AGENDA

CITY OF HOUSTON ▪ CITY COUNCIL
DECEMBER 15 & 16, 2015

MAYOR
ANNISE D. PARKER

CONTROLLER
RONALD C. GREEN

DISTRICT COUNCIL MEMBERS

Brenda Stardig
District A

Jerry Davis
District B

Ellen R. Cohen
District C

Dwight A. Boykins
District D

Dave Martin
District E

Richard Nguyen
District F

Oliver Pennington
District G

Edward Gonzalez
District H

Robert Gallegos
District I

Mike Laster
District J

Larry V. Green
District K

AT-LARGE COUNCIL MEMBERS

Stephen C. Costello
Position 1

David W. Robinson
Position 2

Michael Kubosh
Position 3

C.O. "Brad" Bradford
Position 4

Jack Christie D.C.
Position 5

Marta Crinejo Director - City Council Agenda

Anna Russell City Secretary

In accordance with the Texas Open Meetings Act the agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 901 Bagby.

The agenda may be accessed via the Internet at http://www.houstontx.gov. Copies of the

agenda are available in the Office of the City Secretary in the City Hall Annex, Public Level at no charge. To receive the agenda by mail, send check or money order for $52.00 for a one year subscription, made payable to the City of Houston to the attention of the City Secretary, P.O. Box 1562, Houston, Texas 77251.

To reserve time to appear before Council call 832-393-1100 or come to the Office of the City Secretary, City Hall Annex, Public Level at least 30 minutes prior to the scheduled public session shown on the agenda.
NOTE: If a translator is required, please advise when reserving time to speak

AGENDA - COUNCIL MEETING Tuesday, December 15, 2015 - 1:30 PM
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL

PRESENTATIONS

2:00 P.M. – INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Stardig

ROLL CALL AND ADOPT MINUTES OF PREVIOUS MINUTES

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 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.

NOTE: If a translator is required, please advise when reserving time to speak

RECESS

RECONVENE

WEDNESDAY - DECEMBER 16, 2015 - 9:00 A. M.

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

HEARINGS

1. **9:00 A.M. - PUBLIC HEARING** regarding the designation of a Tax Abatement Reinvestment Zone for **UNITED PARCEL SERVICE, INC (UPS)** - **DISTRICT B - DAVIS**
2. **9:00 A.M. - PUBLIC HEARING** regarding the termination of a Tax Abatement Reinvestment Zone for **BRECKENRIDGE GROUP HOUSTON TEXAS, LP.** - **DISTRICT I - GALLEGOS**

MAYOR'S REPORT

CONSENT AGENDA

MISCELLANEOUS ITEMS 3 THROUGH 15

3. CONFIRMATION of the appointment or reappointment of the following individuals to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for terms that will end March 1, 2017:

- Position 11 - **BRIE KELMAN**, appointment
- Position 13 - **MAVERICK WELSH**, reappointment

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION**:

Position One	**JORGE GARCIA-HERREROS**, reappointment, for a term to expire 3/1/2017
Position Two	**MINNETTE BICKEL BOESEL**, appointment, for an unexpired term ending 3/1/2016, and appointment, for a term to expire 3/1/2018
Position Four	**EDIE ARCHER**, reappointment, for a term to expire 3/1/2018
Position Six	**ROMULO TIM CISNEROS**, reappointment, for a term to expire 3/1/2018
Position Eight	**ROB D. HELLYER**, reappointment, for a term to expire 3/1/2018
Position Nine	**EMILY ARDOIN**, appointment, for an unexpired term ending 3/1/2017

5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2017

Position Four - **MATTHEW ROGERS, JR.**, reappointment
Position Five - **LAURA G. MURILLO**, appointment
Position Eleven - **ROBERT WOODS**, appointment

6. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **HOUSTON ARTS ALLIANCE BOARD OF DIRECTORS**, for terms to expire June 30, 2018:

Position Five - **LAUREN ANDERSON**
Position Six - **SHARON E. MURPHY**

7. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON CENTER FOR LITERACY (formerly the Houston READ Commission)**:

Position Five - **MICHAEL J. FILLA**, appointment, for a term to expire 1/1/2019
Position Six - **CHARLES LITTON**, appointment, for an unexpired term ending 1/1/2017
Position Seven - **NIPUL PATEL**, appointment, for an unexpired term ending 1/1/2018
Position Eight - **ESTEBAN SHARDONOFSKY**, reappointment, for a term to expire 1/1/2019
Position Eleven - **T. RAY PURSER**, reappointment, for a term to expire 1/1/2019

Position Fourteen - **MARK D. SULLIVAN**, appointment, for a term to expire 1/1/2019

Position Seventeen - **JACKIE AGUILERA**, reappointment, for a term to expire 1/1/2019

8. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for terms to expire December 30, 2017

Position One - **DAVID L. COLLINS**, reappointment
Position Two - **VINCENT A. MARQUEZ**, reappointment
Position Three - **MATT ZEIS**, appointment
Position Four - **STEPHAN FAIRFIELD**, reappointment
Position Five - **NICHOLAS ANDREW HALL**, reappointment, and to serve as Chair

9. REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER TWENTY**, for terms to expire December 20, 2017:

Position Three - **KENNETH LI**
Position Five - **SAUL VALENTIN**

10. REQUEST from Mayor for confirmation of the appointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER TWENTY-SEVEN, CITY OF HOUSTON, TEXAS (MONTROSE ZONE)**:

Position One - **LISA W. HUNT**, for a term to expire 12/31/2017
Position Two - **CAROLINE BETH GARRY**, for a term to expire 12/31/2016
Position Three - **JOE DOUGLAS WEBB**, for a term to expire 12/31/2017
Position Four - **STEPHEN C. COSTELLO**, for a term to expire 12/31/2016, and to serve as Chair
Position Five - **PAUL HINTON DICKERSON**, for a term to expire 12/31/2017
Position Six - **JACQUELINE S. MARTIN**, for a term to expire 12/31/2016
Position Seven - **ANN KATHERINE HUBBARD**, for a term to expire 12/31/2017

11. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE UPTOWN DEVELOPMENT AUTHORITY**:

Position Three - **MARTIN DEBROVNER**, reappointment, for a term to expire 7/6/2017
Position Four - **JUDSON W. ROBINSON, III**, reappointment, for a term to expire 7/6/2017
Position Five - **JOHN S. BEESON**, appointment, for a term to expire 7/6/2017
Position Nine - **MARICARMEN TAMEZ**, appointment, for a term to expire 7/6/2016

12. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON PARKS BOARD LGC, INC**, for terms to expire January 1, 2019:

Position Two - **JOE DILG**, appointment
Position Three - **PRECIOUS OWUDUNNI**, reappointment
Position Ten - **HERMAN LUIS STUDE**, reappointment
Position Thirteen - **CULLEN GEISELMAN**, appointment
Position Nineteen - **CARTER STERN**, appointment

13. RECOMMENDATION from Chief of Police to extend unpaid Leave of Absence for **Senior Police Telecommunicator**, **LAURA HERRERA**

14. RECOMMENDATION from Director Planning and Development Department to modify and establish existing user fees

15. ORDINANCE approving the creation of the Planning and Development Special Revenue Fund ("The Fund") with zero beginning fund balance to receive revenues from development-related fees for the Planning and Development Department (The "Department"); establishing the sources and uses of the funds therein for the operation, maintenance and support of the Department's Development related programs and functions; appropriating any and all funds received into the fund for the purposes set out herein and authorized expenditures consistent with the purpose thereof; approving the budget for the fund attached as Attachment A
This item should only be considered after approval of Item 14 above

ACCEPT WORK NUMBER 16

16. RECOMMENDATION from Director General Services Department for approval of final contract amount of $26,659,473.78 and acceptance of work on Construction Manager At Risk Contract with **BALFOUR BEATTY CONSTRUCTION, LLC**, for the Julia Ideson Building Restoration and Addition and the Julia Ideson Building Switchgear - 13.16% over the original contract amount - **DISTRICT I - GALLEGOS**

PROPERTY - NUMBER 17

17. RECOMMENDATION from Director Department of Public Works & Engineering to Purchase Parcel AY14-148, located at the 3300 Block of Greens Road, owned by CenterPoint Energy, Houston Electric, LLC for the **GREENS ROAD PAVING AND DRAINAGE PROJECT from Aldine Westfield to John F. Kennedy Boulevard** - **DISTRICT B - DAVIS**

PURCHASING AND TABULATION OF BIDS ITEMS 18 THROUGH 25

18. **NILFISK, INC** for Floor Cleaning Equipment through the Interlocal Agreement for Cooperative Purchasing with the Houston Galveston Area Council for the Houston Airport System $253,973.15 - Enterprise Fund - **DISTRICT B - DAVIS**

19. ORDINANCE appropriating $150,428.00 out of Equipment Acquisition Consolidated Fund for Purchase of Three Emergency Response Trucks for the Houston Fire Department

