

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 28, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Brown

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 29, 2007 - 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** - Pursuant to § 42.041(b)(14) of the Texas Human Resources Code, the City Council will conduct a public hearing to consider an ordinance readopting standards of care relating to the City Parks and Recreation Department's Youth Recreation Programs. For further information, see the draft ordinance that has been posted with this Agenda. Persons who desire to make public comments may contact the City Secretary's Office at 713-247-1840 in order to sign up to speak at the hearing. Alternatively, written comments may be delivered to the City Secretary's Office before commencement of the hearing
- a. **ORDINANCE READOPTING ARTICLE XII, CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, regarding standards of care for Houston Youth Recreation Programs; containing findings and other provisions related to the subject; providing an effective date; providing for severability

MAYOR'S REPORT - Technology Initiatives

CONSENT AGENDA NUMBERS 2 through 34

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **MR. J. KENT FRIEDMAN**, as Chair of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY**, for a term to expire August 31, 2009, and the reappointment of the following to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2009:
Position Four - **MR. CURTIS V. FLOWERS**
Position Five - **MS. JANIE REYES**
3. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **MEADOW CHASE CONDOMINIUM ASSOCIATION** for law enforcement services of one (1) deputy from Harris County Constable Precinct 7 - **DISTRICT C - CLUTTERBUCK**

ACCEPT WORK - NUMBERS 4 through 7

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$2,564,753.09 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Renovation of West End Health Center and West End Multi-Service Center - Phase I, WBS H-000068-0001-4 - 04.97% over the original contract amount - **DISTRICT H - GARCIA**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,150,081.84 and acceptance of work on contract with **CONRAD CONSTRUCTION CO., INC** for Neighborhood Street Reconstruction Project No. 438, WBS N-000371-0001-4 - 1.59% under the original contract amount - **DISTRICTS A - LAWRENCE and G - HOLM**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,323,201.05 and acceptance of work on contract with **D. E. WILLIAMS CONTRACTING COMPANY, INC** for Sanitary Sewer Repairs by Point Repair (Maintenance Repair Contract), WBS R-000266-0070-4 - 1.94% over the original contract amount
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,739,543.23 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC (formerly C AND C SERVICES)** for Water Line Replacement in the Belfort North Subdivision, WBS S-000035-00B5-4 - 6.07% under the original contract amount **DISTRICT I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 and 9

8. **BADGER METER, INC** - \$8,630,476.00, **HD SUPPLY WATERWORKS** - \$1,130,125.00, **AQUA-METRIC SALES COMPANY** - \$1,370,908.00 and **MACAULAY CONTROLS COMPANY** - \$1,037,529.00 for Water Meters and Water Meter Replacement Parts for Department of Public Works & Engineering - 5 Years - \$12,169,038.00 - Enterprise Funds
9. **MACAULAY CONTROLS COMPANY** for Replacement Parts for Metering Pumps and Analyzers for Department of Public Works & Engineering - 5 Years - \$996,032.00 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 34

10. RESOLUTION designating property at 2215 Decatur Street within the City of Houston as a Landmark and a Protected Landmark (Augusta Franck House) - **DISTRICT H - GARCIA**
11. RESOLUTION designating certain properties within the City of Houston as Historic Landmarks:
W. T. Carter, Jr. House - 18 Courtlandt Place Boulevard - **DISTRICT D - EDWARDS**
Charles W. Duncan Sr., House - 3664 Inverness Drive - **DISTRICT G - HOLM**
12. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a combination 10-foot-wide water line and five-foot-by-ten-foot fire hydrant easement, containing ±8,490 square feet of land, located in the John D. Taylor, Survey, A-72, Houston, Harris County, Texas (Parcel SY6-068); vacation and abandoning said easement to Second Baptist Church, the abutting owner, in consideration of its payment of \$250,455.00 and other consideration to the City - **DISTRICT G - HOLM**
13. ORDINANCE approving and authorizing the City of Houston to enter into contracts with each of nine (9) Non-profit organizations: [(1) **CHANCELLORS FAMILY CENTER**, (2) **CHINESE COMMUNITY CENTER**, (3) **COMMUNITY FAMILY CENTERS**, (4) **HOUSTON GATEWAY ACADEMY, INC**, (5) **JULIA C. HESTER HOUSE, INC**, (6) **LIVING WORD FELLOWSHIP CHURCH OF HOUSTON**, (7) **ST. JAMES SCHOOL**, (8) **URBAN AFFAIRS CORPORATION DBA COMMUNITY PARTNERS**, and (9) **YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA**] to administer an After School Achievement Program ("ASAP") - \$490,000.00 - General Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; F - KHAN; G - HOLM; H - GARCIA and I - ALVARADO**
14. ORDINANCE appropriating \$25,000.00 out of Public Library Consolidated Construction Fund for Professional Architectural Services for the HPL Express Discovery Green; WBS E-000119-0001-3; under purchase order with **mARCHITECTS, LLC** - **DISTRICT I - ALVARADO**
15. ORDINANCE approving and authorizing first amendments to contracts between the City and (1) **AAR INCORPORATED**, (2) **ORTHO CONSTRUCTION RENOVATION COMPANY**, (3) **ALFRED M. TORRES, JR. d/b/a R & A BUILDING SPECIALIST**, (4) **TREBOR INCORPORATED**, and (5) **LONNIE CHARLES WATSON d/b/a WATSON CONSOLIDATED** for Lead-Base Paint Hazard Reduction Construction Services
16. ORDINANCE approving and authorizing lease agreement between the City of Houston and **HUMBLE PLAZA, LTD, d/b/a MEADOWBROOK RETAIL CENTER**, for certain premises at William P. Hobby Airport - **DISTRICT I - ALVARADO**
17. ORDINANCE approving and authorizing Amendment No. 3 to contract between the City of Houston and **ROGER H. BATES**, a sole proprietor, for professional consulting services in connection with a traffic and earnings report and general advisory services for the Houston Airport System - \$100,000.00 - Enterprise Fund
18. ORDINANCE approving and authorizing contract between the City of Houston and **BRACEWELL & GIULIANI, LLP** for Legal Services relating to Cause No. 2007-11183, Felix Michael Kubosh et. al. v. City of Houston, in the 127th Judicial District Court of Harris County, Texas, establishing a maximum contract amount - \$175,000.00 - Property and Casualty Fund
19. ORDINANCE amending Ordinance No. 2006-118 to increase the maximum contract amount and approving and authorizing first amendment to Contract #C62204 between the City of Houston and **PHOENIX BUSINESS CONSULTING** for Professional SAP Programming Services; containing provisions relating to the subject - \$2,250,000.00 - Equipment Acquisition Consolidated and Other Funds

RESOLUTIONS AND ORDINANCES - continued

20. ORDINANCE approving and authorizing contract between the City of Houston and **SWAGIT PRODUCTIONS, LLC** for Streaming Video Services for Municipal Channel; providing a maximum contract amount - 3 Years with two one-year options - \$99,666.00 - Cable Television Fund
21. ORDINANCE approving and authorizing contract between the City of Houston and **VECTRAREPORTS.COM, INC** for Scanning, Storing and providing web-based retrieval of traffic accident reports for the Houston Police Department; providing a maximum contract amount 3 Years with two one-year options - \$70,000.00 - General Fund
22. ORDINANCE appropriating \$4,781,139.91 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund (Fund 2409) for use in the Reinspection and Repair of Homes, as mandated by the United States Department of Housing and Urban Development, through the competitive bid process
23. ORDINANCE approving and authorizing professional services contract with **HUDSON & MARSHALL OF TEXAS, INC.**, a Texas Corporation, to advertise and conduct an auction of thirty-six (36) surplus tracts of land owned by the City of Houston; approving and authorizing a form of purchase and sale agreement to be entered into for such property, by the City of Houston, seller, and the highest bidder at auction for each such property, purchaser; authorizing the Mayor to execute, and the city secretary to attest, special warranty deeds conveying the properties to the highest bidder - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - EDWARDS; E - WISEMAN; F - KHAN; G - HOLM and I - ALVARADO**
24. ORDINANCE amending Ordinance No. 2002-1180 to increase the maximum contract amount between the City of Houston and **GRACE INDUSTRIES, INC (formerly known as GRACE SALES, INC)** for Fire Rescue Monitoring and Accountability System for the Fire Department \$173,410.80 - General Fund
25. ORDINANCE amending Ordinance No. 2004-1130 to increase the maximum contract amount to contract between the City of Houston, **GT DISTRIBUTORS, INC** and **TASER INTERNATIONAL, INC** for Taser Devices, Accessories, Supplies and Repair Services for the Houston Police Department - \$1,871,942.22 - General Fund
26. ORDINANCE amending Ordinance No. 2004-864 to increase the maximum contract amount to Contract 4600000909 (C56253) between the City of Houston and **CARRIER CORPORATION** for Heating, Ventilation and Air Conditioning Maintenance Services for Various Departments \$2,260,892.50 - General and Enterprise Funds
27. ORDINANCE amending Ordinance No. 2003-1009 to increase the maximum contract amount between the City of Houston and **JOHNSON CONTROLS, INC** for Alarm Monitoring, Inspection, Maintenance and Telephone Response Services for Various Departments - \$160,000.00 General Fund
28. ORDINANCE amending Ordinance No. 2003-383 to increase the maximum contract amount between the City of Houston and **HOLLIDAY DOOR & GATE SYSTEMS, INC** for Overhead Door Repair Services for Various Departments - \$280,000.00 - General Fund
29. ORDINANCE approving and authorizing first amendment to contract (approved by Ordinance No. 2007-0832) between the City of Houston and **EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P.** for Handling and Disposal of Hazardous Materials for Various Departments

RESOLUTIONS AND ORDINANCES - continued

30. ORDINANCE appropriating \$200,851.00 out of Water & Sewer System Consolidated Construction Fund and \$171,000.00 out of Drainage Improvement Commercial Paper Series F Fund; approving and authorizing an interlocal cost sharing contact between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Six of the Clearview Village Subdivision; CIP S-000800-0107-4, R-000800-0107-4 and M-000800-0107-4 - **DISTRICT E - WISEMAN**
31. ORDINANCE appropriating \$481,351.00 out of Water & Sewer System Consolidated Construction Fund and \$465,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **PMI SCOTT L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Scott Park Subdivision; CIP S-000800-0105-4, R-000800-0105-4 and M-000800-0105-4 - **DISTRICT D - EDWARDS**
32. ORDINANCE awarding construction contract to **MILLIS DEVELOPMENT AND CONSTRUCTION, INC** for Burnett Bayland Park and Garden Villas Park Improvements; WBS F-000605-0001-4 and F-000640-0004-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing services; construction management; and contingencies relating to construction of facilities financed out of the Federal Government-Grants Fund - \$724,000.00 - CDBG Funds - **DISTRICTS F - KHAN and I - ALVARADO**
33. ORDINANCE No. 2007-940, passed second reading August 22, 2007
ORDINANCE granting to **AGGREGATE HAULERS, L.P., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**
34. ORDINANCE No. 2007-941, passed second reading August 22, 2007
ORDINANCE granting to **VEOLIA ES TECHNICAL SOLUTIONS, LLC, a Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 35

MISCELLANEOUS

35. **SET HEARING DATE** on amendments to **CHAPTER 42 OF THE CODE OF ORDINANCES**
SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - 1 WEEK FROM DATE OF
PASSAGE

MATTERS HELD - NUMBERS 36 through 49

36. ORDINANCE appropriating \$422,583.49 out of the Water & Sewer System Consolidated Construction Fund and \$426,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Lake Way Village Subdivision, WBS S-000800-00M4-4/R-000800-00M4-4/M-000800-00M4-4 - **DISTRICT E - WISEMAN** - **POSTPONED BY MOTION #2007-865, 8/15/07**
This was Item 29 on Agenda of August 15, 2007
37. ORDINANCE appropriating \$275,828.34 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Drainage Improvement CPaper Series F Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Riverbend Village Subdivision, WBS S-000800-00M2-4/R-000800-00M2-4/M-000800-00M2-4 **DISTRICT B - JOHNSON** - **POSTPONED BY MOTION #2007-866, 8/15/07**
This was Item 30 on Agenda of August 15, 2007
38. ORDINANCE appropriating \$420,496.01 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water and Sanitary Sewer Lines for Section One of South Meadow Place Subdivision, WBS S-000800-00M5-4/R-000800-00M5-4 - **DISTRICT E - WISEMAN** - **POSTPONED BY MOTION #2007-867, 8/15/07**
This was Item 31 on Agenda of August 15, 2007
39. ORDINANCE appropriating \$101,975.60 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **FAFB, LLC** for Construction of Water and Sewer Lines to serve the Red Robin Square Subdivision, WBS S-000800-0104-4 and R-000800-0104-4 - **DISTRICT E - WISEMAN** **POSTPONED BY MOTION #2007-868, 8/15/07**
This was Item 32 on Agenda of August 15, 2007
40. RECOMMENDATION from Director Planning & Development Department to designate an Honorary Street Marker for **DR. ELIJAH J. THOMAS** - **DISTRICT I - ALVARADO** **TAGGED BY COUNCIL MEMBER LAWRENCE**
This was Item 4 on Agenda of August 22, 2007
41. ORDINANCE **AMENDING SECTION 40-455 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to size requirements for newsracks; containing other provisions relating to the foregoing subject; providing for severability - **TAGGED BY COUNCIL MEMBER LAWRENCE**
This was Item 16 on Agenda of August 22, 2007
42. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Photographic Traffic Signal Enforcement Systems; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 17 on Agenda of August 22, 2007
43. ORDINANCE consenting to the creation of the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 9** and the inclusion of certain land within the district **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 19 on Agenda of August 22, 2007
44. ORDINANCE awarding contracts to **DRC EMERGENCY SERVICES, LLC** and **OMNI PINNACLE, LLC** for Disaster Debris Removal Services for the Solid Waste Management Department **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 27 on Agenda of August 22, 2007

MATTERS HELD - continued

45. ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund, and approving and authorizing Amendment No. 1 to Contract No. 55521 between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Job Order Contracting Services with the Houston Airport System; WBS #A-000348-0001-4-01 (Proj. 516) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** - **TAGGED BY COUNCIL MEMBERS NORIEGA, GARCIA and ALVARADO**
This was Item 29 on Agenda of August 22, 2007
46. ORDINANCE appropriating \$5,877,250.00 out of Airports Improvement Fund, WBS A-000439-0003-4-01 and awarding construction contract to **HONEYWELL INTERNATIONAL, INC** for Security System Upgrades and Modifications at William P. Hobby Airport, (Project 612W); setting a deadline for Honeywell International, Inc's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding Honeywell International, Inc, in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of the facilities financed by such fund - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBERS ALVARADO, GARCIA and JOHNSON
This was Item 30 on Agenda of August 22, 2007
47. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **APPLE GLASS COMPANY** for Automotive Glass for Various Departments - \$552,246.88 General Fund
TAGGED BY COUNCIL MEMBER GREEN
This was Item 44 on Agenda of August 22, 2007
48. ORDINANCE awarding contract to **BL TECHNOLOGY, INC** for Security System Installation and Repair Services for the General Services Department; providing a maximum contract amount 3 Years with two one-year options - \$16,259,339.00 - General, Grant, Enterprise and Other Funds
TAGGED BY COUNCIL MEMBER GREEN
This was Item 49 on Agenda of August 22, 2007
49. ORDINANCE appropriating \$208,068.00 out of Water & Sewer System Consolidated Construction Fund and \$168,481.00 out of Drainage Improvement CPaper Series F Fund and approving and authorizing Interlocal Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410**, WBS S-000800-0103-4, R-000800-0103-4, M-000800-0103-4 - **DISTRICT E - WISEMAN** - **POSTPONED BY MOTION #2007-888, 8/22/07**
This was Item 50 on Agenda of August 22, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Edwards 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

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE READOPTING ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, REGARDING STANDARDS OF CARE FOR HOUSTON YOUTH RECREATION PROGRAMS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City of Houston has a long history of providing youth recreation programs that contribute to the overall well-being of youth and families in the City; and

WHEREAS, City Council held a public hearing regarding youth recreation programs; and

WHEREAS, the City desires to readopt standards of care that fulfill the requirements of Section 42.041(b)(14) of the Texas Human Resources Code; **NOW, THEREFORE,**

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

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

Section 2. That the Standards of Care for Houston Youth Recreation Programs, which is codified as Article XII of Chapter 32 of the Code of Ordinances, Houston, Texas, and was originally adopted as Ordinance 2002-756, is hereby readopted.

Section 3. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof

has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 4. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutional[^], voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect upon the date of its passage and adoption.

PASSED AND APPROVED this _____ day of _____, 2007.

Mayor of the City of Houston

Prepared by Legal Dept. ^
KO:asw 08/22/2007 Assistant City Attorney
Requested by Joe Turner, Director, Parks and Recreation Department
L.D. No. 0490700124001

**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, AUGUST 28, 2007 at 1:30 p.m. and WEDNESDAY, AUGUST 29, 2007 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 24th day of AUGUST, 2007.

City Secretary

CERTIFICATE

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on AUGUST 24, 2007 at : p.m.

by _____

for Anna Russell
City Secretary

**CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY
AUGUST 28, 2007 - 2:00 P.M.
AGENDA**

2MIN. 2MIN. 2MIN.

3MIN. 3MIN. 3MIN.

NON-AGENDA

3MIN. 3MIN. 3MIN.

MR. SHELTON MODLIEST – 5619 Lakefield – 77033 – 713-733-6994 – Animal Control and Building Code Violations

MR. DELL YORK – 8855 Gulf Freeway – 77017 – 832-439-4135 – Trying to keep the City from making major mistake

MR. REGINALD FEARS – 9910 Willow – 77078 – 713-631-7170 – Crime Lab/Wrongful incarceration

MR. EDWARD CETTA – 3363 McCue Rd., No. 409 – 77056 – 832-236-4719 – World Peace One

MR. BRYCE GILBERT – 5625 Antoine – 77091 – 832-885-2055 – Poor crime

MS. BECKY KETCHER – Post Office Box 62233 – 77205 – 281-227-8992 – Problems 153494 take care of ditches – we're tired of flooding

MR. LARRY KETCHER - Post Office Box 62233 – 77205 – 281-227-8992 – Problems 153494 take care of ditches – we're tired of flooding

MR. KISHOR MADRASI – 6009 North Freeway – 77076 – 713-695-1777 – HPD

MR. RANDALL KALLINEN – 1406 Castle Court – 77006 – 713-320-3785 – Red Light Camera

MS. INEZ BOATMAN – Post Office Box 15354 – 77220-5354 – 713-675-7517 – Solid Waste trash pick-up Problem

MS. MARGARET MARQUART – 11718 Roos – 77072 – 281-933-4250 – Animal Control issue in our neighborhood

MR. STEVEN WILLIAMS – No address – No phone – FBI pay attention to Criminal conduct at 99¢ only store on Antoine Pinemont

MS. ADRIENE ANDERSON – 14226 Glasgow Place – 77077 – 832-289-3000 – Vectra

MR. JOHNNY ROHF – 14226 Glasgow Place – 77077 – 281-224-7004 - Vectra

PREVIOUS

1MIN. 1MIN. 1 MIN.

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 - 832-453-6376 – I'm t/only – o/vs. Presidential candidate on – T/Ballot vs. G/Mafia terrorist imposter candidates

MR. NEBEIL AL-OBOUDI – 141291/2 – Laterna Lane – 77083 – 281-575-9110 - Impeachment

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: An ordinance re-adopting Article XII Chapter 32, Code of Ordinances, City of Houston, relating to Parks and Recreation Department youth recreation programs standards of care

Category #

Page 1 of 1

Agenda Item

1+1A

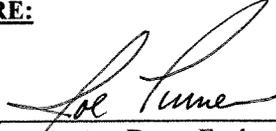
FROM (Department or other point of origin):
Houston Parks and Recreation Department

Origination Date:
August 20, 2007

Agenda Date
AUG 29 2007

DIRECTOR'S SIGNATURE:

Joe Turner, Director



Council District(s) affected:

ALL

For additional information contact: Doug Earle, 713-845-8075
Dan Pederson, 713-845-1248

Date and Identification of prior authorizing Council Action:
August 23, 2006 - Ordinance 2006 - 875

RECOMMENDATION: (Summary):

Houston Parks and Recreation Department (HPARD) recommends that City Council re-adopt Article XII Chapter 32, Code of Ordinances, City of Houston, regarding standards of care for the Houston Parks and Recreation Department youth recreation programs.

Amount of Funding:

N/A

F&A Budget:

SPECIFIC EXPLANATION:

Houston Parks & Recreation Department (HPARD) requests that City Council re-adopt Article XII Chapter 32, Code of Ordinances, City of Houston, in order to comply with 42.041 (b) (14) of the Texas Human Resources Code. The standards of care are intended to be minimum standards that HPARD will operate our after-school enrichment program. The program offers a wide range of recreational activities including arts and crafts, sports, games, field trips, and cultural and special events.

The Texas Department of Protective and Regulatory Services (TDPRS) has informed HPARD that the after-school enrichment program, as currently structured, is subject to regulation. However, TDPRS regulations provide an exemption for programs operated by municipalities. The Texas Human Resources Code 42.041 (b) (14) provides an exemption for a recreation program for elementary age (ages 5-13) with the following criteria:

- A municipality operates the program
- The governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs.
- The program provides these standards of care to the parents of each program participant.
- The ordinance includes child/caregiver ratios, minimum employee qualifications, minimum building, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards
- The program informs the parents that the state does not license the program.
- The program does not advertise itself as a child-care operation

TDPRS has reviewed Article XII Chapter 32, Code of Ordinances, City of Houston, and determined that it meets the requirements of 42.041 (b) (14) of the Texas human Resources Code. For continued compliance with state standards the Director of the Houston Parks and Recreation Department recommends that City Council readopt Article XII Chapter 32, Code of Ordinances City of Houston, regarding standards of care for youth recreation programs.

F&A Director:

Other Authorization:

Other Authorization:

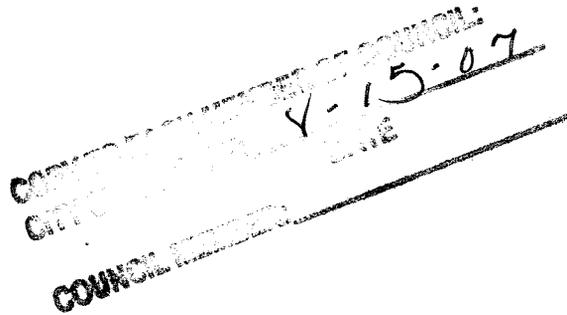


BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
AUG 29 2007

August 15, 2007



The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Section 335.035 of the Texas Local Government Code, I am appointing Mr. J. Kent Friedman as Chair of the Harris County-Houston Sports Authority, for a term to expire August 31, 2009, subject to confirmation by the City Council and the concurrent appointment of Mr. Friedman as Chair by the County Judge of Harris County, subject to confirmation by the Harris County Commissioners Court.

I also am reappointing the following individuals to the Harris County-Houston Sports Authority Board of Directors, subject to City Council confirmation:

Mr. Curtis V. Flowers, to Position Four, for a term to expire August 31, 2009; and

Ms. Janie Reyes, to Position Five, for a term to expire August 31, 2009.

The résumés of the appointees are attached for your review.

Sincerely,

Handwritten signature of Bill White in black ink.

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Judge Ed Emmett, Harris County
Ms. Beverly Kaufman, County Clerk, Harris County
Mr. Lawrence R. Catuzzi, Chair, Finance and Secretary/Treasurer, Harris County-Houston Sports Authority
Ms. Janis Schmees, Executive Director, Harris County-Houston Sports Authority



SUBJECT: Accept Work Times Construction, Inc. Renovation of West End Health Center and West End Multi-Service Center – Phase I WBS H-000068-0001-4	Page 1 of 2	Agenda Item 4
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FROM (Department or other point of origin): General Services Department	Origination Date <i>August 9, 2007</i>	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>Issa Z. Dadoush</i> 8/5/07 Issa Z. Dadoush, P.E.	Council District affected: H
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 713-247-1814	Date and identification of prior authorizing Council action: Ordinance No. 2005-0810, dated 6/22/05
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RECOMMENDATION: Pass a motion approving the final contract amount of \$2,564,753.09, accept the work, authorize final payment, and accept art into the City's art collection.

Amount and Source of Funding: No Additional Funding Required Previous Funding: \$2,683,000.00 – Public Health Consolidated Construction Fund 440	F & A Budget:
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council approve the final contract amount of \$2,564,753.09 or 4.97% over the original contract amount, accept the work, authorize final payment to Times Construction, Inc. for the renovation of West End Health Center and West End Multi-Service Center, and accept art into the City's art collection.

This project incorporated civic art at the West End Health Center. The artist, Arielle Masson, is a Houston artist selected by the Houston Arts Alliance, formally known as the Cultural Arts Council of Houston and Harris County. The artwork is an 80 linear foot long series of tempered glass panels with the original artist designed paintings digitized between two layers of tempered glass. The panels are mounted in a low natural limestone wall. The artist's paintings are a series of nature scenes incorporating medicinal plants as focal points. The art wall creates a serpentine divider separating different waiting areas in the Health Center. The Houston Municipal Art Commission approved installation and acceptance of the art into the City's permanent art collection with the agreement of the Houston Health and Human Services Department.

PROJECT LOCATIONS:

West End Health Center 190 Heights Boulevard (493E)
 West End Multi-Service Center 170 Heights Boulevard (493E)

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

West End Health Center - Replaced fire alarm system, repaired HVAC system, and renovated interior spaces for compliance with the Building Code and Accessibility Standards. Relocated Chest Clinic closer to the existing x-ray equipment, medical records near the main reception, and relocated the WIC program from the West End Multi-Service Center to the Health Center, for better functionality of space.

West End Multi-Service Center - Repaired foundation and interior finishes caused by foundation movement, replaced HVAC equipment, renovated interior spaces, removed existing exterior canopies, and installed new walkway covers.

STOA/Golemon/Bolullo, Architects was the design consultant and construction manager for the project.

CONTRACT COMPLETION AND COST: The contractor completed the project within the contract time, plus an additional 174 days approved by Change Orders 2, 3, 8, 9 and 10. The final cost of the project, including approved Change Orders 1 – 10 is \$2,564,753.09, an increase of \$121,531.09 over the original contract amount.

REQUIRED AUTHORIZATION NDT CUIC#25RAV164

Other Authorization: <i>Wendy Teas Heger</i> Wendy Teas Heger, AIA Chief of Design and Construction General Services Department	Other Authorization:	Other Authorization: <i>Stephen L. Williams</i> Stephen L. Williams, M.ED, MPA Director Department of Health & Human Services
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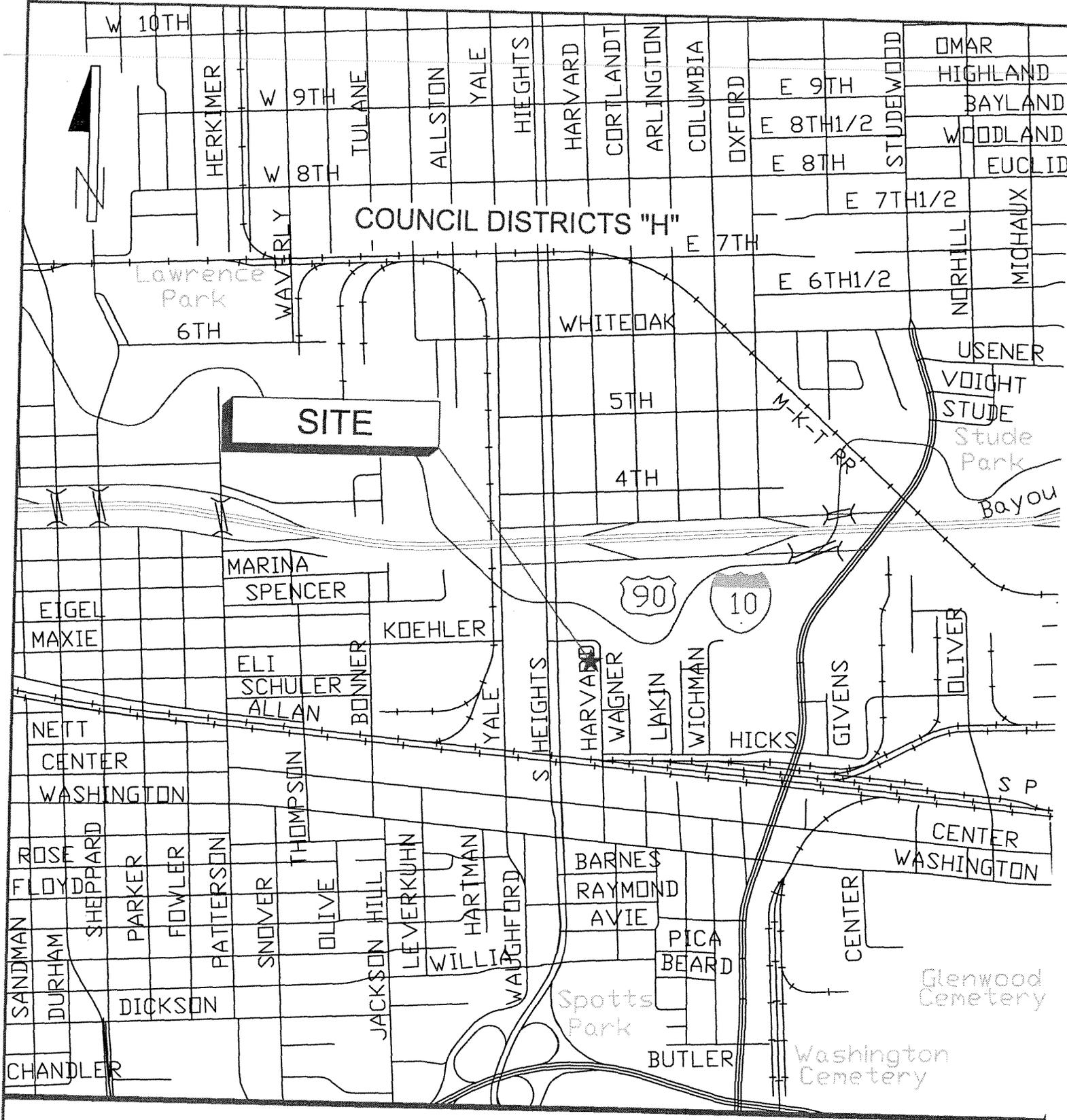
Date	SUBJECT: Accept Work Times Construction, Inc. Renovation of West End Health Center and West End Multi-Service Center – Phase I WBS H-000068-0001-4	Originator's Initials LJC	Page 2 of 2
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PREVIOUS CHANGE ORDERS: Change Orders 1 -10 provided the following: removed asbestos materials from canopy roof flashing; backfill, saw cutting, installed concrete and tile at the Multi-Service Center; removed and replaced a wall to gain access to the plumbing chase; installed PVC conduits for telecommunication cables; refurbished and painted seventeen existing metal canopies around the Multi-Service Center; removed existing ceramic tile and installed new tile on floors and walls to meet City Code; installed wood flooring in lobby area of the Multi-Service Center Administration Building; accessibility modifications to multiple restrooms; new handicap ramp at Multi-Service Center parking lot; and extended General Conditions for overall project delays.

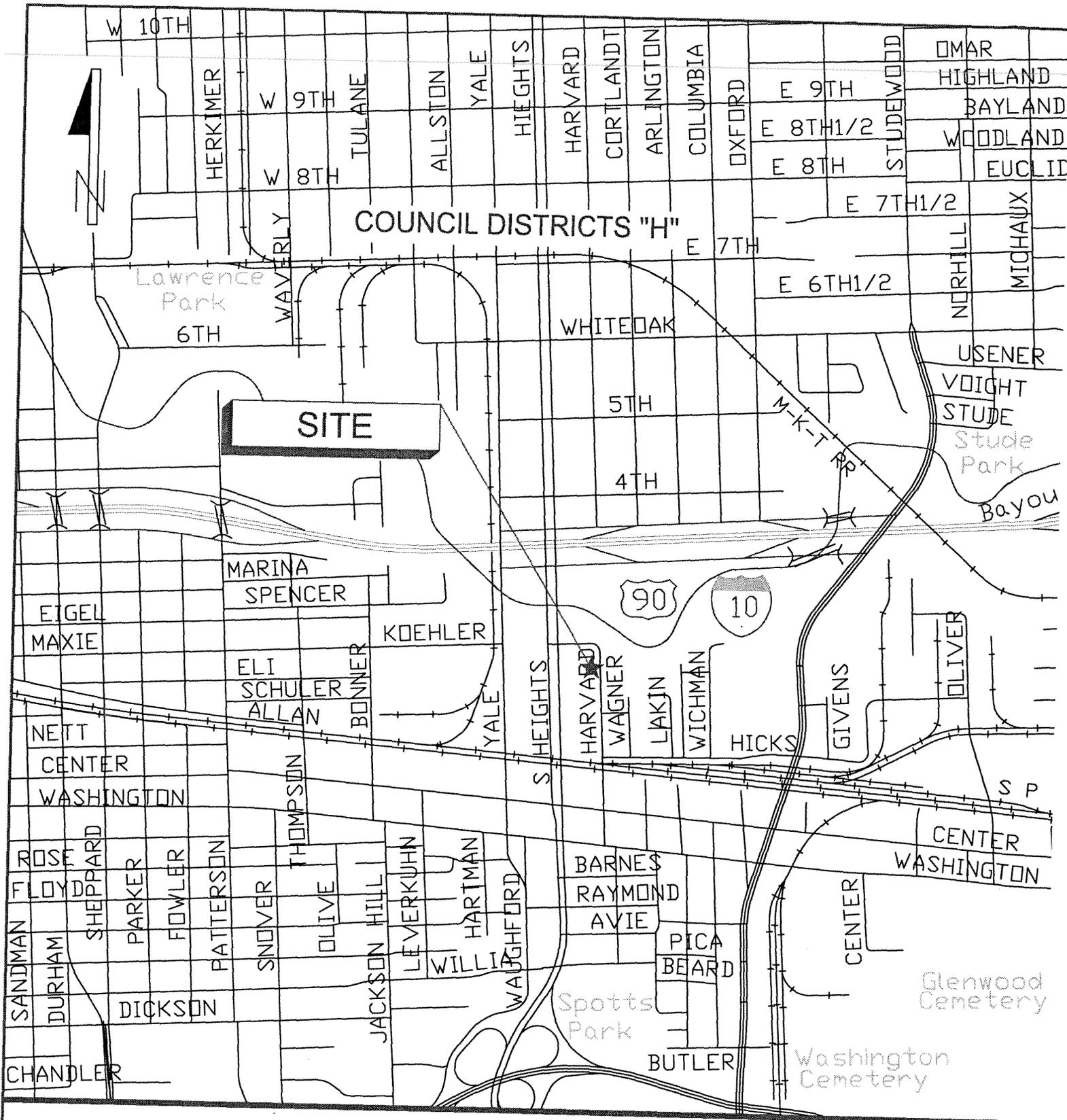
M/WBE INFORMATION: The M/WBE goal for this contract was 17%. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 17.69% actual participation and received a satisfactory rating.

