initials	Page 2 of 2
-------------	--	------------------------------	--------------------

AWARD: It is recommended that this construction contract be awarded to PM Construction & Rehab, L.P., with a low bid of \$3,297,968.43.

PROJECT COST: The total cost of this project is \$3,517,867.00 to be appropriated as follows:

• Bid Amount	\$3,297,968.43
• Contingencies	\$164,898.57
• Engineering Testing Services	\$55,000.00

Engineering Testing Services will be provided by Titan Testing & Engineering Services, 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/WBE 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>
Standard Cement Materials, Inc.	Manhole Rehabilitation	\$98,939.05	3.00%
Chief Solutions, Inc	Clean & Televise Sewer Lines	\$131,918.74	4.00%
CBL Industries, LLC	Asphalt/Paving	\$131,918.74	4.00%
T. Construction, LLC	Sewer Line Construction	<u>\$32,979.68</u>	<u>1.00%</u>
	TOTAL	\$395,756.21	12.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
Deanie Hayes, Inc.	Sand & Aggregates	\$197,878.11	6.00%
5M Rope & Supply, LLC	Supplies	<u>\$98,939.05</u>	<u>3.00%</u>
	TOTAL	\$296,817.16	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
File No. WW 4257-106

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinances Approving Strategic Partnership Agreements with Various Utility Districts and Annexing Territory for Limited Purposes

Category #

Page 1 of 1

Agenda Item #

77-101A

FROM (Department or other point of origin): Planning and Development Department	Origination Date November 17, 2009	Agenda Date DEC 02 2009
DIRECTOR'S SIGNATURE: <i>Margaret R. Wallace</i>	Council District affected: ALL	
For additional information contact: Margaret Wallace Phone: 713-837-7826	Date and identification of prior authorizing Council action: Public Hearings: Nov 4 and 10, 2009	

RECOMMENDATION: (Summary)

That City Council approve Strategic Partnership Agreements with the Utility Districts listed below, for the annexation for limited purpose of territory within and in the vicinity of those districts, and for the assignment of such territory to City Council Districts.

Amount and Source of Funding: NA	Finance Budget: NA
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SPECIFIC EXPLANATION:

The Planning and Development Department has negotiated Strategic Partnership Agreements between the City of Houston and the utility districts as listed below.

In each of these Districts, the city is only annexing commercial property and undeveloped land intended for commercial use. There is no population located in these territories proposed to be annexed for limited purposes. In addition, the City will levy a 1 percent sales tax and all taxes collected in the areas will be divided evenly between the City and the District. For each of the following Districts, the City will enforce the fireworks ban in the area to be annexed, including the area within the District. Only in the Greens Parkway MUD Amendment will the city also provide police services, as they are in the original agreement.

New Agreements:

Cinco Southwest MUD No. 3	Harris County MUD No. 105	Northwest Harris County MUD No. 15
Cypress Forest PUD	Harris County MUD No. 149	Richey Road MUD
Fort Bend County MUD No. 118	Harris County WCID No. 114	Spring West MUD
Forest Hills MUD	Harris-Fort Bend Counties MUD No. 5	Tattor Road MD

Amendments to existing Agreements:

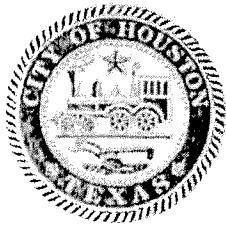
Bridgestone MUD (1 st Amendment)	Harris County MUD No. 191 (2 nd Amendment)
Cimarron MUD (1 st Amendment)	Harris County MUD No. 61 (1 st Amendment)
Cinco Southwest MUD No. 4 (1 st Amendment)	Mason Creek UD (1 st Amendment)
Cy-Champ PUD (2 nd Amendment)	North Belt UD (1 st Amendment)
Fort Bend MUD No. 50 (2 nd Amendment)	North Forest MUD (2 nd Amendment)
Greens Parkway MUD (1 st Amendment)	Timber Lane UD (1 st Amendment)
Harris County FWSD No. 52 (1 st Amendment)	

Council district assignments of the newly annexed areas are detailed on the attached memorandum.

Copy: Marty Stein, Agenda Director
Michelle Mitchell, Finance Director
Arturo G. Michel, City Attorney
Sameera Mahendru, Assistant City Attorney

REQUIRED AUTHORIZATION

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



CITY OF HOUSTON

Planning & Development
Department

Interoffice

Correspondence

To: Arturo G. Michel, City Attorney

From: *M.L.G.* Marlene L. Gafrick, Director

Date: November 19, 2009

Subject: Assignment of Newly Annexed Areas

The City is currently annexing parts of 25 utility districts for limited purposes. I am proposing the following assignment to Council Districts for the newly annexed areas. In each case, I am referring to only the portion of the election precinct that has been newly annexed. Each of these precincts is assigned to its adjacent District. Please let me know if you need additional information.

District A:

Bridgestone MUD; 0672, 0851, 0482, 0263
Cimarron MUD; 0362
Cy Champ PUD; 0515, 0451, 0669
Cypress Forest PUD; 0648, 0623, 0515, 0451, 0669
HCFWSD 52; 0513, 0451
HCMUD 105; 0617, 0712
HCMUD 149; 0651, 0667, 0398, 0553
HCMUD 191; 0478, 0516
HCMUD 61; 0603, 0618, 0720
HCWCID MUD 114; 0477, 0648, 0601, 0631, 0624, 0623, 0112, 0515
HFBC MUD 5; 0362, 3122*
Mason Creek UD; 0509
NWHC MUD 15; 0245, 0485, 0173, 0486

District B:

Forest Hills MUD; 0864, 0366
Greens Parkway MUD; 0342
North Belt UD; 0342, 0409, 0241
North Forest MUD; 0657, 0342
Richey Road MUD; 0657, 0520
Spring West MUD; 0041, 0851, 0110, 0500, 0482, 0246, 0633
Tattor Road MUD; 0586
Timberlane MUD; 0596, 0006, 0587

District G:

Cinco SW MUD 3; 3038*
Cinco SW MUD 4; 3038*
FBC MUD 118; 3082*, 3083*
FBC MUD 50; 3082*, 3083*
HFBC MUD 5; 3130*
Mason Creek UD; 0522

Precincts noted with an asterisk are in Fort Bend County; all others are located within Harris County.

MLG/mhw

cc: Marty Stein, Agenda Director
Don Cheatham, Legal Department
Sameera Mahendru, Legal Department

102
DEC 02 2009

MOTION NO. 2009 0849

MOTION by Council Member Khan that an item be placed on the Agenda of December 2, 2009, to receive nominations for appointments or reappointments for Positions Five and Seven on the Ethics Committee for two years.

Seconded by Council Member Lovell and carried.

Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown, Lovell, Noriega, Green and Jones voting aye
Nays none

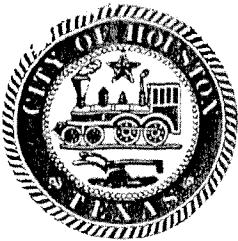
Council Member Clutterbuck out of the city on city business

Council Member Adams absent on personal business

PASSED AND ADOPTED this 18th day of November, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 24, 2009.

City Secretary



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence

55

To: Anna Russell
City Secretary

From: *JK* Linda Clarke, Director
Boards and Commissions

Date: November 13, 2009

Subject: **Ethics Committee
Nominations**

NOV 13 2009

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days or thereafter from November 18, 2009, to receive nominations for appointments or reappointments for Positions Five and Seven on the Ethics Committee for two-years. The current members' terms expire 12/31/2009:

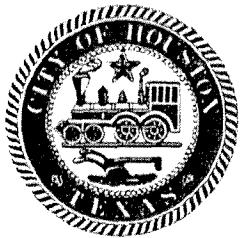
Position 5 Rick Cagney Nominated by Council Member Holm

Position 7 John Jay Douglas Nominated by Council Member Clutterbuck

LC:jsk

cc: Marty Stein

RECEIVED
CITY SECRETARY



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence

103
REC'D 02 2009

To: Anna Russell
City Secretary

From: *JK* Linda Clarke
Boards and Commissions

Date: November 25, 2009

Subject: REINVESTMENT ZONE NUMBER
ONE (ST GEORGE PLACE)

NON-CONSENT AGENDA MISCELLANEOUS

Motion to set a date not less than seven (7) days from December 2, 2009, to receive nominations for appointments to Positions 6, 7, 8 and 9 of the Board of Directors of Reinvestment Zone Number One (St. George Place), City of Houston, Texas for terms to expire December 31, 2011, and for Chair for a term to expire December 31, 2010.