20. **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** for Purchase of Emergency Response Vehicles through the Interlocal Agreement for Cooperative Purchasing with the Houston Galveston Area Council for the Houston Fire Department
    This item should only be considered after passage of Item 19 above
21. **CONTRACT RESOURCE GROUP, L.L.C.** for Purchase and Installation of Modular Furnishings and Furniture for the Transporter/Mobile Vehicle Inspection Area through the State of Texas Building and Procurement Commission's Contract for the Houston Health Department $192,448.02 - Special Waste Transportation & Inspection Fund
22. ORDINANCE appropriating $188,259.25 out of Reimbursement of Equipment/Projects Fund to address an Emergency to Reconstruct the Metropolitan Multi-Service Center for the General Services Department on behalf of the Houston Parks and Recreation Department
23. APPROVE spending authority to address an Emergency for Water Mitigation at the Metropolitan Multi-Service Center for the General Services Department on behalf of the Houston Parks & Recreation Department, awarded to **S & R OPERATION, INC dba SERVPRO of the WOODLANDS/CONROE**
    This item should only be considered after passage of Item 22 above
24. **AMEND MOTION #2009-610, 8/12/2009, as previously amended by Motion 2014-765, 8/6/2014, TO EXTEND** expiration date from December 31, 2015 to December 31, 2016, for Personal Protective Gear for Various Departments, awarded to **MORNING PRIDE MFG dba HONEYWELL FIRST RESPONDER PRODUCTS**
25. **AMEND MOTION #2010-901, 12/22/2010, TO EXTEND** expiration date from December 27, 2015 to December 27, 2016, for Steel Construction Materials for Various Departments, awarded to **NORTH SHORE SUPPLY COMPANY, INC**

RESOLUTIONS NUMBERS 26 THROUGH 34

26. RESOLUTION designating the **HOUSTON HEIGHTS WATER WORKS** located at 449 W. 19th street within the City of Houston as a landmark and protected landmark - **DISTRICT C - COHEN**
27. RESOLUTION designating the **MELROSE BUILDING LOCATED** at 1121 Walker Street within the City of Houston as a historic landmark - **DISTRICT I - GALLEGOS**
28. RESOLUTION designating **MR. and MRS. S.I. MORRIS HOUSE** located at 2 Waverly Court within the City of Houston as a landmark and protected landmark **DISTRICT C - COHEN**
29. RESOLUTION designating the **JUDGE and MRS. J.A. PLATT HOUSE** located at 3311 Del Monte Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**
30. RESOLUTION designating the **JOSEPH R. GREENHILL III and VIOLET STANUELL GREENHILL HOUSE** at 2520 MASON STREET within the City of Houston as a historic landmark - **DISTRICT C - COHEN**

31. RESOLUTION designating the **STOWER BUILDING** located at 820 Fannin Street within the City of Houston as a historic landmark - **DISTRICT I - GALLEGOS**

32. RESOLUTION designating the **GULF OIL FILLING STATION** at 3709 La Branch Street within the City of Houston as a historic landmark - **DISTRICT D - BOYKINS**

33. RESOLUTION supporting the creation of quality jobs and the provision of healthy food alternatives to serve the Third Ward and surrounding communities, including people living in food deserts, through development of a full service grocery store on publicly owned land near SH 288 and MacGregor - **DISTRICT D - BOYKINS**

34. RESOLUTION expressing no objection to approximately two applications for non-competitive 4% Federal Tax Credits for rehabilitation or construction of developments for affordable rental housing located in the City of Houston, Texas or its extraterritorial jurisdiction - **DISTRICTS B - DAVIS and I - GALLEGOS**

ORDINANCES NUMBERS 35 THROUGH 75

35. ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299; providing for the issuance of the City of Houston, Texas, Combined Utility System First Lien Revenue Bonds, Series 2016A, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing a Co-Bond Counsel Agreement, authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency

36. ORDINANCE approving and authorizing third amendment to Lease Agreement between the City, as landlord and **FOURTH WARD CLINIC dba GOOD NEIGHBOR HEALTHCARE CENTER**, as tenant, for the purpose of reducing lease space at the West End Multi-Service Center at 190 Heights Boulevard, Houston, Harris County, Texas - **DISTRICT H - GONZALEZ**

37. AN ORDINANCE AMENDING ORDINANCE NO. 2015-1108 RELATING TO THE ADOPTION OF CONSTRUCTION CODE VOLUMES AND THE FIRE CODE FOR THE PROTECTION AND PRESERVATION OF LIVES AND PROPERTY FROM FIRE AND OTHER PERILS; DELAYING THE EFFECTIVE DATE OF THE AMENDMENTS TO THE *CITY OF HOUSTON CONSTRUCTION CODE* AND THE *CITY OF HOUSTON FIRE CODE* AND CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECTS; AND DECLARING AN EMERGENCY

38. ORDINANCE approving and authorizing Lease Agreement between **HOUSTON POLICE FEDERAL CREDIT UNION**, as tenant, and the City of Houston, Texas, as landlord, for space in the Houston Police Department Headquarters Building at 1200 Travis Street, Houston, Texas - **DISTRICT I - GALLEGOS**

39. ORDINANCE approving and authorizing a fourth amendment to grant agreement between the City of Houston and **HOUSTON HEIGHTS TOWERS, INC**. for the rehabilitation of a 223 unit affordable housing community for seniors and the disabled, located in the vicinity of 330 West 19th Street, Houston, Texas, to

provide for an increase in the amount of the senior loan and increases in the scope of work and in the final budget **- DISTRICT C - COHEN**

40. ORDINANCE approving and authorizing an Interlocal agreement with the City of Houston and **FORT BEND COUNTY** for the Internet Crimes Against Children Task Force Program

41. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **CITY of WEBSTER** for the Internet Crimes Against Children Task Force Program

42. ORDINANCE amending the City's Master Classification Ordinance (City of Houston Ordinance No. 90-1292, as most recently amended by City of Houston Ordinance No. 2015-1104) to change pay grades and/or titles of six classifications and add fifteen job classifications; providing a repealer

43. ORDINANCE approving and authorizing Professional Services Agreement between the City of Houston Texas and **ROGERS, MORRIS & GROVER, L.L.P.** for Professional Services associated in litigation styled John Paul Castorena v. Zamora and the City of Houston, in the United States District Court Southern District of Texas; C.A. 4:14-CV-00495

44. ORDINANCE appropriating $5,400,385 out of HAS Consolidated ITRP AMT Construction Fund and $72,614 out of Airports Improvement Fund and approving and authorizing contract for Construction-Manager-At-Risk Services between the City of Houston and **AUSTIN-GILBANE, JOINT VENTURE**, for the IAH Mickey Leland International Terminal (Project No. 826); providing funding for the Civic Art Program - **DISTRICT B - DAVIS**

45. ORDINANCE appropriating $50,095,000 out of HAS Consolidated ITRP AMT Construction Fund and $674,239 out of Airports Improvement Fund and approving and authorizing Professional Services Contract between the City of Houston and **FENTRESS ARCHITECTS, LTD.** for Architectural and Engineering Design Services for the IAH Mickey Leland International Terminal (Project No. 826); providing funding for the Civic Art Program - **DISTRICT B - DAVIS**

46. ORDINANCE appropriating $5,500,000 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Professional Services Contract between the City of Houston and **MARSH USA, INC** for the Owner Controlled Insurance Program in support of the IAH Terminal Redevelopment Program (Project No. 810) - **DISTRICT B - DAVIS**

47. ORDINANCE appropriating $4,733,000 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Design Build Agreement between the City of Houston and **HENSEL PHELPS CONSTRUCTION CO.** for Landside Enabling Utilities in support of the IAH Terminal Redevelopment Program (Project No. 822); providing funding for contingencies - **DISTRICT B - DAVIS**

48. ORDINANCE appropriating $2,477,693 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Design Build Agreement between the City of Houston and **TEXAS STERLING - BANICKI, JV LLC** for the East Aircraft Parking Hardstand Project in support of the IAH Terminal Redevelopment Program (Project No. 823) - **DISTRICT B - DAVIS**

49. ORDINANCE dedicating certain property generally known as Buffalo Bayou Park

(The "Park") as a public park pursuant to that certain construction, operating and management agreement among **BUFFALO BAYOU PARTNERSHIP, HARRIS COUNTY FLOOD CONTROL DISTRICT, REINVESTMENT ZONE NUMBER THREE, DOWNTOWN REDEVELOPMENT AUTHORITY**, and the City of Houston, subject to all prior usages for other public purposes, all previous dedications for use for other public purposes and all granted easements; accepting title to certain improvements within the park pursuant to the dedication

50. ORDINANCE 1) appropriating $1,000,000.00 out of the TIRZ Affordable Housing Fund No. 2409; 2) re-allocating $987,033.00 previously allocated as restricted funds under Ordinance No. 2008-255 for placement into the Land Acquisition Account for development activities; and 3) approving and authorizing a seventh amendment to the land assembly grant agreement between the City of Houston and the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** to provide funds for certain approved costs

51. ORDINANCE approving and authorizing Economic Development Agreement between the City of Houston, Texas, and **WOIH PARTNERS LLC** for the Development and Construction of an Indoor/Outdoor Music Venue and certain Public Works and Improvements related thereto **DISTRICT H - GONZALEZ**

52. ORDINANCE approving and authorizing an amended and restated Economic Development Agreement between the City of Houston, Texas, and **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 12**

53. ORDINANCE approving and authorizing an amended and restated cooperative development agreement between the City of Houston and **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 12 - DISTRICT K GREEN**

54. ORDINANCE approving a first amendment to an Economic Development Agreement between the City of Houston, Texas, and the **ENERGY CORRIDOR MANAGEMENT DISTRICT** - **DISTRICTS A STARDIG and G PENNINGTON**

55. ORDINANCE approving and authorizing Economic Development Agreement between the City of Houston, Texas, and **STUDEMONT VENTURE, L.P.** for the Development and Construction of a Public Parking Lot in the vicinity of the Olivewood Cemetery, multifamily and commercial development, and certain public works and improvements related thereto - **DISTRICT I - GALLEGOS**

56. ORDINANCE designating the **UNITED PARCEL SERVICE, INC** and **BT-OH, LLC REINVESTMENT ZONE** for tax abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT A - STARDIG**