IZD:WTH:JLN:RAV:LJC:lc

c: Marty Stein
Velma Laws
Kim Ngyuen
Mary Villarreal
Fred Maier
Gabriel Mussio
Project File H-0068



WEST END MULTI-SERVICE CENTER
 170 HEIGHTS BOULEVARD



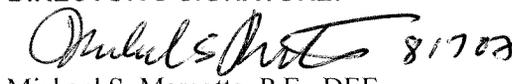
WEST END HEALTH CENTER
 190 HEIGHTS BOULEVARD

To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Neighborhood Street Reconstruction Project No. 438. WBS No. N-000371-0001-4.	Category # 7	Page 1 of 2	Agenda Item # 5
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/23/07	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE	Council District affected: A & G 
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For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (713) 837-7074	Date and identification of prior authorizing Council action: Ord. #2004-758 dated 07/07/2004
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$6,150,081.84 or 1.59% under the original Contract Amount, accept the Work and authorize final payment.

Amount and Source of Funding: No additional funding required.
Total original appropriation of \$7,696,500.00 with \$5,200,000.00 from the Series E Commercial Paper Metro Projects Fund No. 49M, \$616,500.00 from the Street and Bridge Consolidated Construction Fund, Fund No. 437 and \$1,880,000.00 from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the Neighborhood Street Reconstruction Program and was required to improve the streets and upgrade the utilities for the various streets.

DESCRIPTION/SCOPE: This project consisted of the complete reconstruction of neighborhood streets. The improvements included concrete roadway with curbs, sidewalks, and utilities. Nathelyne A. Kennedy & Associates designed the project with 540 calendar days allowed for construction. The project was awarded to Conrad Construction Co., Inc. with an original Contract Amount of \$6,249,136.10.

LOCATION: The street limits and Key Map grid locations are as follows:

Location	From	To	Key Map	District
Afton	Shavelson	Blanford Lane	491C	A
Alderney	Antoine	Coldstream	491B, 451Y	A
Blanford	Antoine	Coldstream	451X,Y	A
Coldsream	Shavelson	Alderney	491C,541Y	A
Hartland	Antoine	Silber	491B,C	A
Northampton Way	Antoine	Coldstream	491B	A
Shavelson	Antoine	Coldstream	491B,C	A
Durette	Memorial	Knipp	490K	G
Durette, N.	Hibury	Knipp	490K	G
Durette, S.	Knipp	Hibury	490K	G
Hibury Drive	Wink Road	Memorial Drive	490J	G
Knipp Road	Wink Road	Memorial Drive	490K	G

REQUIRED AUTHORIZATION

CUIC ID# 20DO87

F&A Budget:	Other Authorization:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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Date:	SUBJECT: Accept Work for Neighborhood Street Reconstruction Project No. 438. WBS No. N-000371-0001-4.	Originator's Initials	Page 2 of 2
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CONTRACT COMPLETION AND COST: The Contractor, Conrad Construction Co., Inc. has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No.1 will be \$6,150,081.84, a decrease of \$99,054.26 or 1.59% under the original Contract Amount.

The decreased cost is a result of differences between planned and measured quantities. This decrease is primarily due to underrun in Bid Item No. 50 – 12-inch Diameter Ductile Iron Pipe Water Line by Open Cut, Bid Item No. 54 – 16-inch Diameter Ductile Iron Pipe Water Line by Open Cut, Bid Item No. 99 – Remove Existing Sanitary Sewer Service Stubs and Replace with 6-inch Stubs to the Right-of-Way Line, Bid Item No. 102 – Extra Depth Manhole, Installed Complete in Place, Bid Item No. 107 – Extra Trench Safety System for Trench Excavation, Bid Item No. 108 – Ground Water Control for Open-Cut Construction, Bid Item No. 119 – #105 Air Compressor Hours; Equipped Complete, Oiled, Fueled, and Operated, Bid Item No. 122 – Extra Grade 60 Reinforcing Steel in Place, which were not necessary to complete the Work.

EARLY COMPLETION BONUS: Document 00800 – Supplementary Conditions allows for an early completion bonus. The Contractor achieved substantial completion within 476 calendar days, 64 days earlier than the Contract Time. The City has paid the Contractor a bonus of \$1,200.00 per day for a maximum of 60 days, totaling \$72,000.00. The bonus is included in the above \$6,150,081.84 final cost of the project.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to Affirmative Action and Contract Compliance Division, the participation was 16.47%. Contractor's M/WBE performance evaluation was rated as satisfactory.

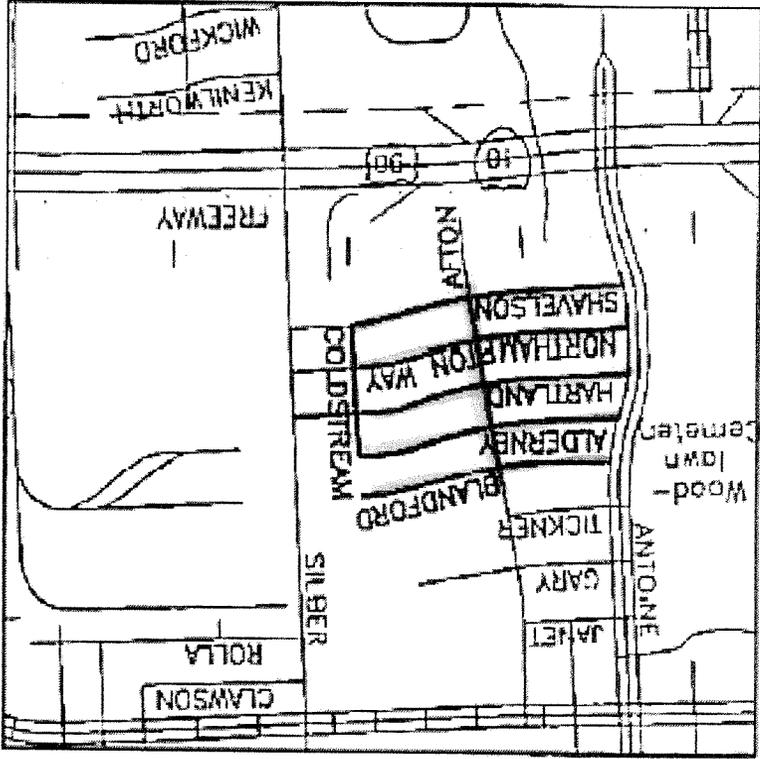


MSM:DWK:JTL:AR:DO:ha

cc: Susan Bandy Daniel W. Krueger, P.E. Michael Ho, P.E.
Velma Laws Craig Foster File No. SB9080

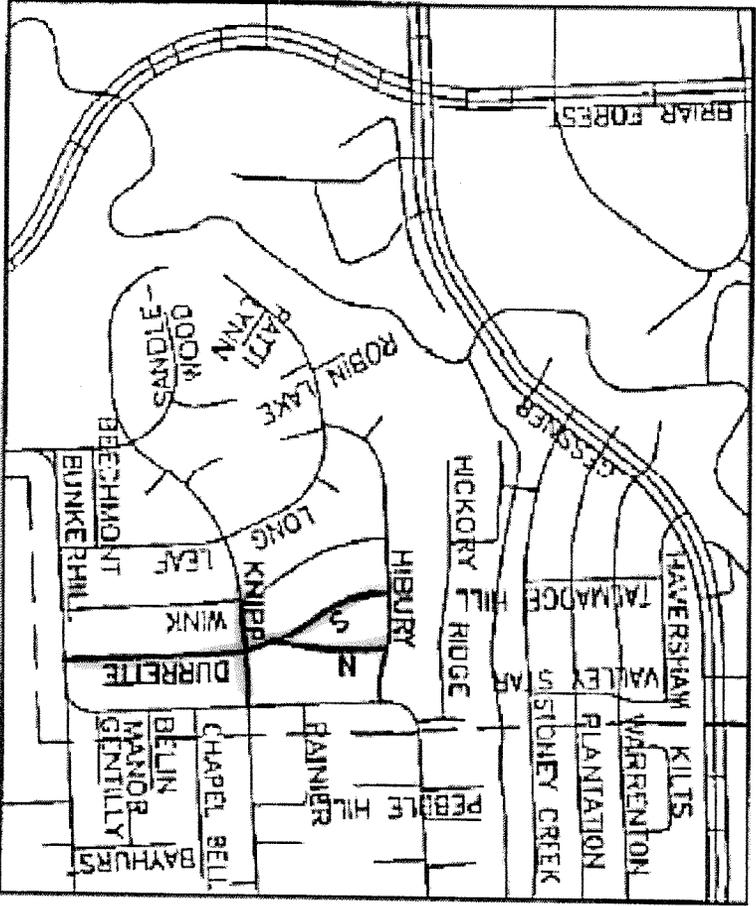
KEY MAP 491B,C, & 451X & Y
 GIM'S MAP # 518A & 518B
 NTS

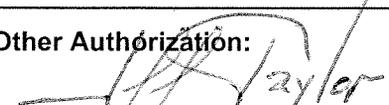
VICINITY MAP



KEY MAP 490J & K
 GIM'S MAP # 4957D & 5057C
 NTS

VICINITY MAP



SUBJECT: Accept Work for Sanitary Sewer Repairs by Point Repair Method (Maintenance Repair Contract) WBS# R-000266-0070-4		Page 1 of <u>1</u>	Agenda Item # 6
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7/12/07	Agenda Date AUG 29 2007
MS DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: All	
For additional information contact: Roger Whitney, P.E. Sr. Assistant Director Phone: (713) 641-9198		Date and identification of prior authorizing Council action: Ordinance No. 1997-787 dated, 6/25/1997	
RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$1,323,201.05, which is approximately 1.94% over the original Contract Amount, accept the Work, and authorize final payment.			
Amount and Source of Funding: No additional Funding Required. Original appropriations of \$1,466,740.00 from Water and Sewer System Consolidated Construction Fund No. 755.			F&A Budget:
SPECIFIC EXPLANATION: <p>PROJECT NOTICE/JUSTIFICATION: This project was an Annual Service Agreement to provide sanitary sewer rehabilitation to deteriorated sewer collection systems throughout the City.</p> <p>DESCRIPTION/SCOPE: This project consisted of emergency repairs of sanitary sewer lines by point repair method, required anywhere in the city limits. The project was awarded to D.E. Williams Contracting Company, Inc., with an original contract amount of \$1,298,000.00. The Notice to Proceed date was August 4, 1997. The final completion date was August 25, 2000.</p> <p>LOCATION: The project was located at various locations within all Council Districts.</p> <p>CONTRACT COMPLETION AND COST: The Contractor, D.E. Williams Contracting Company, Inc. has completed the work under the subject contract. The project was completed within the contract time. Final completion was awarded on 08/25/2000, the contract end date. The final cost of the project is \$1,323,201.05, including \$3,000.00 allowed by Change Order No. 1. The final cost of the project is approximately 1.94% over the original contract amount. More pipe replacements, saw cuts and concrete/asphalt pavement repairs were actually made than anticipated.</p> <p>M/WDBE PARTICIPATION: The M/WDBE participation goal for this project was 12%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 1.46%. The contractor was given a "Satisfactory" rating by Affirmative Action and Contract Compliance Division due to extenuating circumstances.</p> <p>MSM:JT:RBW:JGM:FOS:jsc Attachments</p> <p>c: Velma Laws Michael Ho, P.E. Craig Foster</p>			
Project File 4235-7		REQUIRED AUTHORIZATION	
F&A Director:		CUIC ID# 20RBW186	
Other Authorization:		Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	

4235-7		Accept Work for Sanitary Sewer		
		Maintenance Repairs by Point Repair Method		
GFS No. R-0266-70-3		DEW Construction		
WORK ORDER	KEY MAP	Street	BASIN	CD
3	451B	GOLDEN FOREST	NW138	A
4	450M	MAYSEL	NW171	A
9	449Y	BRITTMORE RD	WDP15	A
33	450P	SPRINGROCK	WD052	A
57	490P	KNIPP ROAD	WD114	A
84	489N	SUGAR SPRINGS DR	TK219	A
98	450F	GESSNER	WDP09	A
105	410X	ROTHWAY	NW147	A
106	489N	SPRING DR	TK219	A
127	449U	WARWANA	WD080	A
129	450F	CASA LOMA	NW177	A
135	452S	BROOKTREE	IA054	A
15	412Q	MARCOLIN	II084	B
16	412Q	ELLINGTON	II089	B
17	412Q	DEWALT	II089	B
22	455G	MESTINA	FB016	B
58	455K	GREEN RIVER	FB020	B
96	456R	WILEYWOOD	HW001	B
121	455G	TALTON	FBP07	B
142	455G	BURL	FBP07	B
150	412U	SOUTHLANE	II088	B
159	412V	SOUTH VICTORY	II083	B
10	490X	JARVIS STREET	WD103	C
11	490X	JARVIS STREET	WD103	C
12	490X	JARVIS STREET	WD103	C
18	530L	FONDREN	KB308	C
19	531U	W. BELLFORT	SW004	C
20	531T	CHIMNEY ROCK	SW248	C
21	531Q	ENDICOTT LANE	SW243	C
31	529N	BARRETT BRAE	BW234	C
32	492Z	MANDELL ST	AS075	C
35	529S	CREEKHURST	WJ275	C
41	531U	QUEENSLOCH	SW025	C
42	489U	MEADOWLAKE LANE	WD032	C
44	531S	MULLINS	SW250	C
45	531S	WIGTON	SW250	C
49	531T	RUTHERGLENN	SW249	C
50	489J	WOODLAND PARK DR	TK208	C
52	532N	STEEL F.M.	SWP033	C
53	532S	WOODWIND DR	SW213C	C
59	493S	WAUGH CREST DR.	493S	C
78	491S	CHEVY CHASE DR	WD111	C
99	492S	LAS PALMAS	AS056	C
122	531Y	WOODPECKER	SW006	C

130	491S	WINROCK BLVD	WD111	C
136	532K	WINSLOW	SW217	C
137	532K	GREENBUSH	SW217	C
138	490V	MEADOWBRIAR LANE	WD137	C
144	532J	GRENOCH	SW202	C
145	532J	STELLA LINK	SW202	C
155	532F	BELLEFONTAINE	SW205	C
156	531P	DARNELL	SW246	C
2	533V	SUNFLOWER	CH006	D
8	533V	WEST LITTLE YORK	NW159	D
13	488F	WALKWOOD COURT	MD010	D
39	533Y	MAGGIE	CH005	D
40	533Y	PHLOX	CH005	D
43	571W	WEST FUQUA	GR001	D
54A	573H	SIMS	CHP03	D
54	573H	AIRPORT BLVD	CHP03	D
55	572Y	DANFIELD	AS024	D
60	573H	PALISADE	CHP03	D
61	573H	PARADISE	CHP03	D
63	492R	WELCH	AS091	D
65	572V	CANTERWELL	AS022	D
66	572V	MONARCH	AS022	D
67	572V	SCHURMIER	AS022	D
76	571X	RIDGECREEK	GR009	D
82	533A	LAMAR FLEMING	AS031	D
85	533Q	ST. AUGSTINE	SB171	D
86	571X	COURT RD.	GR010	D
87	570C	SOUTHMEADOW	SW056	D
88	533N	NAOMI	SB186	D
94	493W	SAN JACINTO ST	AS073	D
95	532H	UNIVERSITY BLVD	AS032	D
100	493J,N	STANFORDS	I173	D
108	571S	CHASEWOOD	GRP04	D
131	572S	WEST FUQUA	WE002	D
139	493N	WEST GRAY	AS088	D
140	572S	SMOOTH OAK LA	WE012	D
143	533P	SPRING HILL ST	SB181	D
149	533F,K	ALLEGHEY ST	SB196	D
153	533B	CHARTRES	SB164	D
154	487C	PARK ROW	PT001	D
167	573B	CHESTERFIELD	AS092	D
168	573B	FAIRLAND	AS092	D
169	573B	FAIRLAND	AS092	D
170	573B	CHESTERFIELD	AS092	D
5	576E	ARROW	WC007	E
23	536S	LAUREL CREEK WAY	SBP09	E
27	534Y	ROXBURY	SBP17	E
28	534Y	LUCE	SBP17	E
46	576E	SULPHUR	WC007	E
47	576S	RAMEY	SEP01	E

62	576W	NEWTON	SEP01	E
71	575H	RADIO RD	EH344	E
72	575H	ARLEDGE	EH344	E
73	575H	HOLLOCK	EH346	E
74	575H	MELDRUM	EH346	E
75	575G	HANSEN	EH344	E
77	576J	GULF FREEWAY	EH345	E
79	575H	KLONDIKE	EH346	E
109	575T	GULF SPRING	GMP02	E
110	575T	GULF SPRING	GMP02	E
111	575T	GULF TREE	GMP02	E
112	575T	LITTLE AVE.	GMP02	E
113	535N	DE LEON	SB032	E
114	535N	COLGATE	SB032	E
115	575P	ELLINGTON	SB057	E
117	535N	PARK PLACE BLVD	SB032	E
118	535N	PARK PLACE BLVD	SB032	E
119	535N	OAK VISTA	SB032	E
128	496L	YANCY	NE011	E
146	493T	ROSALIE	II170	E
162	575M	TAVENOR ST	EHU343	E
14	529K	STROUD	BW231	F
26	530L	BARBERTON DRIVE	KB308	F
38	528M	TREEWATER	BW230	F
90	529E	HIGH STAR	BW236	F
93	530G	MARINETTE DR	SW039	F
97	529F	BANEWAY	BW232	F
102	529L	SHARVIEW	BW231	F
103	529B	HIGH STAR	BW238	F
116	529F	ROWAN	BW232	F
132	529K	BOONE	BW231	F
147	529K	BOONE	BW231	F
148	529J,K	STROUD	BW232	F
24	491K	ROCKY RIVER ROAD	SW241	G
25	491K	PINE SHADOWS	SW241	G
37	489N	CRYSTAL HILL DR	TK212	G
48	489C	BRITTMORE RD	WD082	G
51	490N	BRIAR PARK	WD096	G
68	488F	LANGBOURNE DR	TK225	G
69	488F	SWISS HILL DR	TK225	G
70	488F	BUFFALO BAYOU	TK225	G
80	489U	MEADOWLAKE LANE	WD032	G
83	488Y	TRUCKEE DR	AR003	G
89	489U	WALNUT BEND LN	WD032	G
91	489N	WALNUT BEND LN	WD029	G
92	489N	WALNUT BEND LN	WD029	G
104	490V	STONEY BROOK	WD110	G
133	492P	INWOOD DR	AS060	G
134	490V	BURGOYNE	WD105	G
157	488Z	RICHMOND AVE.	AR001	G

163	489T	PIPING ROCK	TK208	G
166	489Q	BLUE WILLOW DR	WD030	G
6	493B	LAEKSPUR	CH005	H
7	493B	EUCLID	II115	H
29	453H	SADLER	IB072	H
30	412V	EAST LITTLE YORK RD	II053	H
36	493D	CETTI	IIP23	H
56	492P	INWOOD DR	AS061	H
64	453N	ABANDONED	II056	H
81	492P	DEL MONTE	AS060	H
107	372P,T	GREENSPARKWAY	NG000	H
124	413X	SOREN	II043	H
125	413X	PARKER RD	II043	H
126	413X	PARKER RD	II043	H
34	611B	72ND ST	IBU02	I
101	452R	DORCHESTER	II024	I
123	495S	NAVIGATION	IB013	I
141	535B	BROADWAY	SB074	I
151	494Z	WALKER	IBU02	I
152	495X	AVE. B	IB008	I
158	535B	ENDOR	SB074	I
160	535B	SYCAMORE	SB074	I
161	494N	GARROW	II265	I
164	493M	PRAIRIE	IIP42	I
165	493L	MCKINNEY	IIP19	I

SUMMARY OF MWDBE ACTIVITIES

Project Name/Number: Wastewater #4235-07 - Annual Service Agreement for construction of sanitary sewer repairs by point

Prime Contractor: D. E. Williams Contracting Company, Inc.

Amount of contract: \$1,298,000.00 Change Orders: \$64,000.00 Total Contract: \$1,362,900.00

MWDBE Goal at award of contract: 12% Amount of MWDBE goal with change order: \$163,548.00

Original MWDBEs listed on RCA & Letter of Intent: MWDBEs used: List of Original MWDBE, that were not used:

Walter Calicut, Inc.(3-C's Construction) J. A. Gamez Trucking Services Walter Calicut, Inc.(3-C's Construction)

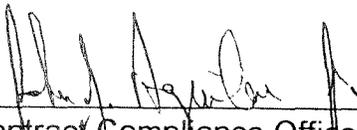
Seneca Construction Systems, Inc. Seneca Construction Systems, Inc.

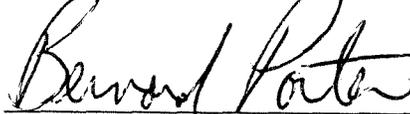
MWDBE actual participation: 1.46% Verified by: John Aguilar Date: August 1, 2000

If goal was not achieved, list the amount and percentage of shortage. Briefly state the reason given by prime why goal was not achieved and why the original MWDBEs listed in the RCA were not used: The shortage is 10.54%. The amount is \$143,598.00. (Please see attached letters of explanation by Dale E. Williams from 1) D. E. Williams Construction Contracting, 2) Monica Kinsella of Seneca Construction, 3) Bernard Porter of Affirmative Action and Contract Compliance.

Briefly state reason given by MWDBE why they were not used or not used to the full amount originally: Mr. Calicut of Calicut, Inc., stated that he was unable to perform the subcontract at the negotiate price with D. E. Williams Construction Contracting because his contract price was too low. He admitted that he did not give Williams any notice of his withdrawal and decided not to perform the subcontract.

APPROVED BY:


Contract Compliance Officer
File: MBEactiv.frm 8/9/94


Manager, Contract Compliance Section

8-1-2000
Date



Received
City of Houston
Affirmative Action
FEB 04 1998



January 28, 1998

Mr. Marshall Harrison
Division Manager
City of Houston
Affirmative Action & Contract Compliance Division
500 Jefferson, Suite 1400
Houston, Texas 77002

RE: Project No. 4235-7
Sanitary Sewer Maintenance Repairs

Dear Mr. Harrison:

We have made good faith efforts to comply with our submitted M/WBE participation plan for the above referenced project. We have an executed Subcontract Agreement with Calicut, Inc. (formerly 3-Cs Construction Services), dated July 22, 1997, to perform the concrete/asphalt pavement work on this project.

We started work on this project in August and contacted Walter Calicut and Ted Harris of Calicut, Inc., to let them know when their services would be needed. Location maps of work orders needing surface restoration work were faxed to Calicut, Inc., on September 16 and October 1, with instructions to proceed with this work. After numerous telephone conversations with Walter Calicut about when he was going to do the work, he finally informed me that he could not do the work for the contracted prices and would like to renegotiate his contract. I declined to do so. Therefore, changes in our M/WBE utilization schedule are necessary.

Since the City needed to close out these work orders in order to issue us additional work orders, our company proceeded with the surface restoration work on October 17.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale E. Williams".

Dale E. Williams
President



SENECA
CONSTRUCTION SYSTEMS, INC.
A WOMAN'S BUSINESS ENTERPRISE

Received
City of Houston
Affirmative Action
AUG 28 1998

August 25, 1998

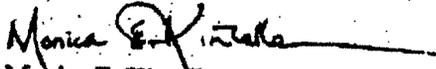
D. E. Williams Contracting Company, Inc.
P.O. Box 70
Fresno, Texas 77093

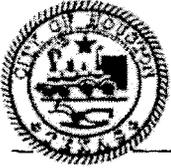
REF: Minority Participation Job #4235-7

Dear Mr. Williams,

Seneca Construction Systems Inc. was unable to perform the subcontract work in the amount of \$116,820.00 on the above referenced project during the City of Houston time constraints allowed on the contract.

Sincerely Yours,


Monica E. Kinsella



CITY OF HOUSTON
Affirmative Action and Contract Compliance
Interoffice Correspondence

To **Marshall Harrison, Manager**

Date **February 5, 1997**

From **Bernard Porter, AA III**
Affirmative Action and Contract Compliance

Subject **Wastewater #4235-07 - MWDBE Goal**

Met with Walter Calicut of Calicut, Inc.; concerning his subcontract with D. E. Williams Contracting Company, Inc., about the above reference project. Mr. Calicut stated that he was unable to perform the subcontract at the negotiated price with D. E. Williams Contracting Co., Inc., because his contract price was too low. Mr. Calicut stated that it was his fault concerning the contract, and he did not give D. E. Williams any notice of his withdrawal and decision not to perform the subcontract.

Mr. Calicut stated that he could not afford to perform the contract at the price that he had originally agreed to.

February 6, 1998

Mr. Mumtaz Qureshi of Public Works stated that the City of Houston did give D. E. Williams a deadline to do the surface restoration work.

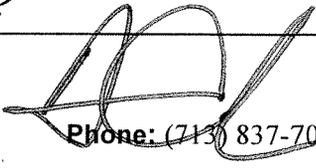
Bernard Porter

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Water Line Replacement in the Bellfort North Subdivision. WBS No. S-000035-00B5-4.	Page 1 of 1	Agenda Item # 7
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/16/07	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council Districts affected: I JK SK
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For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director	 Phone: (713) 837-7074	Date and Identification of prior authorizing Council Action: JK SK Ord. #06-0278 dated 03/22/06
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,739,543.23 or 6.07% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required. Original appropriation of \$2,149,500.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.	F&A Budget:
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SPECIFIC EXPLANATION:

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

DESCRIPTION/SCOPE: This project consisted of construction of 26,166 linear feet of 6-inch, 8-inch, and 12-inch water lines with all related appurtenances in the Bellfort North Subdivision. Robert Reid Consulting Engineer, Inc. designed the project with 270 calendar days allowed for construction. The project was awarded to C and C Services with an original Contract Amount of \$1,852,040.95. C&C Services has changed their name to Collins Construction, LLC.

LOCATION: The project area is generally bound by La Paseo on the north, Bellfort on the south, Telephone on the east, and Waltrip on the west. The project is located in Key Map grids 534-V and 535-S.

CONTRACT COMPLETION AND COST: The Contractor, Collins Const. 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 \$1,739,543.23, a decrease of \$112,497.72 or 6.07% under the original Contract Amount.

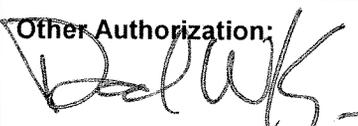
The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily a result of an underrun in Base Unit Item No. 14 – 8-inch Restrained Joint Pipe Section in Auger or Open Cut and Base Unit Item No. 15 – 12-inch Diameter Water Main by Augering, which were not necessary to complete the project.

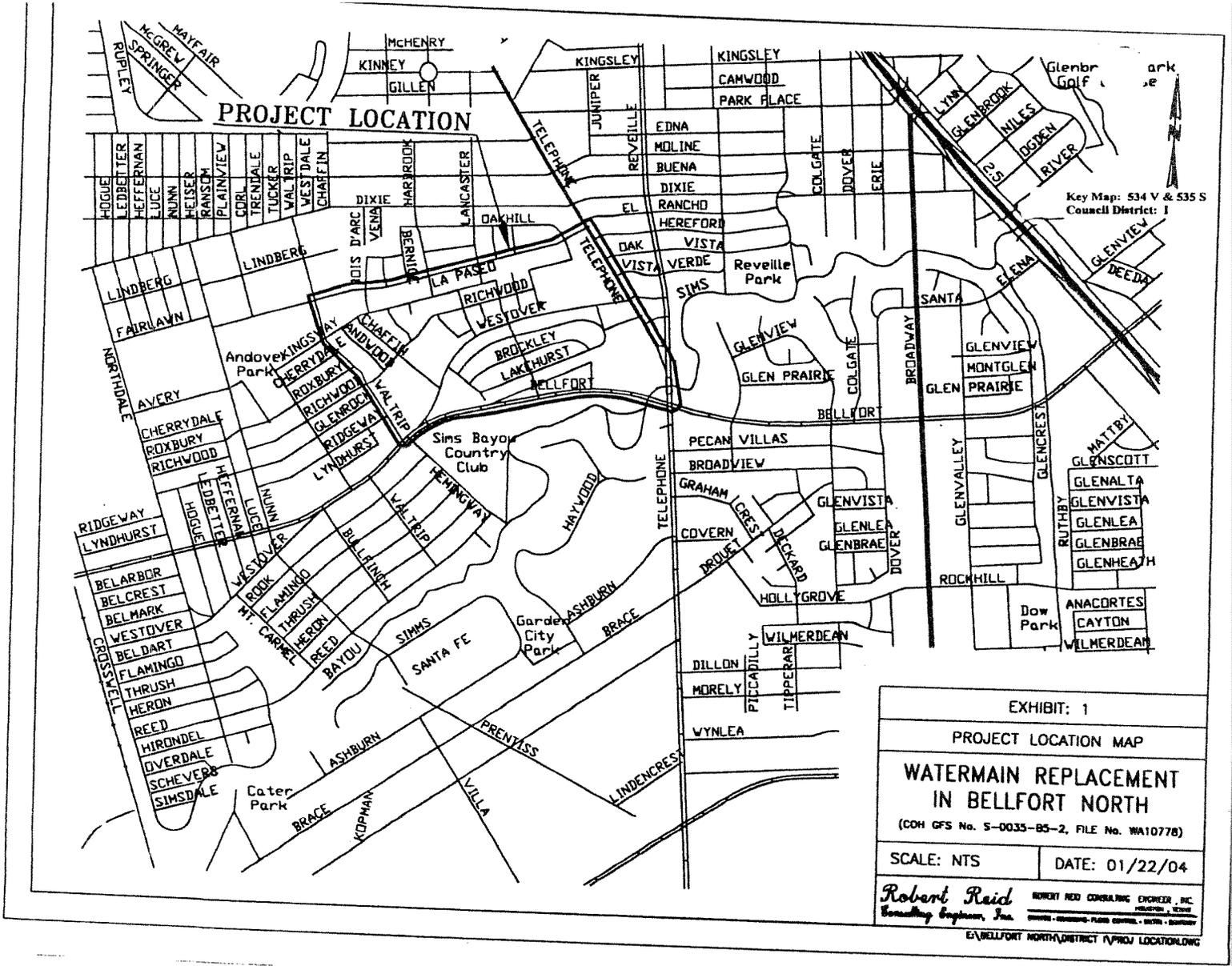
M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to Affirmative Action and Contract Compliance Division, the actual participation was 18.20%. The Contractor was awarded an "Outstanding" rating for M/WBE Compliance.

JK SK
MSM:JTL:JK:SK:mq
S:\constr\Admin\CONST\Projects\10778 - Bellfort North CM\CloseOut\RCA\RCA-rev2.doc

c: Michael Ho, P.E. Craig Foster Velma Laws File No. 10778 - Closeout

REQUIRED AUTHORIZATION CUIC ID # 20SK05 *list*

F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utility Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7518

Subject: Formal Bids Received for Water Meters and Water Meter Replacement Parts for the Public Works & Engineering Department S13-S22191

Category # 1 & 4

Page 1 of 2

Agenda Item

8

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 23, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Award sole bids in an amount not to exceed \$12,169,038.00 for water meters and water meter replacement parts for the Public Works & Engineering Department.

Estimated Spending Authority \$12,169,038.00

F & A Budget

\$ 2,237,301.00 Water & Sewer System Operating Fund (8300)
\$ 9,931,737.00 Combined Utility System General Purpose Fund (8305)
\$12,169,038.00 Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve awards for water meters and water meter replacement parts, as shown below, in an amount not to exceed \$12,169,038.00, for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. These awards will consolidate procurement of the four manufactured brands of new water meters in use by the Department, as well as respective replacement parts for each brand. The meters and parts, such as measuring chambers, rotor assemblies, gear train assemblies, calibration vane stem gears, spindles, inlet and outlet assembly parts and drive pinions, will be used by the Department to replace and repair both residential and commercial water meters citywide.

This is a price list solicitation. The best discount which determines the low bid for a price list is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for sample pricing items does not represent the total amount to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-two bidders viewed the solicitation document on SPD's e-bidding website, and four sole bids were received as detailed below.

Badger Meter, Inc.: Award on its sole bid for Item Nos. 1, 2 and 3 (Badger water meters with or without trade-in price list, Badger water meter factory component exchange price list, and Badger water meter parts price list), in an amount not to exceed \$8,630,476.00. A sole bid was received from Badger Meter, Inc. because they are the manufacturer and only sell through their manufacturing representative in the area.