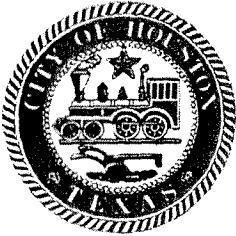
Position 6	Gary Baumgartner	Nominated by Council Member Clutterbuck
Position 7	J. David Enloe, Jr.	Nominated by Council Member Clutterbuck
Position 8	Walter S. Goff	Nominated by Council Member Clutterbuck
Position 9	William G. Hutz (Chair)	Nominated by Council Member Clutterbuck

These four board members have expired terms and are appointed by Council.

LC/jk

cc: Ms. Marty Stein

RECEIVED
CITY SECRETARY



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence

104

Nov. 25, 2009

To: Anna Russell
City Secretary

From: *jl* Linda Clarke
Boards and Commissions

Date: November 25, 2009

Subject: Houston Read Commission
Council Appointments

NON-CONSENT AGENDA MISCELLANEOUS

Motion to set a date not less than seven (7) days from December 2, 2009, to receive nominations for Positions 18, 19, 20, 21 and 22 of Houston Read Commission with three-year staggered terms from the date of appointment. The current members serving are:

			Expiration Date
Position 18	Maribel Barrera	CM Garcia	1/25/2008
Position 19	Alamdar S. Hamdani	CM Khan	5/24/2009
Position 20	Etta Hill	CM Sekula-Gibbs	1/19/2008
Position 21	Diana M. Valverde	CM Sekula-Gibbs	1/19/2008
Position 22	Philip Fraissinet	CM Berry	5/24/2009

LC/jsk

cc: Ms. Marty Stein

RECEIVED
CITY OF HOUSTON
CITY SECRETARY

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreement – between the City of Houston and Expedite! Inc. - George Bush Intercontinental Airport/Houston (IAH).		Category #	Page 1 of 2	Agenda Item #
				105 FFD

FROM (Department or other point of origin): Houston Airport System	Origination Date October 26, 2009	Agenda Date NOV 10 2009 DEC 02 2009
DIRECTOR'S SIGNATURE: <i>An Kue</i> <i>Eric R. Bustos</i>	Council District affected: B	
For additional information contact: Janet Schafer <i>BS</i> Phone: 281-233-1796 Roxane Bustos 281-233-1820	Date and identification of prior authorizing Council action: N/A	
AMOUNT & SOURCE OF FUNDING: Revenue - \$13,363 per year/ \$1,113.61 per month. <i>INN</i>	Prior appropriations: N/A	

RECOMMENDATION: (Summary)

Enact an ordinance approving and authorizing a Lease Agreement between the City of Houston and Expedite! Inc., at George Bush Intercontinental Airport/Houston (IAH).

SPECIFIC EXPLANATION:

Expedite! Inc., has requested to lease from the City of Houston, office and warehouse space for its operations at George Bush Intercontinental Airport/Houston (IAH).

The pertinent terms and conditions of this lease agreement are as follows:

1. Premises: Approximately 3,115 square feet of office and warehouse space at 5717 Will Clayton Parkway, IAH.
2. Term: The term is for three (3) years from the date of countersignature, unless terminated sooner in accordance with lease. The Lessee or the Director shall have the right to terminate this lease upon 30 days' prior written notice to the other party.
3. Rental: Approximately \$13,363 per year (\$1,113.61 per month).
4. Use: The space is to be used for freight services, storage of equipment and for inventory.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:
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Date October 26, 2009	Subject: Lease Agreement-between the City of Houston and Expedite! Inc.- George Bush Intercontinental Airport/Houston (IAH).	Originator's Initials	Page 2 of 2
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- 5. Maintenance and Utilities: Lessee shall assume the entire responsibility, cost and expense for all maintenance of the leased premises and shall be responsible for all utilities or service to the leased premises.
- 6. Indemnification: Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the lease.
- 7. Environmental: Lessee shall comply with all federal, state and local environmental laws and airport policies and procedures.
- 8. Other: Lessee agrees to comply with all rules and regulations adopted by the airport and/or TSA and/or the FAA, and to comply with all federal, state and local statutes, ordinances, regulations and policies.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Amendment No. 2 to Parking Operations and Management Concession Agreement between the City of Houston and New South Parking - Texas		Category #	Page 1 of 3	Agenda Item #																				
FROM (Department or other point of origin): Houston Airport System		Origination Date October 26, 2009	Agenda Date Nov 18 2009																					
DIRECTOR'S SIGNATURE: <i>Am. Rae Eric L. Doty</i>		Council District affected: B, E, and I																						
For additional information contact: Janet L. Schafer <i>✓</i> Phone: 281-233-1796 Chanda Felder <i>✓</i> 281-233-1578		Date and identification of prior authorizing Council action: 8/24/04 (O) 2004-0888 12/8/99 (O) 1999-1292																						
AMOUNT & SOURCE OF FUNDING: <table><tr><td>FY 10</td><td>\$4,948,958</td><td>Concession Fee</td><td>JNW</td></tr><tr><td>FY 10</td><td>\$ 147,000</td><td>Supplemental Allocation</td><td></td></tr><tr><td>Out Years</td><td>\$86,752,695</td><td>Concession Fee</td><td></td></tr><tr><td>Out Years</td><td>\$ 2,604,050</td><td>Supplemental Allocation</td><td></td></tr><tr><td>Total</td><td>\$94,452,703</td><td>HAS Revenue Fund (8001)</td><td></td></tr></table>		FY 10	\$4,948,958	Concession Fee	JNW	FY 10	\$ 147,000	Supplemental Allocation		Out Years	\$86,752,695	Concession Fee		Out Years	\$ 2,604,050	Supplemental Allocation		Total	\$94,452,703	HAS Revenue Fund (8001)		Prior appropriations: N/A		
FY 10	\$4,948,958	Concession Fee	JNW																					
FY 10	\$ 147,000	Supplemental Allocation																						
Out Years	\$86,752,695	Concession Fee																						
Out Years	\$ 2,604,050	Supplemental Allocation																						
Total	\$94,452,703	HAS Revenue Fund (8001)																						
Plus an annual performance incentive fee up to .5% of parking revenues																								
RECOMMENDATION: (Summary) Enact an ordinance authorizing Amendment No. 2 to Parking Operations and Management Concession Agreement between the City of Houston and New South Parking – Texas at George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Airport (EFD).																								
SPECIFIC EXPLANATION: The existing Parking Operations and Management Concession Agreement was awarded to Central Parking of Texas, Inc. on December 8, 1999, for a term of five (5) years, and was subsequently assigned to New South Parking-Texas (“New South Parking”), a joint venture of Central Parking of Texas, Inc. and Burns Management Group. Amendment No. 1, approved August 24, 2004, extended the term of the agreement by three (3) years plus two (2) one-year options in exchange for additional capital investment of \$2,527,414.																								
Since the commencement of this agreement, New South Parking has invested \$5.6M in capital improvements, including designing and installing parking revenue control systems, re-branding the City Economy Lot to Parking Cents and introducing automation to the Houston Airport System (HAS) with InstaPark and Express Exit lanes. They have also saved the airports approximately \$3M annually in operating expenses.																								
This agreement is being extended to derive the most value for HAS by maximizing new capital investment, achieving cost savings while implementing green initiatives and utilizing the experience of the largest parking services provider in North America as described below:																								
<ol style="list-style-type: none"> 1. Maximize Capital Investment – A survey of the top US airports was performed by HAS to determine the industry best practice in contracting for parking operations. The survey revealed that the majority of airports enter into long term relationships with a parking operator (14 - 20 + years). This is typically done by extending contracts in 																								

REQUIRED AUTHORIZATION

NDT

Finance Department:	Other Authorization:	Other Authorization:
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Date October 26, 2009	Subject: Amendment No. 2 to Parking Operations and Management Concession Agreement between the City of Houston and New South Parking - Texas	Originator's Initials	Page 2 of 3
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exchange for commitments to invest additional capital. The airports that extended their contracts generally secured more capital investment than those that issued an RFP. Furthermore, those airports that did issue an RFP often selected the incumbent operator, but with less capital investment than those that extended their contracts. On this basis, HAS has negotiated a contract extension with New South Parking in exchange for a commitment to invest \$3,047,977 in new capital – as much as any other airport received in our survey. The \$3,047,977 investment will be spent to construct covered parking spaces at IAH, create a new economy lot at HOU, convert to a CNG shuttle bus operation, install energy-efficient lighting and implement other improvements. Together these improvements are anticipated to generate \$1.7M more in revenue annually for HAS.