57. ORDINANCE approving and authorizing Tax Abatement Agreement between the City of Houston, Texas, and **UNITED PARCEL SERVICE, INC and BT-OH, LLC** for property located within the United Parcel Service, Inc. and BT-OH, LLC Reinvestment Zone - **DISTRICT A - STARDIG**
This item should only be considered after passage of Item 56 above

58. ORDINANCE terminating the **ASPEN HEIGHTS, HOUSTON REINVESTMENT ZONE** for tax abatement purposes and the tax abatement agreement for Aspen Heights between the City of Houston, Texas and **BRECKENRIDGE GROUP HOUSTON TEXAS, LP** - **DISTRICT I - GALLEGOS**

59. ORDINANCE designating the **CULLEN SH APARTMENTS, LP**

REINVESTMENT ZONE for tax abatement purposes pursuant to Article IV OF Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT I - GALLEGOS**

Only to be considered after passage of Item 58 above

60. ORDINANCE approving and authorizing a tax abatement agreement between the City of Houston, Texas, and **CULLEN SH APARTMENTS, LP** for property located within the **CULLEN SH APARTMENTS, LP REINVESTMENT ZONE** - **DISTRICT I - GALLEGOS**

This item should only be considered after passage of Item 59 above

61. ORDINANCE approving and authorizing agreement between the City of Houston, Texas, the **HIRAM CLARKE/FORT BEND REDEVELOPMENT AUTHORITY**, and **REINVESTMENT ZONE NUMBER TWENTY-FIVE, CITY OF HOUSTON, TEXAS - DISTRICT K - GREEN**

62. ORDINANCE appropriating the sum of $1,070,300.00 out of the Police Consolidated Construction Fund; re-allocating the amount of $300,000.00 out of the Police Consolidated Construction Fund from the task order and job order contracting program; awarding a construction contract to **P^2MG, LLC DBA P2MG, LLC** for HPD – Parking Lot Expansion – South Gessner; 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 materials testing and contingencies relating to construction of facilities financed by Police Consolidated Construction Fund - **DISTRICT K GREEN**

63. ORDINANCE consenting to the addition of 29.854 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153,** for inclusion in its district

64. ORDINANCE consenting to the addition of 5.820 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 418,** for inclusion in its district

65. ORDINANCE authorizing a declaration of street right of way and the dedication to the public of 1) an 82,601-square-foot street right-of-way out of a 17.2363 acre tract of fee-owned land, and 2) a 93,363-square-foot street right-of-way out of an 8.018 acre tract of fee-owned land, out of the Victor Blanco Five League Grant Survey, Abstract No. 2, Harris County, Texas; authorizing a declaration instrument; containing findings and provisions related to the foregoing subject

66. ORDINANCE approving and authorizing a maintenance agreement between the City of Houston, Texas, and **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 48** for the construction, maintenance and operation of roads within the City's public right-of-way; making various findings and provisions relating to the foregoing subject

This item should only be considered after passage of item 65 above

67. ORDINANCE appropriating $49,000.00 out of the FY 2016 Equipment Acquisition Consolidated Fund for the SAP Affordable Care Act Enhancement Project for Houston Information Technology Services

68. ORDINANCE approving and authorizing Utility Functions and Services Allocation Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 529 DISTRICT G - PENNINGTON**

69. ORDINANCE appropriating $4,414,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **VACA**

UNDERGROUND UTILITIES, INC for Water Line Replacement in Commerce Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - BOYKINS and H - GONZALEZ**

70. ORDINANCE appropriating $3,182,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **BLASTCO TEXAS, INC** for Rehabilitation and new Water Storage Tanks at various locations - Package 6; 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, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS E - MARTIN; F - NGUYEN; G - PENNINGTON and J - LASTER**

71. ORDINANCE appropriating the sum of $128,661.54 out of the Reimbursement of equipment/project fund; approving and authorizing an Interlocal Agreement between the City and the **HOUSTON PARKS BOARD LGC, INC**. for the construction of improvements at Selena Quintanilla Perez - Denver Harbor Park - **DISTRICT H GONZALEZ**

72. ORDINANCE approving and authorizing an agreement for professional services between the City of Houston and **BANCROFT, PLLC** for legal services relating to an appeal entitled *City of Houston v. Christopher Zamora* in the United States Supreme Court

73. ORDINANCE approving, authorizing, and awarding an agreement between the City of Houston and **GENESIS NETWORKS ENTERPRISES, LLC** for Contingent Workforce Vendor Management System for the Human Resources Department; providing a maximum contract amount $650,000.00 - Central Service Revolving Fund

74. ORDINANCE appropriating $2,342,937.43 out of Parks Consolidated Construction Fund, and $250,000.00 out of Parks & Recreation Dedication Fund; and the sum of $30,000.00 out of Parks Special Fund; awarding construction contract to **JERDON ENTERPRISE L.P.** for Gragg Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and materials testing services, Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, the Parks and Recreation Dedication Fund, the Parks Special Revenue Fund, the Parks Special Fund and the General Fund - **DISTRICT I - GALLEGOS**

75. ORDINANCE No. 2015-1237, passed first reading December 9, 2015 ORDINANCE granting to **NORTHSTAR DEMOLITION AND REMEDIATION, LP, 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 - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA

NON CONSENT NUMBERS 76 THROUGH 85

MATTERS HELD NUMBERS 76 THROUGH 85

76. RECOMMENDATION from Purchasing Agent to adopt award to **CAP FITTERS UPFITTERS** for Emergency and Safety Vehicle Equipment Parts and Repair Services for the Fleet Management Department - 3 Years with two one-year options $14,500,000.00 - Equipment Acquisition Consolidated and Fleet Management Funds - **TAGGED BY COUNCIL MEMBER KUBOSH**
This was Item 11 on Agenda of December 9, 2015

77. ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, relating to the BARC Foundation; approving the amended bylaws of the BARC Foundation
TAGGED BY COUNCIL MEMBER LASTER
This was Item 19 on Agenda of December 9, 2015

78. ORDINANCE **AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, relating to Civil Service and other employment related provisions
TAGGED BY COUNCIL MEMBER LASTER
This was Item 20 on Agenda of December 9, 2015

79. MOTION by Council Member Bradford/Seconded by Council Member Laster that Item 80, proposed ordinance amending Section 16-3 of the Code of Ordinances relating to term limits for Municipal Court Judges be amended as follows:

Section 2 Letter 3, the last sentence be modified to read as follows:
"if an office becomes vacant during a term, then a qualified person shall be appointed and confirmed to the completion of the unexpired term.

TAGGED BY COUNCIL MEMBER KUBOSH

80. ORDINANCE **AMENDING SECTION 16-3 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, relating to term limits for Municipal Court Judges
TAGGED BY COUNCIL MEMBERS LASTER; KUBOSH and NGUYEN
This was Item 21 on Agenda of December 9, 2015
This item should only be considered after passage of Item 79 above

81. ORDINANCE **AMENDING CHAPTER 25 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to nationally competitively bid events
TAGGED BY COUNCIL MEMBER NGUYEN
This was Item 22 on Agenda of December 9, 2015

82. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Post Oak Boulevard Project; authorizing

the acquisition, by gift, dedication, purchase, or eminent domain proceedings, of the fee simple title or street easements in and to thirteen parcels of land required for the project and situated in the William White 1/3 League Survey, Abstract No. 836, Harris County, Texas, said parcels of land being located along the east and west lines of Post Oak Boulevard in Houston, Harris County, Texas; authorizing payment of the costs of such acquisitions, including the purchase prices for the property interests and costs associated with relocation assistance, appraisals, title policies/services, recordation of instruments, and eminent domain proceedings; ratifying a Public Improvement Development Agreement among the City of Houston, Texas, Uptown Development Authority, and Reinvestment Zone Number Sixteen, City of Houston, Texas - **DISTRICT G - PENNINGTON**
TAGGED BY COUNCIL MEMBERS DAVIS and KUBOSH
This was Item 35 on Agenda of December 9, 2015

83. ORDINANCE approving and authorizing Development, Construction, Operations, Maintenance and Concession Agreement between the City of Houston, Texas, **UPTOWN DEVELOPMENT AUTHORITY**, and **MEMORIAL PARK CONSERVANCY, INC** for the Houston Parks and Recreation Department for the development, operation and maintenance of Memorial Park **DISTRICT C - COHEN** - **TAGGED BY COUNCIL MEMBERS GALLEGOS AND KUBOSH**
This was Item 38 on Agenda of December 9, 2015

84. ORDINANCE approving and authorizing Master License Agreement for the use of the City's right-of-way for the installation of small cell antennas or Outdoor Distributed Antenna Systems for Wireless Networks; approving and authorizing such Master License Agreement between the City of Houston and **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**; authorizing the Mayor to execute all such subsequent Master License Agreements with other companies who consent to the same
TAGGED BY COUNCIL MEMBERS LASTER and GREEN
This was Item 39 on Agenda of December 9, 2015

85. ORDINANCE approving and authorizing Master License Agreement for the use of the City's right-of-way for the installation of small cell antennas or Outdoor Distributed Antenna Systems for Wireless Networks between the City of Houston and **CROWN CASTLE NG CENTRAL LLC**
TAGGED BY COUNCIL MEMBER GREEN
This was Item 40 on Agenda of December 9, 2015

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

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 POSITIONED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE (HOUSTON CITY CODE 2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District A
Item Creation Date: 11/18/2015

MYR - Public Hearing - UPS

Agenda Item#: 1.