HD Supply Waterworks: Award on its sole bid for Item No. 5 (Neptune Technology Group, Inc. price list), in an amount not to exceed \$1,130,125.00. A sole bid was received from HD Supply Waterworks because

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Date: 8/23/2007	Subject: Formal Bids Received for Water Meters and Water Meter Replacement Parts for the Public Works & Engineering Department S13-S22191	Originator's Initials LM	Page 2 of 2
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Neptune Technology Group, Inc. is the manufacturer and they only sell through their manufacturing representative in the area.

Aqua-Metric Sales Company: Award on its sole bid for Item No. 6 (Sensus Metering Systems, Inc. price list), in an amount not to exceed \$1,370,908.00. A sole bid was received from Aqua-Metric Sales Company because Sensus Metering Systems, Inc. is the manufacturer and they only sell through their manufacturing representative in the area.

Macaulay Controls Company: Award on its sole bid for Item Nos. 7 and 8 (Krohne Electromagnetic Flowmeter System Distributor Parts price list and Krohne Electromagnetic Flowmeter System Distributor's Meter price list), in an amount not to exceed \$1,037,529.00. A sole bid was received from Macaulay Controls Company because Krohne, Inc. is the manufacturer and they only sell through their manufacturing representative in the area.

Item No. 4 is not being awarded.

The Affirmative Action Division has approved a 0% M/WBE goal. All four of the suppliers will ship meters and parts by common carrier from outside the City of Houston, and there will be no opportunity for local M/WBE participation.

Estimated spending authority:

DEPARTMENT	FY 2008	OUT YEARS	TOTAL
PW&E Fund 8300	\$486,752.00	\$1,750,549.00	\$2,237,301.00
PW&E Fund 8305	\$1,750,549.00	\$8,181,188.00	\$9,931,737.00
Grand Total	\$2,237,301.00	\$9,931,737.00	\$12,169,038.00

Buyer: Lewis Massingill

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7530

Subject: Sole Bid Received for Replacement Parts for Metering Pumps and Analyzers for the Public Works & Engineering Department
S11-S22461

Category #
4

Page 1 of 1

Agenda Item

9

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 30, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

[Handwritten Signature]

Council District(s) affected
All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Macaulay Controls Company on its sole bid in an amount not to exceed \$996,032.00 for replacement parts for metering pumps and analyzers for the Public Works & Engineering Department.

Estimated Spending Authority \$996,032.00

F & A Budget

\$996,032.00 Water and Sewer System Fund (8300)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Macaulay Controls Company on its sole bid in an amount not to exceed \$996,032.00 for replacement parts for existing metering pumps and analyzers for the Public Works & Engineering Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month term. This award, consisting of four price lists for prominent parts; which includes, but are not limited to, fault relay, open ended cable, connectors, motor mount, pump pacing, accessory kits, back pressure valves, calibration columns, foot valves, and pump spare parts will be used by Department personnel to repair metering pumps and analyzers citywide.

This project was advertised in accordance with the requirements of the State bid laws, and one bid was received. Macaulay Controls Company is the only authorized distributor of Prominent Brand Equipment for the metering pumps and analyzers replacement parts in the greater Houston area and the surrounding counties.

Gloria Jordan-King

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

Estimated Spending Authority:

Department	FY 2008	Out Years	Total
Public Works & Engineering	\$199,206.40	\$796,825.60	\$996,032.00

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

[Handwritten Initials]

[Handwritten Initials]



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: Gloria Jordan-King

Date: 08/17/2007

Subject: MWBE Participation Form

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

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

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

If requesting a revision, how many solicitations were received: 1

Solicitation Number: S22461 Estimated Dollar Amount: \$996,032.00

Anticipated Advertisement Date: 6/29/2007 Solicitation Due Date: 7/5/2007

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

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

Name and Intent of this Solicitation:
Replacement Parts Agreement for Metering Pumps and Analyzers for the Public Works & Engineering Department

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

The ProMinent replacement parts will be shipped directly from the manufacturer to the authorized Houston dealer who will deliver to the City of Houston designated location for acceptance. Please see attachment of Affirmative Action approval..

Concurrence:

Gloria Jordan-King
SPD Initiator

Renee Heath
Division Manager

Robert Gallegos
Robert Gallegos, Deputy Assistant Director
*Affirmative Action

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

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

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

SUBJECT: Approval of a resolution designating the Augusta Frank House at 2215 Decatur Street as a Landmark and Protected Landmark	Category #	Page 1 of 1	Agenda Item # 10
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FROM (Department or other point of origin): Planning and Development	Origination Date 5/17/2007	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>Melanie K. Gajuel</i>	Council District affected: H
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For additional information contact: Thomas McWhorter Phone: 713/837-7963	Date and identification of prior authorizing Council action: August 16, 2005 Ord. 2005-0969
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RECOMMENDATION: (Summary)

Approval of a resolution designating the Augusta Franck House at 2215 Decatur Street as a Landmark and Protected Landmark

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

In accordance with Chapter 33 of the Code of Ordinances relating to historic preservation, a property owner may initiate the application for the designation of a Landmark and Protected Landmark for which a 90-day waiver certificate may not be issued by the planning official.

Public Hearings were held by the Houston Archaeological and Historical Commission and the Houston Planning Commission on April 25, 2007 and May 10, 2007 respectively. Both commissions determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of a Landmark and Protected Landmark designation.

There were no objections to the applications.

MG: rp tm

Attachments: Application and Staff Report

xc: Marty Stein, Agenda Director
Jill Jewett, Mayor's Liaison for Cultural Affairs
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
Harold L. Hurtt, Chief, Police Department
Phil Boriskie, Chief, Fire Department

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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PROTECTED LANDMARK DESIGNATION REPORT

LANDMARK NAME: Augusta Franck House
OWNER: Robert and Cynthia Card
APPLICANT: Same as Owner
LOCATION: 2215 Decatur – Old Sixth Ward Historic District
30-DAY HEARING NOTICE: N/A

AGENDA ITEM: I
HPO FILE NO.: 07PL42
DATE ACCEPTED: Feb-03-07
HAHC HEARING: Apr-25-07
PC HEARING: May-10-07

SITE INFORMATION:

Lot 10, Block 396, W. R. Baker Addition, NSBB, City of Houston, Harris County, Texas. The site includes a historic one-story wood frame house on a high-raised foundation.

TYPE OF APPROVAL REQUESTED: Landmark and Protected Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Augusta Franck House, located at 2215 Decatur, was constructed in 1893. Augusta Franck, a native of Prussia, moved to Houston in 1882, but later perished in the Galveston Storm of 1900. The Queen Anne style home is one of the more elaborate examples than most of the early German immigrant-built cottages in the Old Sixth Ward, and the home is also an unusual example due to its high-raised foundation. The building meets Landmark Designation Criteria 1, 4, and 5, as well as being constructed before 1905 and being a contributing building to the National Register Historic District.

HISTORY AND SIGNIFICANCE:

The house at 2215 Decatur was constructed in 1893 for Augusta Schmidt Franck Miller, who was born in Prussia in 1847. Prussia was once an independent kingdom in Germany, which included the region around Berlin, which would later become part of unified Germany. Beginning in the 1840s, many Prussians came to Texas due to civil unrest and a faltering economy in their homeland.

Augusta Schmidt most likely immigrated to the United States through one of the largest ports for immigrants, which was Galveston, Texas, as she lived there before coming to Houston. While in Galveston, she married Victor Franck, a native Alsatian, who was born in 1841. Alsace, like Prussia, was one of the independent kingdoms in play for many years as political boundaries of Central Europe changed. Although Alsace today is part of France, many of the region's residents also speak German, and the region was once controlled by a tribe of Germanic people called the "Franks." Victor Franck operated Victor's Saloon at 212 23rd Street (now Tremont Street) in Galveston and rented rooms above the saloon. Victor died of cirrhosis of the liver on August 23, 1881 at the age of 41. Augusta continued to run the saloon in Galveston for a short while after his death, but moved to Houston in 1882.

Once in Houston, Augusta lived in the home of another widow, Mrs. Charlotte Eibert. Eibert was also a native Prussian, born in 1807, and may have been related to Augusta. Charlotte Eibert and Augusta Franck's home was located on Alexander Street in the Second Ward, near Schrimpf's farm, which was located east of Frost Town on the south bank of Buffalo Bayou. Augusta Franck lived at the Second Ward address for the next ten years. In 1892 and 1893, Augusta was not listed in Houston City Directories, and it is possible that she either moved back to Galveston during this time or was simply caught between residences at the time of publication of the 1893 Houston City Directory.

On February 15, 1893, Mrs. Augusta Schmidt Franck Miller purchased Lots 9 and 10 of Block 396 in the W. R. Baker Addition, NSBB, from Mr. E. P. Hamblen for \$800. The sale agreement stipulated that \$266 was put down and \$533 was owed within two years of that date with an interest of 8% per annum. There was no mention of any improvements on the property, and it is presumed that the lots were vacant. The deed transaction clearly states that the property was purchased with Augusta's separate funds for her separate use. Augusta's husband, John H. Miller, was a carpenter and is likely the one responsible for the construction of the house located on that property. John Miller was listed as residing at that address for the year 1894-1895. Mr. Hamblen signed a release in 1901 stating that the lots were paid off on time.

The earliest record of a transaction of the lot after Baker platted the neighborhood occurred on July 20, 1867. William R. Baker sold Blocks 296, 396, 407, 416, and 428 to Mr. James A. Chandler of Travis County for \$9000. Mr. Chandler sold these blocks to Mr. F. W. Chandler, also of Travis County, on March 18, 1872. F. W. Chandler in turn sold Lots 4 and 5 in Block 296, Lots 1, 2, 3, 4, 9, 10, 11, 12 of Block 396, and Lots 1, 2, 3, 4, 5, 6, 9, 10, and 11 in Block 407 to Mr. Henry E. Shelly, also of Travis County, on April 9, 1885. Mr. Shelley sold Lots 1, 2, 9, 10, 11, and 12 of Block 196 to Mr. E. P. Hamblen on March 19th, 1890, for \$1,200.00.

On February 17, 1897, Augusta, using the name Augusta Franck, sold her house and adjacent Lot 9 to William Hagermann of Galveston. It appears Augusta had divorced Mr. Miller. She returned to Galveston, where she perished in the Great Storm of 1900 along with one of her daughters and approximately 6,000 other Galveston inhabitants.

In 1901, her surviving son, Gustave Franck, bought back both lots as well as Lot 8. Seven years later, in 1908, he gave Lots 8, 9, and 10 to his wife, Mollie Franck. In 1914 Mollie Franck gave ½ of Lot 9 to her daughter, Rubie Lee Franck, for love and affection and in consideration of \$1.00. Five years later in 1919, Mrs. Franck also gave Lot 10 to Rubie Lee for \$1 for love and affection.

The Old Sixth Ward Historic District has one of the largest concentrations of Victorian-era buildings in Houston. The majority of the houses standing today were built in the 1870s, 80s, and 90s as modest, one-story frame cottages occupied by a single family. The distinctive Victorian character of these dwellings was enhanced by decorative millwork usually applied to the front porches. As the 20th Century progressed, new housing reflected changes in architectural style. Bungalows were built among the Victorian cottages, but the essential character of the neighborhood did not change. During World War II, many of the houses were converted from single to multi-family dwellings, often owned by absentee landlords. Since achieving recognition as both a nationally and locally designated historic district, the Old Sixth Ward has witnessed the restoration of many homes to single-family occupancy.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

In 1931, Rubie Lee Franck sold Lot 10 with the house at 2215 Decatur to Mr. Sam Geaccone, a landowner who owned many properties in the Sixth Ward. During the Geaccone family ownership, the house was converted into a tenant duplex. The duplex remained in the Geaccone family until it was sold to Mr. William Gay on September 11, 1996. By the time of the 1996 purchase, the house was in ruins after many years of deferred maintenance and a succession of tenants. In February 1997, Mr. Gay financed the sale of the house to Mr. David Hille, who remodeled the house.

The current owners purchased the house on July 15, 2002, and began an extensive restoration. During the restoration /rehabilitation, several alterations, added during the 1997 remodeling, were either removed or restored in order to revert the house to its original appearance and configuration.

The house is a good example of an elaborately designed, German working-man cottage, which features elements of the Queen Anne style. It is only one of a handful of houses in the neighborhood which are built on a high-raised foundation. The house rests on a four-foot-high raised brick pier foundation that was not evident in an

1896 Sanborn Fire Insurance map, but which first appears on the 1907 Sanborn map of the same area. The bay window on the front façade was likely added during the same remodeling phase between 1896 and 1907 when the house was raised and a room with attached porch was added to the rear of the house. A bungalow-style dormer, which was a later alteration constructed during the Geacone's ownership, was removed during the 1997 remodel because its weight was causing structural failures in the rest of the structure.

BIBLIOGRAPHY:

Harris County Deed Records, Volume 66, p. 97, 130, Volume 98, p. 417, Volume 107, p. 422.

Houston City Directories, 1870-1949.

United States Census 1880, Galveston County, Texas.

United States Census 1880, Harris County, Texas.

Sanborn Maps, 1896, 1907.

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

APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION:

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

S NA

S - satisfies NA - not applicable

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

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

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).

AND

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

OR

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

OR

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

OR

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

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark and Protected Landmark Designation of the Augusta Franck House at 2215 Decatur Street.

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

SITE LOCATION MAP
AUGUSTA FRANCK HOUSE
2215 DECATUR STREET
NOT TO SCALE



**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE
DESIGNATION APPLICATION
CITY OF HOUSTON, TEXAS**

- Complete all information. Incomplete applications may cause delays in processing.
- If you have questions or need help, call the Planning & Development Department at 713/837-7796.

To Be Completed by Planning Staff

Date accepted as complete: 12/3/2007 HPO File Number: 07-PL42
 Accepted By: [Signature]

APPLICANT INFORMATION

Legal Owner's Name of Site (Please print) <u>Robert & Cynthia Card</u>	
Address <u>2215 DECATUR</u>	
City <u>HOUSTON</u>	State <u>TX</u>
Zip Code <u>77007</u>	Day Phone <u>713-869-4465</u>
Signature <u>[Signature]</u> Date <u>12-7-2006</u>	

Agent's Name (if applicable)(Please print) <u>CHARLES STAVA</u>	
Address <u>2214 KANE</u>	
City <u>HOUSTON</u>	State <u>TX</u>
Zip Code <u>77007</u>	Daytime Phone <u>713-862-2097</u>
Signature <u>[Signature]</u> Date <u>12/10/06</u>	

PROPOSED DESIGNATION

- Landmark (subject to 90-day waiver*) Protected Landmark (and Landmark) (NOT subject to 90-day waiver* and subject to Demolition by Neglect Provision) Archaeological Site

*Sec. 33-250 Ninety-day waiver certificate and Sec. 33-254 Demolition by Neglect - see Code of Ord. Chapter 33 - Historic Preservation Ordinance - (www.houstontx.gov/codes/chapters31to35.html)

SITE INFORMATION

NOTE: Site information is required and must accompany the application.

Site Address <u>2215 DECATUR ST.</u>
General description <u>THE AUGUSTA FRANK HOUSE</u>
<u>B. 1093.</u>

Tax account number	
Subdivision <u>WR BAKER NS BB</u>	
Lot <u>10</u>	Block <u>396</u>

DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:
 - Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
 - Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of a resolution designating 2 Historic Landmarks (See attachment - page 2 of 2)	Category #	Page 1 of 2	Agenda Item # 11
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FROM (Department or other point of origin): Planning and Development	Origination Date 6/28/2007	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>M. D. Madeline S. Gajwick</i>	Council District affected: D & G
--	--

For additional information contact: Thomas McWhorter Phone: 713-837-7963	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary)

Approval of a resolution designating 2 Historic Landmarks: (see attachment - page 2 of 2)

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

In accordance with Section 33-222 of the City of Houston Code of Ordinances, the property owner or the Houston Archaeological and Historical Commission (HAHC) may initiate an historic landmark application. All applications were initiated by the respective property owners.

Public Hearings were held by the HAHC and the Houston Planning Commission on May 23, 2007 and June 21, 2007 respectively. Both commissions determined that the applications satisfied applicable criteria of the ordinance and unanimously recommended approval of the two historic landmark designations.

There were no objections to the applications.

MLG: tm

Attachments: Applications and Staff Reports

xc Marty Stein, Agenda Director
Jill Jewett, Mayor's Liaison for Cultural Affairs
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department
Harold L. Hurtt, Chief, Police Department
Phil Boriskie, Chief, Fire Department

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

Date	Subject: Approval of a resolution designating 2 historic Landmarks	Originator's Initials	Page <u>2</u> of <u>2</u>
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LANDMARKS NAME /ADDRESS:	INITIATED BY:	COUNCIL DISTRICT:	HAHC HEARING:	PLANNING COMMISSION HEARING:
1. W. T. Carter, Jr., House 18 Courtlandt Place Boulevard	Owner	D	5-23-2007	6-21-2007
2. Charles W. Duncan Sr., House 3664 Inverness Drive	Owner	G	5-23-2007	6-21-207

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

**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE
DESIGNATION APPLICATION
CITY OF HOUSTON, TEXAS**

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To Be Completed by Planning Staff

Date accepted as complete: 4/16/2007 HPO File Number: 07-L180
 Accepted By: Thomas Milner

APPLICANT INFORMATION

Legal Owner's Name of Site (Please print) <u>CHARLES ROBERT DUNN AND</u>	
Address <u>FRANCES H. DUNN</u>	
<u>#18 COURTLANDT PLACE</u>	
City <u>Houston TX</u>	State <u>77006</u>
Zip Code <u>77006</u>	Day Phone <u>713-522-2418</u>
	CELL Fax Phone <u>713-512-5800</u>
Signature <u>Frances H. Dunn</u>	Date <u>04/15/07</u>

Agent's Name (if applicable)(Please print) <u>Sharia Beale</u>	
Address <u>316 W. 15th</u>	
<u>Houston TX 77008</u>	
City <u>Houston TX</u>	State <u>77008</u>
Zip Code <u>77008</u>	Daytime Phone <u>713-594-2199</u>
Signature <u>Sharia Beale</u>	Date <u>4/11/07</u>

PROPOSED DESIGNATION

- Landmark (subject to 90-day waiver*) Protected Landmark (and Landmark) (NOT subject to 90-day waiver* and subject to Demolition by Neglect Provision) Archaeological Site

*Sec. 33-250 Ninety-day waiver certificate and Sec. 33-254 Demolition by Neglect - see Code of Ord. Chapter 33 - Historic Preservation Ordinance - (www.houstontx.gov/codes/chapters31to35.html)

SITE INFORMATION

NOTE: Site information is required and must accompany the application.

Site Address <u>18 CourTLANDT</u>
General description <u>PRAIRIE style Stucco</u>
<u>in CourTLANDT Pl Historic Dist</u>
<u>Lot 10, TRS B4-C7</u>

Tax account number <u>010 249 000 0010 001 001</u>
Subdivision <u>CourTLANDT PLACE</u>
Lot <u>10</u> , Block <u>TR5 B4-C7</u>

DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:

- Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
- Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written

LANDMARK DESIGNATION REPORT

LANDMARK NAME: W. T. Carter, Jr., House
OWNER: Charles R. and Frances H. Dunn
APPLICANT: Sharie Beale (on behalf of the owner)
LOCATION: 18 Courtlandt Place Boulevard – Courtlandt Place
30-DAY HEARING NOTICE: N/A

AGENDA ITEM: I.a
HPO FILE NO.: 07L180
DATE ACCEPTED: Apr-16-07
HAHC HEARING: May-23-07
PC HEARING: June-21-07

SITE INFORMATION:

Lot 10 & Tracts B4 & C7, Courtlandt Place, City of Houston, Harris County, Texas. The building on the site is an historic two-story, wood-framed residence with stucco veneer.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The W. T. Carter, Jr., House is located in the Courtlandt Place National Register and City of Houston Historic Districts. The house was constructed in 1912 in the Prairie style by two of Houston's most respected architects of the time, Olle J. Lorehn and Birdsall P. Briscoe. The house was designed for Houston lumber and construction magnate W. T. Carter, Jr., whose extended family resided in several other houses on Courtlandt Place Boulevard. The house meets Criteria 1, 3, 4, and 6 for Landmark Designation, as well as being a contributing structure to the Courtlandt Place National Register and City of Houston Historic Districts.

HISTORY AND SIGNIFICANCE:

The house at 18 Courtlandt Place was built in 1912 for William T. Carter, Jr. The house was designed by noted Houston architects Olle J. Lorehn and Birdsall P. Briscoe. Lorehn, a Swedish-born architect, was responsible for the National Biscuit Company Building, formerly located on Chenevert at the corner of Commerce Street; Sacred Heart Co-Cathedral at 1111 Pierce; and Fire Station #7 at 2325 Milam Street, which is now the home of the Houston Fire Museum. Birdsall P. Briscoe is most known for residential projects such as the William Clayton House at 5300 Caroline and houses in other upscale early-20th century subdivisions such as Broadacres, Old Braeswood, and Riverside Terrace.

Courtlandt Place was Houston's most exclusive residential enclave when it was platted in 1906. The private one-block-long street featured 18 high-end residences designed by Houston's most distinguished architects and occupied by many of Houston's most influential business and social leaders. The neighborhood is bordered by the Avondale neighborhood (platted 1907) to the north, Westmoreland (platted 1902) to the south, and the Montrose subdivision to the west. Courtlandt Place Boulevard is closed at its western end at Taft Street, and can be accessed only through gates at its east end. The original curvilinear entry gates were modified with the construction of Highway 59/Spur 527 in the early 1960s.

W. T. Carter, Jr., was a business partner in his father's well-established lumber firm, the W. T. Carter Lumber Company. He was also responsible for Houston's first public airport, established in 1927, which was later purchased by the City of Houston and renamed Hobby Airport. Carter's family owned several other homes in Courtlandt Place. The W. T. Carter, Sr., House was built in 1920 at 14 Courtlandt Place Boulevard, and 16 Courtlandt Place Boulevard was the home of J. J. Carroll, an in-law of the Carter family.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The W. T. Carter, Jr., House was designed in the Prairie style of architecture, which was extremely popular in the United States from the early 20th century until shortly after World War I. The style was first popularized by Chicago architects like Frank Lloyd Wright. The Carter house was designed by Birdsall Briscoe and Olle Lorehn, each of whom contributed significantly to Houston’s built environment during the first half of the 20th century.

The structure is a wood-frame raised two-story house with stucco veneer, which is distinguished by its low hipped roof with wide eave overhangs, terra cotta clay tile roof, and large hipped roof dormers facing Courtland Place Boulevard and the two side elevations. A broad one-story porch spanning the entire front façade of the house incorporates a porte-cochere in a seamless extension of the front porch. The low hipped porch roof of terra cotta clay tiles is supported by five rectangular stucco clad columns, which are unadorned and painted to match the main body of the home. A pentagonal veranda is located on the second story above the front porch and is centered above the front entry.

The house features pairs of six-over-one-pane, double-hung wood-sash windows throughout. The front entry door is framed by a transom and sidelights. A pair of multi-light French doors, flanked on either side by a narrow multi-light-over-single-pane double-hung wood-sash window, lead to the second-story veranda.

BIBLIOGRAPHY:

Courtlandt Place National Register Nomination, 1979.
Fox, Stephen, Houston Architectural Guide, American Institute of Architects, 1990.
Johnston, Marguerite, Houston: The Unknown City 1836-1946, 1991.

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

APPROVAL CRITERIA FOR LANDMARK DESIGNATION:

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

S	NA	S - satisfies	NA - not applicable
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation (Sec. 33-224(a)(1);	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	(2) Whether the building, structure, object, site or area is the location of a significant local, state or national event (Sec. 33-224(a)(2);	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation (Sec. 33-224(a)(3);	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	(4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city (Sec. 33-224(a)(4);	

SITE LOCATION MAP
W. T. CARTER, JR., HOUSE
18 COURTLANDT PLACE BOULEVARD
NOT TO SCALE



- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood (Sec. 33-224(a)(5);
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation (Sec. 33-224(a)(6);
- (7) Whether specific evidence exists that unique archaeological resources are present (Sec. 33-224(a)(7);
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride (Sec. 33-224(a)(8).
- (9) If less than 50 years old, or proposed historic district containing a majority of buildings, structures, or objects that are less than 50 years old, whether the building, structure, object, site, or area is of extraordinary importance to the city, state or nation for reasons not based on age (Sec. 33-224(b).

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the W. T. Carter, Jr., House at 18 Courtlandt Place Boulevard.

**LANDMARK, PROTECTED LANDMARK OR ARCHAEOLOGICAL SITE
DESIGNATION APPLICATION
CITY OF HOUSTON, TEXAS**

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- ✔ If you have questions or need help, call the Planning & Development Department at 713/837-7796.

To Be Completed by Planning Staff

Date accepted as complete: 5/18/2007

HPO File Number: 07-L181

Accepted By: *[Signature]*

1 APPLICANT INFORMATION

Legal Owner's Name of Site (Please print)		
William P. and Carol A. Cantrell		
Address		
3664 Inverness Dr.		
City	Houston	State TX
Zip Code	Day Phone	713-667-9147
77019	Fax Phone	713-218-2148
Signature	Date	
<i>[Signature]</i>	5/14/07	

Agent's Name (if applicable)(Please print)	
Address	
City	State
Zip Code	Daytime Phone
Signature	Date

PROPOSED DESIGNATION

- Landmark (subject to 90-day waiver*) Protected Landmark (and Landmark) (NOT subject to 90-day waiver* and also subject to Demolition by Neglect Provision) Archaeological Site

*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. - Chapter 33 VII - Historic Preservation - (www.houstontx.gov/codes/chapters31to35.html)

3 SITE INFORMATION

NOTE: Site information is required and must accompany the application.

Site Address
3664 Inverness Dr.
General description
2 story white brick Southern Colonial
6,148 sq. ft. living area on 1/2 acre lot

Tax account number		
0601610790011		
Subdivision		
River Oaks		
Lot	Block	Section
11	79	9

4 DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)

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- A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
- B) Statement/description regarding current physical condition and information/dates of

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Charles W. Duncan, Sr., House
OWNERS: William P. and Carol A. Cantrell
APPLICANTS: William P. and Carol A. Cantrell
LOCATION: 3664 Inverness Drive - River Oaks
30-DAY HEARING NOTICE: N/A

AGENDA ITEM: I.b
HPO FILE NO.: 07L181
DATE ACCEPTED: May-8-07
HAHC HEARING: May-23-07
PC HEARING: June-21-07

SITE INFORMATION:

Lot 11, Block 79, River Oaks Section 9, City of Houston, Harris County, Texas. The building on the site is an historic two-story brick veneered residence.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY:

The Charles W. Duncan, Sr., House at 3664 Inverness Drive was built by J. Leon Osborn in 1949. It was originally purchased by Charles W. Duncan, Sr., a prominent Houstonian and one of the principals of the Duncan Coffee Company. Duncan Coffee (later Duncan Foods, Inc.) developed into one of the largest food product manufacturing concerns headquartered in Houston, with total sales of \$90 million. The company was acquired by Coca-Cola Foods, Inc., in 1964. That same year, the Duncans established the Lillian and C. W. Duncan Foundation for charitable giving. The Charles W. Duncan, Sr., House meets Criteria 1, 3, and 4 for Landmark Designation.

HISTORY AND SIGNIFICANCE:

The Charles W. Duncan, Sr., House was built as a speculative home, with construction beginning in February 1949. At that time, an article appeared in the Houston Post:

“J. Leon Osborn, builder, is constructing two large residences in River Oaks for a total of \$245,000. Mr. Osborn said he is building a two story colonial brick ... at 3755 Knollwood for \$150,000 and a two story white brick colonial on a half acre tract at Inverness and Timber Lane for \$95,000. Both residences, the builder said, have entrance halls, large living rooms with real fireplaces, screened porches, powder rooms, electric kitchens and air conditioning... The other place [3664 Inverness] will have five bedrooms and three baths and a barbeque house attached to the screened porch.”

The house was purchased by Charles and Lillian Duncan later in 1949 shortly before its completion. At that time, a large photo of the home was accompanied by the caption:

“BOUGHT BY COFFEE COMPANY EXECUTIVE – This residence built by J. Leon Osborne at 3664 Inverness River Oaks has been purchased by C. W. Duncan, vice president of the Duncan Coffee Co. Revenue stamps indicated the consideration was about \$95,000.”

Charles William Duncan, Sr., was born on March 27, 1890, in Fountain Run, Kentucky. He and his brother Herschel Mills Duncan, born in November 1888, were tobacco farmers. They were sons of John Green Duncan (1858-1941) and his wife, Margaret Permelia Neal. Charles became a banker and the mayor of Scottsville, Kentucky. During an interview conducted by the current owners with Duncan's sons, they described their father

as a big man, about 6 feet 2 inches, and very outgoing and affable. He married Lillian House who, in contrast to Charles, was only 5 feet 2 inches, but like Charles, was calm and likable.

In 1901 Charles's uncle, John William Neal and Joel Owsley Cheek, both Kentucky natives, formed the Nashville Coffee and Manufacturing Company, later renamed the Cheek-Neal Coffee Company, on Market Street in Nashville and began to produce Maxwell House coffee. In 1903 Joel Cheek sent his son, Robert, to supervise the construction and opening of a second coffee plant for Cheek-Neal Coffee Company of Nashville in Houston. Cheek-Neal Coffee chose to expand their coffee business in Houston no doubt due to the business dynamics and opportunities that Houston offered, including direct shipping to Houston's port from South America. The new office and factory were located at 1121 Carr Street, the southwest corner of Carr and Conti Street in the Fifth Ward. The site consisted of a three-story, brick factory building with an attached one-story warehouse running parallel and adjacent to the railroad track of the Texas and New Orleans Railroad, which afforded efficient shipping.

By 1905, Robert Cheek had returned to Nashville and J. W. Neal had moved to Houston and assumed the management of the Houston branch as Vice-President of Cheek-Neal Coffee Company. By 1909, J. W. Neal was residing in the up-and-coming new Avondale Addition in Houston where he built the first house there at 301 Avondale Boulevard. Herschel Duncan and two of his cousins, all nephews of J. W. Neal, came to Houston in 1907 to work at Cheek-Neal, and lived with their uncle at 301 Avondale for a time. Herschel M. Duncan was soon promoted to superintendent of his uncle's business, Cheek-Neal Coffee.

Cheek-Neal Coffee Company roasted, packaged and shipped Maxwell House coffee not only from its Houston and Nashville locations, but also from factories it established in Richmond, Virginia, and Jacksonville, Florida. In 1917, Cheek-Neal built a new larger plant at 2017 Preston Avenue (City of Houston Landmark, 2005) at a cost of \$100,000 that was "filled with state-of-the-art machinery for cleaning, roasting, grinding and packaging coffee." The company, not only became the one of largest U. S. distributors of coffee, but it was also known for its nationally known slogan, "Good to the Last Drop." J. W. Neal left the coffee business in 1928 when he and Cheek sold Cheek-Neal Coffee Company to the Post Cereal Company,

When Cheek-Neal Coffee Company moved to 2017 Preston in 1917, Herschel Duncan went into the coffee business himself at the former Cheek-Neal location at 1121 Carr Street with only one coffee roaster. His brother Charles joined him in 1921. Herschel's interest in the coffee business venture was likely inspired by the growth Houston was experiencing shortly after the Houston Ship Channel was widened and deepened in 1915, an event that would spring-board Houston to its world port status today. Duncan, who achieved his own fame as the founder of Admiration Coffee, known for its Admiration coffee blend, which later became a special blend, Maryland Club, eventually expanded his coffee business into one of the six largest coffee-roasting businesses in the United States. "Duncan challenged his uncle's slogan by countering with his own, declaring that, with Admiration Coffee, 'even our last drop is good.'" By 1937, Maryland Club "appeared on grocery shelves as 'the coffee you would drink if you owned all the coffee in the world.'"

In 1928, Charles and Lillian Duncan purchased a two-story red brick home in River Oaks at 3256 Avalon Dr. They had two sons, Charles Jr., born September 9, 1926, and John House Duncan, born January 22, 1928. Their first child, a daughter, died of a brain tumor at age 8. The family lived in the Avalon residence until 1949 when they moved to 3664 Inverness.

In 1947, Charles Jr. joined his father Charles, Sr. and his uncle Herschel at the Duncan Coffee Company, where the three men worked together for many years. On February 15, 1957, Herschel Duncan died unexpectedly following an accident at his home at 3320 Chevy Chase. The Duncan Coffee Company continued operating at 1121 Carr (1200 Carr) and 2001 Rothwell until 1957 when the Duncans sold the company to Otis, McAllister & Co. in San Francisco, California.

In 1959, Charles Jr. put together a group of investors to buy Duncan Coffee back from Otis, McAllister & Co. He renamed it Duncan Foods Co. and, together with Charles Sr., ran the company for several more years. The Duncans opened a new \$3 million plant at 7105 Katy Road soon thereafter. Charles Jr. was president of Duncan Foods from 1959 to 1964. During that time the company bought several other businesses, including Butter-Nut Coffee. Under the direction of Charles Sr. and Charles Jr., the company was the largest food product manufacturer headquartered in Houston, with total sales of \$90 million. In 1964, Duncan Foods Co. was acquired by the Coca-Cola Company.

Charles Duncan, Jr., was president of Coca-Cola from 1971 to 1974. He served as Deputy Secretary of Defense from 1977-1979 and as U.S. Secretary of Energy from 1979 to 1981 in President Jimmy Carter's administration. John Duncan achieved equal success, serving as president of Gulf+Western for 12 years. During this time Gulf+Western became an American conglomerate.