2. Cost Savings versus Another Parking Operator – New South Parking will convert the existing fleet of shuttle buses to Compressed Natural Gas (CNG) shuttle buses. This “*Green*” initiative will require an estimated \$735,000 in conversion costs that will be funded by grants available to the current operator (New South Parking). The Texas GLO grant requires that the shuttles to be converted must have been in use for a minimum of two years before the conversion. Another operator would likely not qualify for the grant, requiring HAS to fund the cost or elect to not convert to CNG. We will also save another \$165,000 that would be required to replace New South Parking’s bus maintenance shop, and other conversion costs.
3. New South Parking Experience - New South Parking is the successful 15 year joint venture partnership between Central Parking, North America’s largest parking services provider and Global Parking, an Airport Concession Disadvantaged Business Enterprise (ACDBE) company with a 30% interest. New South/Central Parking operates at 23 airports, including seven of the largest (Miami, Washington-Dulles, Los Angeles, Detroit, San Francisco, Ft. Lauderdale, and Houston). New South Parking has strived to provide HAS with the most current technology to streamline processes, provide superior customer service and has been a factor in helping HAS achieve revenue growth in the past. Extending the contract guarantees that our Parking operation is backed by an experienced operator and one that is familiar with our specific operation.

The pertinent terms and conditions of Amendment No. 2 are as follows:

1. Term: Five (5) additional years beginning on January 29, 2010 and expiring January 28, 2015, with an option by the Director to extend for two (2) one-year options.
2. Capital Investment: New South Parking has committed to expend \$3,047,977 as additional capital investment for the following:

- IAH Parking Cents Covered Parking	\$1,442,465
- HOU new Parking Cents Lot	\$ 336,000
- Energy Efficient Lighting @ HOU & IAH Term A&B	\$ 255,716
- Signage Upgrade	\$ 472,846
Entrance & Exit Variable Messaging Signs (VMS)	
HOU Space Count by Level Signs	
- Revenue Control / Infrastructure Upgrades	\$ 540,950
Total	<u>\$3,047,977</u>

If actual investment is less than \$3,047,977, the difference shall be paid to the City.

Date October 26, 2009	Subject: Amendment No. 2 to Parking Operations and Management Concession Agreement between the City of Houston and New South Parking - Texas	Originator's Initials	Page 3 of 3
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3. Annual Concession Fee to be retained by New South Parking as a daily deduction from parking receipts:

	Projected	Concession Fee	HAS Gross Revenue
- During the eleventh anniversary period	\$11,806,336	\$75,400,000	
- During the twelfth anniversary period	\$12,671,896	\$75,700,000	
- During the thirteenth anniversary period	\$12,751,635	\$87,500,000	
- During the fourteenth anniversary period	\$13,061,599	\$90,300,000	
- During the fifteenth anniversary period	\$13,643,415	\$101,300,000	
- During the first year of the option period	\$13,745,964	\$104,300,000	
- During the second year of the option period	\$14,020,808	\$107,400,000	

Plus an annual performance incentive fee up to .5% of parking revenues based on customer service, operations efficiency, management performance, and responsiveness to HAS management in accordance with specifications outlined in the contract.

In instances where there may be certain service enhancements that are of such a significant and material nature, that it would necessitate additional consideration for Concessionaire in the form of an increase in the Concession Fee, the Director shall determine whether the service enhancement warrants additional Concession Fees. The Concession Fee may be increased by an amount not in excess of three percent (3%) of the Concession Fee.

All other terms and conditions of the Agreement will remain unchanged, including 15% ACDBE participation goal. Currently, New South Parking is achieving 30.2% ACDBE participation on a 15% goal.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Appropriate Funds to In-House Renovation Revolving Fund for Renovation/Reconstruction of Various City Facilities during Fiscal Year 2010 WBS No. C-000122-0008-4		Page 1 of 1	Agenda Item 10750
FROM: (Department of other point of origin) General Services Department		Origination Date 11-12-09	Agenda Date NOV 18 2009
DIRECTOR'S SIGNATURE: <i>Issa Z. Dadoush, P.E.</i> 10/28/09		Council District affected: All	
For additional information contact: Jacquelyn L. Nisby Phone: 832-393-8023		Date and identification of prior authorizing council action:	

RECOMMENDATION: Appropriate bond funds to the In-House Renovation Revolving Fund (Fund 1003) for renovation/reconstruction projects for various City facilities during Fiscal Year 2010.

Amount and Source of Funding: \$2,800,000.00 Fire Consolidated Construction Fund (4500)	Finance Budget: <i>Michele Mitchell</i>
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SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council appropriate \$2,800,000 out of the Fire Consolidated Construction Fund to the In-House Renovation Revolving Fund for renovation/reconstruction projects completed to date and projects remaining in FY 2010.

GSD's In-House Renovation Group provides labor and expertise required to address serious maintenance deficiencies by performing capital improvements to various City facilities and emergency repairs affecting life safety issues.

PROJECT DESCRIPTION AND SCOPE: The renovation/reconstruction projects include fire stations and office build-outs. A typical renovation will involve multiple trades and may include demolition and replacement of walls and doors, painting, installation of electrical wiring and lighting, new plumbing, new flooring, new ceiling, new millwork and replacement of related equipment.

PROJECT LOCATIONS: The FY2010 renovation/reconstruction projects are as follows:

Fire Projects by GSD In-House Renovation Group:

1. Fire Station No. 20	6902 Navigation	494V	Dist. I	Phase I Major Renovation
2. Fire Station No. 20	6902 Navigation	494V	Dist. I	Phase II Expansion (addition of two apparatus bays)-
3. Fire Station No. 5	2020 Hollister	450R	Dist. A	Major Renovation
4. HFD Logistics Building	1205 Dart St.	493G	Dist. H	Multiple Office Build-outs

IZD:HB:JLN:MCP:RV:ps

C: Marty Stein, Jacquelyn Nisby, Rey Vargas, Christopher Gonzales, Jack Williams, Calvin Curtis, Yvette Burton

REQUIRED AUTHORIZATION		25MSCL51
General Services Department: <i>Steve Girardi</i> Steve Girardi Assistant Director		Houston Fire Department: <i>Phil Boriskie</i> Phil Boriskie Fire Chief