Summary:

9:00 A.M. - PUBLIC HEARING regarding the designation of a Tax Abatement Reinvestment Zone for **UNITED PARCEL SERVICE, INC (UPS)** - **DISTRICT B - DAVIS**

Background:

SUBJECT: A motion to set a public hearing date for December 16, 2015 regarding the designation of a Tax Abatement Reinvestment Zone for United Parcel Service, Inc. (UPS).

RECOMMENDATION: (Summary)

A motion to set a public hearing date for December 16, 2015 regarding the designation of a Tax Abatement Reinvestment Zone for United Parcel Service, Inc. (UPS).

SPECIFIC EXPLANATION:

State law requires cities to adopt tax abatement guidelines and criteria before entering into tax abatement agreements, and each approved abatement agreement must meet those guidelines. State law also provides that cities' tax abatement guidelines and criteria expire after two years. City Council renewed the tax abatement guidelines and criteria on March 12, 2014 continuing the City's eligibility to enter into tax abatement agreements as well as modified the language to provide for tax abatements on properties that have been the subject of an order issued by the Department of Neighborhood to secure, repair or demolish. Sec. 312.201 of the Tax Code requires that the governing body holds a public hearing before it can adopt an ordinance designating an area as a reinvestment zone.

United Parcel Service, Inc.(UPS) (the "Company"), is the world's largest package delivery company and a provider of supply chain management solutions The company is considering multiple sites to expand its Houston area hub operations, including a "spin-off" facility that would accommodate excess package volume, as well as projected growth at existing area facilities. The expansion would include the construction of 400,000 to 500,000 square feet of warehouse space on approximately 125 acres and create approximately 600 new jobs (including transfers and organic job growth). The property address is 11802 N. Gessner in District A. The Company submitted a tax abatement application to the City on July 6, 2015 with all supporting documentation. The company plans to invest approximately $143 million to develop and construct the project.

The City reviewed the application and the tax abatement agreement is currently in process. The proposed agreement was presented to Budget and Fiscal Affairs Committee on November 19, 2015 and the public hearing date is December 16, 2015. The applicant is not requesting a variance

from the requirements of Section 44-123(g) of the Code.

Prior Council Action:

2009-858, date 9/16/09
2011-1167, date 12/14/11
2014-0245 date 3/12/14

Amount of Funding:

No applicable

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA UPS Public Hearing Motion	Signed Cover sheet
2009-858 Ordinance Tax Abatement	Backup Material
2011-1167 Ordinance Tax Abatement Amend 1	Backup Material
2014-245 Ordinance Tax Abatement Amend 2	Backup Material

REQUEST FOR COUNCIL ACTION

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

SUBJECT: A motion to set a public hearing date for December 16, 2015 regarding the designation of a Tax Abatement Reinvestment Zone for United Parcel Service, Inc. (UPS).	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andy Icken, Chief Development Officer Mayor's Office	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** B		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** 2009-858, date 9/16/09; 2011-1167, date 12/14/11, 2014-0245 date 3/12/14		

RECOMMENDATION: (Summary) A motion to set a public hearing date for December 16, 2015 regarding the designation of a Tax Abatement Reinvestment Zone for United Parcel Service, Inc. (UPS).

Amount of Funding: Not Applicable	**Finance Budget:**

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

SPECIFIC EXPLANATION:

State law requires cities to adopt tax abatement guidelines and criteria before entering into tax abatement agreements, and each approved abatement agreement must meet those guidelines. State law also provides that cities' tax abatement guidelines and criteria expire after two years. City Council renewed the tax abatement guidelines and criteria on March 12, 2014 continuing the City's eligibility to enter into tax abatement agreements as well as modified the language to provide for tax abatements on properties that have been the subject of an order issued by the Department of Neighborhood to secure, repair or demolish. Sec. 312.201 of the Tax Code requires that the governing body holds a public hearing before it can adopt an ordinance designating an area as a reinvestment zone.

United Parcel Service, Inc.(UPS) (the "Company"), is the world's largest package delivery company and a provider of supply chain management solutions The company is considering multiple sites to expand its Houston area hub operations, including a "spin-off" facility that would accommodate excess package volume, as well as projected growth at existing area facilities. The expansion would include the construction of 400,000 to 500,000 square feet of warehouse space on approximately 125 acres and create approximately 600 new jobs (including transfers and organic job growth). The property address is 11802 N. Gessner in District A. The Company submitted a tax abatement application to the City on July 6, 2015 with all supporting documentation. The company plans to invest approximately $143 million to develop and construct the project.

The City reviewed the application and the tax abatement agreement is currently in process. The proposed agreement was presented to Budget and Fiscal Affairs Committee on November 19, 2015 and the public hearing date is December 16, 2015. The applicant is not requesting a variance from the requirements of Section 44-123(g) of the Code.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 11/23/2015

MYR - Public Hearing Motion for December 16, 2015 to Terminate Breckenridge Group Houston Texas LP Tax Abatement Reinvestment Zone

Agenda Item#: 2.

Summary:

9:00 A.M. - PUBLIC HEARING regarding the termination of a Tax Abatement Reinvestment Zone for **BRECKENRIDGE GROUP HOUSTON TEXAS, LP.** - **DISTRICT I - GALLEGOS**

Background:

SUBJECT: A motion to set a public hearing date for December 16, 2015 regarding the termination of a Tax Abatement Reinvestment Zone for Breckenridge Group Houston Texas, LP.

RECOMMENDATION: (Summary)

A motion to set a public hearing date for December 16, 2015 regarding the termination of a Tax Abatement Reinvestment Zone for Breckenridge Group Houston Texas, LP.

SPECIFIC EXPLANATION:

State law requires cities to adopt tax abatement guidelines and criteria before entering into tax abatement agreements, and each approved abatement agreement must meet those guidelines. State law also provides that cities' tax abatement guidelines and criteria expire after two years. City Council renewed the tax abatement guidelines and criteria on March 12, 2014 continuing the City's eligibility to enter into tax abatement agreements as well as modified the language to provide for tax abatements on properties that have been the subject of an order issued by the Department of Neighborhood to secure, repair or demolish. Sec. 312.201 of the Tax Code requires that the governing body holds a public hearing before it can adopt an ordinance designating an area as a reinvestment zone.

Breckenridge Group Houston Texas LP, operating under the name Aspen Heights, is a national student housing developer and property manager and is headquartered in Austin, Texas. The developer contracted to acquire a site located at 1901/1905 Cullen Blvd, Houston, 77023. with plans to invest $63 million to develop and construct Aspen Heights – Houston, a 736 bed student housing development comprising 1-4 bedroom fully furnished units on approximately 7.7 acres of land. Aspen Heights submitted a tax abatement application to the City on April 4, 2014 with all

supporting documentation.

The City approved the creation of Tax Abatement Reinvestment Zone on May 28, 2014 by Ordinance 2014-0478. The tax abatement was intended to meet an economic gap that the developer demonstrated in its financial proforma mostly due to the high financial risk to the lender and required equity returns. Subsequent to the approval of the Tax Abatement Reinvestment Zone, Breckenridge was unable to secure the needed resources to finalize the land purchase and did not acquire the site. The developer cancelled the plan to develop the site and invest in the student housing project and as such, the Tax Abatement Reinvestment Zone must be terminated. The Administration recommends setting a public hearing for December 16, 2015 to terminate the Tax Abatement Reinvestment Zone for Breckenridge Group Houston Texas, LP at 1901/1905 Cullen Blvd.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

Prior Council Action:

Ord.2014-0245, 3/12/14;
Ord. 2014-0478, 5/28/2014

Amount of Funding:

Not applicable

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
2014-245 Ordinance Tax Abatement	Backup Material
2014-478 Ordinance TA Aspen Heights	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date: 11/20/2015

MYR ~ 2015 Houston Archeological & Historical Commission
Nomination memo 11-201-5

Agenda Item#: 3.

Summary:

CONFIRMATION of the appointment or reappointment of the following individuals to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for terms that will end March 1, 2017:

- Position 11 - **BRIE KELMAN**, appointment
- Position 13 - **MAVERICK WELSH**, reappointment

Background:

NON-CONSENT AGENDA

MISCELLANEOUS

Motion to set a date not less than seven (7) days from December 2, 2015, to receive nominations for Positions 11 and 13 of the Houston Archaeological and Historical Commission Board of Directors, for a term that will end March 1, 2017. The following positions expired effective 3/1/2015:

Position	Member	Nominated by
Position 11	Douglas Elliott	CM Christie
Position 13	R. Maverick Welsh, III	CM Rodriguez

ATTACHMENTS:

Description	Type
MYR ~ 2015 Houston Archological & Historical Commission Nomination memo 11-201-5	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date: 12/3/2015

MYR ~ 2015 Houston Archaeological and Historical Commission ReAppts. ltr. 12-3-15

Agenda Item#: 4.

Summary:

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION**:

Position One	**JORGE GARCIA-HERREROS**, reappointment, for a term to expire 3/1/2017
Position Two	**MINNETTE BICKEL BOESEL**, appointment, for an unexpired term ending 3/1/2016, and appointment, for a term to expire 3/1/2018
Position Four	**EDIE ARCHER**, reappointment, for a term to expire 3/1/2018
Position Six	**ROMULO TIM CISNEROS**, reappointment, for a term to expire 3/1/2018
Position Eight	**ROB D. HELLYER**, reappointment, for a term to expire 3/1/2018
Position Nine	**EMILY ARDOIN**, appointment, for an unexpired term ending 3/1/2017

Background:

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to Section 33-211 of the Code of Ordinances, City of Houston, Texas, I am appointing or reappointing the following individuals to the Houston Archaeological and Historical Commission of the City of Houston, subject to Council confirmation:

Jorge Garcia-Herreros, reappointment to Position One, for a term to expire March 1, 2017;
Minnette Bickel Boesel, appointment to Position Two, for an unexpired term ending March 1, 2016, and an appointment for a term to expire March 1, 2018;
Edie Archer, reappointment to Position Four, for a term to expire March 1, 2018;
Romulo Tim Cisneros, reappointment to Position Six, for a term to expire March 1, 2018;
Rob D. Hellyer, reappointment to Position Eight, for a term to expire March 1, 2018; and
Emily Ardoin, appointment to Position Nine, for an unexpired term ending March 1, 2017.