Charles W. Duncan, Sr., remained active in the coffee business until he died at the age of 88. His obituary noted his position as former Chairman of the Board of Duncan Foods, Inc., and member of St. Luke's United Methodist Church. His pallbearers included Donald R. Keough (past Chairman of Coca-Cola), Jack Trotter, Howard Horne, L. W. Stolz, Jr. and Edward Randall III. A life-size oil painting of Charles Sr., that for years was displayed at the old Duncan Coffee Company, now hangs on the wall in Charles Jr.'s office on the 61st floor of the JP Morgan Tower. After Lillian Duncan died in 1983, her sons sold the home to its present owners, the Cantrells in 1984.

The house was built as a speculative home by contractor, J. (John) Leon Osborn, who was active in River Oaks from at least 1938 to 1950. He was a lifelong resident of Houston until he died in 1972. His obituary lists his involvement in the community as a member of First Methodist Church; Board of Directors of Asbury Seminary of Wilmore, Kentucky; Board of Directors of Star of Hope; and a lifetime member of Gideon's. Osborn completed the following homes in River Oaks:

- 3308 Chevy Chase (1938) - now 1820 River Oaks Blvd, former home of Mrs. J. C. Bering and General Maurice and Winifred Hirsch
- 3909 Del Monte (1948) - J. Leon Osborn's residence
- 3699 Willowick (1950) – now 3711 Willowick, former home of Jacques and Candace Mossler and current home of Francisco and Sharon Lorenzo
- 3755 Knollwood (1950)
- 1929 Olympia (since demolished)
- 3457 Meadow Lake Lane (1940)
- 3615 Meadow Lake Lane (1939)

The current owners interviewed John and Charles Duncan, Jr., who gladly recounted their happy memories about their family. John remembers one of his mother's favorite sayings: "Worrying about small things will make you a small person." According to Charles Duncan, Jr. when Mrs. Duncan and the rotund family housekeeper got stuck in the elevator, the family never used it after that. Interestingly, the same thing happened to the Cantrells, who never used it after that either.

Coincidentally, both the Duncans and the Cantrells had a housekeeper named Rosalie who loved to cook on an old 1948 six-burner Garland gas stove in the kitchen. It has a cast iron top, stainless steel panels, and can fit two 25-pound turkeys in the oven. The stove fits neatly into a kitchen alcove lined with white tiles and old-style glass bricks. John said Rosalie used a can of shortening a week. Her specialty was hamburgers on Saturday night and fried chicken and apple pie on Sundays. The Duncans weren't socialites, but they loved to visit with their family and close friends, including Ben Love, who was John's best friend and lived across the street until Ben died in 2006.

John Duncan said Lillian was a 'concert pianist' and played many a tune on the old family Baldwin parlor grand piano. The Baldwin, now 80 years old, lies in storage waiting for the next Duncan grandchild with musical talent. The Cantrells have a Kimball parlor grand piano where the old Baldwin sat.

Like the Cantrells, Charles and Lillian spent most of their time in the home's library. John said that when he wanted to find his parents, he'd always go to the library. It has a large north window which faces a beautiful courtyard. When Charles first bought the house, the view from the window was the back of the garage, so he hired landscape architect, C. C. "Pat" Fleming, to design a courtyard there. When Fleming asked for a \$350 retainer, Charles resisted until Lillian told him to pay it.

The Duncan family ate in the dining room on weekends and special occasions, but ate in the breakfast room most of the time. The dining room had a large red chandelier that John Duncan moved to his home on Knollwood after they sold Inverness. Dennis Rasche still cleans the old red chandelier on Knollwood as well as the new one that replaced it on Inverness.

The kitchen has a small buzzer on the wall that rang when Mrs. Duncan pressed a button on the floor under the table in the dining room for service. Because Lillian Duncan was only 5 feet 2 inches, she had trouble reaching the floor buzzer. So she often used a small dinner bell on the table instead.

The entry hall stairway is the perfect place for the family Christmas tree. Each year, both the Duncans and Cantrells put their Christmas tree right in the bend of the staircase, with the tree top extending into the second floor. The top of the newel post on the stairway has a small round hole that once held a large pear-shaped pink marble finial, or "newel cap." John Duncan now has the newel cap at his Chevy Chase home.

On hot summer days, both the Duncans and Cantrells relaxed with a cool drink on the large covered screen porch that connects the back door to the garage, laundry room, and servants' quarters. It features a white brick fireplace with an attached brick barbeque pit. The porch had floor to ceiling screens until the Cantrells added white wood panels half way up for added security in the 1980s. The porch looks onto Timber Lane through the original ligustrum hedge designed by C. C. "Pat" Fleming in 1950. Neither the Duncans nor the Cantrells used the backyard much. But they could often be seen in the large front yard playing games or having birthday parties.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY:

The Charles W. Duncan, Sr., House was designed in the Colonial Revival style. The two-story home sits on the corner of Inverness Drive and Timber Lane on a large, wooded lot. The house is white brick with six round wide columns resting on a red brick porch. The front door has its original hardware and side lights, and the outside brick wall to the left of the door has the original solid bronze vertical mail slot made by American Device Manufacturing Co. in Illinois.

Upon entering the home, there is a large entry hall and a winding staircase with ornate spindles that curl upstairs. The downstairs has a large entry hall, living room, dining room, breakfast room, butlery, galley kitchen, walk-in pantry, guest bathroom, library, telephone hall, sunroom, basement, and screened porch with fireplace and barbeque pit. The dining room, entry hall, living room and library are covered with the same hardwood floor with 14 foot planks.

The old galley style kitchen is in its original condition. The walls are lined with white wooden cupboards, tiles, and old style glass bricks. The units, counters, and cupboards make a continuous array with no kitchen table, allowing maximum use of restricted space and minimum required movement between units. A butlery, with a large sink and ample countertops and cupboards, connects the kitchen to the dining room. In 1970, the Duncans added a downstairs master bedroom and bathroom suite, hallway, atrium, and elevator designed by architect,

John F. Houchins. The bedroom and hallway have modern hardwood floors and large picture windows that overlook the atrium and the courtyard.

The home originally had two screened porches. One faced southeast to catch the evening breeze, which was typical of most homes in River Oaks built at that time, and one facing northwest. In 1970, the southeast porch was built up, glassed in, and carpeted as part of the 1970 addition. It is now a sunroom and study. The porch facing northwest has a white brick fireplace and attached barbeque pit.

The upstairs also has 4 bedrooms, 3 full baths, a sun room, and sewing room with the original Precision folding stairs leading to a third-story attic. All rooms except the attic and bathrooms have the original hardwood flooring with 14 foot planks. The old master bedroom is now a game room, but the other rooms are still used for their original purpose. All the windows have the original 2-inch white wooden blinds purchased by Mrs. Duncan in 1949. The bathroom walls and floors have the original 5-inch square tiles in pastel shades of yellow, pink, blue, green, and coral that were popular in the 1940s. A slim row of decorative tiles borders the tiling across the top. The original bathtubs, showers, gas wall heaters, and free standing sinks are still there, but most of the toilets have been replaced.

As mentioned above, the landscaping was designed by renowned landscape architect C. C. "Pat" Fleming in 1950. The 1970 addition was designed by architect John F. Houchins. There have been no other significant additions or improvements.

BIBLIOGRAPHY:

Guidestar.org database of public and private charities.

Harris County Probate Court Records.

Houston Chronicle, "Services are set for Charles Duncan, Sr.", May 14, 1978.

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

Houston Chronicle, 1972 Obituary for J. Leon Osborn.

Houston Post, article on building, February 6, 1949.

Original sketches and architectural plans of Osborn, Fleming, and Houchins.

Pace, G. Randle, Cheek-Neal Coffee Company, 2017 Preston Avenue, City of Houston Landmark Designation Application, 2005

Personal interviews with Charles W. Duncan, Jr., and John H. Duncan.

River Oaks Property Owners Association card files.

River Oaks Scrapbooks, Volumes 9, 10, 15 and 16.

Texas Secretary of State Business and Public Filings.

Stephen Fox, Adjunct Lecturer on Architecture at Rice University and author of Houston Architectural Guide.

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

APPROVAL CRITERIA FOR LANDMARK DESIGNATION:

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

CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

S NA

S - satisfies NA - not applicable

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

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission accept the recommendation of the Houston Archaeological and Historical Commission and recommend to City Council the Landmark Designation of the Charles W. Duncan, Sr., House at 3664 Inverness Drive.

SITE LOCATION MAP
CHARLES W. DUNCAN, SR., HOME
3664 INVERNESS DRIVE
NOT TO SCALE



TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance authorizing the abandonment and sale of a 10-foot-wide water line easement containing ±8,490 square feet, located in the John D. Taylor Survey, A-72. Parcel SY6-068	Category # 7	Page 1 of <u>1</u>	Agenda Item # 12
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 8/23/07	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>MS Marcotte 8/22/07</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: G Key Map 490M PC
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For additional information contact: Nancy P. Collins Phone: (713) 837-0881 (NPC) Senior Assistant Director-Real Estate	Date and identification of prior authorizing Council Action: C.M. 2006-0235 (3/22/06)
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RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of a 10-foot-wide water line easement containing ±8,490 square feet, located in the John D. Taylor Survey, A-72. **Parcel SY6-068**

Amount and Source of Funding: Not Applicable	F & A Budget:
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SPECIFIC EXPLANATION:
By Council Motion 2006-0235, City Council authorized the subject transaction. Second Baptist Church, the property owner, plans to expand its classroom facilities over the area containing the existing easement.

Second Baptist Church has complied with the council motion requirements, has accepted the City's offer, and has rendered payment in full.

The City will abandon and sell to Second Baptist Church:

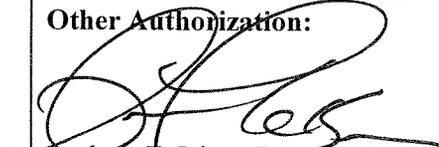
Parcel SY6-068	
8490-square-foot water line easement	\$250,455.00
TOTAL ABANDONMENT	<u>\$250,455.00</u>

MSM: NPC: dob

c: Marlene Gafrick
Daniel W. Krueger, P.E.
Marty Stein
Jeff Taylor

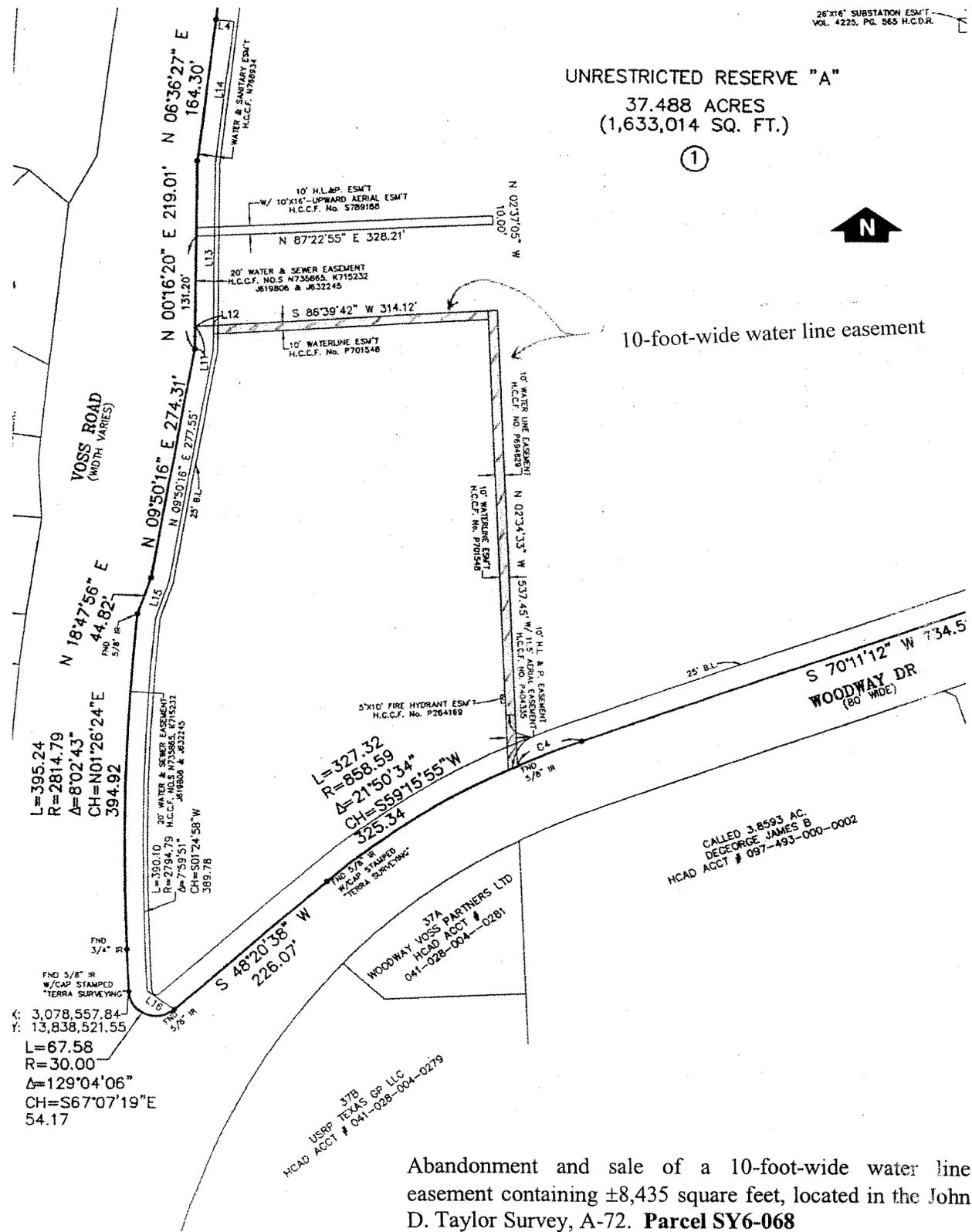
s:\dob\sy6-068.rc2.doc CUIC #20DOB013

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division
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UNRESTRICTED RESERVE "A"
37.488 ACRES
(1,633,014 SQ. FT.)

①



Abandonment and sale of a 10-foot-wide water line easement containing ±8,435 square feet, located in the John D. Taylor Survey, A-72. **Parcel SY6-068**

MOTION by Council Member Holm that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Charles Penland, Walter P. Moore & Associates, 3131 Eastside, Second Floor, Houston, Texas 77098, on behalf of Second Baptist Church (Lee Maxey, Associate Pastor/Church Administrator), for the abandonment and sale of a 10-foot-wide water line easement containing $\pm 8,435$ square feet, located in the John D. Taylor Survey, A-72, Parcel SY6-068, be adopted as follows:

1. The City abandon and sell a 10-foot-wide water line easement containing $\pm 8,435$ square feet, located in the John D. Taylor Survey, A-72;
2. The applicant be required to cut, plug, and abandon the existing 8-inch water line within the easement to be abandoned and sold and reconnect any water meters currently being serviced by this line to the 12-inch water line in Voss Road or Woodway Drive, all at no cost to the City and under the proper permits, and pay the depreciated value of the utilities being abandoned;
3. 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;
4. The Legal Department be authorized to prepare the necessary transaction documents; and
5. Mr. William Evans and Mr. Michael Copland, independent real estate appraisers, are hereby appointed to established the value, inasmuch as the value of the property interests is expected to exceed \$25,000.00 and Mr. Al Abbott is hereby appointed as alternate appraiser should one of the two appointed appraisers be unable to accept the assignment.

Seconded by Council Member Khan and carried.

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

PASSED AND ADOPTED this 22nd day of March, 2006.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is March 28, 2006.


City Secretary

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: 2007-2008 Mayor's After-School Achievement Program

Category #

Page 1 of 2

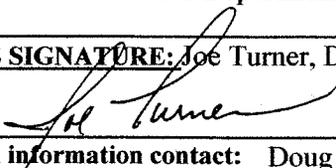
Agenda Item **13**

FROM (Department or other point of origin):
Houston Parks and Recreation Department

Origination Date:
August 6, 2007

Agenda Date
AUG 29 2007

DIRECTOR'S SIGNATURE: Joe Turner, Director



Council District(s) affected:
A,B,D,F,G,I

For additional information contact: Doug Earle, 713-845-8075
Twonda Thompson, 713-845-1146
Dan Pederson, 713-845-1248

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary):

Approval of contracts for the implementation of afterschool programming through the Mayor's 2007-2008 After-School Achievement Program with **Chancellor Family Center, Chinese Community Center, Community Family Center, Houston Gateway Academy, Julia C. Hester House, Living Word Fellowship Church, St. James School, Urban Affairs Corporation and YMCA of Greater Houston.**

Amount of Funding: \$490,000.00 General Fund (1000)

F&A Budget:

SPECIFIC EXPLANATION:

HPARD recommends the approval of 9 contracts for the operation of 14 after-school sites for the 2007-2008 Mayor's After-School Achievement Program (ASAP). This will be the eleventh consecutive program year for ASAP.

- Schools receiving funding through the U.S. Department of Education's 21st Century Community Learning Centers (CLC) Program (which provide schools with more than \$100,000 annually for enrichment programming) are not eligible to apply. Schools with limited carryover funds (less than \$50,000) from a prior year of 21st Century CLC funding were eligible to apply for ASAP funds.
- The funding schedule provides sites with sufficient funds to increase the quality of service in order to operate a safe and successful program, while requiring all sites to commit Cash and In-Kind matching funds:

2007-2008 Maximum ASAP Grant Amounts, Cash and In-kind Match Requirements			
	ASAP Grant	Cash Match	In-Kind Match
Minimum Grant Amount	\$25,000	\$10,000	\$10,000
Maximum Grant Amount	\$45,000	\$10,000	\$10,000
Funding is determined based upon a \$1,000 per child rate with a minimum average daily attendance of 25 to 45 youth participants per site.			

A request for proposals was posted on the Parks and Recreation Department's website and mailed to area schools and non-profit organizations. Eight application workshops were conducted. Applications were due by 5:00 pm on April 23, 2007. A total of 80 applications were received. Of the 9 contracts (representing 14 sites) recommended for funding through this RCA, 7 are new sites and 7 are renewing sites (see list on page 2). Staff reviewed proposals for compliance with minimum standards and volunteer reviewers read and scored proposals based on review criteria included in the RFP. Council action to award additional contracts to Houston ISD (19 sites), Spring Branch ISD (2 sites), and Clear Creek ISD (1 site) will be forthcoming.

F&A Director:

Other Authorization:

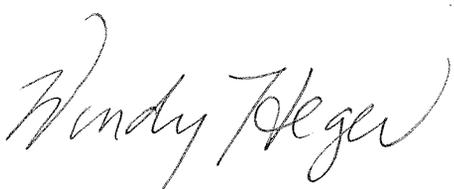
Other Authorization:

NDT

LIST OF PARTICIPATING AGENCIES:

<u>Non-Profit Organization</u>	<u>Council District</u>	<u>Funding Amount</u>
Chancellor Family Center	C	\$35,000.00
Chinese Community Center	F	\$45,000.00
Community Family Center	H	\$30,000.00
Houston Gateway Academy *	I	\$30,000.00
Julia C. Hester House	B	\$45,000.00
Living Word Fellowship Church *	B	\$30,000.00
St. James School	D	\$30,000.00
Urban Affairs Corporation *	B	\$25,000.00
YMCA Alief - Sneed Elementary School	G	\$35,000.00
YMCA Alief - Best Elementary School *	F	\$35,000.00
YMCA Clay Road - Thornwood Elementary School *	A	\$35,000.00
YMCA Cossaboom - Tijerina Elementary School *	I	\$35,000.00
YMCA Downtown - Gregory Lincoln Elementary School	I	\$45,000.00
YMCA International - Piney Point Elementary School *	G	\$35,000.00

* Indicating new sites.

SUBJECT: Appropriate Funds for Issuance of a Purchase Order with m Architects LLC HPL Express Discovery Green WBS No. E -000119-0001-3		Page 1 of 1	Agenda Item 14
FROM (Department or other point of origin): General Services Department		Origination Date	Agenda Date AUG 29 2007
DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E. <i>by Louis H. Chaff.</i>		Council Districts affected: 1	
For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 713-247-1814		Date and identification of prior authorizing Council action:	
RECOMMENDATION: Appropriate funds for the project.			
Amount and Source Of Funding: \$ 25,000.00 Public Library Consolidated Construction Fund (4507)			F & A Budget:
SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council appropriate \$25,000 from the Public Library Consolidated Construction Fund to fund the issuance of a purchase order to m Architects LLC for professional architectural services in connection with the HPL Express Discovery Green for the Houston Public Library. m Architects LLC developed the HPL Express concept for the American Library Association. The City of Houston adopted this concept and selected m Architects LLC to develop this project.			
PROJECT LOCATION: 1500 McKinney (493R)			
PROJECT DESCRIPTION: The project provides for the design of a 350 square feet HPL Express to be located in the new downtown Discovery Green park complex. A typical HPL Express is 5,000 square feet and includes computer and wireless Internet access services, checkout point for materials delivered from the Central library, periodicals and a limited collection. This smaller HPL Express will not include its own collection. The scope of services includes design for interior build out, furniture and fixtures.			
IZD:WTH:MCP:JLN:jln			
c: Marty Stein, Jacquelyn L. Nisby, John Middleton, Velma Laws, James Tillman IV, File 507			
REQUIRED AUTHORIZATION			CUIC#WTH49
General Services Department:  Wendy Teas Heger, AIA Chief of Design & Construction Division		Houston Public Library: Rhea Brown Lawson, PhD. Director	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving the first amendment to contracts No. FC55256 with AAR Incorporated, FC55267 with Ortho Construction Renovation Company , FC55350 with Alfred M. Torres, Jr. dba R&A Building Specialists, FC55266 with Trebor Incorporated, FC55255 with Lonnie Charles Watson dba Watson Consolidated	Category # 9	Page 1 of 1	Agenda Item # 15
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FROM (Department or other point of origin): Houston Department of Health and Human Services	Origination Date 08/17/07	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>Stephen J. Williams</i>	Council District affected: ALL
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For additional information contact: Kathy Barton Telephone: 713-794-9998 ; 713-826-5801	Date and identification of prior authorizing Council action: 07-30-03; 03-715; 10-12-05; 05-1147.
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RECOMMENDATION: (Summary)
Approval of an Ordinance to authorize the first amendment to various contractors of lead risk reduction services to extend the term of services.

Amount of Funding: None Required	F&A Budget:
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SOURCE OF FUNDING: [] General Fund [] Grant Fund [] Enterprise Fund [] Other (Specify)

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance to extend the term of service to various contractors for lead risk reduction services for the City's Lead-Base Paint Hazard Control Program. These contracts were approved by City Council on July 30, 2003, under Ordinance No. 2003-715. The contractors and their respective extension of term are:

Contractors	Current Term	Extended Term
AAR Incorporated	09-03-07	09-03-08
Ortho Construction Renovation Company	09-05-07	09-05-08
Alfred M. Torres, Jr. dba R&A Building Specialists	10-07-07	10-07-08
Trebor Incorporated	09-08-07	09-08-08
Lonnie Charles Watson dba Watson Consolidated	09-03-07	09-03-08

The Lead-Base Paint Hazard Control Program is focused upon reducing lead hazards, lead poisoning and associated environmental hazards by the year 2010. The staff includes nurses, inspectors, counselors and relocation counselors. HDHHS moves some clients and their possessions from their housing units for lead hazard reduction to protect the health of the family. HDHHS works with three minority owned /operated moving companies. HDHHS has contracts with five minority owned/operated construction companies in order to provide lead hazard reduction to the clients, which includes window replacement, paint, and installation of siding. The program activities encompass: screening, education, risk reduction, inspections, risk assessments, temporary relocations and interim control of lead-based hazards and monitoring in eligible rental (occupied or vacant), or privately owned, single family housing units and buildings that are occupied by low income families. In the last five years, the program has provided risk reduction to 1,600 houses, educated 26,651 individuals and screened 170,000 children.

cc: Finance & Administration, Legal Department , Agenda Director

REQUIRED AUTHORIZATION

F&A Director	Other Authorization:	Other Authorization:
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SUBJECT: Lease Agreements – Humble Plaza, Ltd., d/b/a Meadowbrook Retail Center – William P. Hobby Airport (HOU)		Category #	Page 1 of 2	Agenda Item # <i>16</i>
FROM (Department or other point of origin): Houston Airport System		Origination Date August 14, 2007	Agenda Date AUG 29 2007	
DIRECTOR'S SIGNATURE: <i>Kae Jan</i>		Council District affected: I		
For additional information contact: Janet Schafer <i>JS</i> Phone: 281/233-1796 Lucy S. Ortiz		Date and identification of prior authorizing Council action: N/A		
AMOUNT & SOURCE OF FUNDING: REVENUE: \$6,295.07 per year (\$524.59* monthly)		Prior appropriations: N/A		
RECOMMENDATION: (Summary) Enact an ordinance approving and authorizing a lease agreement between the City of Houston and Humble Plaza, Ltd., d/b/a Meadowbrook Retail Center for certain premises at William P. Hobby Airport (HOU).				
SPECIFIC EXPLANATION: In exchange for the consideration listed below, Humble Plaza, Ltd., of which HUCO, Inc. is the general partner, d/b/a Meadowbrook Retail Center ("Lessee") wishes to lease an adjacent greenbelt area and drive access between the north property line of William P. Hobby Airport and Airport Boulevard to support Lessee's retail center at 8100 Airport Boulevard. The pertinent terms and conditions of the lease agreement are as follows: 1. Leased Premises: Approximately 17,985.919 square feet (approximately 0.413 acres) of improved land located adjacent to the Meadowbrook Retail Center at 8100 Airport Boulevard. 2. Term: Ten consecutive years from date of countersignature, unless otherwise terminated in accordance with the terms of the agreement. 3. Option: Subject to the Director's consent, two 5-year option periods exercised by giving the Director prior written notice.				
REQUIRED AUTHORIZATION				
F&A Budget:		Other Authorization:		Other Authorization:

Date August 14, 2007	Subject: Lease Agreements – Humble Plaza, Ltd., d/b/a Meadowbrook Retail Center – William P. Hobby Airport (HOU)	Originator's Initials	Page 2 of 2
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4. Use: Only as a greenbelt and for driveway access to Lessee's adjacent property from Airport Boulevard. No automobile parking is permitted; however, Lessee has erected one Department approved retail center identification sign on the Leased Premises.
5. Rental: Based on appraisals effective on countersignature date until the end of the first five consecutive years of term \$6,295.07 annually (\$524.59* monthly, which shall be adjusted at year end to reconcile with the annual rate). The rental amount increases by 15 percent at the end of the initial five years of term and if exercised, at the beginning of each option period.
6. Performance Security: Upon the first occurrence of a late rental payment, Director may require Lessee to provide performance security in the total amount of \$1,049.18 which represents two month's rent.
7. Maintenance and Utilities: Lessee shall assume the entire responsibility, cost and expense for all repairs and maintenance of the Leased Premises and shall be responsible for all utilities, if any, furnished to the Leased Premises.
8. Indemnification and Insurance: Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the agreement.
9. Environmental Matters and Airport Rules: Lessee shall comply with all federal, state and local environmental laws and all airport policies and procedures.
10. Other: Lessee agrees to comply with all rules and regulations adopted by the airport and/or the FAA, and/or the TSA, and to comply with all federal, state and local statutes, ordinances, regulations and policies.

RMV:lso
Attachments

- cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo Michel
Ms. Kathy Elek
Ms. Sara S. Culbreth
Mr. Dave Arthur
Mr. Richard Fernandez
Mr. Charles Wall
Ms. Mary Case
Mr. Brian Rinehart
Ms. Janet Schafer
Ms. Ellen Erenbaum
Mr. Randy Riven

SUBJECT: Approve Amendment No. 3 to the Professional Consulting Services Contract with Roger H. Bates, a sole proprietor, to provide Traffic and Earnings Report(s) and general financial advisory services for the Houston Airport System (Contract No. 53176)	Category #	Page 1 of 2	Agenda Item # 17
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 9, 2007	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>Kae</i> <i>Th B Bartlett For RMV</i>	Council District affected: B, E, I
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For additional information contact: David Arthur Phone: 281/233-1388 Ellen Erenbaum Phone: 281/233-1981	Date and identification of prior authorizing Council action: Ord. No. 2001-0914, 10/02/2001 Ord. No. 2004-0966, 09/15/2004 Ord. No. 2004-1204, 11/23/2004
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AMOUNT & SOURCE OF FUNDING: \$100,000.00 HAS Revenue Fund (8001)	Prior appropriations: \$475,000.00 10/2/2001 \$400,000.00 9/15/2004
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RECOMMENDATION: (Summary)
 Approve Amendment No. 3 to the Professional Consulting Services contract between the City of Houston and Roger H. Bates, a sole proprietor, to extend the contract to January 31, 2008 and increase the amount by \$100,000.

SPECIFIC EXPLANATION:

On October 2, 2001, City Council approved a professional services contract with Roger H. Bates, a sole proprietor, to perform a Traffic and Earnings ("T&E") study in conjunction with the upcoming bond issue and provide general financial advisory services for the Houston Airport System ("HAS") over a three-year period. The general advisory services include developing and updating the financing strategy for the CIP, updates to long-term financial forecasts, assistance in negotiations of airline agreements for Terminal D and the new Central FIS, assistance to HAS staff in preparation of the annual rates and charges and year-end reconciliation. On September 15, 2004, City Council approved an amendment to the contract extending it for an additional 3 years with an additional appropriation of \$400,000. On November 23, 2004, City Council approved an amendment to allow for additional sub-consultants or positions with the approval of the Director of HAS and allows for the \$2,500 payment to a sub-consultant that was not included in the original list.

Roger Bates is working with HAS on several airline and airport requests to determine the project feasibility and how to allocate the costs to users of the facilities. HAS would like to extend the contract from October 11, 2007 to January 31, 2008 and increase it by \$100,000 to finalize these, and other on-going projects.

REQUIRED AUTHORIZATION NDT

F&A Budget: <i>Michelle Adell</i>	Other Authorization:	Other Authorization:
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Date July 5, 2007	Subject: Approve Amendment No. 3 to the Professional Consulting Services Contract with Roger H. Bates, a sole proprietor, to provide Traffic and Earnings Report(s) and general financial advisory services for the Houston Airport System	Originator's Initials	Page 2 of 2
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M/WBE PARTICIPATION:

To date, the contractor has achieved 6.7% M/WBE participation on a 10% goal. Since the contract was originally awarded in 2001, HAS has begun using new data collection software (PARSIS and SAP) to gather information that had previously been collected by the M/WBE subcontractor, Mir, Fox and Rodriguez. According to the Affirmative Action Division, Roger Bates has utilized the assigned M/WBE to the fullest extent possible, considering the change in the scope of work, and there is no other subcontracting potential for the proposed three-month extension.

RMV:EE

Attachments

- cc: Ms. Marty Stein
- Mr. Anthony Hall
- Mr. Arturo G. Michel
- Ms. Velma Laws
- Mr. Richard M. Vacar
- Mr. David Arthur
- Ms. Ellen Erenbaum
- Ms. Kathy Elek
- Mr. J. Goodwille Pierre

SUBJECT: Approve contract for legal services with Bracewell & Giuliani for legal representation in the defense of the City in Kubosh v. COH		Category # 6	Page 1 of 1	Agenda Item # 18
FROM (Department or other point of origin): Legal Department		Origination Date 08/24/2007	Agenda Date 08/29/2007	
DIRECTOR'S SIGNATURE: <i>Arturo A. Michel</i>		Council District affected: ALL		
For additional information contact: Arturo Michel Phone: 713.247.1155		Date and identification of prior authorizing Council action: None		
RECOMMENDATION: (Summary) That Council approve an ordinance authorizing a contract for legal services with Bracewell & Giuliani in connection with the case of Kubosh v. City of Houston				
Amount of Funding: \$175,000			F&A Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input checked="" type="checkbox"/> Other (Specify) <i>Property & Casualty Fund (1004)</i>				
SPECIFIC EXPLANATION: This legal services contract is to have a law firm to represent the City in a lawsuit challenging the validity and enforcement powers of the City's red light camera ordinance. The plaintiffs are seeking to certify a class action and are represented by a well established Texas firm, Thompson and Knight. The City seeks to engage the law firm of Bracewell & Giuliani L.L.P. to represent it in this lawsuit. Bracewell & Giuliani has specialized knowledge in the area of municipal authority to use red light cameras in Texas and related legal areas of preemption and constitutional law. Additionally, the firm has the necessary trial expertise. Further, because the court has ordered a hearing in the near future to address the plaintiff's request for temporary relief, assistance from outside counsel is needed to timely prepare the defense. AGM:asw H:\WPFILES\IRCAS\lagm00011.wpd				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7564

Subject: Ordinance amending contract between the City of Houston and Phoenix Business Consulting for professional programming services.

Category #
5

Page 1 of 2

Agenda Item

19

FROM (Department or other point of origin):

Richard Lewis
Chief Information Officer
Information Technology

Origination Date

August 08, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

Richard Lewis

Council District(s) affected

For additional information contact:

Richard Lewis Phone: (832) 393-0065
Earl M. Lambert Phone: (832) 393-0038

Date and Identification of prior authorizing Council Action:

05-405 (4/27/05), 06-118 (2/1/06), 07-56 (1/10/07)

RECOMMENDATION: (Summary)

Approve an Ordinance amending a contract with Phoenix Business Consulting to extend the term and increase the maximum contract amount for professional SAP programming services.

Additional spending authority-3 years-\$2,250,000.00

F & A Budget

Michael...

Initial allocation: \$90,000.00-Fund 1007-ERP Special Non-Recurring Fund

SPECIFIC EXPLANATION:

Phoenix Business Consulting was chosen through a Request for Proposal process to develop the conversion and interface programs required to implement the new Enterprise Resource Planning System, also known as the Houston One Project (HOP). Over the past two years, Phoenix has been instrumental in the City's successful transition in both the phase one Material Management/Financial application and phase two Payroll application. Recently, the City issued the 100,000th check for services and goods procured for City operations. Also, over the past four months, the new Payroll application has generated nearly 200,000 payroll checks and pay advices.