**APPROPRIATE FUNDS FOR RENOVATION DURING
FISCAL YEAR 2010:
FIRE STATION NO. 20**

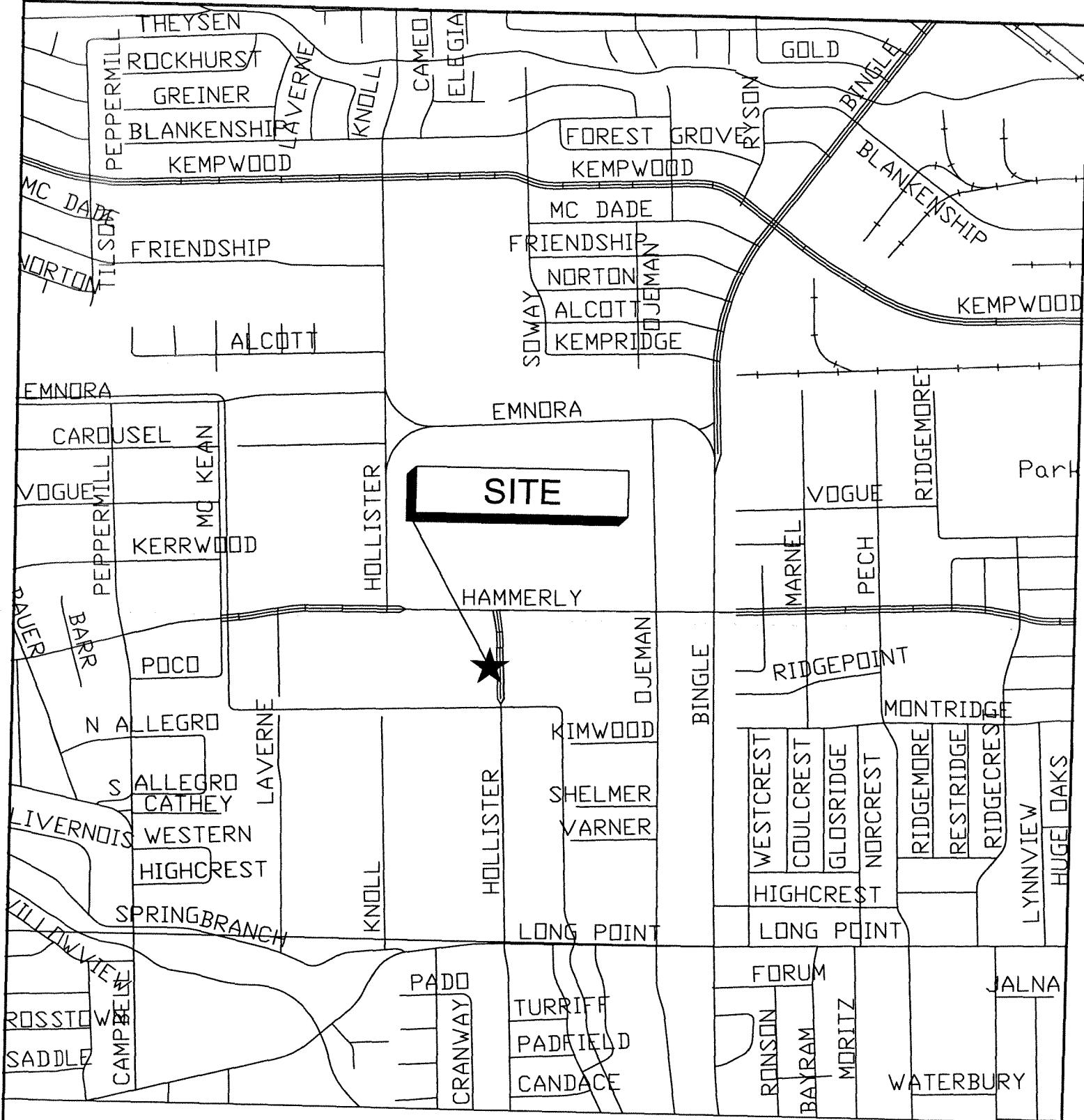
6902 NAVIGATION

HOUSTON , TX 77011

COUNCIL DISTRICT "I"

WBS No. C-000122

KEY MAP NO. 494V



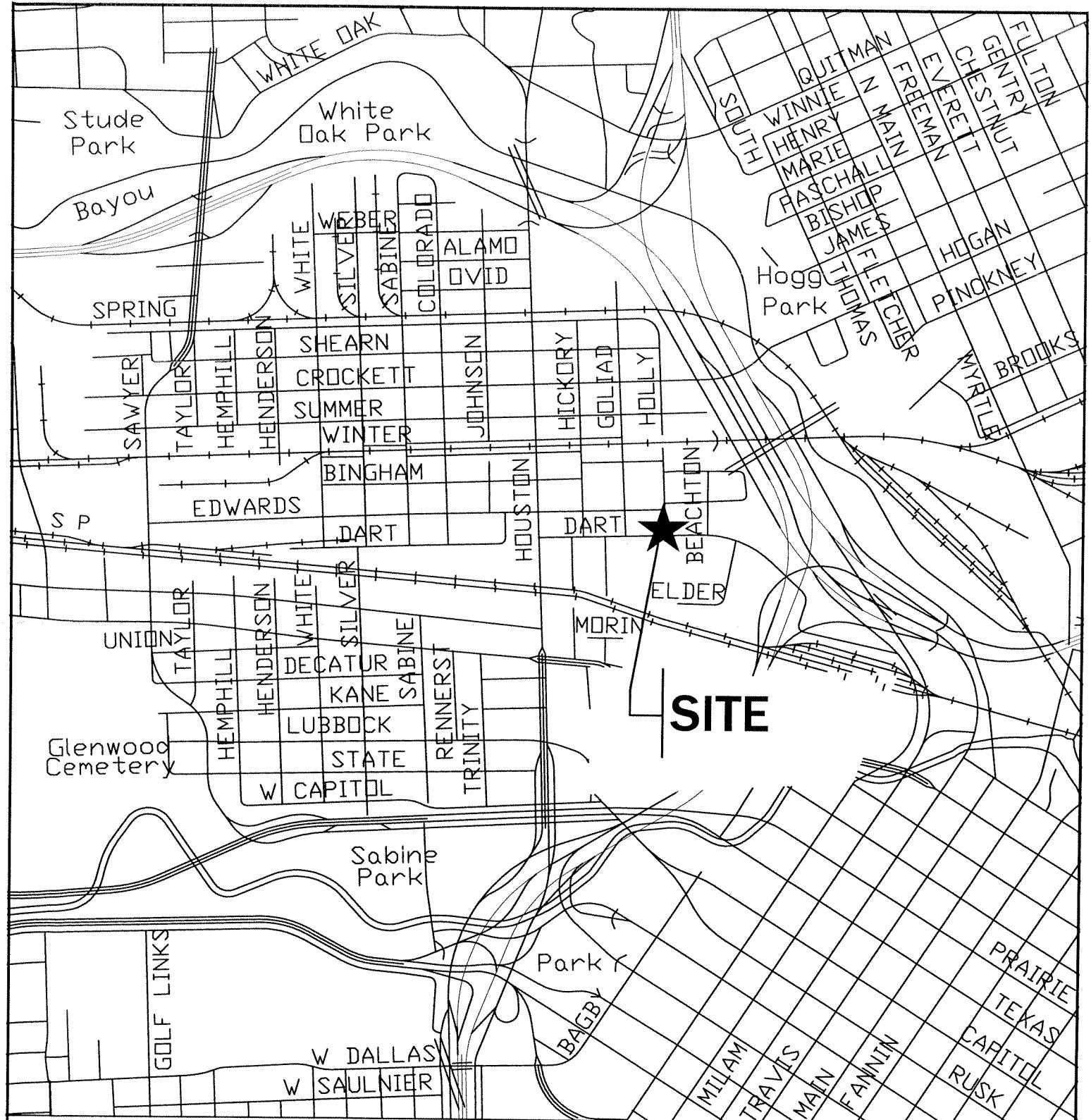
**APPROPRIATE FUNDS FOR RENOVATION DURING
FISCAL YEAR 2010:
FIRE STATION NO. 5**

**2020 HOLLISTER
HOUSTON, TX 77080**

COUNCIL DISTRICT "A"

WBS No. C-000122

KEY MAP NO. 450R



**APPROPRIATE FUNDS FOR RENOVATION DURING
FISCAL YEAR 2010:
HFD LOGISTICS BUILDING**

**1205 DART ST.
HOUSTON , TX 77007**

COUNCIL DISTRICT "H"

WBS No. C-000122

KEYMAP No. 493G

108

DEC 02 2009

MOTION NO. 2009 0850

MOTION by Council Member Holm that the following item be postponed for two weeks:

Item 56 - Motion by Council Member Khan/Seconded by Council Member Lovell to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Louis Macey of Macey Family Properties, LTD. [Macey Properties, Inc. (Louis Macey, President) General Partner], for sale of fee-owned land, which is the remainder of Block 120, from Rusk Avenue to Capitol Avenue, within South Side Buffalo Bayou, an unrecorded subdivision out of the J. S. Holman Survey, A-323, Parcel SY10-017

Seconded by Council Member Khan and carried.

Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown, Lovell, Noriega, Green and Jones voting aye
Nays none

Council Member Clutterbuck out of the City on City business

Council Member Adams absent on personal business

PASSED AND ADOPTED this 18th day of November 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 24, 2009.

City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Sale of fee-owned land, which is the remainder of Block 120, from Rusk Avenue to Capitol Avenue, within South Side Buffalo Bayou, an unrecorded subdivision out of the J.S. Holman Survey, A-323. **Parcel SY10-017**

Page 1 of 1

Agenda Item #

108

56

B

FROM (Department or other point of origin):

Department of Public Works and Engineering

Origination Date

11-5-09

Agenda Date

NOV 10 2009

DIRECTOR'S SIGNATURE:
Michael S. Marcotte, P.E., D.WRE, BCEE, Director

Council District affected: I

NOV 18 2009

DD

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For additional information contact:Nancy P. Collins  Phone: (713) 837-0881
Senior Assistant Director-Real Estate**Date and identification of prior authorizing Council Action:**

RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the sale of fee-owned land, which is the remainder of Block 120, from Rusk Avenue to Capitol Avenue, within South Side Buffalo Bayou, an unrecorded subdivision out of the J.S. Holman Survey, A-323. **Parcel SY10-017**

Amount and Source of Funding: Not Applicable**SPECIFIC EXPLANATION:**

Louis Macey of Macey Family Properties, LTD. [Macey Properties, Inc. (Louis Macey, President) General Partner], 1717 St. James Place, Suite 118, Houston, Texas, 77056, requested the sale of fee-owned land, which is the remainder of Block 120, from Rusk Avenue to Capitol Avenue, within South Side Buffalo Bayou, an unrecorded subdivision out of the J.S. Holman Survey, A-323. The applicant plans to include the subject property with its abutting property for parking in the short term and for commercial development in the future. Clearance was obtained from the Convention and Entertainment Facilities Department, which is the owning department. Proceeds from this sale will be used for the reconfiguration of Avenida de las Americas, between Rusk Avenue and Texas Avenue, which consists of the reconstruction of four concrete paved lanes with a median, sidewalks, street lights and the relocation of existing parking meters.

This 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 sale. The Joint Referral Committee reviewed and approved this request; therefore, it is recommended:

1. The City sell fee-owned land, which is the remainder of Block 120, from Rusk Avenue to Capitol Avenue, within South Side Buffalo Bayou, an unrecorded subdivision out of the J.S. Holman Survey, A-323.;
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 agree to an acceptable arrangement with the City whereby the existing building structures currently located within Block 120 are allowed to remain in their current location for a specified period of time after the completion of the sale of the remainder of Block 120.
4. The Legal Department be authorized to prepare the necessary transaction documents; and,
5. Inasmuch as the value of the property interest is expected to exceed \$1,000,000.00, that the value be established by Michael J. Urban and Albert Allen, independent appraisers.

MSM:NPC:dob

c: Marlene Gafrick
Daniel Menendez, P.E.Arturo G. Michel
Marty Stein

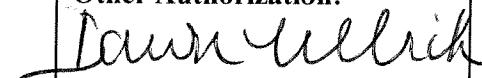
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CUIC #20DOB9098

REQUIRED AUTHORIZATION

Finance Department:

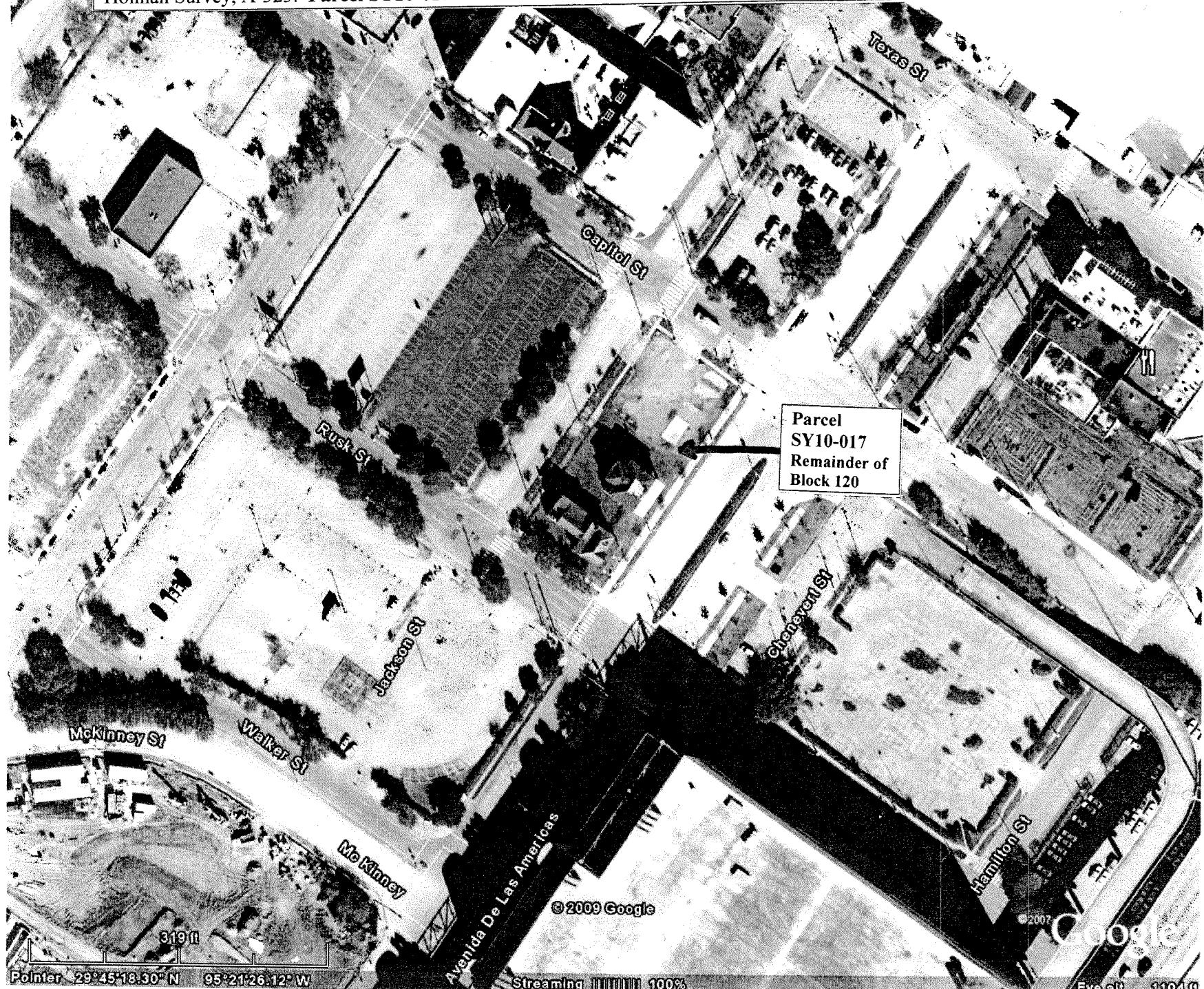
Other Authorization:

Dawn R. Ullrich, Director
Convention and Entertainment
Facilities Department

Other Authorization:

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

SUBJECT: Sale of fee-owned land, which is the remainder of Block 120, from Rusk Avenue to Capitol Avenue, within South Side Buffalo Bayou, an unrecorded subdivision out of the J.S. Holman Survey, A-323. **Parcel SY10-017**



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DEC 08 2009

MOTION NO. 2009 0853

MOTION by Council Member Sullivan that the following item be postponed for two weeks:

Item 59 - Ordinance amending Articles IX and X of Chapter 26 of the Code of Ordinances, Houston, Texas, relating to booting in parking facilities; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

Seconded by Council Member Khan and carried.

Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown, Lovell, Noriega, Green and Jones voting aye
Nays none

Council Member Clutterbuck out of the city on city business

Council Member Adams absent on personal business

PASSED AND ADOPTED this 18th day of November, 2009.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 24, 2009.

City Secretary

O: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Parking Facilities and Immobilization ("Booting") of Vehicles

Page

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Agenda

59

Item

21

FROM (Department or other point of origin):

General Services Department

Origination Date

11/5/09

Agenda Date

NOV 10 2009

DIRECTOR'S SIGNATURE:

Issa Z. Dadoush, P.E.

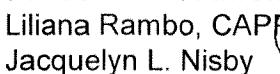

11/4/09

Council District(s) affected:

NOV All 8 2009

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For additional information contact:

Liliana Rambo, CAPP 
Phone: 713.853.8193
Jacquelyn L. Nisby 
Phone: 832.393.8023

Date and identification of prior authorizing Council action:

Ordinance 2008-847; September 24, 2008

RECOMMENDATION: Approve an Ordinance amending Articles IX and X of the Parking Ordinance, Chapter 26, relating to parking facilities and booting activities.

Amount and Source of Funding: Not Applicable

Finance Budget:

SPECIFIC EXPLANATION: On September 24, 2008, City Council approved Article IX - Minimum Standards for Parking Lots and Article X - Immobilization ("Booting") of Vehicles. Since that time, the 81st Texas Legislature enacted more extensive state regulation of booting that applies across the state to parking garages as well as parking lots (Texas Occupations Code Ch. 2308). Thus, the state law applies to the entire City and changes to the Code of Ordinances are necessary so that the Code is consistent with state law. Further, working with the Houston Police Department (HPD), the parking official gathered data relating to problems and abusive practices by booting operators. The Public Parking Commission recommends the proposed amendments, which are a result of Parking Management's meetings with HPD officers and various stakeholders. The Transportation and Infrastructure Committee reviewed the proposed changes on July 9, 2009 and voted to send them to City Council.

The proposed amendments are to clarify the ordinance, to ensure that it is consistent with the State code, and to respond to problems identified by HPD officers who enforce the ordinance. Specific amendments include:

- Amend Sections 26-601 and 26-602, to ensure that city code definitions and application of the ordinance are consistent with state law.
- Amend Section 26-606 to clarify that a parking facility owner must apply for a registration certificate and is not registered until HPD inspects the parking facility, finds it to be in compliance with state law and city ordinance, and issues the registration compliance certificate.
- Amend Section 26-606 to add a re-inspection fee of \$50 and a renewal fee of \$50 to cover HPD's costs for re-inspecting lots that repeatedly disregard state law and ordinance requirements.
- Amend Section 26-616 to be consistent with state law signage requirements (TX Occupations Code §§ 2308.301 and 302. All lettering on signage must be at least one inch in height. Amend Section 26-616(c) to require the address of the parking facility to be on the facility's signage at pay stations.
- Amend Sections 26-617 to prohibit receipts from being printed for spaces that are not available because they are reserved and 26-664 to prohibit booting vehicles parked in a reserved space when payment was made and a receipt was issued for the space.

REQUIRED AUTHORIZATION

CUIC ID #25MLI008

General Services Department:

Other Authorization:


Liliana Rambo, CAPP
Parking Management Division

Date: 10/26/09	SUBJECT: Parking Facilities and Immobilization ("Booting") of Vehicles	Originator's Initials MLI	Page 2 of 2
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- Amend Sections 26-617 and 26-618 to require that receipts contain the correct street address of the actual parking lot and amend Section 26-617(b) to require a minimum 14 point size font for certain information on receipts.
- Amend Section 26-618 to require that time/date and space number be printed on receipts if a lot uses "pay by space."
- Amend Sections 26-617, 26-644 to clarify that booting is prohibited except for nonpayment of fees (no booting for parking on the lines, parking on hash marks, parking in lanes or other unauthorized areas). Improperly parked vehicles should be towed.
- Add Section 26-621 to: (1) require that pay stations be bagged or non-operational during special events and (2) prohibit booting if a customer has a receipt showing he/she paid at the pay station (which would indicate the pay station was not, in fact, bagged as required).
- Add Section 26-622 to require that pay stations be illuminated to at least 0.7 foot-candles between 6:00 p.m. and 6:00 a.m. due to HPD's observations that several pay stations have no lighting, making it virtually impossible to see where/how to pay for parking, and creating safety concerns.
- Add Section 26-623 to prohibit collection of special event fees from drivers who entered a parking facility prior to the initiation of the special event.
- Amend Section 26-642 which provided that Article X (booting) applied only in the Central Business District to comply with state law which applies/regulates booting statewide.
- Amend Section 26-644 to prohibit booting for parking in unauthorized areas; lots should tow these vehicles, and to prohibit booting in parking facilities that have not received a registration compliance certificate from HPD.
- Amend Section 26-652(5) to add a provision prohibiting renewal of a vehicle immobilization service permit if the vehicle immobilization service has any unpaid judgments from JP court relating to booting; consistent with state law regulating booting.
- Amend Section 26-655 (revocation) to clarify that a vehicle immobilization service permit may be revoked if the permittee has violated signage requirements found in Section 26-616/state law.
- Amend Section 26-662(2) requirement for sticker/notice on booted vehicles to incorporate state law requirements and to require that the street address of the parking facility in which the vehicle was booted.
- Amend Section 26-662(6) to require the booting company to respond to the location of the booted vehicle within one hour of being contacted, and to remove boot within 30 minutes after vehicle owner has paid.
- Amend Sections 26-662(11) and 26-664(3) to require the name of the booting company on both sides of the vehicle so that customers will know when the vehicle approaching them is affiliated with a booting company.

ZD:LR:JLN:TC:MLI:mli

: Marty Stein, Jacquelyn L. Nisby, Arturo Michel

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NOV 10 2009

ARTICLE IX. MINIMUM STANDARDS FOR PARKING-LOT FACILITIES

DIVISION 1. GENERALLY

Sec. 26-601. Definitions.

As used in this article, the following terms shall have the meanings ascribed in this section unless the context of their usage clearly indicates another meaning:

Barrier gate means an automated gate at each entrance to a parking lot facility to regulate vehicular entry to the parking lot facility that provides a ticket for entry or a receipt for payment of parking fees.

Parking lot facility means public or private property used, wholly or partly, for restricted or paid motor vehicle parking, ~~but does not include parking garages. The term includes without limitation:~~

- (1) One or more restricted spaces on a portion of an otherwise unrestricted parking facility; and
- (2) A commercial parking lot, a parking garage, and a parking area serving or adjacent to a business, church, school, home, apartment complex, property governed by a property owners' association for parking purposes, or government-owned property leased to a private person for parking purposes, including:
 - a. A portion of the right-of-way of a public roadway that is leased by a governmental entity to the parking facility owner; and
 - b. The area between the facility's property line abutting a county or municipal public roadway and the center line of the roadway's drainage way or the curb of the roadway, whichever is farther from the facility's property line.

Parking lot facility attendant means an individual who, on behalf of a parking lot facility general manager, collects a parking fee from motor vehicle operators as payment to park in a parking lot facility.

Parking lot facility general manager means an individual who is employed by a parking lot facility operating company and is responsible for the day-to-day operations of a parking lot facility.

Parking lot facility operating company means the person who:

- (1) Owns and operates a parking lot facility;

- (1) Any facility that boots a vehicle in exercise of a statutory or contractual lien right; or
- (2) Any commercial office building owner or manager who installs or removes a boot in the building's parking facility.

Sec. 26-603. Entry powers of city officials.

It shall be the duty of any parking-lot facility manager to allow immediate access by any police officer or building official to any portion of the premises of the parking-lot facility for the purpose of inspection of such premises and vehicle immobilization services for compliance with this article, article X of this chapter, or any other applicable law.

Sec. 26-604. Compliance with other laws.

Compliance with the requirements of this article does not excuse compliance with any other provisions of state law or this Code relating to parking regulations or parking facilities.

Sec. 26-605. Enforcement.

The building official or any police officer is authorized to issue citations charging the violation of any of the provisions of this article.