The résumés of the appointees are attached for your review.

Sincerely,

ATTACHMENTS:

Description	Type
MYR ~ 2015 Houston Archaeological and Historical Commission ReAppts. ltr. 12-3-15	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B
Item Creation Date: 12/3/2015

MYR ~ 2015 Harris County-Houston Sports Authority Appts. ltr. 12-3-15

Agenda Item#: 5.

Summary:

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2017

Position Four - **MATTHEW ROGERS, JR.**, reappointment
Position Five - **LAURA G. MURILLO**, appointment
Position Eleven - **ROBERT WOODS**, appointment

Background:

Dear Council Members:

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

Robert Woods, appointment to Position Four, for a term to expire August 31, 2017;
Laura G. Murillo, appointment to Position Five, for a term to expire August 31, 2017; and
Matthew Rogers, Jr., reappointment to Position Eleven, for a term to expire August 31, 2017.

The résumés of the nominees are attached for your review.

Sincerely,

ATTACHMENTS:

Description	Type
MYR ~ 2015 Harris County-Houston Sports Authority Appts. ltr. 12-3-15	Signed Cover sheet
MYR ~ REVISED 2015 Harris County-Houston Sports Authority Appts. ltr. 12-11-15	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date: 12/3/2015

MYR ~ 2015 Houston Arts Alliance Appt. ltr. 12-3-15

Agenda Item#: 6.

Summary:

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **HOUSTON ARTS ALLIANCE BOARD OF DIRECTORS**, for terms to expire June 30, 2018:

Position Five - **LAUREN ANDERSON**
Position Six - **SHARON E. MURPHY**

Background:

The Honorable City Council
Houston, Texas

Dear Council Members:

I am pleased to nominate for appointment the following individuals to the Houston Arts Alliance Board of Directors, subject to Council confirmation:

Lauren Anderson, appointment to Position Five, for a term to expire June 30, 2018; and
Sharon E. Murphy, appointment to Position Six, for a term to expire June 30, 2018.

The résumés of the appointees are attached for your review.

Sincerely,

ATTACHMENTS:

Description	Type
YR ~ 2015 Houston Arts Alliance Appt. ltr. 12-3-15	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date: 12/3/2015

MYR ~ 2015 Houston Center for Literacy ReAppts. ltr. 12-3-15

Agenda Item#: 7.

Summary:

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON CENTER FOR LITERACY (formerly the Houston READ Commission)**:

Position Five - **MICHAEL J. FILLA**, appointment, for a term to expire 1/1/2019

Position Six - **CHARLES LITTON**, appointment, for an unexpired term ending 1/1/2017

Position Seven - **NIPUL PATEL**, appointment, for an unexpired term ending 1/1/2018

Position Eight - **ESTEBAN SHARDONOFSKY**, reappointment, for a term to expire 1/1/2019

Position Eleven - **T. RAY PURSER**, reappointment, for a term to expire 1/1/2019

Position Fourteen - **MARK D. SULLIVAN**, appointment, for a term to expire 1/1/2019

Position Seventeen - **JACKIE AGUILERA**, reappointment, for a term to expire 1/1/2019

Background:

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to City of Houston Code of Ordinances, Chapter 2, sections 2-360 through 2-374, I am appointing or reappointing the following individuals to the Houston Center for Literacy (formerly the Houston READ Commission), subject to City Council confirmation:

Michael J. Filla, appointment to Position Five, for a term to expire January 1, 2019;
Charles Litton, appointment to Position Six, for an unexpired term ending January 1, 2017;
Nipul Patel, appointment to Position Seven, for an unexpired term ending January 1, 2018;
Esteban Shardonofsky, reappointment to Position Eight, for a term to expire January 1, 2019;
T. Ray Purser, reappointment to Position Eleven, for a term to expire January 1, 2019;
Mark D. Sullivan, appointment to Position Fourteen, for, for a term to expire January 1, 2019; and

Jackie Aguilera, reappointment to Position Seventeen, for a term to expire January 1, 2019.

The résumés of the appointees are attached for your review.

ATTACHMENTS:

Description	Type
MYR ~ 2015 Houston Center for Literacy ReAppts. ltr. 12-3-15	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date: 12/3/2015

MYR ~ 2015 Land Assemblage Redevelopment Authority
ReAppts. ltr. 12-3-15

Agenda Item#: 8.

Summary:

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for terms to expire December 30, 2017

Position One - **DAVID L. COLLINS**, reappointment
Position Two - **VINCENT A. MARQUEZ**, reappointment
Position Three - **MATT ZEIS**, appointment
Position Four - **STEPHAN FAIRFIELD**, reappointment
Position Five - **NICHOLAS ANDREW HALL**, reappointment, and to serve as Chair

Background:

Dear Council Members:

Pursuant to Texas Transportation Code 431.101, Texas Local Government Code Chapter 394, amended City of Houston Resolution No. 1999-59 and City of Houston Ordinance Nos. 2003-1018 and 2014-1057, I am appointing or reappointing the following individuals to the Land Assemblage Redevelopment Authority Board of Directors:

David L. Collins, reappointment to Position One, for a term to expire December 30, 2017;
Vincent A. Marquez, reappointment to Position Two, for a term to expire December 30, 2017;
Matt Zeis, appointment to Position Three, for a term to expire December 30, 2017;
Stephan Fairfield, reappointment to Position Four, for a term to expire December 30, 2017; and
Nicholas Andrew Hall, reappointment to Position Five, for a term to expire December 30, 2017, and to serve as Chair.

The appointees' résumés are attached for your review.

ATTACHMENTS:

Description	Type
MYR ~ 2015 Land Assemblage Redevelopment Authority ReAppts. ltr. 12-3-15	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date: 12/3/2015

MYR ~ 2015 TIRZ # 20 & Southwest Houston ReAppts. 12-3-15

Agenda Item#: 9.

Summary:

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER TWENTY**, for terms to expire December 20, 2017:

Position Three - **KENNETH LI**
Position Five - **SAUL VALENTIN**

Background:

Dear Council Members:

Pursuant to Chapter 311 of the Texas Tax Code, and City of Houston, Texas Ordinance No. 1999-1330, I am nominating the following individuals for reappointment to the Board of Directors of Reinvestment Zone Number Twenty, subject to Council confirmation:

Kenneth Li, reappointment to Position Three, for a term to expire December 20, 2017; and
Saul Valentin, reappointment to Position Five, for a term to expire December 20, 2017.

Pursuant to the Bylaws of the Southwest Houston Redevelopment Authority, appointment of a director of the Board of Directors of Reinvestment Zone Number Twenty will also constitute appointment of the director to the corresponding position on the Board of Directors of the Southwest Houston Redevelopment Authority for the same term.

The résumé of the nominees are attached for your review.

ATTACHMENTS:

Description	Type
MYR ~ 2015 TIRZ # 20 & Southwest Houston ReAppts. 12-3-15	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date: 12/3/2015

MYR ~ 2015 TIRZ # 27 & Montrose Zone Appts. ltr. 12-3-15

Agenda Item#: 10.

Summary:

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER TWENTY-SEVEN, CITY OF HOUSTON, TEXAS (MONTROSE ZONE)**:

Position One - **LISA W. HUNT**, for a term to expire 12/31/2017
Position Two - **CAROLINE BETH GARRY**, for a term to expire 12/31/2016
Position Three - **JOE DOUGLAS WEBB**, for a term to expire 12/31/2017
Position Four - **STEPHEN C. COSTELLO**, for a term to expire 12/31/2016, and to serve as Chair
Position Five - **PAUL HINTON DICKERSON**, for a term to expire 12/31/2017
Position Six - **JACQUELINE S. MARTIN**, for a term to expire 12/31/2016
Position Seven - **ANN KATHERINE HUBBARD**, for a term to expire 12/31/2017

Background:

Dear Council Members:

On December 9, 2015, an ordinance designating Reinvestment Zone Number Twenty-Seven, City of Houston, Texas (Montrose Zone) will be placed before the City Council for approval. At the City Council meeting following the approval of the designation of the zone, the City Council will be asked to confirm the appointments of the Board of Directors of the zone. I am nominating the following individuals for appointment to the Board of Directors of Reinvestment Zone Number Twenty-Seven, City of Houston, Texas (Montrose Zone), contingent upon passage of the ordinance designating the zone and subject to City Council confirmation:

Lisa W. Hunt, appointment to Position One, for a term to expire December 31, 2017;
Caroline Beth Garry, appointment to Position Two, for a term to expire December 31, 2016;
Joe Douglas Webb, appointment to Position Three, for a term to expire December 31, 2017;
Stephen C. Costello, appointment to Position Four, for a term to expire December 31, 2016, to serve as Chair;
Paul Hinton Dickerson, appointment to Position Five, for a term to expire December 31, 2017;
Jacqueline S. Martin, appointment to Position Six, for a term to expire December 31, 2016; and
Ann Katherine Hubbard, appointment to Position Seven, for a term to expire December 31, 2017.

Upon confirmation by Council, these appointments shall become effective on January 5, 2016.