The Houston One Project is providing a solid foundation for building new capabilities that can automate additional manual processes and transform the way the City works. Our ability to deliver successful, cost-effective projects will depend on our ability to engage skilled SAP programmers at highly competitive market rates. Candidate projects for the next phase include automation of some of the City's most complex processes, including Workers Compensation, personnel change documentation (201 Forms), permits and licenses, salary allocation, and tracking retiree health benefits plans.

The original contract with Phoenix was approved by Council on February 1, 2006, with a maximum contract amount of \$1,565,313. On January 10, 2007, Council approved an amendment to the contract, which increased the maximum contract amount by \$390,000 to cover costs associated with the extension of the schedule for the new Payroll application. Phoenix has consistently provided skilled SAP programmers at a significant discount to the rates negotiated with SAP. The proposed contract amendment will:

- 1) Maintain rates negotiated with Phoenix Business Consulting twenty months ago
- 2) Renew the contract for 3 years and provide the City with a renewal option for the fourth and fifth year of the contract
- 3) Provide clearer language regarding City ownership of intellectual properties
- 4) Encumber \$90,000 from the ERP Project Budget (Fund 1007-Special Non-Recurring Fund) to cover start up costs for planned projects and provide staffing to support ERP operations while the City fills an open position created by employee turnover
- 5) Increase the maximum contract amount to \$4,205,313 (an increase of \$2,250,000) and authorize supplemental allocations to be funded out of the Equipment Acquisition Fund or other funds appropriate to specific projects

REQUIRED AUTHORIZATION

NOT

F&A Director:

Other Authorization:

Other Authorization:

Date: 8/8/2007	Subject: Ordinance amending contract between the City of Houston and Phoenix Business Consulting for professional programming services.	Originator's Initials BC	Page 2 of 2
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M/WBE Participation

The original contract award included a 15% M/WBE participation goal. Phoenix's minority partner selected for the project was CVR Consulting. Phoenix has achieved a 14.5% participation level which is approximately 99% of the goal and is continuing its good faith efforts to achieve or exceed the contract goal.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7565

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Streaming Video Services for the Municipal Channel

Category #
4 & 5

Page 1 of 1

Agenda Item

20

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 09, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Carol Herrera Phone: (832) 393-1270
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to the best respondent, Swagit Productions, LLC in an amount not to exceed \$99,666.00 for streaming video services for the Municipal Channel.

Estimated Spending Authority: \$99,666.00

F & A Budget

\$99,666.00 Cable Television Fund (2401)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term to the best respondent, Swagit Productions, LLC in an amount not to exceed \$99,666.00 for streaming video services for the Municipal Channel. The City Purchasing Agent may terminate this contract at any time, upon 30 days written notice to the contractor.

The scope of work requires the contractor to provide all supervision, labor, tools, equipment, parts, expendable items, material and supplies necessary to provide streaming video services and on-demand content from the Municipal Channel's broadcast programming. The contractor shall provide 24x7 streaming video service from the Municipal Channel's HTV program line-up, on-demand specialty content, indexing and archiving City Council meetings. Additionally, the content will be made accessible via Flash Media format and specialty content will also be made available via Podcasting.

The Municipal Channel is responsible for effectively communicating to the public relevant information concerning municipal and related governmental and community services. Currently, the Municipal Channel programming is broadcast 24 hours a day 7 days a week. Typical programs include live City Council meetings, live field productions, and in-house studio productions. This contract will allow the Municipal Channel to reach a greater market segment via the Internet that are currently unable to get HTV on their cable network.

In accordance with the State guidelines, three catalog bids were received from Granicus, Inc., Swagit Productions, LLC, and Ensemble Group. Swagit Productions, LLC submitted the best response for these services.

The City is authorized under Government Code Chapter 2157, Section 2157.061 to use the catalog purchase method by catalog information systems vendors.

Buyer: Frank Rodriguez

Estimated Spending Authority:

DEPARTMENT	FY2008	OUT YEARS	TOTAL
Mayor's Office	\$24,666.00	\$75,000.00	\$99,666.00

REQUIRED AUTHORIZATION

NDT

F&A Director:

Other Authorization:

Other Authorization:

D

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary RCA# 7513

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for an Internet Traffic Accident Reports System for the Police Department
Category # 4 & 5
Page 1 of 2
Agenda Item 21

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Finance and Administration Department
Origination Date: August 09, 2007
Agenda Date: AUG 29 2007

DIRECTOR'S SIGNATURE: [Signature]
Council District(s) affected: All

For additional information contact: Joseph Fenninger (713) 308-1708, Ray DuRousseau (713) 247-1735
Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary) Approve an ordinance awarding a contract to the best respondent, VectraReports.com, Inc. in an amount not to exceed \$70,000.00 for an Internet traffic accident reports system for the Police Department.

Maximum Contract Amount - \$70,000 F & A Budget

\$70,000.00 - General Fund (1000)

SPECIFIC EXPLANATION: The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term to the best respondent, VectraReports.com, Inc. in an amount not to exceed \$70,000.00 for an Internet traffic accident reports system for the Police Department (HPD).
Currently, HPD officers prepare handwritten reports on all traffic accidents. These reports are then sent to the Department's Mobility Incident Management Division where a quality control action is performed. Hard copies of these reports are then sent to the Municipal Courts Administration Department and the Department of Public Safety where the information is scanned into their respective system. Finally, the Department's Mobility Management scans the original document into an image server which is accessed by the Department's Records Division and indexes the reports. Citizens are then required to personally appear at 1200 Travis to obtain a copy of the report at a cost of \$6.00 each.
The scope of work requires the contractor to provide all labor, equipment, supplies, supervision and maintenance to provide an online secure website to store traffic accident reports and make them accessible to the public. The contractor will be required to scan, process, index and store approximately 7,000 reports each month, varying from four to eight pages. These reports will then be made accessible to the citizens and insurance companies via a secured access website that will allow them to download and print a copy of a traffic accident report. The website will be available 24 hours a day, 7 days per week. Fees for reports are as follows:
• \$7.50 - Reports purchased through the vendor's website - either via the Internet or kiosk
• \$6.00 - Reports/certified copies purchased at the 1200 Travis location
Funds are being encumbered for the initial year of the contract as the Department will be required to pay \$1.75 for each report scanned and indexed by the contractor. Revenue produced from the sale of reports will fund subsequent contract years.

REQUIRED AUTHORIZATION

NOT

F&A Director: Other Authorization: Other Authorization:

Date: 8/9/2007	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for an Internet Traffic Accident Reports System for the Police Department	Originator's Initials FR	Page 2 of 2
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The Request for Proposal (RFP) was advertised and evaluated in accordance with the requirements of the State of Texas bid laws, and as a result, proposals were received from Docview, LLC, PoliceReports.US, LLC, DocuData Solutions, LLC and VectraReports.com, Inc. The evaluation committee consisted of HPD employees. The proposals were evaluated based on the following criteria:

1. Value of Services Proposed
2. Responsiveness to RFP Requirements
3. Ability to Meet the City's Requirements
4. M/WBE Participation

VectraReports.com, Inc. received the highest overall score of 506 points out of a possible 600 points.

M/WBE Subcontracting:

This RFP was issued as a goal-oriented contract with an 11% M/WBE participation level. VectraReports.com, Inc. has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Percentage</u>
Fortis Interactive, LLC	Computer Related Services	11%

The Affirmative Action Division will monitor this award.

Funding Information

Estimated Spending Authority

Department	FY 2008	Out Years	Total
Police	\$70,000.00	\$.00	\$70,000.00

Buyer: Frank Rodriguez

SUBJECT: Ordinance appropriating funds out of the Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund for use in the re-inspection and repair of homes for the Single Family Home Repair Program.		Category #	Page 1 of 1	Agenda Item # 22
FROM (Department or other point of origin): Richard S. Celli, Director Housing and Community Development Department (HCDD)		Origination Date 08/22/07	Agenda Date AUG 29 2007	
DIRECTOR'S SIGNATURE: <i>Henry L. Hadnot</i>		Council District affected: All		
For additional information contact: Henry L. Hadnot Phone: (713) 868-8452		Date and identification of prior authorizing Council action: August 22, 2007 Ordinance No. 2007-0943 August 22, 2007 Ordinance No. 2007-0944		

RECOMMENDATION: (Summary) Approval of an Ordinance appropriating \$4,781,139.91 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Funds to Single Family Home Repair Program for repair and re-inspections.

Amount and Source of Funding: \$4,000,000.00 TIRZ Affordable Housing Fund (2409) - newly appropriated 781,139.91 TIRZ Affordable Housing Fund (2409) - de-obligated 8/22/07 and re-appropriated \$4,781,139.91 Total appropriation	F&A Budget:
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SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) requests approval of an Ordinance appropriating the total amount of \$4,781,139.91 to be used to repair houses under the Emergency Home Repair Program, which has been renamed the Single Family Home Repair Program.

By ordinances passed on August 22, 2007, City Council authorized the de-appropriation of TIRZ Affordable Housing Funds in the amount of \$781,139.91, which remained from prior program appropriations that were not spent. HCDD requests approval to re-appropriate these funds, along with \$4,000,000 in newly appropriated TIRZ Affordable Housing Funds, for a total of \$4,781,139.91, to complete HUD-mandated repairs under the Single Family Home Repair Program.

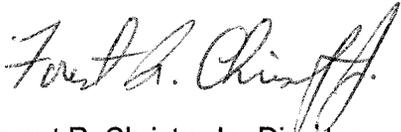
The proposed ordinance would further authorize HCDD to select construction contractors using the competitive sealed bid process. Individual construction awards over \$50,000 will require separate City Council action.

The Council Committee on Housing and Community Development reviewed the \$4,000,000 appropriation at its June 29, 2007 meeting and voted to recommend it favorably for Council action. On August 6, 2007, the Committee considered the de-appropriation of previously committed TIRZ Funds, which was subsequently approved by Council on August 22, 2007.

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization: <i>[Signature]</i>	Other Authorization:
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FOR JUDY GRAY JOHNSON

SUBJECT: Approve Auctioneer Services Contract Hudson & Marshall of Texas, Inc.		Page 1 of 1	Agenda Item 23
FROM (Department or other point of origin): General Services Department		Origination Date 8/24/07	Agenda Date AUG 29 2007
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Wandy Hegu</i>		Council District(s) affected: A, B, D, E, F, G, I	
For additional information contact: Jacquelyn L. Nisby 713-247-1814		Date and identification of prior authorizing Council action:	
RECOMMENDATION: Approve and authorize an Auctioneer Services Contract with Hudson & Marshall of Texas, Inc., and authorize the Mayor to execute and the City Secretary to attest Special Warranty Deeds conveying the properties.			
Amount and Source Of Funding: NA		F&A Budget:	
<p>SPECIFIC EXPLANATION: The City proposes to sell at public auction 36 surplus City properties (see <i>Attachment</i>). The City will achieve time and dollar savings by using this method to dispose of the properties simultaneously and return them to the Harris County Appraisal District taxroll. The auction of real property is permissible under the Local Government Code §254.008, Sale of Real Property by Public Auction. Therefore, the General Services Department recommends that City Council approve and authorize a contract with Hudson & Marshall Texas, Inc. (Auctioneer) for auctioneer services related to a one-time disposition of surplus City property through the auction process.</p> <p>SCOPE OF CONTRACT AND FEE: Under the terms of the contract, the Auctioneer will perform the following tasks:</p> <ol style="list-style-type: none"> 1) Act as a clearing center for cooperating brokers to receive literature. 2) Answer questions regarding the auction. 3) Advertise the Auction through newspapers and direct mail. 4) Contact closing agent, receive title commitments and coordinate the closings of all sales. <p>The Auctioneer will charge a 10% buyers premium on each property as compensation, or a minimum commission of \$1,250 per property. In addition, the City agrees to reimburse the Auctioneer for advertising expenses, up to \$17,500 from the proceeds of the sale.</p> <p>IZD:BC:JLN:JES:ddc</p> <p>xc: Marty Stein, Jacquelyn L. Nisby, Anna Russell</p>			
REQUIRED AUTHORIZATION			CUIC ID# 25 JES 07
General Services Department:  Forest R. Christy, Jr., Director Real Estate Division		Public Works & Engineering Department:  Michael S. Marcotte, P.E., DEE Director	

2007 Surplus Property Auction

	PARCEL	ADDRESS	SALES ATTEMPTS	Land Size	Council District	Opening Bid
1	S78 027	Kingspoint near Aldis	1	7,151 sq. ft.	E	\$8,581.00
2	S83-058	Garland at Vanderman	5	9,993 sq. ft.	I	\$39,992.00
3	S83 087	7302 Miley St	4	9,100 sq. ft.	B	\$7,280.00
4	S84 084	9322 Crestview Drive	4	16,117 sq. ft.	B	\$12,894.00
5	S84 088	2900 Briarwick Lane	4	7,650 sq. ft.	B	\$13,000.00
6	S84 091	11322 Leitrim Way	4	12,544 sq. ft.	D	\$15,680.00
7	S85 005	10103 Torrington Lane	5	23,519 sq. ft.	E	\$33,448.00
8	S85 036	12524 Mandalay Bay	3	11,434 sq. ft.	D	\$14,864.00
9	S85 047	10305 Roandale	3	7,289 sq. ft.	D	\$9,111.00
10	S85 048	9301 Merle Street	5	53,260 sq. ft.	D	\$53,973.00
11	S85 052	N. Wayside/ St. Louis	2	7,403 sq. ft.	B	\$9,254.00
12	S85 074	N. Wayside/ Boy	2	15,807 sq. ft.	B	\$19,759.00
13	S87 009	6502 Grape Street	3	7,000 sq. ft.	F	\$31,500.00
14	S88 024	5339 Greylog	4	0.355 acre	D	\$24,110.00
15	S95 051	11808 Teaneck Drive	1	1.2737 acres	E	\$45,850.00
16	S95 052	3703 Southlawn	3	38,175 sq. ft.	D	\$64,897.00
17	S95 055	3830 Tiffany	2	29,185 sq. ft.	D	\$43,698.00
18	S95 060	8314 Parkhurst Drive	2	9,900 sq. ft.	B	\$12,632.00
19	S96 013	5634 Arthington St	3	16,800 sq. ft.	D	\$42,000.00
20	SY3 014	5815 Leedale Rd	2	65,899.68 sq. ft.	B	\$75,445.00
21	SY3 015	Park 10 Utility District	3	2.5 acres	A	\$293,719.00
22	SY5 065	3600 Block Southlawn	1	5,000 sq. ft.	D	\$7,050.00
23	SY5 066	3600 Block Faulkner	1	5,000 sq. ft.	D	\$7,050.00
24	SY6 038	11239 Dalebrook Drive	3	16,406 sq. ft.	B	\$27,890.00
25	SY6 039	11503 Rowan Lane	3	25,095 sq. ft.	F	\$68,750.00
26	SY6 041	13003 Northborough Dr	1	19,515 sq. ft.	B	\$14,628.00
27	SY6 043	14000 Overbrook Ln	4	40,018 sq. ft.	G	\$80,000.00
28	SY6 046	3156 Crane St	5	55,824 sq. ft.	B	\$52,220.00
29	SY6 049	3900 Block Sardis	2	29,372 sq. ft.	A	\$35,248.00
30	SY6 054	7534 Touchstone	1	8,260 sq. ft.	B	\$9,025.00
31	S95-063	7114 Dorsetshire	1	4,761sq. ft.	A	\$9,900.00
32	SY6-104	3600 Block Beulah St.	0	5,000 sq. ft.	D	\$45,000.00
33	S84-072	10106 Ashville	0	6,094 sq. ft.	D	\$10,360.00
34	SY5-056	Park Place at Juniper	0	75,285 sq. ft.	I	\$150,450.00
35	SY7-043	8200 Block of Parkhurst	0	22,343 sq. ft.	B	\$24,700.00
36	SY7-002	Culing @ Bingle	0	27,445 sq.ft.	A	\$83,707.00

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7485

Subject: Approve an Amending Ordinance to Increase the Spending Authority for Contract No. C54629 for a Fire Rescue Monitoring and Accountability System for the Fire Department
TC-2-5895-037-13299-A1

Category #
4

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Agenda Item
24

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

Origination Date
August 10, 2007

Agenda Date
AUG 29 2007

DIRECTOR'S SIGNATURE


Council District(s) affected
All

For additional information contact:
Karen Dupont Phone: (713) 859-4934
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:
Ord.2002-1180; passed 12/18/02

RECOMMENDATION: (Summary)
Approve an amending ordinance to increase the spending authority for the contract between the City of Houston and Grace Industries, Inc. (formerly Grace Sales, Inc.) from \$999,497.00 to \$1,172,907.80 for a Fire Rescue Monitoring and Accountability System for the Fire Department.

Spending Authority Increase: \$173,410.80

F & A Budget

\$173,410.80 General Fund (1000)

SPECIFIC EXPLANATION:
The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the spending authority for the Contract between the City of Houston and Grace Industries, Inc. (formerly Grace Sales, Inc.) from \$999,497.00 to \$1,172,907.80 for a Fire Rescue Monitoring and Accountability System for the Fire Department. This contract was awarded on December 18, 2002, by Ordinance No. 2002-1180 for a three-year term, with two one-year options to extend, for a total five-year term in the amount of \$999,497.00. Expenditures as of June 7, 2007 totaled \$988,302.21.

The Fire Department utilizes the Grace integrated personnel accountability system commonly referred to as the T-Pass device to track firefighters involved in firefighting activities or other types of events occurring in Immediate Danger to Life and Health (IDLH) environments. The devices are manufactured to be used in extreme environments, but are not impervious to damage and wear associated with firefighting activities.

The scope of work requires the contractor to provide software enhancements and upgrades to the Command Base Transceiver's internal software, parts, repair, service and maintenance to the entire Fire Rescue Monitoring and Accountability System. Amending the ordinance will increase the spending authority an additional \$173,410.80 to meet the Department's operational needs until contract expiration on December 18, 2007. A new contract is currently being negotiated.

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

Buyer: Joyce Hays

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization: **NOT**

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7025

Subject: Approve an Amending Ordinance to Increase the Spending Authority for Contract No. C56426 for Taser Devices and Associated Equipment for the Houston Police Department
LC-N-4645-039-20460-A1

Category #
4

Page 1 of 1

Agenda Item

25

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 18, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

MS Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ord. #2004-1130, Passed November 3, 2004

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the spending authority between the City of Houston and GT Distributors, Inc. and Taser International, Inc. from \$4,679,855.55 to \$6,551,797.77 for taser devices and associated equipment for the Houston Police Department.

Award Amount: \$1,871,942.22

F & A Budget

\$1,871,942.22 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the spending authority between the City of Houston, and GT Distributors, Inc. and Taser International, Inc. from \$4,679,855.55 to \$6,551,797.77 for taser devices and associated equipment for the Houston Police Department.

This contract was awarded by City Council on November 3, 2004, by Ordinance No. 2004-1130 for a five-year term in an amount not to exceed \$4,679,855.55. The additional spending authority will allow the Department to continue to purchase taser devices and associated supplies and services through the end of the contract term. The City Purchasing Agent may terminate this contract at any time upon 30-day written notice to the contractor.

Under this contract, the Department may purchase Taser model X26E devices, including any upgrades, with holders, air cartridges and simulation air cartridges throughout the term of the contract. The contractor will provide a five-year warranty for each device. This purchase will also include the cartridges and software needed to activate the devices. The price includes training darts and other equipment.

GT Distributors, Inc. is the regional supplier for Taser International, Inc. The Equipment will be manufactured and drop shipped directly to the Houston Police Department. Because there is no M/WBE potential, and the Affirmative Action Division approved a 0% goal for the procurement.

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

Buyer: Richard Morris

REQUIRED AUTHORIZATION

NOT

F&A Director:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7387

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. C56253 for HVAC Services for Various Departments
LC-R-0734-012-20103-A1

Category #
4

Page 1 of 2

Agenda Item

26

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 23, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ordinance No. 2004-864, passed 08/18/04

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the maximum contract amount from \$5,654,732.50 to \$7,915,625.00 for the contract with Carrier Corporation for heating, ventilation and air conditioning maintenance services for various departments.

F & A Budget

Maximum Contract Amount Increased by \$2,260,892.50

\$1,310,892.50 - General Fund (1000)
\$ 950,000.00 - Water & Sewer System Operating Fund (8300)
\$2,260,892.50 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount for the contract with Carrier Corporation from \$5,654,732.50 to \$7,915,625.00 for heating, ventilation and air conditioning (HVAC) maintenance services for various departments. Under this contract, the contractor provides HVAC services at various City facilities managed by the Public Works & Engineering, General Services, Health & Human Services, Planning & Development, and Solid Waste Management Departments.

This contract was awarded on August 18, 2004, by Ordinance No. 2004-864 for a three-year term with two one-year options to extend, for a total five-year term, in the original amount of \$5,654,732.50. Expenditures as of July 11, 2007 totaled \$5,282,721.67. The additional spending authority is needed to sustain the Departments until the end of the contract term or until a new contract is put in place. Unforeseen equipment failures have caused expenditures to exceed the original estimated spending amount.

The scope of work requires the contractor to provide all labor, diagnostic test instruments, materials, equipment, transportation and supervision necessary to provide preventive maintenance, which includes monthly, quarterly and annual inspections along with remedial repairs on existing equipment. The contractor will also provide monthly performance reports, service logs, repair reports and quarterly quality control inspection records, which will allow the City to identify units that are not cost effective to maintain and should be replaced. All work will be in compliance with current Original Equipment Manufacturer, American National Standards Institute and American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc. standards and recommendations.

This contract was awarded with an 11% M/WBE participation goal and the contractor is currently achieving 1.48%. The majority of the M/WBE participation was to be performed by Air Quest Mechanical, which has a limited amount of personnel and has not been able to meet every need for servicing this contract. Carrier Corporation met with Affirmative Action and it was agreed that additional firms should be added to the contract. Carrier Corporation has agreed to add United Air Conditioning Supply, A C Engineered Systems,

REQUIRED AUTHORIZATION

NOT

F&A Director:

Other Authorization:

Other Authorization:

Date: 7/23/2007	Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. C56253 for HVAC Services for Various Departments LC-R-0734-012-20103-A1	Originator's Initials RM	Page 2 of 2
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Inc., and Distrib Aire Inc. to provide HVAC services which will increase the M/WBE participation level. The Affirmative Action Division will continue to monitor this contract to ensure maximum M/WBE participation.

Buyer: Richard Morris

Estimated Spending Plan			
Department	FY 2008	Out Years	Total
General Services	\$ 550,000.00	\$ 615,892.50	\$1,165,892.50
Public Works & Engineering	\$ 450,000.00	\$ 500,000.00	\$ 950,000.00
Houston Emergency Center	\$ 25,000.00	\$ 25,000.00	\$ 50,000.00
Solid Waste Management	\$ 45,000.00	\$ 50,000.00	\$ 95,000.00
Grand Total	\$1,070,000.00	\$1,190,892.50	\$2,260,892.50

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7546

Subject: Approve an Amending Ordinance to Increase the Spending Authority for Contract No. C55412 for Alarm Monitoring, Inspection, Maintenance and Telephone Response Services for Various Departments/LC-R-6350-027-13971-A1

Category #
4

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Agenda Item

27

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 10, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing

Council Action:
Ord. 2003-1009; Passed October 22, 2003

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the spending authority for the contract between the City of Houston and Johnson Controls, Inc. from \$815,177.58 to \$975,177.58 for alarm monitoring, inspection, maintenance and telephone response services for various departments.

Spending Authority Increase: \$160,000.00

F & A Budget

\$160,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the spending authority for the contract between the City Of Houston and Johnson Controls, Inc. from \$815,177.58 to \$975,177.58 for alarm monitoring, inspection, maintenance and telephone response services for various departments.

This contract was awarded on October 22, 2003, by Ordinance No. 2003-1009 for a three-year term, with two one-year options to extend, for a total five-year term in the amount of \$815,177.58. Expenditures as of July 16, 2007 totaled \$746,597.08. The additional spending authority is needed to sustain the Departments until the end of the contract term. The addition of the Houston Airport System to the contract has caused expenditures to exceed the original estimated spending amount.

The scope of work requires the contractor to provide all equipment, labor, materials, supervision and transportation necessary to monitor, maintain and respond to activated security alarms and fire alarms at facilities throughout the City. Additionally, the contractor will be required to provide 24/7 monitoring of elevator telephones at Health & Human Services and Solid Waste Management Department locations, as well as monitor low temperature alarms of walk-in coolers at Health & Human Services Department locations. The contractor is also required to perform periodic testing, repair and certification of fire alarm systems specified in the contract.

This contract was awarded with a 3% M/WBE participation goal and the contractor is currently exceeding its goal.

Buyer: Douglas Moore

REQUIRED AUTHORIZATION

NDT

F&A Director:

Other Authorization:

Other Authorization:

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7555

Subject: Approve an Amending Ordinance to Increase the Maximum Contract Amount for Contract No. C54895 for Overhead Door Repair Services for Various Departments
LC-R-0739-039-13752-A1

Category #
4

Page 1 of 1

Agenda Item

28

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 07, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ord. 2003-383; Passed April 16, 2003

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Holliday Door & Gate Systems, Inc. from \$1,784,853.72 to \$2,064,853.72 for overhead door repair services for various departments.

Increased Funding: \$280,000.00

F & A Budget

\$280,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an amending ordinance to increase the maximum contract amount for the contract between the City of Houston and Holliday Door & Gate Systems, Inc. from \$1,784,853.72 to \$2,064,853.72 for overhead door repair services for various departments.

The contract was awarded on April 16, 2003 by Ordinance No. 2003-383 for a three-year term, with two one-year options to extend, for a total five-year term, in the amount of \$1,784,853.72. Expenditures as of July 16, 2007 totaled \$1,745,911.78. The additional spending authority is needed to sustain the Departments until the end of the contract term in April 2008. The majority of work under this contract is for repair and replacement of overhead doors in fire stations, and expenditures have exceeded the original estimate. The General Services Department is reviewing alternative strategies to address these repairs in the future, including the use of in-house personnel.

The scope of work requires the contractor to provide all supervision, equipment, materials, labor, parts and transportation necessary to repair overhead doors at City-owned and leased facilities. Additionally, the contractor must provide 24/7 service, and in the event of an emergency condition, respond with sufficient crew to effect repairs within two hours of notification.

This contract was awarded with a 5% M/WBE participation goal and the contractor is currently exceeding the goal.

Buyer: Wanda Gale

REQUIRED AUTHORIZATION

NDT

F&A Director:

Other Authorization:

Other Authorization:

28

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7550

Subject: Approve an Ordinance Authorizing a First Amendment to Contract No. 4600007760 for Handling and Disposal of Hazardous Materials for Various Departments
S28-L22079-A1

Category #
4

Page 1 of 1

Agenda Item

29

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 02, 2007

Agenda Date

AUG 29 2007

DIRECTOR'S SIGNATURE

MS


Council District(s) affected
All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ord. 2007-0832, Passed 7-10-2007

RECOMMENDATION: (Summary)

Approve an ordinance authorizing a first amendment to the contract between the City of Houston and Eagle Construction & Environmental Services, L.P. to replace the fee schedule in the contract for handling and disposal of hazardous materials for various departments.

No Additional Spending Authority Required

F & A Budget

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing a first amendment to the contract between the City of Houston and Eagle Construction & Environmental Services, L.P. to replace the fee schedule in the contract for handling and disposal of hazardous materials for various departments. Due to a clerical error, the incorrect fee schedule was inserted in the contract. The fee schedule included with this amendment reflects the prices submitted by the bidder in its sealed bid.

The scope of work requires the contractor to provide all labor, supervision, materials, tools, and transportation necessary to contain spills; screen, remove and dispose of contaminated soils, asbestos and lead materials, drums, barrels, transformers or other containers; and all other services required in accordance with all applicable local, State and Federal laws and regulations pertaining to solid and liquid hazardous waste handling, transportation, storage and disposal.

This is a goal-oriented contract with an 11% M/WBE participation level.

Buyer: Tom Smyer

REQUIRED AUTHORIZATION

NOT

F&A Director:

Other Authorization:

Other Authorization:

<p>SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 for the construction of water, sanitary sewer and storm sewer lines. S-000800-0107-4/ R-000800-0107-4/ M-000800-0107-4</p>	<p>Page 1 of 2</p>	<p>Agenda Item # 30</p>
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<p>FROM: (Department or other point of origin) Department of Public Works & Engineering</p>	<p>Origination Date: 8-17-07</p>	<p>Agenda Date: AUG 29 2007</p>
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<p>Director's Signature: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E. DEE</p>	<p>Council District affected: E</p>
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<p>For additional information contact: Jun Chang, P.E. (713) 837-0433</p>	<p>Date and identification of prior authorizing Council action: Ordinance #: 05-0198 Dated: 3/9/05</p>
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Recommendation: (Summary)
Approve an Interlocal Cost Sharing Contract between the City and Harris County Municipal Utility District No. 410 and appropriate funds.

<p>Amount & Source of Funding:</p>	<table> <tr> <td>\$200,851.00</td> <td>Water & Sewer System Consolidated Construction Fund No. 8500</td> </tr> <tr> <td>\$171,000.00</td> <td>Drainage Improvement CPaper Series F Fund No. 4030</td> </tr> <tr> <td>\$371,851.00</td> <td>Total Appropriation</td> </tr> </table> <p><i>07/27/07</i></p>	\$200,851.00	Water & Sewer System Consolidated Construction Fund No. 8500	\$171,000.00	Drainage Improvement CPaper Series F Fund No. 4030	\$371,851.00	Total Appropriation
\$200,851.00	Water & Sewer System Consolidated Construction Fund No. 8500						
\$171,000.00	Drainage Improvement CPaper Series F Fund No. 4030						
\$371,851.00	Total Appropriation						

Specific Explanation:

The City and Harris County Municipal Utility District No. 410 (MUD 410), an in-City municipal utility district, entered into the Utility Functions and Services Allocation Agreement on March 9, 2005. Under the Utility Functions and Services Allocation Agreement, MUD 410 will construct water, sewer and storm water facilities and dedicate these facilities to the City. The population of MUD 410 will be retail water and sewer customers of the City. MUD 410 will be reimbursed for part of its costs for construction through an interlocal agreement that is substantially the same as the City's developer participation contract. Under the Interlocal Agreement with the City, the District will design and construct the mains necessary to serve the development (water and wastewater) and dedicate them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Interlocal Agreement also provides for the City to reimburse the District 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Interlocal Agreement further allows the City to pay interest costs incurred by the District. The District will be reimbursed after 25% of the residences have been built. The district has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement.

Harris County Municipal Utility District No. 410 proposes to construct approximately 1,792 linear feet of water line, 2,337 linear feet of sanitary sewer line and 567 linear feet of storm sewer line to serve the 57-lot subdivision, Clearview Village Section 6. The maximum amounts to be reimbursed are as follows:

REQUIRED AUTHORIZATION: 20JZC298

<p>F&A Budget: <i>Michael S. Marcotte</i></p>	<p>Other Authorization:</p>	<p>Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning & Development Services</p>
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SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 for the construction of water, sanitary sewer and storm sewer lines.

**Originator's
Initials**

**Page
2 of 2**

Water

70% of construction cost (including interest & 5% contingency):	\$64,460.00
design cost:	<u>\$9,210.00</u>
total:	\$73,670.00

Wastewater

70% of construction cost(including interest & 5% contingency):	\$111,281.00
design cost:	<u>\$15,900.00</u>
total:	\$127,181.00

Storm Sewer (Including appropriate detention)

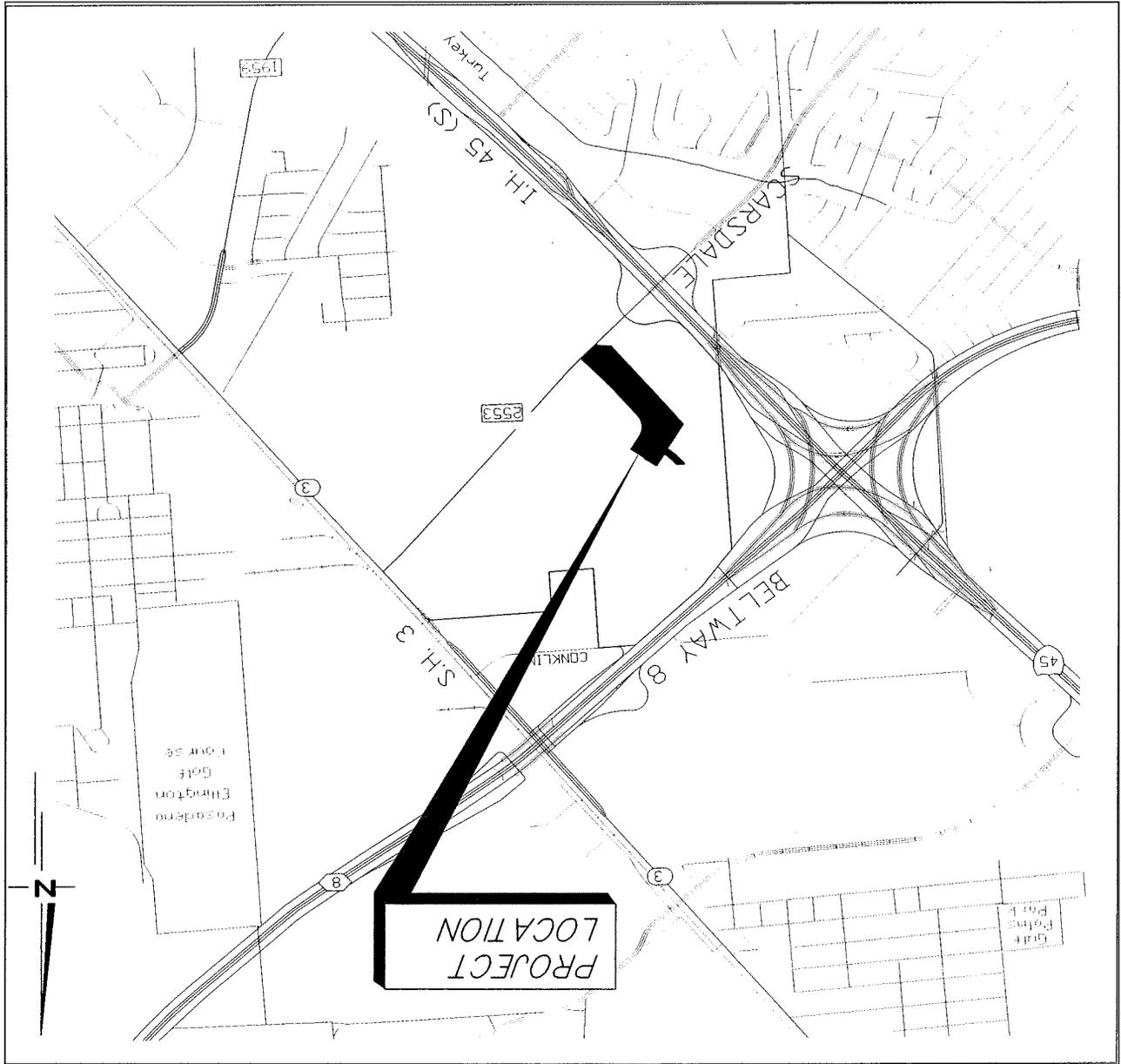
100% of construction cost (including interest & 5% contingency):	\$145,350.00
design cost:	<u>\$25,650.00</u>
total:	\$171,000.00

Upon approval of this agreement, MUD 410 will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by MUD 410 in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

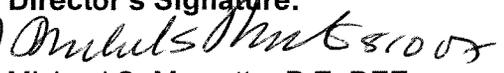
c: Marty Stein
Craig Foster
John Sakolosky

CLEARVIEW VILLAGE SEC. 6
VICINITY MAP
N.T.S.