Sec. 26-606. Registration of parking-lot facility operating companies.

(a) It shall be unlawful for any person to operate a parking-lot facility in the city that has not been ~~registered~~ issued a registration compliance certificate as required by this section.

(b) A parking-lot facility general manager ~~shall register~~ may apply for a registration compliance certificate for each parking-lot facility under his management by paying a fee of \$50.00 per lot facility to the police official and providing to such official the following information regarding each parking-lot facility:

- (1) The name, telephone number, and business address of the parking-lot facility operating company;
- (2) The name, telephone number, facsimile number, and business or residence address, including street name and number, city, state and zip code, of the parking-lot facility general manager; and
- (3) The street address, days and hours of operation of the parking-lot facility.

DIVISION 2. BUSINESS PRACTICES

Sec. 26-616. **Signage required.**

(a) ~~Signage prohibiting unauthorized vehicles on a parking lot facility shall comply with Sections 2308.301 and 2308.302 of the Texas Occupations Code. In addition, signage must be:~~

- ~~(1) Facing and conspicuously visible to the driver of a vehicle that enters the parking lot;~~
- ~~(2) Located at all pay stations; and~~
- ~~(3) Permanently mounted on a pole, post, permanent wall, or permanent structure installed on the parking lot;~~
- ~~(4) Installed so that the bottom edge of any such sign is no lower than five feet and no higher than eight feet above ground level;~~
- ~~(5-2) Unobstructed by vegetation or any other obstruction;~~
- ~~(6) Made of weather-resistant material; and~~
- ~~(7) At least 18 inches in width and 24 inches in height.~~

(b) In addition to the requirements of Sections 2308.301 and 2308.302 of the Texas Occupations Code, signage prohibiting unauthorized vehicles must contain lettering at least one inch in height in a solid color that contrasts with the background and must that clearly states:

- ~~(1) The days and hours of operation of the parking lot;~~
- ~~(2) Who may park in the parking lot, prohibiting all others, and the consequences for non-payment of parking fees (i.e., "Unauthorized Vehicles Will Be Booted or Towed at Owner's or Operator's Expense") in bright red lettering at least two inches in height on a white background;~~
- ~~(3) How to pay for parking in the lot parking facility (i.e., "pay attendant" or "pay drop box," etc.), and the hourly or other fee for such service; provided, however, for lots parking facilities utilizing different rates for various periods of parking, fee information may be contained on a separate sign adjacent to the pay station;~~

(c) It shall be unlawful for a parking facility general manager to allow a receipt to be printed for a space that is not available due to being "Reserved."

(d) It shall be unlawful for a parking facility general manager to have a vehicle booted for any reason (e.g., being parked on or across the parking space lines, on or across areas marked with hash marks, in driving lanes or in other unauthorized areas on the parking facility) other than non-payment.

Sec. 26-618. Attendant requirements.

It shall be the duty of any owner or manager of a parking-lot facility to ensure that no individual at any time performs as a parking-lot facility attendant unless the individual meets each of the requirements of this section. Each parking-lot facility attendant shall:

- (1) Be 16 years of age or older;
- (2) Wear a picture ID, name tag with the employee's first name and employee identification number, and shirt, jacket or vest with the name and logo of the parking-lot facility operating company;
- (3) If the parking-lot facility general manager intends to have vehicles immobilized ("booted") or towed for non-payment of parking fees, provide a written receipt to the operator of a vehicle parked on the parking-lot facility with the name and logo of the parking-lot facility, the street address of the parking facility, the parking space number, if the parking facility utilizes "pay by space," and the date and time parking fees were paid; and
- (4) Perform his duties in a courteous and professional manner.

Sec. 26-619. Access to money in unmanned pay stations.

It shall be unlawful for third-party enforcement services, including but not limited to vehicle immobilization services and tow companies, to possess keys or to have any other means of access to move or remove money from any unmanned pay station in a parking-lot facility.

Sec. 26-620. Closure of parking-lot facility entrances.

(a) The parking-lot facility operator or manager of a parking-lot facility that is closed for business shall barricade all entrances to and exits from the parking-lot facility by means of a barrier gate, chain, or other durable barrier equipment.

Parking facility has the meaning ascribed in section 26-601 of this Code.

Parking lot facility general manager has the meaning ascribed in section 26-601 of this Code.

Parking lot facility operating company has the meaning ascribed in section 26-601 of this Code.

Permittee means a person who holds a vehicle immobilization service permit.

Police official has the meaning ascribed in section 26-601 of this Code.

~~*Special event parking fee* has the meaning ascribed in section 26-601 of this Code.~~

Unauthorized vehicle has the meaning ascribed in section 26-601 of this Code.

Vehicle immobilization means installing a boot.

Vehicle immobilization device means a lockable road wheel clamp or similar vehicle immobilization device that is designed to immobilize a parked vehicle and prevent its operation until the device is unlocked or removed.

Vehicle immobilization operator means any individual who installs, affixes or places or removes a vehicle immobilization device on or from a motor vehicle.

Vehicle immobilization service means a person who at the request of a ~~parking lot facility~~ operating company or ~~parking lot facility~~ general manager engages in the act of booting vehicles that are in a ~~parking lot facility~~ without permission, without paying a parking fee, or in violation of any parking restriction posted in accordance with the signage requirements of section 26-616 of this Code.

Vehicle immobilization service permit means a current and valid permit issued to a vehicle immobilization service pursuant to section 26-652 of this Code.

(b) *Interchangeable terms.* The terms "boot" (verb) and "immobilize," in reference to a vehicle, are used interchangeably in this article. The terms "booting" and "vehicle immobilization" are used interchangeably in this article. The terms "boot" (noun), "boot device" and "vehicle immobilization device" are used interchangeably in this article.

Sec. 26-642. Scope.

- (5) In a parking facility for any reason (e.g., parked in a parking space marked "Reserved" when a receipt for the space has been issued and properly displayed, or parked on or across the parking space lines, on or across areas marked with hash marks, in driving lanes or in other unauthorized areas on the parking facility) other than non-payment; or
- (6) On the dashboard of which is displayed a valid receipt issued by a parking attendant, a barrier gate, or a pay station.

(c) It is unlawful for a permittee to operate or cause to be operated a vehicle immobilization service in violation of any term of a permit.

Sec. 26-645. Beneficial interests and rebates prohibited.

(a) A parking-lot facility operating company or general manager may not have a direct or indirect monetary or ownership interest in a vehicle immobilization service that for compensation immobilizes unauthorized vehicles in a parking-lot facility in which the parking-lot facility operating company or general manager has an interest.

(b) A parking-lot facility operating company or general manager of a parking-lot facility in which vehicles are immobilized may not accept any rebate, compensation or other valuable consideration, directly or indirectly, from a vehicle immobilization operator in connection with the immobilization of vehicles.

Secs. 26-646--26-650. Reserved.

DIVISION 2. VEHICLE IMMOBILIZATION SERVICE PERMITS

Sec. 26-651. Vehicle immobilization service permit application.

(a) Any person who desires to operate a vehicle immobilization service in the city shall submit an application for a permit to the police official in a form promulgated by the police official for that purpose, which shall include the following:

- (1) The applicant's name, telephone number, mailing address, street address, federal employee identification number, corporate charter number, and Texas driver's license number (if applicable);
- (2) The name and mailing address of each principal of the applicant, copies of the assumed-name registration if the vehicle immobilization service will be operated under an assumed name, the partnership registration, if any, and the names and addresses of all general partners if the applicant is a partnership, and a certificate of good standing from the Texas Secretary of

3. THE CITY'S AND THE PERMITTEE'S ACTUAL OR ALLEGED STRICT PRODUCTS LIABILITY OR STRICT STATUTORY LIABILITY, WHETHER THE PERMITTEE IS IMMUNE FROM LIABILITY OR NOT.

THE PERMITTEE SHALL DEFEND, INDEMNIFY, AND HOLD THE CITY HARMLESS DURING THE TERM OF THE PERMIT AND FOR TWO YEARS AFTER THE PERMIT EXPIRES. THE PERMITTEE'S INDEMNIFICATION IS LIMITED TO \$500,000.00 PER OCCURRENCE.