The résumés of the nominees are attached for your review.

ATTACHMENTS:

Description	Type
MYR ~ 2015 TIRZ # 27 & Montrose Zone Appts. ltr. 12-3-15	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date: 12/3/2015

MYR ~ 2015 TIRZ # 16 & Uptown Development Authority
ReAppt. ltr. 12-3-15

Agenda Item#: 11.

Summary:

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE UPTOWN DEVELOPMENT AUTHORITY**:

Position Three - **MARTIN DEBROVNER**, reappointment, for a term to expire 7/6/2017
Position Four - **JUDSON W. ROBINSON, III**, reappointment, for a term to expire 7/6/2017
Position Five - **JOHN S. BEESON**, appointment, for a term to expire 7/6/2017
Position Nine - **MARICARMEN TAMEZ**, appointment, for a term to expire 7/6/2016

Background:

Dear Council Members:

Pursuant to City of Houston Resolution No. 1999-66, the provisions of Subchapter D of Chapter 431 of the Texas Transportation Code, and Chapter 394 of the Texas Local Government Code, I am appointing or reappointing the following individuals to the Board of Directors of the Uptown Development Authority, subject to Council confirmation:

Martin Debrovner, reappointment to Position Three, for a term to expire July 6, 2017;
Judson W. Robinson, III, reappointment to Position Four, for a term to expire July 6, 2017;
John S. Beeson, appointment to Position Five, for a term to expire July 6, 2017; and
Maricarmen Tamez, appointment to Position Nine, for a term to expire July 6, 2016.

Pursuant to Article II of the Bylaws of the Uptown Development Authority adopted December 1, 1999 by Ordinance No. 1999-66, the term of each Board Member position is coterminous with the corresponding position on the Board of Directors of Reinvestment Zone Number Sixteen, as established by the City of Houston, Texas Ordinance No. 1999-709, as may be amended from time to time.

The résumés of the nominees are attached for your review

ATTACHMENTS:

Description	Type
MYR ~ 2015 TIRZ # 16 & Uptown Development Authority ReAppt. ltr. 12-3-15	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date:

MYR-2015 Houston Parks Board, Inc. ReAppts. ltr. 12-11-15

Agenda Item#: 12.

Summary:

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON PARKS BOARD LGC, INC**, for terms to expire January 1, 2019:

Position Two - **JOE DILG**, appointment
Position Three - **PRECIOUS OWUDUNNI**, reappointment
Position Ten - **HERMAN LUIS STUDE**, reappointment
Position Thirteen - **CULLEN GEISELMAN**, appointment
Position Nineteen - **CARTER STERN**, appointment

Background:

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to the Code of Ordinances, City of Houston, Texas, Ch. 32, Art. VIII, Sec. 32-202, I am reappointing the following individuals to the Houston Parks Board LGC, Inc., subject to Council confirmation:

Joe Dilg, appointment to Position Two, for a term to expire January 1, 2019;
Precious Owudunni, reappointment to Position Three, for a term to expire January 1, 2019;
Herman Luis Stude, reappointment to Position Ten, for a term to expire January 1, 2019;
Cullen Geiselman, appointment to Position Thirteen, for a term to expire January 1, 2019;
Carter Stern, appointment to Position Nineteen, for a term to expire January 1, 2019.

The résumés of the appointees are attached for your review.

ATTACHMENTS:

Description	Type
Appointment/Reappointment Letter	Signed Cover sheet

ANNISE D. PARKER
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

December 11, 2015

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to the Code of Ordinances, City of Houston, Texas, Ch. 32, Art. VIII, Sec. 32-202, I am appointing or reappointing the following individuals to the Houston Parks Board LGC, Inc., subject to Council confirmation:

Joe Dilg, appointment to Position Two, for a term to expire January 1, 2019;
Precious Owudunni, reappointment to Position Three, for a term to expire January 1, 2019;
Herman Luis Stude, reappointment to Position Ten, for a term to expire January 1, 2019;
Cullen Geiselman, appointment to Position Thirteen, for a term to expire January 1, 2019;
Carter Stern, appointment to Position Nineteen, for a term to expire January 1, 2019.

The résumés of the appointees are attached for your review.

Sincerely,

Annise D. Parker

Annise D. Parker
Mayor

AP:JC:jsk

Attachments

cc: Mr. Michael Nichols, Interim Executive Director, Houston Parks Board, LGC, Inc.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date:

HPD-Leave of Absence of Sr. Police Telecommunicator

Agenda Item#: 13.

Summary:

RECOMMENDATION from Chief of Police to extend unpaid Leave of Absence for **Senior Police Telecommunicator**, **LAURA HERRERA**

Background:

The Chief of Police for the Houston Police Department requests City Council to approve a motion to extend unpaid leave of absence for Laura Herrera, Senior Police Telecommunicator, Employee No. 92233. The extension of unpaid leave of absence is for the period of June 20, 2015 to December 22, 2015. Ms. Herrera has a serious illness which requires further absences beyond the 180 days already granted by the Civil Service Commission to continue treatment for this condition. Ms. Herrera requests council approval for an additional 186-day leave of absence without pay for June 20, 2015 through December 22, 2015

Prior Council Action:

.

Contact Information:

Joseph A. Fenninger, CFO & Deputy Director (713) 308-1770
Janet Meisel, Sergeant, Admin. Personnel Comm. (713) 308-9230

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet

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

SUBJECT: Motion to extend Unpaid Leave of Absence for Senior Police Telecommunicator, Employee No. 92233.	**Category #** 3	**Page** 1 of 1	**Agenda Item #**
FROM: (Department or other point of origin): Houston Police Department	**Origination Date:** December 8, 2015		**Agenda Date**
DIRECTOR'S SIGNATURE: Charles A. McClelland, Jr., Chief of Police	**Council Districts affected:**		
For additional information contact: Joseph A. Fenninger, CFO & Deputy Director (713) 308-1770 JAF 12/8/15 Janet Meisel, Sergeant, Admin. Personnel Comm. (713) 308-9230	**Date and identification of prior authorizing Council Action:**		

RECOMMENDATION: (Summary)
Approve a Motion to extend unpaid leave of Absence for Senior Police Telecommunicator, L. Herrera, Employee No. 92233.

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

SPECIFIC EXPLANATION

The Chief of Police for the Houston Police Department requests City Council to approve a motion to extend unpaid leave of absence for Laura Herrera, Senior Police Telecommunicator, Employee No. 92233. The extension of unpaid leave of absence is for the period of June 20, 2015 to December 22, 2015. Ms. Herrera has a serious illness which requires further absences beyond the 180 days already granted by the Civil Service Commission to continue treatment for this condition. Ms. Herrera requests council approval for an additional 186-day leave of absence without pay for June 20, 2015 through December 22, 2015.

cc: Anna Russell, City Secretary
Marta Crinejo, Agenda Director
Janet Meisel, Sergeant - HPD Professional Development Command
Human Resources Department Records

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization: 12/8/15	Other Authorization:

F&A 011.A Rev.12/95 7530-0100403-00

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date:

PLN - Motion for fee additions & changes

Agenda Item#: 14.

Summary:

RECOMMENDATION from Director Planning and Development Department to modify and establish existing user fees

Background:

The Planning & Development Department (P&D) recommends City Council approve by motion the establishment of 20 user fees for site plan, subdivision plat, development, and related services provided by P&D and modify 27 existing user fees. These fee modifications are necessary to cover the City's cost of service associated with the fees and to provide adequate funding to sustain the proposed special revenue fund identified separately on this Council agenda.

P&D, in coordination with the Finance and Legal Departments, completed a comprehensive review of 47 existing and authorized development-related fees administered by P&D. The purpose of the review was to align the fees with the cost accrued by the City for providing the service. This review was necessary since more than a decade had elapsed since the last comprehensive review. The review identified 27 fees that are out of alignment with cost of service and 20 fees that have not been established, but were previously authorized by actions of City Council as a result of ordinance amendments.

Currently, annual revenue generated by the existing fee structure does not cover expenditures. As a result, the General Fund provides an annual subsidy to fund development-related services provided by P&D. The amounts identified in the attached exhibit adjust the corresponding user fee to the cost of service and eliminates the need for the annual subsidy to provide these services. Following the fee modification, the projected annual revenue is estimated to increase from $7.1 million to $8.7 million.

When coupled with the proposed special revenue fund (SRF) also on today's agenda, these fee adjustments will fund increased level of service for the City's development customers. The increased level of service will result from the following:

- Increasing development-related staffing levels by 5 FTEs, including additional plan reviewers and improved telephone and front desk customer service;
- Correcting compensation deficiencies for the planner family of positions, as identified in a recent HR-led salary survey of peer cities, thus improving staff attraction and retention and quality of reviews;
- Improving training for staff and related appointed commissions; and

- Improvements to technology and supplies.

P&D recommends the adoption of the attached fee modification. These adjustments become effective March 1, 2016.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date:

PLN - Special Revenue Creation

Agenda Item#: 15.

Summary:

ORDINANCE approving the creation of the Planning and Development Special Revenue Fund ("The Fund") with zero beginning fund balance to receive revenues from development-related fees for the Planning and Development Department (The "Department"); establishing the sources and uses of the funds therein for the operation, maintenance and support of the Department's Development related programs and functions; appropriating any and all funds received into the fund for the purposes set out herein and authorized expenditures consistent with the purpose thereof; approving the budget for the fund attached as Attachment A

This item should only be considered after approval of Item 14 above

Background:

The Planning and Development Department (P&D) recommends that City Council approve the creation of a special revenue fund (SRF) for development-related services led by P&D.