SUBJECT: Developer Participation Contract between City of Houston and PMI Scott LP., for the construction of water, sanitary sewer and storm sewer lines. S-000800-0105-4/ R-000800-0105-4/ M-000800-0105-4	Page 1 of 2	Agenda Item # 31
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FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 8-17-07	Agenda Date: AUG 29 2007
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Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: D
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For additional information contact: Jun Chang, P.E.  (713) 837-0433	Date and identification of prior authorizing Council action:
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Recommendation: (Summary)

Approve a Developer Participation Contract between the City and PMI Scott LP. for the City to pay 70% of the cost to construct approximately 4,917 linear feet of water line, 8,306 linear feet of sanitary sewer line and 100% of the cost to construct 4,059 linear feet of storm sewer line in Scott Park Section 1, and appropriate funds.

Amount & Source of Funding: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; border: none;">\$481,351.00</td> <td style="border: none;">Water & Sewer System Consolidated Construction Fund 8500</td> </tr> <tr> <td style="border: none;">\$465,000.00</td> <td style="border: none;">Homeless & Housing Consolidated Fund 4501</td> </tr> <tr> <td style="border: none;">\$946,351.00</td> <td style="border: none;">Total Appropriation</td> </tr> </table>	\$481,351.00	Water & Sewer System Consolidated Construction Fund 8500	\$465,000.00	Homeless & Housing Consolidated Fund 4501	\$946,351.00	Total Appropriation
\$481,351.00	Water & Sewer System Consolidated Construction Fund 8500					
\$465,000.00	Homeless & Housing Consolidated Fund 4501					
\$946,351.00	Total Appropriation					

Specific Explanation:

Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.

PMI Scott LP., proposes to construct approximately 4,917 linear feet of water line, 8,306 linear feet of sanitary sewer line and 4,059 linear feet of storm sewer line to serve the 155-lot subdivision, Scott Park Section 1. The maximum amounts to be reimbursed are as follows:

REQUIRED AUTHORIZATION: 20JZC271

F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Isken, Deputy Director Planning & Development Services
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SUBJECT: Developer Participation Contract between City of Houston and PMI Scott LP, for the construction of water, sanitary sewer and storm sewer lines.

**Originator's
Initials**

**Page
2 of 2**

Water

70% of construction cost (including interest & 5% contingency):	\$97,660.82
design cost:	<u>\$19,046.10</u>
total:	\$116,706.92

Wastewater

70% of construction cost (including interest & 5% contingency):	\$305,135.63
design cost:	<u>\$59,508.45</u>
total:	\$364,644.08

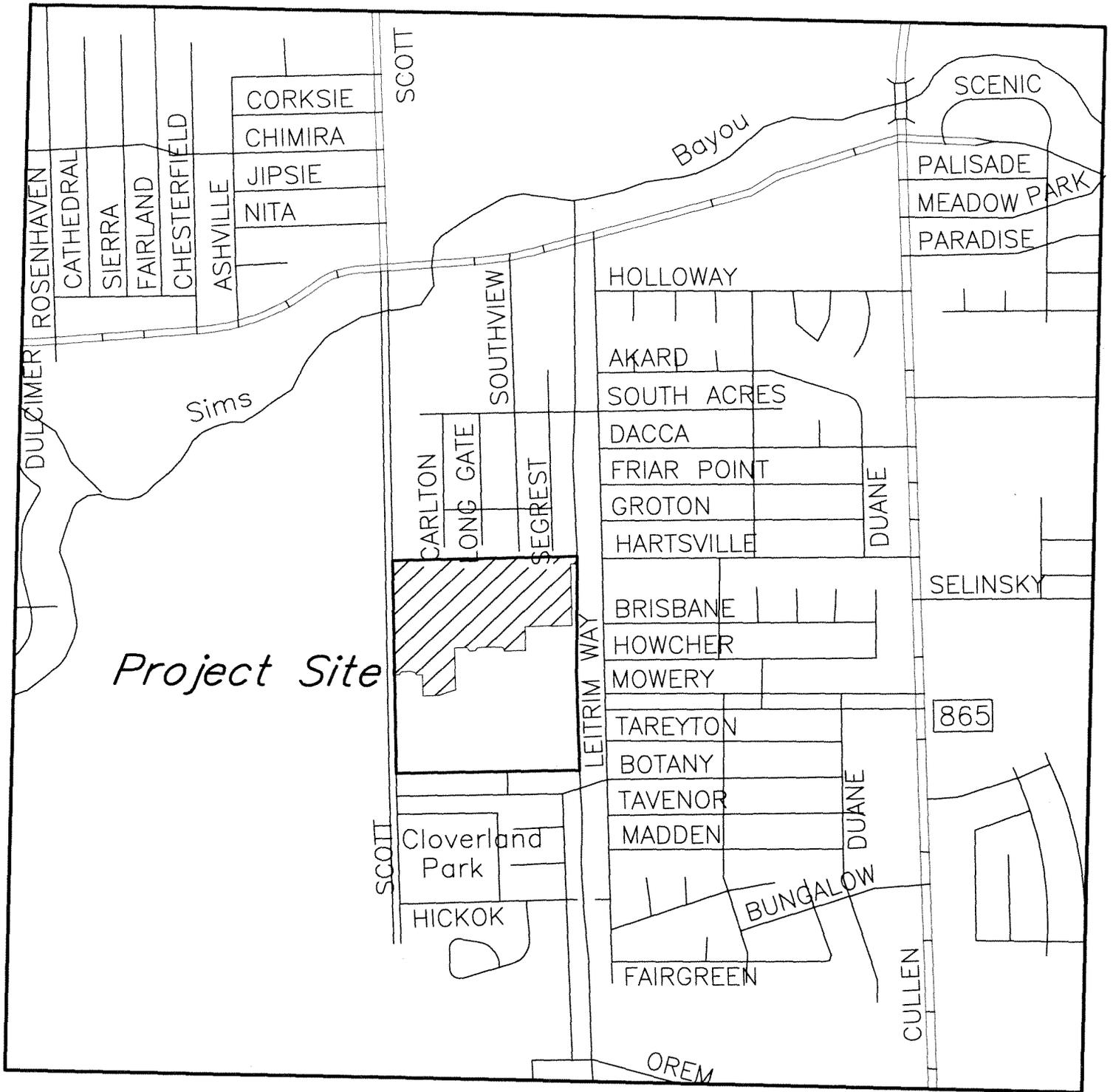
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$395,250.00
design cost:	<u>\$69,750.00</u>
total:	\$465,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

N.T.S.

GIMS # 5452C

ZIP CODE 77047

KEY MAP 573 G&L

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Award Construction Contract Millis Development and Construction, Inc. Burnett Bayland and Garden Villas Park Improvements WBS No. F-000605-0001-4 & F-000640-0004-4	Page 1 of 2	Agenda Item 32
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FROM (Department or other point of origin): General Services Department	Origination Date 8/14/07	Agenda Date AUG 29 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P. E. <i>Issa Z. Dadoush</i> 8/13/07	Council District(s) affected: F, I
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For additional information contact: Jacquelyn L. Nisby <i>JLN</i> Phone: 713-247-1814	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Award construction contract and allocate funds for the project.

Amount and Source of Funding: \$724,000.00 Federal Government-Grant Funded (5000) CDBG	F&A Budget: <i>[Signature]</i>
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SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to Millis Development and Construction, Inc. on its low bid amount of \$642,882.00 for construction services in connection with Burnett Bayland and Garden Villas Parks for the Parks and Recreation Department.

PROJECT LOCATIONS: Burnett Bayland Park 6000 Chimney Rock (531B) Garden Villas Park 6720 Haywood (535W)

PROJECT DESCRIPTION: The scope of work consists of the following:
Burnett Bayland Park – Renovate the existing multi-purpose pavilion, which will include new structural supports, new lighting and goals, abate lead paint and paint the pavilion structure. Improvements will also be made to the lighting in the community center gymnasium and the air handler will be lowered to ease maintenance. A dilapidated portable building on the park site will also be demolished.
Garden Villas Park – Construct new picnic pavilion and slab with associated sidewalks and site furnishings and construct a new half basketball court.

The contract duration of this project is 150 calendar days. M2L Associates, Inc. is the design consultant for this project.

REQUIRED AUTHORIZATION

CUIC ID # 25RJO59

General Services Department: <i>Wendy Heger</i> Wendy Teas Heger, AIA Chief of Design and Construction	Housing & Community Development Department: <i>Richard Celli</i> Richard Celli Director	Parks & Recreation Department: <i>Joe Turner</i> Joe Turner Director
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Date	SUBJECT: Award Construction Contract Millis Development and Construction, Inc. Burnett Bayland and Garden Villas Park Improvements WBS No. F-000605-0001-4 & F-000640-0001-4	Originator's Initials MLA	Page 2 of 2
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BIDS: The following three bids were received on May 3, 2007:

	<u>Bidder</u>	<u>Bid Amount</u>
1.	Millis Development and Construction, Inc.	\$642,882.00
2.	Carrera Construction, Inc.	\$697,680.00
3.	Resicom, Inc.	\$839,475.00

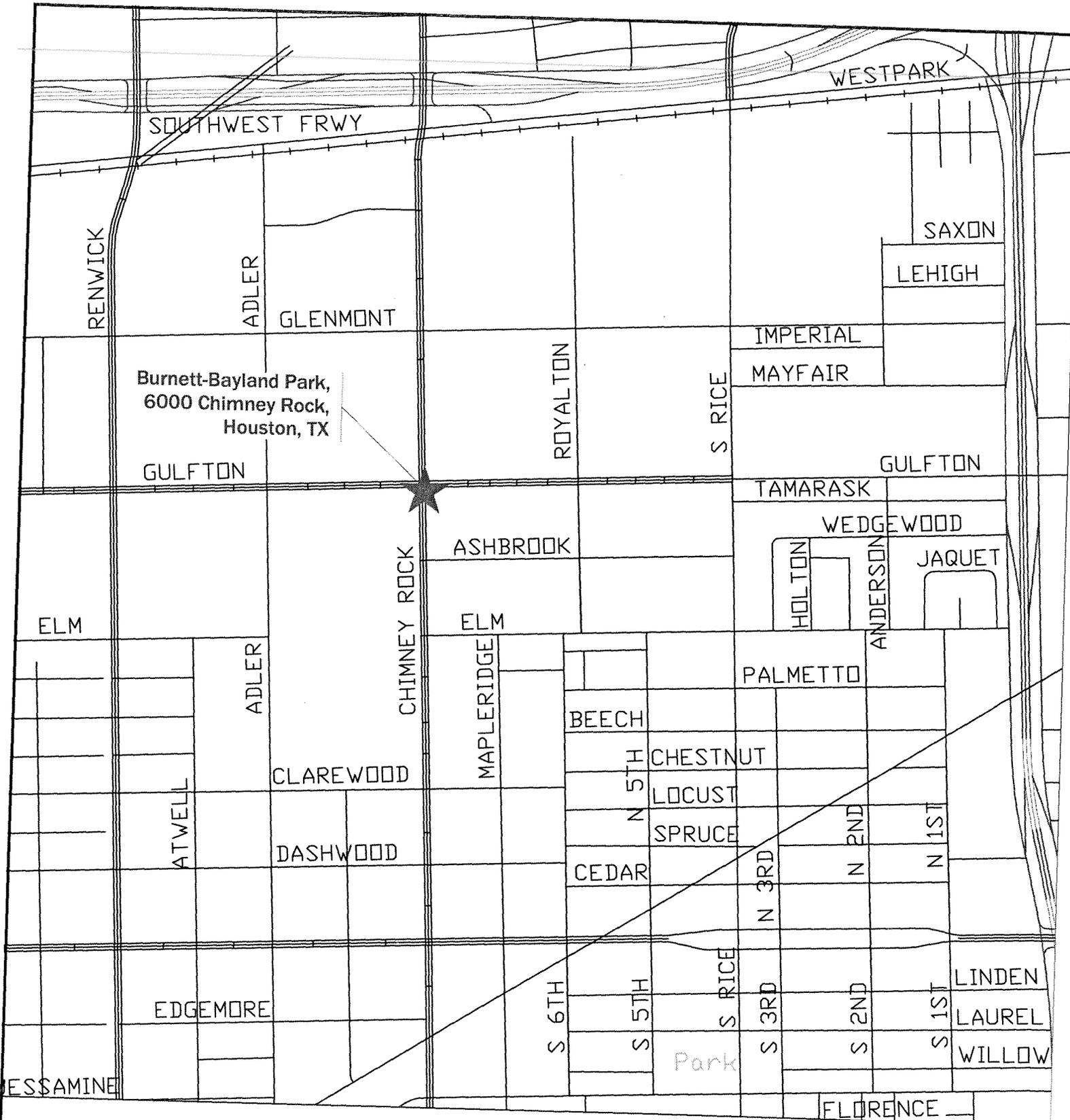
AWARD: It is recommended that City Council award the construction contract to Millis Development and Construction, Inc. and allocate funds for the project, including \$11,853.90 for engineering testing services under the existing contract with Raba-Kistner Consultants, Inc. and \$37,120.00 for construction management services under the existing contract with M2L Associates, Inc.

FUNDING SUMMARY:

\$ 642,882.00	Construction Contract
<u>\$ 32,144.10</u>	5% contingency
\$ 675,026.10	Total Contract Services
\$ 11,853.90	Engineering Testing Services
<u>\$ 37,120.00</u>	Construction Management Services
\$ 724,000.00	Total Funding

IZD:WTH:JLN:RJO:LJ:MLA:ps

c: Marty Stein, Mark Ross, Richard Celli, Richard Odlozil, Lisa Johnson, James Tillman IV, Gabriel Mussio, Jacquelyn L. Nisby, File 813



Burnett-Bayland Park,
6000 Chimney Rock,
Houston, TX

Burnett-Bayland Park

6000 Chimney Rock, Houston, TX



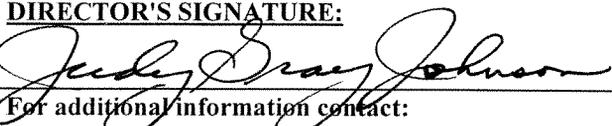
Garden Villas Park

6720 Haywood, Houston, TX .

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinances granting Commercial Solid Waste Operator Franchises	Category # 39-40 42-43 60-61	Page 1 of 1	Agenda Item#
	Origination Date July 30, 2007 <i>3rd reading</i>		Agenda Date AUG 08 2007 AUG 15 2007 AUG 22 2007 AUG 29 2007
FROM: (Department or other point of origin): Judy Gray Johnson, Director Finance and Administration	Council Districts affected: 33-34 ALL		
DIRECTOR'S SIGNATURE: 	Date and identification of prior authorizing Council Action: Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.		
For additional information contact: Wendy E. Thomas Phone: (713) 837- 9623 Tina Paez Phone: (713) 837- 9630			

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

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

SPECIFIC EXPLANATION:

It is recommended that City Council approve two ordinances granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

1. Aggregate Haulers I, L.P.
2. Veolia ES Technical Solutions, L.L.C.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise terms expire on December 31, 2013.

REQUIRED AUTHORIZATION

F&A Director:

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

SUBJECT: Motion establishing a public hearing date for amendments to Chapter 42, Code of Ordinances		Category #	Page 1 of 1	Agenda Item # 35
FROM (Department or other point of origin): Department of Planning and Development		Origination Date 08-22-07		Agenda Date AUG 29 2007
DIRECTOR'S SIGNATURE: <i>Ms Marlene A. Gafrick</i>		Council District affected: All		
For additional information contact: Marlene Gafrick Phone: x7-7760		Date and identification of prior authorizing Council action: 3/24/99, Ord. No. 99-262 3/20/07, Ord. 2007-0297		
RECOMMENDATION: (Summary) Establish a public hearing to consider amendments to Chapter 42				
Amount and Source of Funding: NA			F & A Budget:	
<p>SPECIFIC EXPLANATION: The Planning Commission's Programmatic Committee made recommendations to the Planning Commission on amendments to Chapter 42 covering the extension of dead end streets and fire protection performance standards. Hearings have been held by the Planning Commission and the Regulation and Neighborhood Protection and Development Committee. The Programmatic Committee recommended the following actions:</p> <p>a) Currently, all dead end streets are required to extend into adjacent property or be terminated in a suitable turnaround (i.e. cul-de-sac). The recommendation is to allow a dead end street to remain a dead end street if certain conditions are met.</p> <p>b) Establish a building line at the end of a stub 10 feet from the end of the stub street and 10 feet on either side and require the builder to build a wood or masonry opaque fence.</p> <p>c) Bring the fire protection performance standards for multi-family projects in Chapter 42 in compliance with fire code requirements that includes location of fire hydrants and fire truck access to fire hydrants, requirements for fire lanes, turnarounds for fire vehicles and access through 9-1-1 gates.</p> <p>In addition, Planning Commission requested changes be made to minimum lot size section to preserve the single family residential use within designated areas. It is proposed that Section of 42-194 be amended by adding a new section (k) with the following requirement:</p> <p>A subdivision plat or development plat shall not be approved unless the plat preserves the single family residential use of the lot or tract that was used as single family residential at the time the completed application was filed and provides for the development as single family residential of a lot or tract that was vacant unless that lot or tract was restricted to any use other than single family residential. Property developed with non-single family residential is not subject to this provision. Single family residential means one residence or one residence with a granny flat/ garage apartment or duplex. Under Section 42-81 The Planning Commission is authorized to grant variances to use but not the lot size.</p> <p>State law requires City Council to hold a public hearing before adopting the ordinance. The Planning and Development Department recommends establishing a public hearing date one week from passage of the motion.</p> <p>cc: Marty Stein, Agenda Director Arturo Michel, City Attorney</p> <p>Deborah McAbee, Legal Department Dr. Carol Lewis, Houston Planning Commission</p>				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

36
AUG 29 2007

MOTION NO. 2007 0865

MOTION by Council Member Wiseman that the following item be postponed for two weeks:

Item 29 - Ordinance appropriating \$422,583.49 out of the Water and Sewer System Consolidated Construction Fund and \$426,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and Obra Homes, Inc., for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Lake Way Village Subdivision, WBS S-000800-00M4-4/R-000800-00M4-4/M-000800-00M4-4

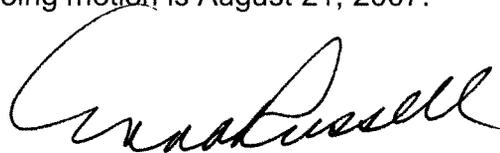
Seconded by Council Member Alvarado and carried.

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

Council Member Green out of the City on City business

PASSED AND ADOPTED this 15th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 21, 2007.


City Secretary

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc., for the construction of water, sanitary sewer and storm sewer lines. S-000800-00M4-4/ R-000800-00M4-4/ M-000800-00M4-4	Page 1 of 2	Agenda Item # 36
	29	60 30

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 6/28/07	Agenda Date AUG 29 2007
		AUG 01 2007 AUG 18 2007

DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director	Council District affected: E
	AUG 15 2007

For additional information contact: Jun Chang, P.E. ^{gc} Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
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Recommendation: (Summary)
Approve a Developer Participation Contract between the City and Obra Homes, Inc., for the City to pay 70% of the cost to construct approximately 4,801 linear feet of water line, 3,981 linear feet of sanitary sewer line and 100% of the cost to construct 2,050 linear feet of storm sewer line to serve the 142-lot subdivision, Lake Way Village Section 1, and appropriate funds.

Amount & Source of Funding: \$422,583.49 Water & Sewer System Consolidated Construction Fund No. 8500
 \$426,000.00 Homeless & Housing Consolidated Fund 4501
 \$848,583.49 Total Appropriation

Specific Explanation:
Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.

Obra Homes, Inc. proposes to construct approximately 4,801 linear feet of water line, 3,981 linear feet of sanitary sewer line and 2,050 linear feet of storm sewer line to serve the 142-lot subdivision, Lake Way Village Section 1. The maximum amounts to be reimbursed are as follows:

Required Authorization: CUIC# 20JZC155 NDT		
F & A Budget: <i>Michael S. Marcotte</i>	Other Authorization:	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning & Development Services

Date:	Subject: Developer Participation Contract between City of Houston and Obra Homes, Inc., for the construction of water, sanitary sewer and storm sewer lines.	Originator's Initials	Page 2 of 2
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Water

70% of construction cost (including interest & 5% contingency):	\$134,647.43
design cost:	<u>\$24,185.25</u>
total:	\$158,832.68

Wastewater

70% of construction cost(including interest & 5% contingency):	\$223,589.81
design cost:	<u>\$40,161.00</u>
total:	\$263,750.81

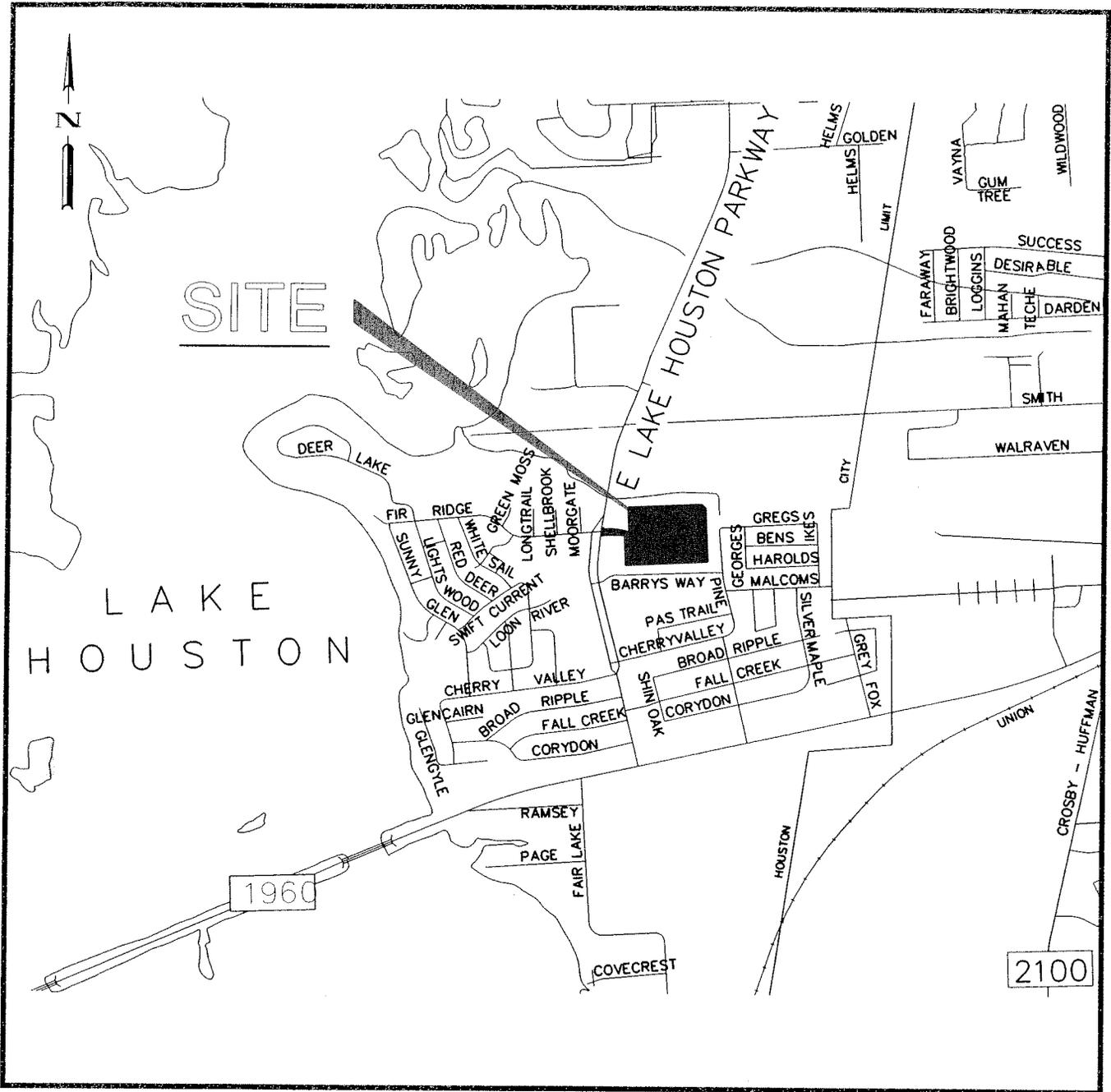
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$362,100.00
design cost:	<u>\$63,900.00</u>
total:	\$426,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
 Craig Foster
 John Sakolosky



LAKE WAY VILLAGE, SECTION 1

VICINITY MAP

HARRIS COUNTY KEY MAP # 338 M

GIMS MAP # 5969 D & 6069 C

ZIP CODE 77336

37

AUG 29 2007

MOTION NO. 2007 0866

MOTION by Council Member Johnson that the following item be postponed for two weeks:

Item 30 - Ordinance appropriating \$275,823.34 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Drainage Improvement CPaper Series F Fund; approving and authorizing Developer Participation Contract between the City of Houston and Obra Homes, Inc., for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Riverbend Village Subdivision, WBS S-000800-00M2-4/R-000800-00M2-4/M-000800-00M2-4

Seconded by Council Member Wiseman and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Brown and Lovell voting aye

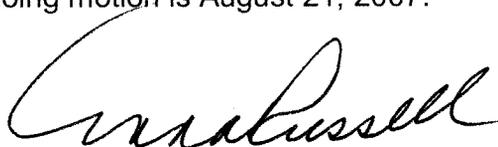
Nays none

Council Members Edwards, Garcia, Noriega and Berry absent

Council Member Green out of the City on City business

PASSED AND ADOPTED this 15th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 21, 2007.



City Secretary

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc. for the construction of water, sanitary sewer and storm sewer lines.

S-000800-00M2-4/ R-000800-00M2-4/ M-000800-00M2-4

Page 1 of 2	Agenda Item #
30	61
37	37
Agenda Date:	
JUL 18 2007	
AUG 01 2007	
AUG 15 2007	
AUG 29 2007	

FROM: (Department or other point of origin)
Department of Public Works & Engineering

Origination Date:
6/28/07

Director's Signature:
Michael S. Marcotte
Michael S. Marcotte, P.E. DEE

Council District affected:
B

For additional information contact:
Jun Chang, P.E.
(713) 837-0433

Date and identification of prior authorizing Council action:

Recommendation: (Summary)

Approve a Developer Participation Contract between the City and Obra Homes, Inc. and appropriate funds.

Amount & Source of Funding:

\$275,828.34 Water & Sewer Consolidated Construction Fund No. 8500
 \$225,000.00 Drainage Improvement CPaper Series F Fund No. 4030
 \$500,828.34 Total Appropriation

Handwritten initials and date: JAC 08/2/07

Specific Explanation:

Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.

Obra Homes, Inc. proposes to construct approximately 2,267 linear feet of water line, 1,771 linear feet of sanitary sewer line and 2,084 linear feet of storm sewer line to serve the 75-lot subdivision, Riverbend Village Section 1. The maximum amounts to be reimbursed are as follows:

REQUIRED AUTHORIZATION:

20JZC146

NDT

F&A Budget:
Michael S. Marcotte

Other Authorization:

Other Authorization:
Andrew F. Icken
Andrew F. Icken, Deputy Director
Planning & Development Services

	Water
70% of construction cost (including interest & 5% contingency):	\$87,412.09
design cost:	<u>\$16,056.90</u>
total:	\$103,468.99

	Wastewater
70% of construction cost(including interest & 5% contingency):	\$145,611.66
design cost:	<u>\$26,747.69</u>
total:	\$172,359.35

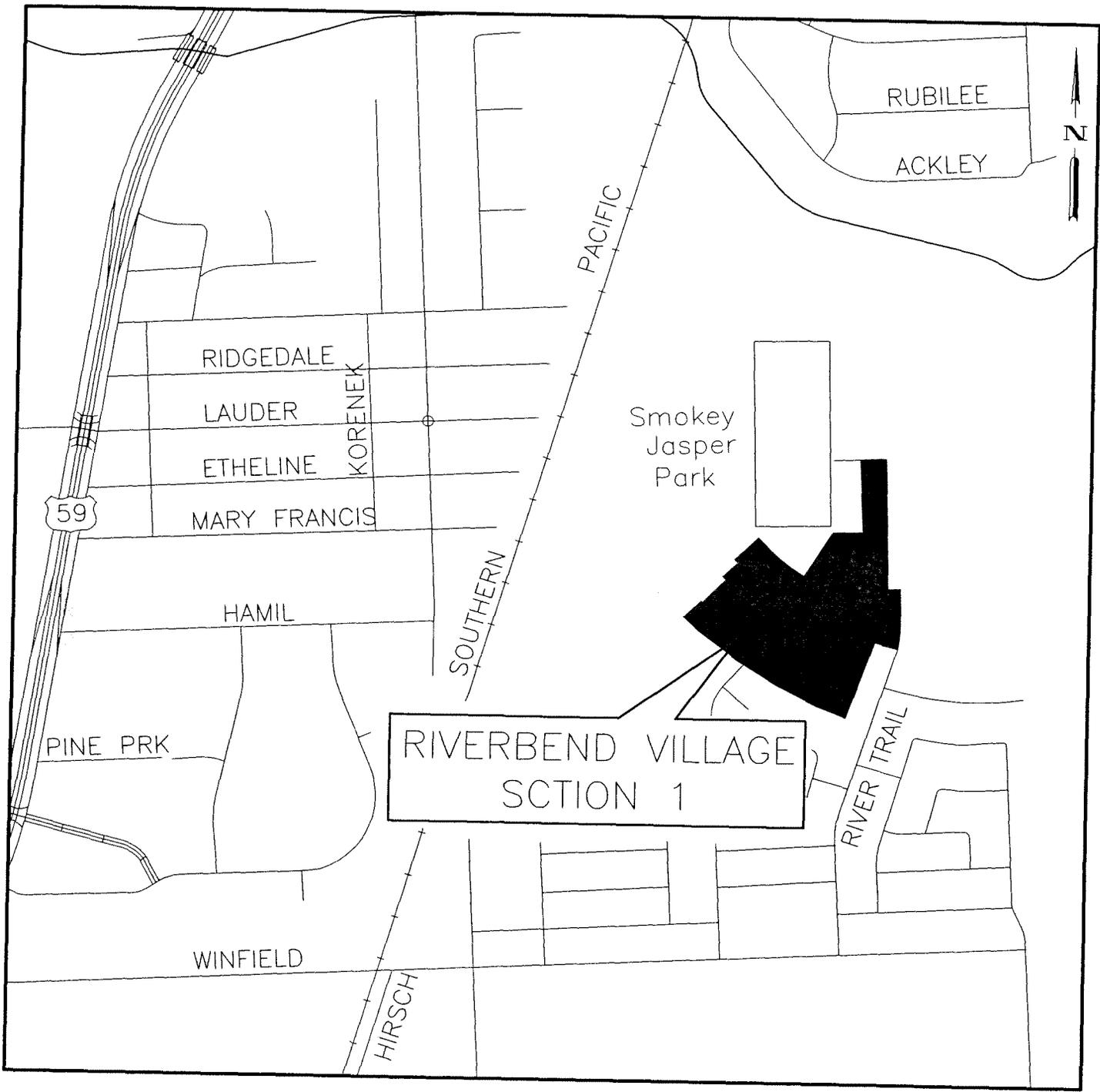
	Storm Sewer (Including appropriate detention)
100% of construction cost (including interest & 5% contingency):	\$192,250.00
design cost:	<u>\$32,750.00</u>
total:	\$225,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

- c: Marty Stein
- Craig Foster
- John Sakolosky

I:\Projects\OBR\OBR03\OBR03-5\T\CADD\BLOCKS\map.dwg, 7/21/2006 1:15:06 PM, Valencia, 1:720.652



VICINITY MAP

HARRIS COUNTY KEY MAP # 415 E
GIMS MAP 5563 B
ZIP CODE 77050

38

AUG 29 2007

MOTION NO. 2007 0867

MOTION by Council Member Wiseman that the following item be postponed for two weeks:

Item 31 - Ordinance appropriating \$420,496.01 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and Obra Homes, Inc., for Construction of Water and Sanitary Sewer Lines for Section One of South Meadow Place Subdivision, WBS S-000800-00M5-4/R-000800-00M5-4

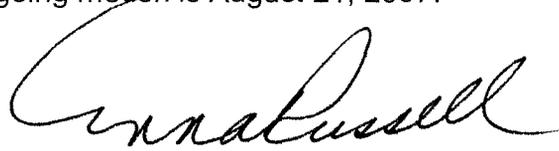
Seconded by Council Member Alvarado and carried.