THE PERMITTEE AGREES TO AND SHALL RELEASE THE CITY FROM ALL LIABILITY FOR INJURY, DEATH, DAMAGE, OR LOSS TO PERSONS OR PROPERTY SUSTAINED IN CONNECTION WITH OR INCIDENTAL TO PERFORMANCE UNDER THE PERMIT, EVEN IF THE INJURY, DEATH, DAMAGE, OR LOSS IS CAUSED BY THE CITY'S SOLE OR CONCURRENT NEGLIGENCE.'

(c) The application shall be signed by an owner if the applicant is a sole proprietorship, an authorized officer if the applicant is a corporation, or a general partner if the applicant is a partnership, acknowledging that the person signing has read the application, agrees to all of its terms and provisions, affirms the correctness and accuracy of the information given on the application, and affirms that he has the authority to bind the applicant to all of the terms, provisions, and requirements of the application.

Sec. 26-652. Permit issuance; denial; fees.

(a) An application that contains all of the information required by section 26-651 of this Code and is duly and properly signed shall be a complete application. A complete application shall be approved and the vehicle immobilization service permit issued upon payment of the fee specified by subsection (c) of this section unless:

- (1) The information provided in the application is materially false or incorrect or the applicant has failed in any material way to comply with this article;
- (2) The applicant or an entity owned or controlled by the applicant or any of the principals of the applicant has had a vehicle immobilization service permit revoked during the preceding one year period;
- (3) The police official determines that proof of insurance provided by the applicant does not meet the requirements of section 26-661 of this Code;
- (4) The parking official determines that there exist one or more unresolved parking citations, as defined in section 26-261 of this Code, for any vehicle owned by the applicant or any of its principals;

A vehicle immobilization service permit shall be valid for one year from its date of issuance and shall not be transferrable. A permit may be renewed by filing an application pursuant to section 26-651 of this Code at least 30 days prior to the expiration of the permit. A renewal permit application shall be reviewed and approved pursuant to section 26-652 of this Code.

Sec. 26-655. Revocation.

(a) A vehicle immobilization service permit may be revoked without refund of any portion of the permit application or renewal fee if:

- (1) Any information supplied in the permit application was materially false or incorrect;
- (2) The permit was issued through error;
- (3) The permittee has failed to operate in compliance with the requirements for operating a vehicle immobilization service as set forth in section 26-662 of this Code;
- (4) The permittee has booted vehicles in parking facilities that are in violation of the signage requirements found in section 26-616 of this Code and applicable state law;
- (5) The permittee has failed to comply with any applicable provision of the permit or this article;
- (6) The permittee has failed to renew the permit in accordance with section 26-654 of this Code;
- (7) The permittee has failed to perform under the release and indemnity requirements of section 26-651 of this Code; or
- (8) The permittee or any of its principals are not in compliance with the criminal history provisions of section 1-10 of this Code; or
- (9) The permittee fails to maintain insurance in compliance with section 26-661 of this Code.

(b) Notice The city shall deliver notice of revocation to the vehicle immobilization service permittee by depositing the same in the United States Mail, personal delivery, or first class, by certified mail, return receipt requested, or by United States Postal Service using signature confirmation service addressed to the address of the permittee shown in

(b) The insurance policy must state that it may not be canceled, materially modified, or non-renewed unless the insurance company gives the police official 30 days' advance written notice. Defense costs are outside the limit of liability. Aggregate coverage limits are per 12-month policy period unless otherwise indicated. Proof of insurance required by this section shall be on the authorized form approved for this purpose by the police official. A permit shall be automatically suspended without any requirement for action by the city or notice to the permittee for any period of time that any of the insurance required by this section is not in effect. In addition, the police official may cause the permit to be revoked for cause pursuant to section 26-666655 of this Code for failure to maintain insurance in compliance with this section.

Sec. 26-662. Vehicle immobilization service operations.

A vehicle immobilization service shall operate in accordance with the following requirements:

- (1) Vehicles shall be booted only in ~~off-street parking lots~~ facilities and only pursuant to a written agreement with the ~~parking lot~~ facility operating company or general manager;
- (2) Upon affixing a boot device to a vehicle, a vehicle immobilization operator shall place an adhesive notice on the vehicle's front windshield or driver's side window and a non-adhesive notice under the driver's side windshield wiper advising the owner or operator of the information required by Section 2308.257(b) of the Texas Occupations Code. In addition, each notice shall set forth: the street address of the parking facility in which the vehicle was booted; that the vehicle is immobilized and that damage may occur to the vehicle if moved; the date and time the vehicle was booted; the name, address and telephone number of the vehicle immobilization service; information about how to obtain release of the boot device from the vehicle; the amount of the fee for release; the possibility that the vehicle may be towed after 24 hours; the telephone number for the police department's auto dealers detail; and any additional text reasonably required by the police official;
- (3) No person shall charge more than \$100.00, plus applicable sales tax, for the removal or release of a boot device, provided, however, the failure of a vehicle operator to properly display a parking fee receipt on the vehicle dashboard or the failure of a vehicle operator to pay for a rate change at the lot which occurred after the vehicle operator entered the lot and paid the applicable fee at the time of entry resulting in the booting of such vehicle shall entitle the vehicle immobilization service to collect only an administrative fee of \$25.00, plus applicable sales tax, for the removal of

- a. The name, business address, and phone number of the vehicle immobilization operator and the vehicle immobilization service;
- b. The name of the owner, operating company or general manager of the parking lot facility on which the boot device was installed;
- c. The name of the individual(s) authorizing and performing the immobilization;
- d. The date, time and location the boot device was installed;
- e. A description of the booted vehicle, including the make, model, and license plate number;
- f. The amount of the fee for removal of a boot device; and
- g. The name of the person who removed the boot device, the date and time the device was removed, the name of the person to whom the vehicle was released, and the amount of fees paid for removal of the device and parking fees, as well as the amount of applicable sales tax.

A copy of the form must be given to the individual who reclaims the vehicle, and in the event that the boot device is removed by the vehicle owner or operator after payment of applicable fees, a copy of the form must be provided to the individual who returns the boot device to the vehicle immobilization service. The vehicle immobilization service shall maintain the original form at its place of business for a period of three years. Any peace officer shall have the right, upon request, to inspect and copy such records to determine compliance with the requirements of this section;

- (11) Vehicles utilized for booting operations shall have signage consisting of reflective magnetic signs or painted letters on each side of the vehicle stating, in letters at least two inches in height in a solid color that contrasts with the background, the name, logo, or other designation of the vehicle immobilization service owning or operating the vehicle; and
- (12) The vehicle immobilization operator shall comply with all applicable traffic control laws, devices, signs, and markings.

Sec. 26-663. Duty of vehicle immobilization service.

All vehicle immobilization service operations are subject to temporary suspension when the police official determines that the continued operation of the service constitutes a hazard to the public safety and welfare, including but not limited to, conducting vehicle immobilization services:

- (1) That are in violation of section 26-616 of this Code pertaining to required signage;
- (2) That are in violation of section 26-662 of this Code pertaining to vehicle immobilization service operations requirements; or
- (3) In a parking-lot facility used wholly or partly for paid motor vehicle parking that is accessible by motor vehicles but in which patrons are unable to make payment due to the absence of a parking-lot facility attendant, operable pay station, or other method of paying to park in the lot facility.

Sec. 26-666. Revocation:

(a) A vehicle immobilization service permit may be revoked without refund of any portion of the permit application or renewal fee if:

- (1) Any information supplied in the permit application was materially false or incorrect;
- (2) The permit was issued through error;
- (3) The permittee has failed to operate in compliance with the requirements for operating a vehicle immobilization service as set forth in section 26-662 of this Code;
- (4) The permittee has failed to comply with any applicable provision of the permit or this article;
- (5) The permittee has failed to renew the permit in accordance with section 26-654 of this Code;
- (6) The permittee has failed to perform under the release and indemnity requirements of section 26-651 of this Code; or
- (7) The permittee or any of its principals are not in compliance with the criminal history provisions of section 1-10 of this Code.