Unlike many departments, P&D's resource needs are directly tied to development activity levels. For example, applications for development-related activities increased 64% between 2010 and 2015. Fee revenue increased 214% over the same period. Despite these increases, the corresponding staff level increase during that time was only 5%. The increased workload without a corresponding increase in resources resulted in deteriorated level of service. For example, P&D's average residential review times increased from 1.2 days in 2010 to 4.3 days in 2015, with some reviews peaking at over 15 days.

The SRF will ensure P&D provides development customers an adequate level of service, regardless of market-based fluctuations in development activity. This proposal will dedicate revenues from development-related fees administered by P&D to the SRF. In turn, P&D's development-related expenditures will be paid out of the SRF. Fees to be dedicated toward the SRF are attached.

The SRF will fund the following development-related services:

- Subdivision plat review
- Permit review (Chapter 42, off-street parking, landscaping, hotel/motel, compliance enforcement, etc.)
- One half of the minimum lot size/minimum building line program
- The portion of management and support services associated with development activities

The SRF will also fund indirect costs associated with P&D's development-related services. The remaining portions of P&D will continue to be funded as they are currently through the General Fund and the EGIS Revolving Fund.

The SRF should be created only with the corresponding fee adjustment. Without the adjustment, the SRF's revenues will not sustain its projected expenditures.

The special revenue fund will take effect January 1, 2016.

ATTACHMENTS:

Description	Type
FAQs	Backup Material
Service level standards	Backup Material

FAQs
Special Revenue Fund and
Development-Related Fee Adjustments
December 11, 2015

PLANNING & DEVELOPMENT DEPARTMENT

1. **What is the proposal?**
   This proposal will do the following:
   - bring development-related fees in line with the City's costs for development services, and
   - create a special revenue fund (SRF) that will secure development revenues toward development services.

2. **Why is the SRF needed?**
   Unlike many departments, the Planning & Development Department's (P&D) development activities need to quickly adjust with the real estate market. As a General Fund department, P&D cannot respond quickly enough to market changes. This unresponsiveness deteriorates service levels, causing permit delays and impairing service quality.

3. **Why is a fee adjustment needed?**
   Currently, fees for development-related activities do not cover costs of providing those services. The General Fund currently subsidizes approximately $730,000 of these activities. This deficiency contributes to inadequate staffing levels and deteriorated levels of service for development customers. Adjusting fees will ensure the City captures sufficient funding to provide an adequate level of service.

4. **How will this work?**

   Development-related fees will be dedicated to the SRF, rather than the General Fund. In turn, the SRF will pay for P&D's development services. This structure ensures that, as the development activity fluctuates with the market, fee revenue commensurate with this activity will be available for development services.

5. **How significantly do market fluctuations impact level of service?**
   Applications for development-related activities increased 64% between 2010 and 2015. The corresponding development-related staff level increase during that time, however, was only 5%. Review times increased significantly under these conditions, resulting in deteriorated level of service. For example, P&D's average residential review times more than tripled during the same period.

6. **What are the benefits to the City and the development community?**
   The benefits of the proposal include the following:
   - maintain adequate service to development customers through market fluctuations, and
   - end the General Fund's subsidy of development-related costs.

7. **How does this improve P&D's service levels?**

P&D will be able to improve service levels through the following:

- increasing development-related staffing levels by 5 FTEs over previous budget levels, including additional plan reviewers and improved telephone and front desk customer service;
- correcting compensation deficiencies for the planner family of positions, as identified in a recent HR-led salary survey of peer cities, thus improving staff attraction and retention and increasing quality of reviews;
- improving training for staff and related appointed commissions; and
- improvements to technology and supplies.

8. **How does this change affect the general fund?**
   This proposal will eliminate the current general fund subsidy of development-related costs. The additional fee revenue enables an overall net benefit to the general fund.

9. **How were the new fees determined?**
   In concert with Finance & Administration and Legal, P&D conducted a detailed analysis of the level of effort required to process each application. This analysis considers factors such as position levels and amount of time required for each review. This proposal aligns each fee to the cost of service by reducing 9 fees, increasing 19 fees and establishing new fees for 20 activities authorized by Council that have not yet been assessed. Total fee revenue will increase from $7.1M to $8.7M, an increase of 23%.

10. **When would the fee changes occur?**
    If approved by Council in December, the Special Revenue Fund would be effective on January 1, 2016. Fee adjustments are scheduled to begin on March 1, 2016.

Special Revenue Fund (SRF) Service Level Standards
Document Date: 12/10/2015

The following reflects anticipated service levels upon full implementation of the special revenue fund (SRF). These enhancements will be achievable within seven (7) months of SRF creation. The City will report performance quarterly.

Permit Center Improvements

Development Plat Review (Commercial Plans)

- **Current Service Level**: Review takes upwards of 15 days
- **Improved Service Level:** 90% of plans reviewed within 5 business days

Site Plan Compliance Review (Single-Family Residential Plans)

- **Current Service Level**: Review takes upwards of 15 days
- **Improved Service Level:** 90% of plans reviewed within 3 business days

Expedited Plan Review

- **Current Service Level**: Daily program capacity of two (2) commercial plans and two (2) single-family residential plans
- **Improved Service Level:** Daily program capacity fifteen (15) commercial plans and 25 single-family residential plans

Planner of the Day (POD) Service – 1002 Washington

- **Current Service Level**: Walk-in/Telephone POD service window available each business day from 8:00AM to 4:00PM – Average customer wait time to see planner is 11.5 minutes.
- **Improved Service Level:** Walk-in/Telephone POD service window available each business day from 8:00AM to 4:00PM – Average customer wait time to see planner is under 6 minutes.

Subdivision Plat Office Improvements

Subdivision plat staff recommendations (excluding variance and public hearing items)

- **Current Service Level**: 90% of staff recommendation provided to applicant by 9 AM on the day of Planning Commission
- **Improved Service Level:** 90% of staff recommendations provided to applicant by 3 PM on the day before Planning Commission

Subdivision plat recordation appointments

- **Current Service Level**: Appointments available within 10 business days
- **Improved Service Level:** Appointments available within 5 business days

Planner of the Day (POD) Service

- **Current Service Level**: Walk-in/Telephone POD service not available the day before and the day of Planning Commission
- **Improved Service Level:** Walk-in/Telephone POD service available each business day

Applications requiring notification

- **Current Service Level**: Applicant provides electronic and paper copies of the mail out notification package: 1) county appraisal district map with notification area; 2) county appraisal district records; 3) notification spreadsheet; and 4) stamped/addressed envelopes
- **Improved Service Level:** Applicant will pay the adopted notification fee and staff will process the application using GIS technology. Mail out notification package not required.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date:

25CONS290 A/W SpawMaxwell Company, L.P. - Julia Ideson Building - Restoration & Addition & Julia Ideson Bldg Switchgear

Agenda Item#: 16.

Summary:

RECOMMENDATION from Director General Services Department for approval of final contract amount of $26,659,473.78 and acceptance of work on Construction Manager At Risk Contract with **BALFOUR BEATTY CONSTRUCTION, LLC**, for the Julia Ideson Building Restoration and Addition and the Julia Ideson Building Switchgear - 13.16% over the original contract amount - **DISTRICT I - GALLEGOS**

Background:

SPECIFIC EXPLANATION: On December 19, 2007, Ordinance No. 2007-1471, City Council awarded a CMAR contract to SpawMaxwell Company, L.P. (Balfour Beatty Construction, LLC) to provide pre-construction and construction phase services for the Julia Ideson Building (JIB) Restoration and Addition and Switchgear Replacement for the Houston Public Library.

The General Services Department and Balfour Beatty Construction, LLC agreed to a Guaranteed Maximum Price (GMP) for construction services in the amount of $22,307,445.00 for the JIB Restoration and Addition project, and a GMP of $1,250,674.00 for the JIB Switchgear Replacement, totaling $23,558,119.00 for both projects. The General Services Department recommends that City Council approve the final construction amount of $26,659,473.78 or 13.16% over the original combined GMPs, accept the work and authorize final payment to Balfour Beatty Construction, LLC.

PROJECT DESCRIPTION: The project included the following scope of work:

JIB Restoration and Addition: This project is the culmination of a successful partnership between the City of Houston and the Julia Ideson Library Preservation Partners, Inc. The Julia Ideson Library Building, a registered Texas Historical Landmark, built in 1926 was in need of repair, restoration and addition to continue and enhance its use as a public library, information research center and archive. The project constructed a new 21,500 square foot state-of-the-art archival wing and repaired and restored the existing infrastructure of the 66,000 square foot Julia Ideson Library Building. The project upgraded the front plaza landscaping and restored the architecturally rich public spaces, including works of art and furnishings, a grand public reading room on the second floor and rooms for exhibits, meetings and special events.

JIB Switchgear Replacement: Replaced the outdated electrical switchgear and installed

basement sprinklers.

PREVIOUS HISTORY AND PROJECT SCOPE: On December 30, 2008, Ordinance No. 2008-1208, City Council approved a First Amendment to the CMAR contract, which delegated authority to the director to approve the GMP for the JIB Restoration and Addition, and appropriated $7.5 MM, which partially funded Phase I construction services (new 21,500 square feet archival wing). Of this amount, TIRZ # 3 contributed $4 MM.

On April 1, 2009, Ordinance No. 2009-0284, City Council appropriated an additional $6.5 MM to fully fund the remaining Phase I construction costs for the new archival wing. The Reimbursement of Equipment/Projects Fund contributed $6 MM which was reimbursed by TIRZ #3; thus fulfilling TIRZ # 3's financial obligation under the Agreement.