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

Council Member Green out of the City on City business

PASSED AND ADOPTED this 15th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 21, 2007.


City Secretary

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc. for the construction of water and sanitary sewer.

S-000800-00M5-4/ R-000800-00M5-4

Page 1 of 2 37	Agenda Item # 60 32
Agenda Date: 38 JUL 18 2007 AUG 01 2007 AUG 15 2007 AUG 29 2007	

FROM: (Department or other point of origin)

Department of Public Works & Engineering

Origination Date:

6/28/07

Director's Signature:

Michael S. Marcotte, P.E. DEE

Council District affected:

E

For additional information contact:

Jun Chang, P.E.
(713) 837-0433

Date and identification of prior authorizing Council action:

Recommendation: (Summary)

Approve a Developer Participation Contract between the City and Obra Homes, Inc. for the City to pay 70% of the cost to construct approximately 2,720 linear feet of water line and 2,137 linear feet of sanitary sewer line in South Meadow Place Section One, and appropriate funds.

Amount & Source of Funding: \$420,496.01 Water & Sewer System Consolidated Construction Fund No. 8500

*Prefile
ad-4/07*

Specific Explanation:

Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.

Obra Homes, Inc. proposes to construct approximately 2,720 linear feet of water line and 2,137 linear feet of sanitary sewer line to serve the 102-lot subdivision, South Meadow Place Section One. The maximum amounts to be reimbursed are as follows:

REQUIRED AUTHORIZATION:

20JZC156

NDT

F&A Budget:



Other Authorization:

Other Authorization:



Andrew F. Icken, Deputy Director
Planning & Development Services

Water

70% of construction cost (including interest & 5% contingency):	\$79,588.06
design cost:	<u>\$14,797.86</u>
total:	\$94,385.92

Wastewater

70% of construction cost(including interest & 5% contingency):	\$274,982.42
design cost:	<u>\$51,127.67</u>
total:	\$326,110.09

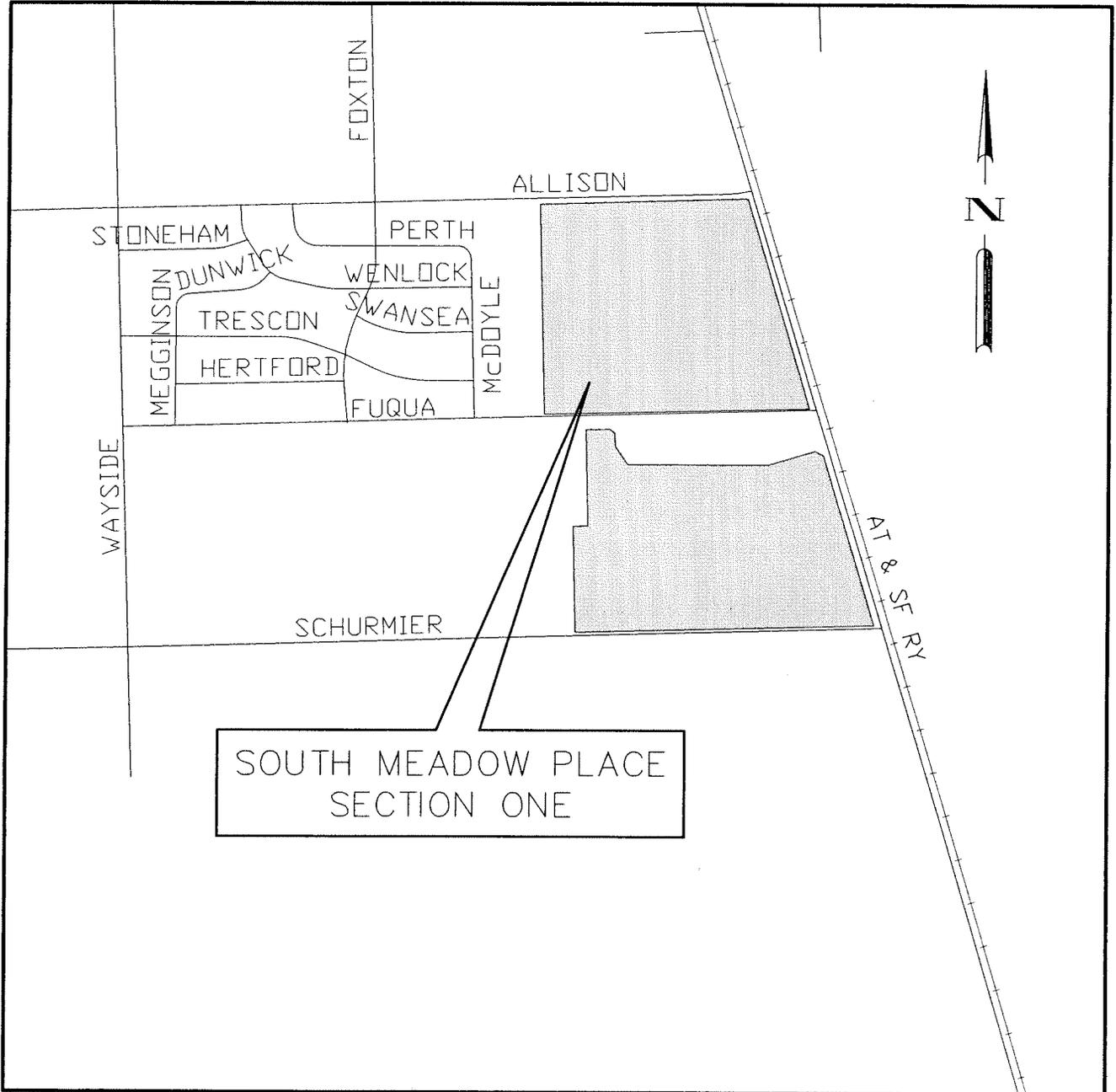
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	N/A
design cost	N/A
total:	N/A

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

KEY MAP 574--V
N.T.S.

39
AUG 29 2007

MOTION NO. 2007 0868

MOTION by Council Member Wiseman that the following item be postponed
for two weeks:

Item 32 - Ordinance appropriating \$101,975.60 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and Fafb, LLC for Construction of Water and Sewer Lines to serve the Red Robin Square Subdivision, WBS S-000800-0104-4 and R-000800-0104-4

Seconded by Council Member Alvarado and carried.

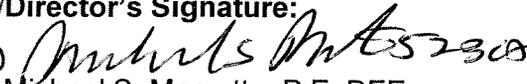
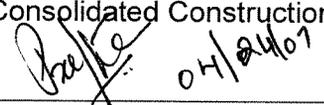
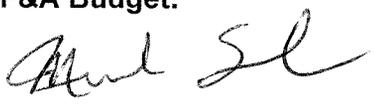
Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Alvarado, Brown and Lovell voting aye
Nays none
Council Members Garcia, Noriega and Berry absent

Council Member Green out of the City on City business

PASSED AND ADOPTED this 15th day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 21, 2007.


City Secretary

SUBJECT: Developer Participation Contract between City of Houston and FAFB LLC. for the construction of water and sanitary sewer. S-000800-0104-4/ R-000800-0104-4		Page 1 of 2	Agenda Item # 32 63 33
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 5-30-07	Agenda Date: JUL 18 2007 AUG 01 2007 AUG 15 2007 AUG 29 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: E		
For additional information contact: Jun Chang, P.E. (713) 837-0433	Date and identification of prior authorizing Council action:		
Recommendation: (Summary) Approve a Developer Participation Contract between the City and FAFB LLC. for the City to pay 70% of the cost to construct approximately 640 linear feet of water line and 905 linear feet of sanitary sewer line in Red Robin Square subdivision, and appropriate funds.			
Amount & Source of Funding: \$101,975.60 Water & Sewer System Consolidated Construction Fund No. 8500 			
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences. FAFB LLC. proposes to construct approximately 640 linear feet of water line and 905 linear feet of sanitary sewer line to serve the 20-lot subdivision, Red Robin Square. The maximum amounts to be reimbursed are as follows:			
REQUIRED AUTHORIZATION: 20JZC266 MDT			
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

Water

70% of construction cost (including interest & 5% contingency):	\$22,258.95
design cost:	<u>\$3,045.30</u>
total:	\$25,304.25

Wastewater

70% of construction cost(including interest & 5% contingency):	\$67,414.10
design cost:	<u>\$9,257.25</u>
total:	\$76,671.35

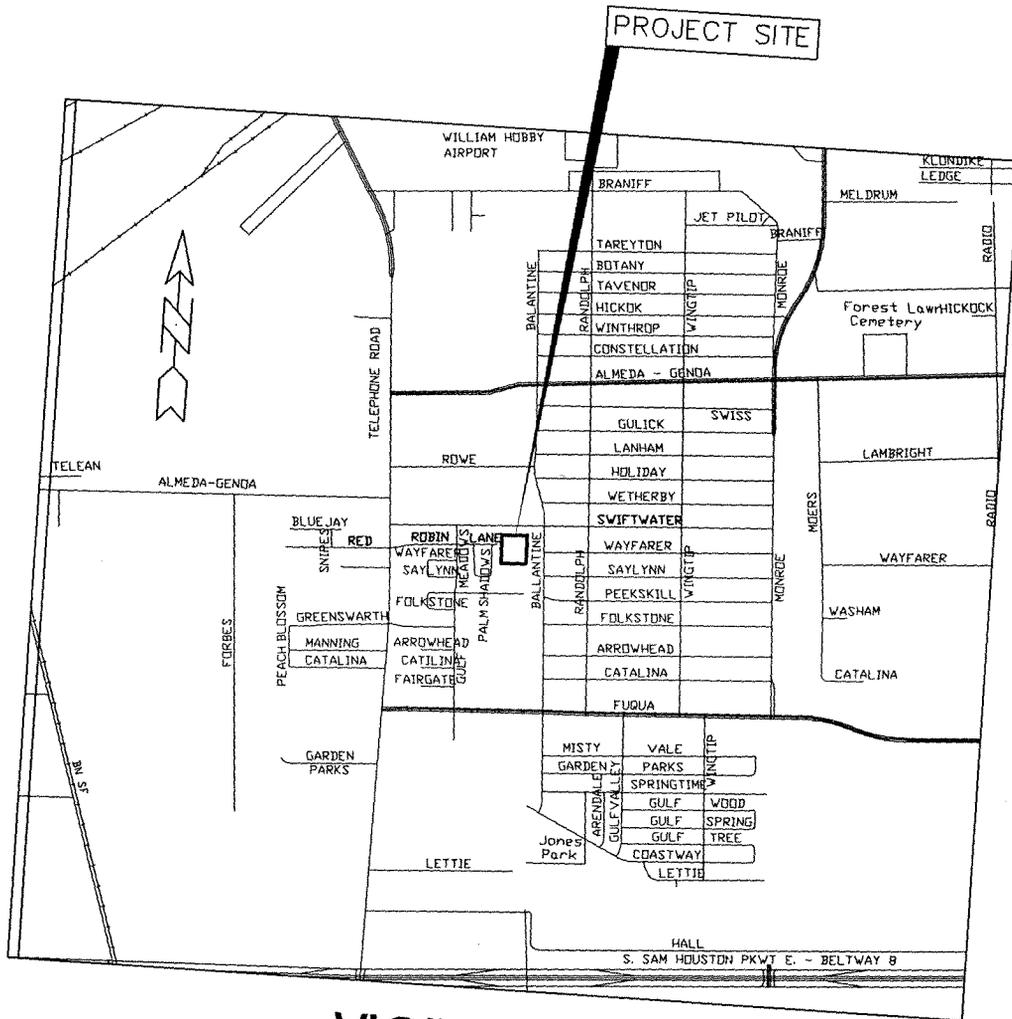
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	N/A
design cost	N/A
total:	N/A

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

HARRIS COUNTY KEY MAP # 575P
 GIMS MAP # 5651a

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

SUBJECT: Request the designation of an Honorary Street Marker for Dr. Elijah J. Thomas.		Category #	Page 1 of	Agenda Item # 40 #
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date 8-15-07		Agenda Date AUG 29 2007 AUG 23 2007
DIRECTOR'S SIGNATURE: <i>NO Marlene L. Gafrick</i>		Council District affected: I		
For additional information contact: Jennifer Ostlind Phone: 7-7871		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approval of a motion designating an Honorary Street Marker for Dr. Elijah J. Thomas.				
Amount and Source of Funding: N/A			F & A Budget:	
<p>SPECIFIC EXPLANATION:</p> <p>The Planning and Development Department received a request for an Honorary Street Marker honoring Dr. Elijah J. Thomas. The Honorary Street Marker will be located on the north side of Owens (see map). We have attached a summary of Dr. Elijah J. Thomas' contributions to the Community.</p> <p>The proposed marker is in compliance with City Council Honorary Marker policy.</p> <p>MLG:JO:Et</p> <p>Attachment: Locator Map Summary of contributions</p> <p>cc: Marty Stein, Agenda Director Anna Russell, City Secretary Michael Marcotte, Director, Public Works and Engineering Arturo Michel, City Attorney Bill Hlavacek, Public Works and Engineering</p>				
F & A Director:		Other Authorization:		Other Authorization:

HONORARY MARKER FOR
DR. ELIJAH J. THOMAS

CLINTON PARK RES A B C R/S
13326
00154D

CLINTON PARK RES A B C R/S
13524
00154D

FIDELITY MANOR
13529

CLINTON PARK
13473
00154

FIDELITY
13528

GALENA PINES SEC 2
3480

BENSON SEC 1
13478

BENSON SEC 2
13479

GALENA TERRACE
1483

GALENA PINES SEC 3
13531

610

CLINTON-IH 610

LOOP-I-610-CLINTON

MISSISSIPPI

CALLOWAY

GEORGIA

DEFENDER

OWENS

ZACHARY

CAROLINA

RHODE ISLAND

CLINTON

MIDWAY

ARMSTRONG

GANS

DE HAVEN

BOLDEN

CLINTON PARK

YUMA

NEW MEXICO

TITE

TENNESSEE

OWENS

CAROLINE

DE HAVEN

BOLDEN

DELAWARE

PENNSYLVANIA

ARMSTRONG

GANS

CONNECTICUT

RHODE ISLAND

FIDELITY

16TH

15TH

14TH

13TH

12TH

11TH

BANK

10TH

GALENA MANOR
13477

9TH

8TH

7TH

6TH

5TH

4TH

SAGE

SAGE

18TH

BENSON

15TH

GALENA PINES
13481

LEGETTI

11TH

10TH

9TH

8TH

7TH

GRAHAM

6TH

5TH

4TH



OAK HILL MISSIONARY BAPTIST CHURCH

435 Owens Street
Houston, Texas 77029
(713) 674-7166

April 20, 2007

Attention: Ms Marlene Gafrick
Planning and Development Department
P.O. Box 1562
Houston, Texas 77251 - 1562



Subject: Honorary Street Marker for DR. Elijah J. Thomas located on Owens Street,
Houston, Texas 77029

Dear Ms Marlene Gafrick,

The pastor and members of the Oak Hill Missionary Baptist Church located at 435 Owens Street, Houston, Texas 77029, respectfully request a honorary marker to be placed on our section of Owens Street leading to our church to recognize our recently deceased pastor of 46 years of faithful service who died on January 23, 2007.

Dr. Elijah J. Thomas was a product of Conroe Normal & Industrial College, Conroe, Texas and was a renowned Educator and Theologian. Also, he has been credentialed as the Dean of two bible colleges in his life time - Conroe Normal & Industrial College, Conroe, Texas and Inter-Baptist Theological Center, Houston, Texas. His special way to preach, teach, reach, counsel and supervise students of biblical studies made him a valuable commodity to not only our church; but community and city. At his 45th pastoral anniversary he was honored by the Mayor of Galena Park and City of Houston, Texas State Senator Gallous, State Representative Harold Dutton and United States Congresswoman Shelia Jackson Lee.

He also served in many capacities throughout the State of Texas and The National Baptist Convention of America, Inc.

Please help us celebrate the life, legacy and work of this dynamic Man of God.

Respectfully submitted,

Dr. Andrew M. Landry, Pastor

23 1993

MOTION NO. 93 1455

MOTION by Council Member Greenwood that the recommendation of the Director of the Planning and Development Department, for approval of policy and procedures for honorary street markers, be adopted, and the policy and procedures for honorary street markers are hereby approved by the City Council, as follows:

Since the Traffic Division of the Department of Public Works and Engineering is responsible for preparing street signs, they will be responsible for the design, installation and fabrication of honorary markers.

In addition, the City Council hereby adopts following minimum standards;

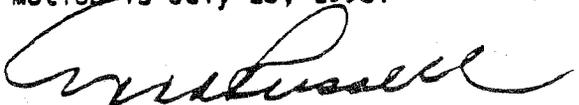
1. All honorary street marker requests be approved by City Council;
2. Honorary markers are for local streets only;
3. Develop a standardized design for the marker approved by the Department of Public Works and Engineering;
4. Limit the number of street signs upon which the honorary marker may be installed. An honorary marker be limited to one block length for one square block; and
5. Continue to use proper names only when the honored person is deceased.

Seconded by Council Member Lee and carried.

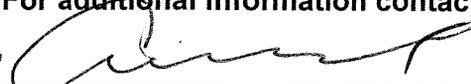
Mayor Lanier, Council Members Huey, McGowen, Ryan, Calloway, Mancuso, Goodner, Gorczyński, Reyes, Tinsley, Greenwood, Lee and Robinson voting aye
Nays none
Council Members Hartung and Saenz absent

PASSED AND ADOPTED this 7th day of July, 1993.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 13, 1993.


City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending Section 40-455 of the Code of Ordinances, Houston, Texas, relating to size requirements for newsracks	Category	Page	Agenda Item <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 41 #6 </div>
FROM (Department or other point of origin): Legal Department	Origination Date: April 26, 2007	Agenda Date: AUG 22 2007	
DIRECTOR'S SIGNATURE: Arturo G. Michel, City Attorney	Council District affected: ALL AUG 29 2007		
For additional information contact: Kuruvilla Oommen ⁷¹⁰ 713-247-2736 	Date and identification of prior authorizing Council action: Ord. 2007-225; February 14, 2007		
RECOMMENDATION: Adopt ordinance amending Section 40-455 of the Code of Ordinances relating to size requirements for newsracks			
Amount and source of funding: N/A			F&A Budget:
EXPLANATION: <p>In February 2007, Council adopted an ordinance establishing regulations for newsracks placed in the City rights-of-way. The proposed ordinance clarifies that the height requirement for newsracks does not include the concrete base.</p> <p>The Council Committee on Quality of Life discussed the proposed revision to the Newsrack Ordinance on June 28, 2007. The committee voted to recommend the revision to City Council.</p>			
REQUIRED AUTHORIZATION			
F&A Director:	Other Authorization:	Other Authorization:	

Sec. 40-455. Size and design standards.

(a) *Size requirements.* Any newsrack requiring a permit under this article shall have a height of not less than 36 inches and not more than 54 inches (~~including~~ excluding the base); a width of not less than 15 inches and not more than 25 inches; and a depth of not less than 12 inches and not more than 21 inches.

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING SECTION 40-455 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO SIZE REQUIREMENTS FOR NEWSRACKS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

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

Section 1. That Subsection (a) of Section 40-455 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) *Size requirements.* Any newsrack requiring a permit under this article shall have a height of not less than 36 inches and not more than 54 inches (excluding the base); a width of not less than 15 inches and not more than 25 inches; and a depth of not less than 12 inches and not more than 21 inches."

Section 2. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 3. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign

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

PASSED AND ADOPTED this ___ day of _____, 2007.

APPROVED this ___ day of _____, 2007.

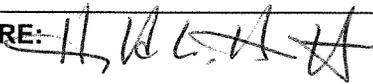
Mayor of the City of Houston

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

City Secretary

DL
asw

Prepared by Legal Dept. *Thurwilla Dommun*
KO:asw 08/07/2007 Assistant City Attorney
Requested by Dawn R. Ullrich, Director, Convention and Entertainment Facilities Department
L.D. File No. 0190400002002

SUBJECT: Ordinance Amending Chapter 45 of the Code of Ordinances relating to Photographic Traffic Signal Enforcement	Category #	Page 1 of 2	Agenda Item # # 77
FROM: (Department or other point of origin): Police Department	Origination Date 4/2		Agenda Date AUG 22 2007
DIRECTOR'S SIGNATURE:  Harold Hurtt, Chief, Houston Police Department	Council Districts affected: All AUG 29 2007		
For additional information contact: M. I. Montalvo, Executive Assistant Chief, Support Operations Phone: (713) 308-1840	Date and identification of prior authorizing Council Action: Ord. No. 2004-1312 (December 21, 2004) and Ord. No. 2006-566 (May 31, 2006)		

RECOMMENDATION: (Summary)
Approval of an Ordinance amending Chapter 45, Article XIX of the Code of Ordinances to bring ordinances related to Photographic Traffic Signal Enforcement Systems (Red Light Cameras) into compliance with the newly enacted SB 1119 which becomes effective September 1, 2007. Additionally the amendment will comply with Chapter 132 of the Local Government Code in regards to approving a convenience fee for persons wishing to pay by credit card.

Amount of Funding: N/A **F & A Budget:**

SOURCE OF FUNDING: [N/A] General Fund Grant Fund Enterprise Fund
[] Other (Specify)

SPECIFIC EXPLANATION

The City of Houston established a Photographic Traffic Signal Enforcement System in 2004. The program is primarily administered via a contract with American Traffic Solutions (ATS) with involvement by HPD and the Municipal Courts. In the recent 80th Legislative Session, Senate Bill 1119 was passed and signed into law by the Governor. Among other things, SB 1119 created Chapter 707 of the Transportation Code, which is entitled Photographic Traffic Signal System. The proposed amendments are to avoid conflicts with state law, to include provisions required by state law and to address some areas not included in state law. Sections from the existing ordinance have been carried over when possible and authorization for a convenience fee for those wishing to pay by credit card, as required by Chapter 132 of the Local Government, is included.

The *Definitions* section mirrors the state law. The description of what operation of a vehicle will establish liability for a civil penalty is now tied strictly to the description of a violation set out in §544.007(d) of the Transportation Code. Whereas the current ordinance excludes offenses involving turns, because the new state law includes them they will automatically be included in the new ordinance. Another change based on the new state law is that there is in essence strict liability placed upon the registered owner of the vehicle, even if the owner lends the vehicle to another person. A transfer of liability is still possible in the case of vehicle being test driven, a leased or rented vehicle, or if ownership of the vehicle has been transferred to another. The state law also now establishes a simple \$75 penalty and a \$25 fee for late payment. This will replace the escalating penalty schedule found in the current ordinance.

The ordinance establishes that the police department, municipal courts judicial department and municipal courts administration department shall be the departments responsible for the enforcement and administration of the system. Under the ordinance, internal procedures may be established by the heads of those departments. The proposed ordinances also establish a system under which a person is entitled to a hearing before an adjudication hearing official and that the ruling of the adjudication hearing official may be appealed to the Municipal Court for

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization: Harold L. Hurtt, Chief of Police
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Date:	Subject: Ordinance Amending Chapter 45 of the Code of City Ordinances Relating to Photographic Traffic Signal Enforcement	Originator's Initials HLH 	Page 2 of 2
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a trial de novo upon payment of an \$85 fee. The new state law includes a requirement that adjudication hearing officers be delegated by the governing body. Therefore, confirmation of the hearing officers appointed by the Mayor and currently serving in this capacity are the subject of a separate request for Council action. The term of adjudication hearing officers is set at two years with a holdover period until reappointment or until a successor is named. The parameters of the administrative hearing and the appeal processes are related back to state law because state law will be controlling.

Incorporated via reference to state law is the framework concerning the disposition of revenue collected pursuant to the [program]. In summary, the City may first retain an amount necessary to cover the costs of installing, operating and maintaining the photographic traffic signal enforcement systems and thereafter 50% of the remaining revenues go to statutorily defined trauma centers and the other 50% may be retained by the City for use in specified traffic safety programs. Carried over from the current ordinance are provisions that the City Attorney is authorized to file suit to enforce collection of a city penalty and that revenues available to the City from this program shall be deposited in the police special services fund for use in accordance with state law.

The proposed ordinance was presented to the Council Committee on Public Safety and Homeland Security on August 13, 2007. The Committee voted to recommend adoption by City Council.

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT SYSTEMS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

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

Section 1. That Article XIX of Chapter 45 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"ARTICLE XIX. PHOTOGRAPHIC TRAFFIC SIGNAL ENFORCEMENT SYSTEMS

Sec. 45-481. Purpose

The purpose of this article is to implement photographic traffic signal enforcement systems in accordance with Chapter 707 of the Texas Transportation Code.

Sec. 45-482. Definitions.

As used in this article, the following words and terms shall have the meanings ascribed in this section, unless the context of their usage clearly indicates another meaning:

Owner of a motor vehicle means the owner of a motor vehicle as shown on the motor vehicle registration records of the Texas Department of Transportation or the analogous department or agency of another state or country.

Photographic traffic signal enforcement system means a system that:

- (1) Consists of a camera system and vehicle sensor installed to exclusively work in conjunction with an electronically operated traffic control signal; and
- (2) Is capable of producing at least two recorded images that depict the license plate attached to the front or the rear of a motor vehicle that is not operated in

compliance with the instructions of the traffic control signal.

Recorded image means a photographic or digital image that depicts the front or rear of a motor vehicle.

Traffic control signal means a traffic control device as defined by Section 541.304 of the Texas Transportation Code.

Sec. 45-483. Imposition of civil penalty and fees.

(a) The owner of a motor vehicle is liable for a civil penalty of \$75.00 if, while facing only a steady red signal displayed by an electronically operated traffic control signal located in the city, the vehicle is operated in violation of the instructions of that traffic control signal, as specified by Section 544.007(d) of the Texas Transportation Code.

(b) An owner of a motor vehicle who fails to timely pay the civil penalty shall be subject to a late payment penalty of \$25.00.

(c) An owner of a motor vehicle who pays a civil penalty or late payment penalty by credit card shall be assessed a processing fee in accordance with Chapter 132 of the Texas Local Government Code.

Sec. 45-484. Enforcement; procedures.

(a) The police department, municipal courts judicial department, and the municipal courts administration department shall be responsible for the enforcement and administration of this article.

(b) The police chief, the presiding judge of the municipal courts, and the chief clerk of the municipal courts shall establish and implement appropriate procedures to effect the policy of this article.

(c) The imposition of a civil penalty under this article is initiated by the mailing of a notice of violation to the owner of a motor vehicle, pursuant to Chapter 707 of the Texas Transportation Code.

Sec. 45-485. Administrative adjudication hearing; appeal.

(a) An administrative adjudication hearing shall be held before an adjudication hearing officer pursuant to Chapter 707 of the Transportation Code.

(b) Adjudication hearing officers shall be designated as follows: such officers shall be appointed by the mayor and confirmed by the city council for a term of two years, which term shall begin as of the date the appointment is confirmed by the city council. An adjudication hearing officer shall continue in office after his term has expired until he is reappointed or his successor has been appointed and qualified; provided, that no holdover period, regardless of duration, shall ever be deemed a reappointment of any adjudication hearing officer. If any office becomes vacant during a term, then a qualified person shall be appointed and confirmed for a new two-year term beginning on the date of appointment. Adjudication hearing officers shall be subject to removal at any time by the mayor without the consent of the city council. Adjudication hearing officers shall be subject to assignment by the presiding judge of the municipal courts.

(c) Adjudication hearing officers shall have the authority to administer oaths and to issue orders compelling the attendance of witnesses and production of documents.

(d) An order compelling the attendance of witnesses or production of documents may be enforced by the municipal courts judicial department.

(e) A person who receives a notice of violation under this article may contest the imposition of the civil penalty specified in the notice of violation by filing a written request for an administrative adjudication hearing pursuant to Chapter 707 of the Transportation Code.

(f) On receipt of a timely request for an administrative adjudication hearing, an adjudication hearing officer shall notify the contesting person of the date and time of hearing. The hearing shall be held within 45 days of such request.

(g) The owner of a motor vehicle determined by a adjudication hearing officer to be liable for a civil penalty may appeal that determination to a judge by filing an appeal petition with the clerk of the municipal courts pursuant to Chapter 707 of the Texas Transportation Code. The petition shall be accompanied by the payment of the costs required by law for the court, which shall be \$85.00.

Sec. 45-486. Enforcement.

The city attorney is authorized to file suit to enforce collection of a civil penalty assessed under this article.

Sec. 45-487. Disposition of revenue.

All penalties and fees collected from the imposition of civil liability under this article shall be first expended to defray costs associated with the installation, operation, and maintenance of photographic traffic signal enforcement systems and any remaining funds shall be deposited in accordance with Chapter 707 of the Texas Transportation Code. The city shall deposit its portion of the remaining funds in the police special services fund to be used in accordance with Chapter 707 of the Texas Transportation Code.

Secs. 45-488--45-500. Reserved."

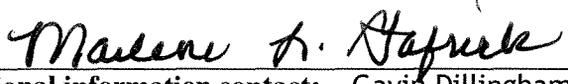
Section 2. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 3. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect at 12:01 a.m. on September 1, 2007.

PASSED AND APPROVED this ___ day of _____, 2007.

Mayor of the City of Houston

RL

SUBJECT: Ordinance consenting to the creation of the Harris County Improvement District #9		Category #	Page 1 of 1	Agenda Item 4319
FROM (Department or other point of origin): Marlene Gafrick, Director, Planning & Development		Origination Date July 25, 2007	Agenda Date AUG 29 2007 AUG 22 2007	
DIRECTOR'S SIGNATURE: 		Council District affected: E & I		
For additional information contact: Gavin Dillingham 713-837-7879		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approve ordinance consenting to the creation of the Harris County Improvement District #9.				
Amount and Source of Funding:		F & A Budget:		
SPECIFIC EXPLANATION: Approve ordinance consenting to the creation of the Harris County Improvement District #9.				
SPECIFIC EXPLANATION: Management districts are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce, transportation, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, management districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the District to provide improvements and services. They may not levy a tax assessment on single-family detached residences. Further, districts may levy a tax only after holding an election within the district. A management district is intended to supplement, not supplant, existing public services. Creation of these districts does not release a municipality from its obligations to provide services to the areas; nor does it require additional services from the municipality. Except as a result of a Governing Body's action to dissolve a district, the municipality assumes no liability for the debts, obligations or liabilities of the district. The Planning and Development Department recommends City Council consent to the creation of the following district. Harris County Improvement District #9: Authorized by the 80th Legislature in 2007, this district is located in Districts E and I. Following city consent to the creation of the district, the District's Board of Directors will adopt a service plan that is expected to focus on public safety, improved access to the area, landscape and beautification improvements and marketing the area.				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

MS

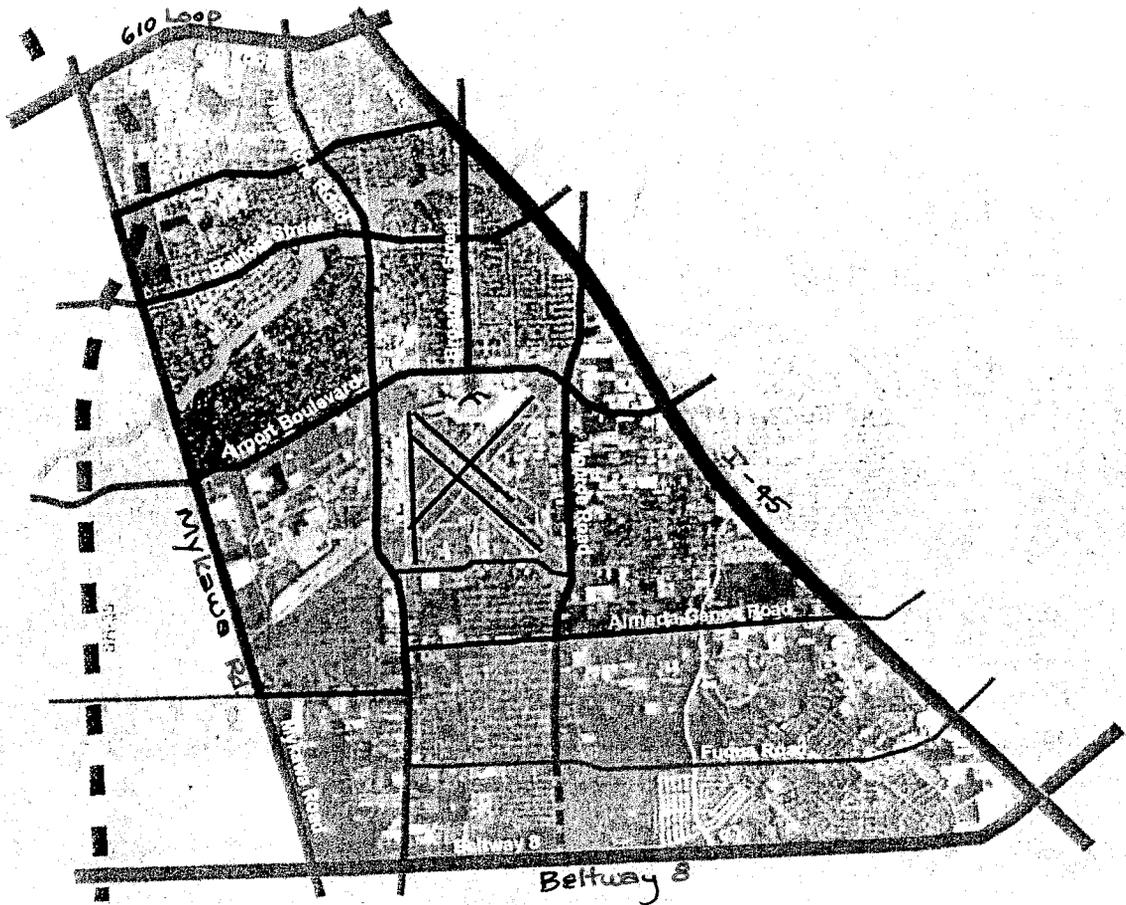
Date	Subject:	Originator's Initials	Page ____ of ____
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For this district , the City provide its consent under the following conditions:

1. Bonds will be issued by the District only for the purposes provided in the legislation creating the District. The District must obtain the approval of the City Council of the City of Houston of the issuance of bonds for any improvement project. In lieu of approval of an individual bond issue by the City Council of the City of Houston, the district may obtain approval from the governing body of the City of Houston of a capital improvements budget for a period not to exceed five years setting forth the projects for which the District proposes to issue its bonds. In the event the District obtains approval of a capital improvements budget, it may issue bonds to finance any capital improvements specified in the budget without further approval from the City of Houston. No land will be added or annexed to the district until the City of Houston has given its written consent by Ordinance of the City council to such addition or annexation.
2. The district must obtain approval from the Department of Planning and Development of the City of Houston of the plans and specifications of any improvement project that involves the use of the rights-of-way of streets, roads, highways or the use of land owned by the City of Houston.
3. The City Council of the City of Houston may, by a vote of no less than two-thirds (2/3rds) of the entire membership, adopt an ordinance dissolving the District. Upon the adoption of such an ordinance, the District shall be dissolved, and, in accordance with Sections 375.263 and 43.075, Local Government Code, the City of Houston shall (1) succeed to the property and assets of the District and (2) assume all debts, obligations and liabilities of the district.

CC: Marty Stein, Agenda Director Judy Gray Johnson, Director, Finance and Admin.
 Arturo Michel, City Attorney Michael Marcotte, Director, PWE

Proposed Boundaries of
HARRIS COUNTY IMPROVEMENT DISTRICT NO. 9



Contact Information: If you have any questions regarding the proposed management district's plans or initiatives, please feel free to contact:

Danny R. Perkins
Chairman
Greater Hobby Area Chamber of Commerce
8121 Broadway, Suite 135
Houston, TX 77061
713.645.5155, ext. 222

Clark Stockton Lord
Attorney
Vinson & Elkins LLP
1001 Fannin Street Suite 2500
Houston, TX 77002
713.758.2350

44

AUG 29 2007

MOTION NO. 2007 0888

MOTION by Council Member Wiseman that the following item be postponed for one week:

Item 44 - Motion by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance and Administration Department to award to Apple Glass Company for Automotive Glass for Various Departments - \$552,246.88 General Fund

Seconded by Council Member Alvarado and carried.

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

Council Member Brown out of the City

PASSED AND ADOPTED this 22nd day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is August 28, 2007.

City Secretary

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7582

Subject: Formal Bids Received for Disaster Debris Removal Services for the Solid Waste Management Department
S30-L22540

Category #
4

Page 1 of 2 Agenda Item

44 27

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

August 17, 2007

Agenda Date

AUG 29 2007

~~AUG 22 2007~~

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Dan Gutierrez Phone: (713) 837-9214
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the award of pre-positioned contracts to DRC Emergency Services, LLC (primary contractor) and Omni Pinnacle, LLC (secondary contractor) on their low bids for disaster debris removal services for the Solid Waste Management Department.

No funding required at this time.

F & A Budget

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve pre-positioned five-year contracts to DRC Emergency Services, LLC (primary contractor) and Omni Pinnacle, LLC (secondary contractor) on their low bids for disaster debris removal services for the Solid Waste Management Department. The City Purchasing Agent may terminate these contracts at any time upon 30-days written notice to the contractors. The contractors shall be required to load and haul debris from public right-of-ways to debris management sites and/or approved landfills.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-seven prospective bidders viewed the solicitation document on SPD's e-bidding website and seventeen bids were received as outlined below:

<u>COMPANY</u>	<u>AMOUNT</u>
1. DRC Emergency Services, LLC (Bid #1)	\$ 98,796,767.96
2. DRC Emergency Services, LLC (Bid #2)	\$ 98,796,767.96
3. Omni Pinnacle, LLC (Bid #1)	\$118,368,157.00
4. Omni Pinnacle, LLC (Bid #2)	\$118,368,157.00
5. AshBritt, Inc. (Bid #1)	\$120,813,299.40
6. AshBritt, Inc. (Bid #2)	\$120,813,299.40
7. TFR Enterprises, Inc.	\$131,723,930.60
8. Crowder Gulf	\$131,964,548.50
9. Ceres Environmental Services, Inc. (Bid #1)	\$133,601,442.85
10. Ceres Environmental Services, Inc. (Bid #2)	\$140,209,931.30
11. D&J Enterprises, Inc.	\$148,512,808.00
12. Asplundh Environmental Services, Inc. (Bid #1)	\$157,765,864.19
13. Asplundh Environmental Services, Inc. (Bid #2)	\$157,765,864.19
14. Phillips & Jordan, Inc.	\$172,827,568.25
15. Dougherty Sprague Environmental, Inc. (Bid #1)	\$241,247,767.80
16. Dougherty Sprague Environmental, Inc. (Bid #2)	\$241,247,767.80
17. Cherry Moving	\$472,848,308.78

REQUIRED AUTHORIZATION

(2) NDT

F&A Director:

Other Authorization:

Other Authorization:

Date: 8/17/2007	Subject: Formal Bids Received for Disaster Debris Removal Services for the Solid Waste Management Department S30-L22540	Originator's Initials RM	Page 2 of 2
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- Bidders were asked in the bid solicitation to provide the City with prices for the various types of services and ancillary items, identified on the official bid form, which may be needed in the event of a natural or man-made disaster. The actual amount of each service or ancillary item will be determined at the time of each disaster. **This contract will be activated upon approval of funding by City Council.**

The City's Emergency Management Plan has tasked the Solid Waste Management Department with the mission of removing natural or man-made disaster debris from public property, including the right-of-ways of public streets.

The scope of work requires the contractors to provide all labor, material, expendable supplies, vehicles, and supervision necessary to load and haul vegetation, damaged trees, and stumps from public right-of-ways to debris management sites and/or approved landfills following a hurricane or other natural or man-made disasters in a timely, efficient, safe and lawful manner.

This contract will contain a 19% M/WBE goal that will use City of Houston-certified M/WBE contractors upon activation and approval of funding by City Council.

Buyer: Richard Morris

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

R

SUBJECT: Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. for Job Order Contracting Services with the Houston Airport System; Project 516; WBS # A- 000348-0001-4-01; Contract No. 55521.	Category # # 9	Page of 2	Agenda Item # 45 29
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FROM (Department or other point of origin): Houston Airport System	Origination Date August 15, 2007	Agenda Date AUG 29 2007 AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>Kae</i>	Council District affected: B, E, I	AUG 29 2007
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For additional information contact: Eric R. Potts <i>ERP</i> Phone: 281-233-1999 John S. Kahl <i>JK</i> Phone: 281-233-1941	Date and identification of prior authorizing Council action: 12/10/2003 (O) 2003-1254
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AMOUNT & SOURCE OF FUNDING: CIP No. A-0348.06.2 \$2,500,000.00 Airports Improvement Fund (8011) <i>(80)</i>	Prior appropriations: CIP No. A-0348.5.3.... \$8,000,000.00 Airports Improvement Fund (561) CIP No. A-0422.02.5.....\$140,000.00 Airports Improvement Fund (561) Total.....\$8,140,000.00
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RECOMMENDATION: (Summary)
Enact an ordinance to approve Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. and appropriate the necessary funds to finance the cost of these services.

SPECIFIC EXPLANATION:

On December 10, 2003, the City entered into Contract with Kellogg Brown & Root (KBR) Services, Inc. in the amount of \$8,140,000.00 for Job Order Contracting (JOC) Services with the Houston Airport System (HAS). The JOC delivery method provides the best value for certain HAS projects meeting the requirements set forth in Section 271.120(a) of the Local Government Code. Under the JOC contract, work orders up to \$200,000.00 are priced in accordance with approximately 60,000 pre-approved costs. By contracting with a single entity to expedite minor construction, repair, rehabilitation or alteration of facilities at the three airports (George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field), routine projects are performed in a more efficient and timely manner.

It is requested that Council approve Amendment No. 1 in the amount of \$2,500,000.00 to continue the JOC program.

In addition, experience over the term of the JOC contract has shown that the current \$200,000.00 maximum per project does not cover enough routine projects and limits the department's ability to fully utilize JOC as intended and designed. A less restrictive maximum per project would enable JOC to be more effectively utilized for tenants and air carriers' space configuration needs. These needs are often unanticipated and include security-related items and complex IT installations which increase the costs of the space build-outs. Therefore, it is also requested that Council approve Amendment No. 1 in order to increase the maximum per project from \$200,000.00 to \$350,000.00.

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

29- Revised pg 2 R

Date August 15, 2007	Subject: Amendment No. 1 to the Agreement between the City of Houston and Kellogg Brown & Root (KBR) Services, Inc. for Job Order Contracting Services with the Houston Airport System; Project 516; WBS # A- 000348-0001-4-01; Contract No. 55521.	Originator's Initials LS	AUG 22 2007 Page 2 of 2
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KBR is currently achieving 14.104% M/WBE participation on their 30% goal. According to the Office of Affirmative Action and Contract Compliance, KBR is making a "Good Faith Effort" in meeting the goal.

RMV: ERP: LS: LG: JDW

Attachments

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

SUBJECT: Construction Contract with Honeywell International, Inc. for Security System Modifications and Upgrades at William P. Hobby Airport, Project No. 612W, WBS# A-000439-0003-4-01	Category #	Page 1 of 2	Agenda Item # 4630
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 25, 2007	Agenda Date AUG 22 2007 AUG 29 2007
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DIRECTOR'S SIGNATURE: <i>Kae</i>	Council District affected: I
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For additional information contact: Mark V. Mancuso Phone: 281/233-7309 Eric R. Potts 281/233-1999 Frank Haley 281/233-1835	Date and identification of prior authorizing Council action: None
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AMOUNT & SOURCE OF FUNDING: CIP # A-0439.07/09.3 \$5,877,250.00 Airports Improvement Fund (8011)	Prior appropriations: N/A
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RECOMMENDATION: (Summary)
 Enact an Ordinance to award a construction contract to Honeywell International, Inc. in the amount of \$5,605,000.00 and appropriate the necessary funds to finance the cost of the project.

SPECIFIC EXPLANATION:

PROJECT LOCATION: William P. Hobby Airport (HOU).

PROJECT SUMMARY: Project 612W, Security System Modifications and Upgrades for William P. Hobby Airport, is the follow-up and companion project to Project 612Y which installed new access control head-end and badging software at HOU to be consistent with the system installed at George Bush Intercontinental Airport/Houston (IAH).

Project 612W includes the following:

- replace the remaining obsolete access control field panels with new field panels
- migrate from existing mag-stripe card-reader technology to HID iCLASS contactless smart-card reader technology
- augment the existing CCTV system with new cameras throughout the terminal complex and airfield perimeter for increased coverage
- install new cameras and integrated emergency call stations throughout the public parking garages at HOU
- implement automated tools for video analysis to aid in pattern recognition, which will be integrated with the Digital Video Manager application.
- add a new fiber-optic network and redundant wireless system for airfield data network coverage.

The contract term is 240 days. Design and contract document preparation was conducted by Ferguson Consulting, Inc.

REQUIRED AUTHORIZATION

F&A Budget:	Other Authorization:	Other Authorization:
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Date July 25, 2007	Subject: Construction Contract with Honeywell International, Inc. for Security System Modifications and Upgrades at William P. Hobby Airport, Project No. 612W, WBS# A-000439-0003-4-01.	Originator's Initials FH	Page 2 of 2
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ENGINEERING SERVICES TESTING CONTRACT: No appropriation is required for engineering and testing services for this project.

PROJECT COST: The total amount to be appropriated is as follows:

\$ 5,605,000.00	Construction Contract
<u>272,250.00</u>	5% Construction Contingency (minus cash allowances)
\$ 5,877,250.00	Total

M/WBE PARTICIPATION: The following certified M/WBE firm has been submitted to fulfill the 10% goal for this project:

Firm	Type of Work	Amount	% of Bid
Preferred Technologies, Inc.	Installation & Project Management	\$ 560,500.00	10.00 %
	Support		
	Total	\$ 560,500.00	10.00 %

The IT Steering Committee has approved this project.

RMV:MVM:FH

Attachments

cc: Ms. Marty Stein	Ms. Velma Laws	Ms. Sara S. Culbreth	Ms. Carolyn Walker
Mr. Anthony W. Hall, Jr.	Mr. Richard M. Vacar	Ms. Kathy Elek	Mr. Richard Fernandez
Mr. Arturo G. Michel	Mr. Mark V. Mancuso		Mr. J. Goodwille Pierre

~~BACK-UP~~
~~H-30~~

CITY OF HOUSTON
INTEROFFICE CORRESPONDENCE

TO: Velma Laws
Director
Affirmative Action Department

FROM: Frank Haley
Public Safety & Technology
Houston Airport System

DATE: July 16, 2007

SUBJECT: Project 612W / MWDBE
Exception

The third phase of the Houston Airport System's security technology upgrade has been negotiated with Honeywell, and Council action is desired in August. The project will provide enhanced security functionality at William P. Hobby Airport. Project scope includes:

- Upgrade various components of the access control system, including card readers and panels.
- Provide additional CCTV cameras for more comprehensive airfield security coverage, specifically for the purpose of driver identification at airfield gates.
- Upgrade the existing CCTV cameras as well as the existing Digital Video Management (DVM) system. The upgrade will allow HAS to apply video analytics for the purpose of automating the detection of some security anomalies.

The goods and services required by this contract are of a specialized technical nature, and will create limited opportunities for MWDBE participation. We are requesting a 10% MWDBE goal for this project. Based on the overall Honeywell contract amount of \$5,605,000.00, the MWDBE participation will be \$560,500.00.

Please confirm your concurrence with the 10% MWDBE goal.

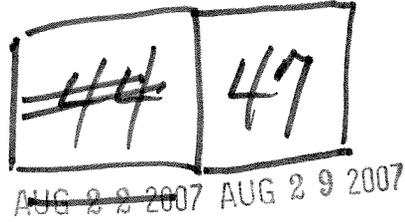
Frank Haley

FH:lk

cc: Mr. Mark V. Mancuso
Mr. Todd Young
Ms. Carolyn Walker
Ms. Lisa Kent
Mr. Darryl Daniel
Central File

Read and Approved:


Ms. Velma Laws



MOTION NO. 2007

MOTION by Council Member Khan that the recommendation of the Finance and Administration Department, on bids received for Automotive Glass for Various Departments, S32-S22283, be adopted, and authority is hereby given to make purchases, as needed for a 60-month period to Apple Glass Company on their low bid in an amount not to exceed \$552,246.88.

Seconded by Council Member Alvarado

Council Members Lawrence, Wiseman, Garcia and Berry absent

Council Member Green out of the City on City business

On 8/15/07 the above motion was tagged by Council Member Johnson.

cr

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7453

Subject: Formal Bids Received for Automotive Glass for Various Departments
S32-S22283

Category #	Page 1 of 2	Agenda Item
47	77	10

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 23, 2007

Agenda Date

~~AUG 28 2007~~
AUG 15 2007
AUG 29 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Apple Glass Company on its low bid in an amount not to exceed \$552,246.88 for automotive glass for various departments.

Estimated Spending Authority: \$552,246.88

F & A Budget

\$552,246.88 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Apple Glass Company on its low bid in an amount not to exceed \$552,246.88 for automotive glass for various departments. It is further requested that authorization be given to make purchases, as needed, for a 60-month period.

This is a price list solicitation. The best discount, which determines the low bid for a price list is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Departments. The bid total for sample pricing items does not represent the total amount to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the 60-month period based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twenty prospective bidders viewed the solicitation document on SPD's e-bidding website, and three bids were received as outlined below:

	<u>COMPANY</u>	<u>SAMPLE PRICING</u>
1.	All Pro Windshield Repair	\$6,063.83 (Partial Bid/Higher Unit Cost)
2.	Apple Glass Company	\$6,628.34
3.	Clear Glass Mobile Service	\$7,502.16

This award consists of various price lists for automotive glass; which includes, but is not limited to, foreign flat laminated, domestic curved, flat tempered and curved windshields for use by various departments. This award also includes an \$18,269.62 labor component for equipment that cannot be repaired by Department personnel.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization: *MDT*

Date: 7/23/2007	Subject: Formal Bids Received for Automotive Glass for Various Departments S32-S22283	Originator's Initials VD	Page 2 of 2
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M/WBE Subcontracting:

This bid was issued with a 2% goal for M/WBE participation. **Apple Glass Company** has designated the below-named companies as its certified M/WBE subcontractors.

<u>COMPANY</u>	<u>TYPE OF WORK</u>	<u>DOLLAR AMOUNT</u>
JLH Coastal Fumigators dba End-O-Pest Termite & Pest Control	Exterminating services	\$5,522.47
Shiloh Printing, LLC. dba Christian Bookstore & Gift Shop	Printing services	\$5,522.47

The Affirmative Action Division will monitor this award.

Buyer: Veronica Douglas, CPPB

ESTIMATED SPENDING AUTHORITY:

DEPARTMENT	FY 08	OUT YEARS	TOTAL
Public Works & Engineering	\$ 54,000.00	\$216,000.00	\$270,000.00
Police Department	\$ 30,449.40	\$121,797.48	\$152,246.88
Fire Department	\$ 20,000.00	\$ 80,000.00	\$100,000.00
Solid Waste Management	\$ 6,000.00	\$ 24,000.00	\$ 30,000.00
Grand Total	\$110,449.40	\$441,797.48	\$552,246.88

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7421

Subject: Formal Bids Received for Security System Installation and Repair Services for the General Services Department
S28-L22376

Category #	Page 1 of 2	Agenda Item
4	48	49 23

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 15, 2007

Agenda Date

~~AUG 22 2007~~
~~AUG 15 2007~~
AUG 29 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby **Phone:** (713) 247-1814
Ray DuRousseau **Phone:** (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to BL Technology, Inc. on its low bid in an amount not to exceed \$16,259,339.00 for security system installation and repair services for the General Services Department.

Maximum Contract Amount - 5 years - \$16,259,339

F & A Budget

(Funding sources to be determined by projects)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term, to BL Technology, Inc. on its low bid for security system installation and repair services in an amount not to exceed \$16,259,339.00 for the General Services Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

This is a work-order contract to perform labor on a wide variety of security system installations and repairs citywide. GSD oversees the installation and maintenance of security systems in over 300 City facilities, which entails projects ranging from simple repairs to major upgrades that are part of the Capital Improvement Plan. GSD will achieve time and dollar savings by utilizing a competitively bid contract when specialized labor is required for these projects. The contract's spending authority is based on estimates for the five-year term, although expenditures will be made only as needed for specific tasks, using a funding source appropriate for each project. Any appropriations of bond funds will require further Council approval. The attachment gives an estimated expenditure breakdown by project and funding source.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirty-five prospective bidders viewed the solicitation document on SPD's e-bidding website, and four bids were received as outlined below:

<u>Company</u>	<u>Total Amount</u>
1. Preferred Technology, Inc.	\$ 7,581,841.80 (Incomplete Bid)
2. BL Technology, Inc.	\$16,259,339.00
3. Digital Detection Corporation	\$20,858,267.46
4. Security Integrators & Consulting	\$22,526,598.99

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NDI

Date: 7/15/2007	Subject: Formal Bids Received for Security System Installation and Repair Services for the General Services Department S28-L22376	Originator's Initials DP	Page 2 of 2
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- In view of the price disparity between the low bidder and the next low bidder, the Strategic Purchasing Division (SPD) contacted the owner of BL Technology, Inc. to discuss the scope of work for this project. BL Technology, Inc.'s owner stated and confirmed in writing that its bid prices includes all costs associated with performing the work called for in the published specifications. Based on the aforementioned, the Department and SPD are confident that the recommended contractor can perform the specified work for the bid price.

The scope of work requires the contractor to provide all necessary supervision, labor, transportation, tools, equipment and supplies required to perform security system installations and repairs. The contractor shall furnish all miscellaneous supplies necessary to complete each installation or repair.

M/WBE Subcontracting:

This bid was advertised as a goal-oriented contract with an 11% M/WBE participation level. BL Technology, Inc. has designated the below-named company as its certified M/WBE Subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Amount</u>	<u>Percentage</u>
Energy Electric Supply	Purchase Supplies	\$1,760,000.00	11%

This contract will be monitored by the Affirmative Action Division.

Buyer: Douglas Moore

Estimated Expenditures for Labor Contract

(\$16,259,339)

General Fund (1000) \$610,000	<ol style="list-style-type: none"> 1. Health - 2700 Evella (BARC) - CCTV System \$60,000 2. Health - 3315 Delano (Riverside Health Center) - Security System \$20,000 4. HPD - 1200 Travis - Card Access for Gang and HR Divisions \$6,000 6. HEC - 5320 N. Shepherd - Card Access for Records Section \$5,000 7. Maintenance of Security Systems over the life of the contract \$519,000 	<hr style="border: 0; border-top: 1px solid black;"/> \$610,000
Fed/State/Local Pass Through Fund Homeland Security Grant (5030) \$846,668	<ol style="list-style-type: none"> 1. PWE - 611 Walker - Install card readers on new turnstiles and tower freight elevator \$67,000 2. PWE - Renwick, Teague, Dalton & Buress - Install gate entry keypads \$20,000 3. HPD - S. Central Cmd Station - Install security gate card readers \$28,217 4. HPD - 1200 Travis - Upgrade CCTV, Card Access & Intercom Systems. \$38,451 5. HPD - Possible future grant projects - Security upgrades at all Command Stations (CCTV, Card Access, Gate Operators, Vehicle Barriers, etc.) \$693,000 	<hr style="border: 0; border-top: 1px solid black;"/> \$846,668
Water & Sewer Fund System Operating Fund (8300) \$3,665,000	<ol style="list-style-type: none"> 1. PWE - 7000 Ardmore (SCADA) - CCTV, Card Access & Security Gate \$55,000 2. PWE - Sawyer Command Center - CCTV, Access Control, Intrusion Alarm \$500,000 3. PWE - 611 Walker - CCTV, Card Access, and Bomb Blast Laminate \$1,831,000 4. PWE - 1700 E. Crosstimbers - CCTV, Card Access, & Intrusion Alarms \$123,000 5. PWE - 100 Japhet - CCTV, Card Access, & Intrusion Alarms \$123,000 6. PWE - 811 Gillette - CCTV, Card Access, & Intrusion Alarms \$123,000 7. PWE - 13211 Old Westheimer - CCTV, Card Access, & Intrusion Alarms \$135,000 8. PWE - 5500 McCarty - CCTV, Card Access, & Intrusion Alarms \$135,000 9. PWE - 700 Evergreen - CCTV, Card Access, & Intrusion Alarms \$150,000 10. PWE - 2200 Patterson - CCTV, Card Access, & Intrusion Alarms \$150,000 11. PWE - 8002 Airline - CCTV, Card Access, & Intrusion Alarms \$165,000 12. PWE - Maintenance of security systems over the life of the contract \$175,000 	<hr style="border: 0; border-top: 1px solid black;"/> \$3,665,000

Estimated Expenditures for Labor Contract

(\$16,259,339)

<p style="text-align: center;">Water & Sewer Cons. Const. Fund (8500) \$6,884,671</p>	<ol style="list-style-type: none"> 1. PWE - NE Water Production Plant - CCTV & Card Access 2. PWE - SE Water Production Plant - CCTV & Card Access 3. PWE - 3 to 5 Wastewater sites per year - CCTV & Card Access 4. PWE - 12 Water Towers with Microwave Links - CCTV & Card Access 	<p>\$1,000,000</p> <p>\$1,084,671</p> <p>\$3,000,000</p> <p>\$1,800,000</p> <hr style="border: 0.5px solid black;"/> <p>\$6,884,671</p>
<p style="text-align: center;">HCD Community Development Block Grant Fund (5000) \$100,000</p>	<ol style="list-style-type: none"> 1. Security improvements at qualifying Health and Library Facilities as Grant Funds become available 	<p>\$100,000</p> <hr style="border: 0.5px solid black;"/> <p>\$100,000</p>
<p style="text-align: center;">Convention & Entertainment Civic Center Facility Revenue Fund (8601) \$250,000</p>	<ol style="list-style-type: none"> 1. GRB - Security improvements to Card Access and CCTV Systems 	<p>\$250,000</p> <hr style="border: 0.5px solid black;"/> <p>\$250,000</p>
<p style="text-align: center;">Public Library Cons. Const. Fund (4507) \$1,500,000</p>	<ol style="list-style-type: none"> 1. FY09 - Library - Branch Library Security Improvements 2. FY10 - Library - Branch Library Security Improvements 3. FY11 - Library - Branch Library Security Improvements 4. FY12 - Library - Branch Library Security Improvements 5. FY13 - Library - Branch Library Security Improvements 	<p>\$300,000</p> <p>\$300,000</p> <p>\$300,000</p> <p>\$300,000</p> <p>\$300,000</p> <hr style="border: 0.5px solid black;"/> <p>\$1,500,000</p>
<p style="text-align: center;">Police Cons. Const. Fund (4504) \$2,163,000</p>	<ol style="list-style-type: none"> 1. FY08 - HPD - SE Cmd Station - CCTV, Access Control, Entry/Exit Gates 2. FY09 - HPD - N. Cmd Station - CCTV, Access Control, Entry/Exit Gates 3. FY10 - HPD - NE Cmd Station - CCTV, Access Control, Entry/Exit Gates 4. HPD - New Property Room - CCTV, Card Access & Intrusion Alarm, Turnstile 5. FY11 - HPD - Westside Cmd Station - CCTV, Access Control, Entry/Exit Gates 	<p>\$621,000</p> <p>\$338,000</p> <p>\$324,000</p> <p>\$300,000</p> <p>\$580,000</p> <hr style="border: 0.5px solid black;"/> <p>\$2,163,000</p>

~~Back-up~~
~~#49~~

13171 Misty Willow Dr.
Houston, TX 77070



(281) 970-8191 Phone
(281) 970-8196 Fax

August 16, 2007

BL Technology has been notified of intent to award the City of Houston Security System Installation & Repair Service Project.

This project has a MWBE Goal set for 11%. BL Technology Inc. is confident of the 11% minority participation required on this project. Through the life of this contract, depending upon the scope of work awarded, we feel we may be able to increase the percentage of participation beyond 11% and possibly as high as 13%.

Regards,

A handwritten signature in black ink, appearing to read 'Deborah M. Lee', is written over a horizontal line.

Deborah M. Lee
President

INSTRUMENTATION AND CONTROL SYSTEMS

49

AUG 29 2007

MOTION NO. 2007 0888

MOTION by Council Member Wiseman that the following item be postponed
for one week:

Item 44 - Motion by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance and Administration Department to award to Apple Glass Company for Automotive Glass for Various Departments - \$552,246.88 General Fund

Seconded by Council Member Alvarado and carried.

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

Council Member Brown out of the City

PASSED AND ADOPTED this 22nd day of August, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is August 28, 2007.

City Secretary

SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 for the construction of water, sanitary sewer and storm sewer lines.
S-000800-0103-4/ R-000800-0103-4/ M-000800-0103-4

Page 1 of 2 49	Agenda Item # 5027
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FROM: (Department or other point of origin)

Department of Public Works & Engineering

Origination Date:

8-6-07

Agenda Date:

~~AUG 15 2007~~

Director's Signature:

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

Council District affected:
E

~~AUG 22 2007~~
AUG 29 2007

For additional information contact:

Jun Chang, P.E.
(713) 837-0433

Date and identification of prior authorizing Council action:

Ordinance #: 05-0198
Dated: 03/09/05

Recommendation: (Summary)

Approve an Interlocal Cost Sharing Contract between the City and Harris County Municipal Utility District No. 410 and appropriate funds.

Amount & Source of Funding: \$208,068.00 Water & Sewer System Consolidated Construction Fund No. 8500
\$168,481.00 Drainage Improvement CPaper Series F Fund No. 4030
\$376,549.00 Total Appropriation

05/23/06

Specific Explanation:

The City and Harris County Municipal Utility District No. 410 (MUD 410), an in-City municipal utility district, entered into the Utility Functions and Services Allocation Agreement on March 18, 2005. Under the Utility Functions and Services Allocation Agreement, MUD 410 will construct water, sewer and storm water facilities and dedicate these facilities to the City. The population of MUD 410 will be retail water and sewer customers of the City. MUD 410 will be reimbursed for part of its costs for construction through an interlocal agreement that is substantially the same as the City's developer participation contract. Under the Interlocal Agreement with the City, the District will design and construct the mains necessary to serve the development (water and wastewater) and dedicate them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Interlocal Agreement also provides for the City to reimburse the District 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Interlocal Agreement further allows the City to pay interest costs incurred by the District. The District will be reimbursed after 25% of the residences have been built. The district has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement.

Harris County Municipal Utility District No. 410 proposes to construct approximately 1,974 linear feet of water line, 3,445 linear feet of sanitary sewer line and 777 linear feet of storm sewer line to serve the 76-lot subdivision, Clearview Village Section 3. The maximum amounts to be reimbursed are as follows:

REQUIRED AUTHORIZATION: 20JZC265

F&A Budget:

Michael S. Marcotte

Other Authorization:

Other Authorization:

Andrew F. Icken

Andrew F. Icken, Deputy Director
Planning & Development Services

SUBJECT: Interlocal Cost Sharing Contract between City of Houston and Harris County Municipal Utility District No. 410 for the construction of water, sanitary sewer and storm sewer lines.

**Originator's
Initials**

**Page
2 of 2**

Water

70% of construction cost (including interest & 5% contingency):	\$84,328.00
design cost:	<u>\$10,485.00</u>
total:	\$94,813.00

Wastewater

70% of construction cost (including interest & 5% contingency):	\$100,730.00
design cost:	<u>\$12,525.00</u>
total:	\$113,255.00

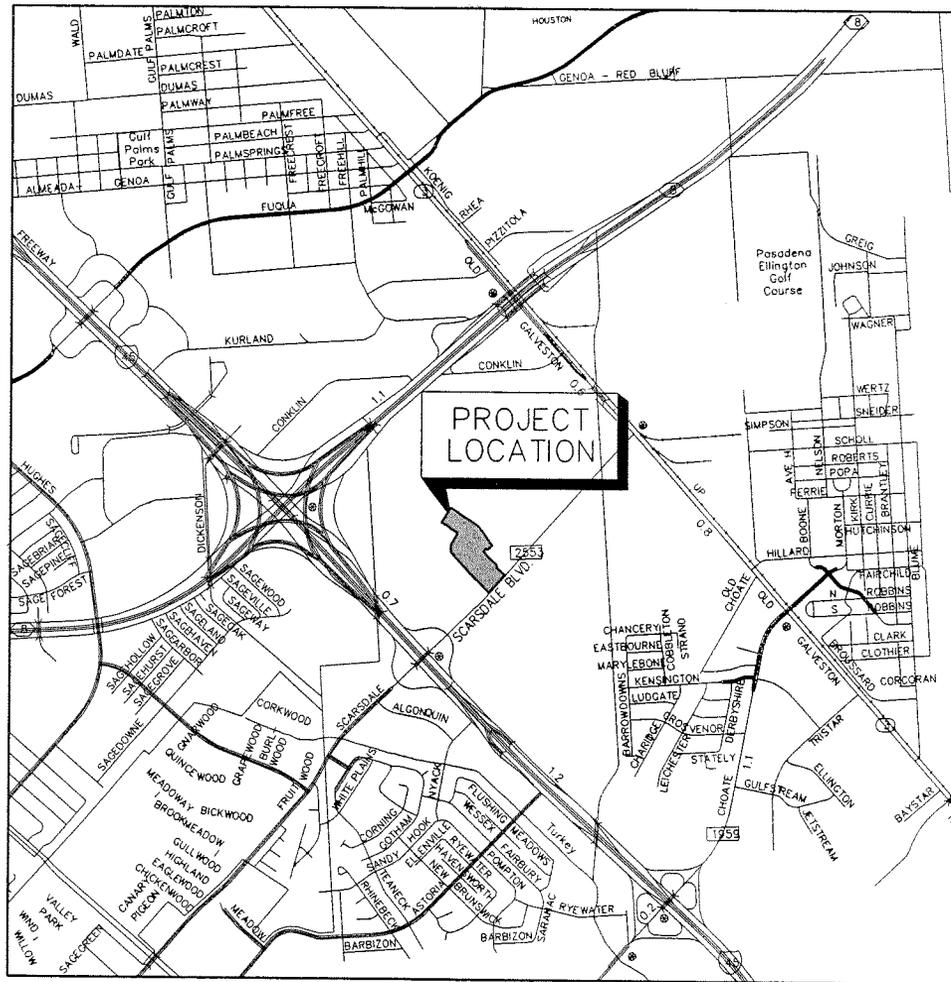
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$154,996.00
design cost:	<u>\$13,485.00</u>
total:	\$168,481.00

Upon approval of this agreement, MUD 410 will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by MUD 410 in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

N.T.S.
 (KEY MAP #577S)