On December 16, 2009, Ordinance No. 2009-1354, City Council approved a Second Amendment to the CMAR contract, which reduced the construction fee from 8% to 4%, and appropriated an additional $6.425 MM to partially fund Phase II - restoration of the existing 66,000 square feet JIB and front plaza landscaping.

On June 2, 2010, Ordinance No. 2010-0425, City Council approved an additional appropriation of $4.140 MM to fund the remaining Phase II restoration construction costs.

On June 29, 2011, Ordinance No. 2011-0578, City Council appropriated an additional $2,029,000 and allocated $300,000 for Phase II restoration and the purchase of furniture, fixtures and equipment and additional security cameras.

On December 14, 2011, Ordinance No. 2012-0936, City Council appropriated an additional $489,000 for Phase II restoration for improvements in the North Garden.

On October 31, 2012, Ordinance No. 2012-0936, City Council appropriated an additional $262,612 for the purchase of materials necessary for replacement of the JIB switchgear.

On December 5, 2012, Ordinance No. 2012-1025, City Council appropriated an additional $1,048,300 for installation of the JIB switchgear and basement sprinklers.

CONTRACT COMPLETION AND COST: The contractor completed renovations to the JIB within 981 days: the original contract time of 755 days plus 226 days approved by Change Orders; and installation of the JIB switchgear within the original contract time of 55 days. The final cost of the projects including Change Orders is $26,659,473.78, an increase of $3,101,354.78 over the original combined GMPs.

Gensler was the project design consultant for the project.

Prior Council Action:

Ordinance No. 2007-1471; dated 12/19/07
Ordinance No. 2008-1208; dated 12/30/08
Ordinance No. 2009-0284; dated 04/01/09
Ordinance No. 2009-1354; dated 12/16/09
Ordinance No. 2010-0425; dated 06/02/10
Ordinance No. 2011-0578; dated 06/29/11
Motion No. 2011-0536; dated 06/29/11

Ordinance No. 2011-1181; dated 12/14/11
Ordinance No. 2012-0936; dated 10/31/12
Ordinance 2012-1025; dated 12/05/2012

Amount of Funding:

Previous Funding:
$ 314,800.00 Library Capital Project Fund (4018)
$ 13,196,000.00 Julia Ideson Library Contributions Fund (4036)
$ 7,972,000.00 Reimbursement of Equipment/Projects Fund (1850)
$ 5,100,000.00 Gen. Improvement Consolidated Construction Fun(4509)
$ 2,034,912.00 Public Library Consolidated Construction Fund (4507)
$ 300,000.00 Federal Government – Grant Funded (5000)
$ 28,917,712.00 Total Funding

Contact Information:

Jacquelyn L. Nisby **Phone:** 832.393.8023

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet
Maps	Backup Material
RCA-ORD 2007-1471	Ordinance/Resolution/Motion
RCA-ORD 2008-1208	Ordinance/Resolution/Motion
RCA-ORD 2009-0284	Ordinance/Resolution/Motion
RCA-ORD 2009-1354	Ordinance/Resolution/Motion
RCA-ORD 2009-0425	Ordinance/Resolution/Motion
RCA-ORD 2011-0578	Ordinance/Resolution/Motion
RCA-MO 2011-0536	Ordinance/Resolution/Motion
RCA-ORD 2011-1181	Ordinance/Resolution/Motion
RCA-ORD 2012-0936	Ordinance/Resolution/Motion
RCA-ORD 2012-1025	Ordinance/Resolution/Motion
OBO Contractor Clearance	Other
Preliminary Final Estimate	Other
Change Order No. 01	Other
Change Order No. 02	Other
Change Order No. 03	Other
Change Order No. 04	Other
Change Order No. 05	Other
Change Order No. 06	Other
Change Order No. 07	Other
Change Order No. 08	Other
Change Order No. 09	Other
Change Order No. 10	Other
Change Order No. 11	Other
Change Order No. 12	Other
Change Order No. 13	Other

Change Order No. 14	Other
Change Order No. 15	Other
Change Order No. 16	Other
Change Order No. 17	Other
Change Order No. 18	Other
Change Order No. 19	Other
Change Order No. 20	Other
Change Order No. 21	Other
Change Order No. 22	Other
Change Order No. 23	Other
Change Order No. 24	Other
Change Order No. 25	Other
Change Order No. 26	Other
Change Order No. 27	Other
Change Order No. 28	Other
Switchgear GMP CO No. 1	Other
Delinquent Tax Report	Backup Material
Preliminary Final Estimate	Other

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

SUBJECT: Accept Work Construction Manager at Risk Contract Balfour Beatty Construction, LLC fka SpawMaxwell Company, L.P. Julia Ideson Building - Restoration and Addition and Julia Ideson Building Switchgear WBS No. E-000155-0001-4 and E- 000186-0001-4	**Page** 1 of 2	**Agenda Item**

FROM (Department or other point of origin): General Services Department	**Origination Date**	**Agenda Date**
DIRECTOR'S SIGNATURE: Scott Minnix 12/4/15 Scott Minnix	**Council District(s) affected:**	
For additional information contact: Jacquelyn L. Nisby **Phone:** 832.393.8023	**Date and identification of prior authorizing Council actions:** Ordinance No. 2007-1471; dated 12/19/07 Ordinance No. 2008-1208; dated 12/30/08 Ordinance No. 2009-0284; dated 04/01/09 Ordinance No. 2009-1354; dated 12/16/09 Ordinance No. 2010-0425; dated 06/02/10 Ordinance No. 2011-0578; dated 06/29/11 Motion No. 2011-0536; dated 06/29/11 Ordinance No. 2011-1181; dated 12/14/11 Ordinance No. 2012-0936; dated 10/31/12 Ordinance 2012-1025; dated 12/05/2012	

RECOMMENDATION: The General Services Department recommends approval of final construction amount of $26,659,473.78 and acceptance of work on Construction Manager at Risk (CMAR) Contract with Balfour Beatty Construction, LLC., for the Julia Ideson Building Restoration and Addition and the Julia Ideson Building Switchgear – 13.16% over the original construction amounts.

Amount and Source Of Funding: No Additional Funding Required **Previous Funding:** $ 314,800.00 Library Capital Project Fund (4018) $ 13,196,000.00 Julia Ideson Library Contributions Fund (4036) $ 7,972,000.00 Reimbursement of Equipment/Projects Fund (1850) $ 5,100,000.00 General Improvement Consolidated Construction Fund (4509) $ 2,034,912.00 Public Library Consolidated Construction Fund (4507) $ 300,000.00 Federal Government – Grant Funded (5000) **$28,917,712.00 Total Funding**	**Finance Budget:**

SPECIFIC EXPLANATION: On December 19, 2007, Ordinance No. 2007-1471, City Council awarded a CMAR contract to SpawMaxwell Company, L.P. (Balfour Beatty Construction, LLC) to provide pre-construction and construction phase services for the Julia Ideson Building (JIB) Restoration and Addition and Switchgear Replacement for the Houston Public Library.

The General Services Department and Balfour Beatty Construction, LLC agreed to a Guaranteed Maximum Price (GMP) for construction services in the amount of $22,307,445.00 for the JIB Restoration and Addition project, and a GMP of $1,250,674.00 for the JIB Switchgear Replacement, totaling $23,558,119.00 for both projects. The General Services Department recommends that City Council approve the final construction amount of $26,659,473.78 or 13.16% over the original combined GMPs, accept the work and authorize final payment to Balfour Beatty Construction, LLC.

PROJECT LOCATION: 500 McKinney Street (493L)

REQUIRED AUTHORIZATION CUIC ID #25CONS290

General Services Department:	**Houston Public Library:**
Richard A. Vella Chief of Design & Construction	Rhea Brown Lawson, Ph.D. Director

PROJECT DESCRIPTION: The project included the following scope of work:

JIB Restoration and Addition: This project is the culmination of a successful partnership between the City of Houston and the Julia Ideson Library Preservation Partners, Inc. The Julia Ideson Library Building, a registered Texas Historical Landmark, built in 1926 was in need of repair, restoration and addition to continue and enhance its use as a public library, information research center and archive. The project constructed a new 21,500 square foot state-of-the-art archival wing and repaired and restored the existing infrastructure of the 66,000 square foot Julia Ideson Library Building. The project upgraded the front plaza landscaping and restored the architecturally rich public spaces, including works of art and furnishings, a grand public reading room on the second floor and rooms for exhibits, meetings and special events.

JIB Switchgear Replacement: Replaced the outdated electrical switchgear and installed basement sprinklers.

PREVIOUS HISTORY AND PROJECT SCOPE: On December 30, 2008, Ordinance No. 2008-1208, City Council approved a First Amendment to the CMAR contract, which delegated authority to the director to approve the GMP for the JIB Restoration and Addition, and appropriated $7.5 MM, which partially funded Phase I construction services (new 21,500 square feet archival wing). Of this amount, TIRZ # 3 contributed $4 MM.

On April 1, 2009, Ordinance No. 2009-0284, City Council appropriated an additional $6.5 MM to fully fund the remaining Phase I construction costs for the new archival wing. The Reimbursement of Equipment/Projects Fund contributed $6 MM which was reimbursed by TIRZ #3; thus fulfilling TIRZ # 3's financial obligation under the Agreement.

On December 16, 2009, Ordinance No. 2009-1354, City Council approved a Second Amendment to the CMAR contract, which reduced the construction fee from 8% to 4%, and appropriated an additional $6.425 MM to partially fund Phase II - restoration of the existing 66,000 square feet JIB and front plaza landscaping.

On June 2, 2010, Ordinance No. 2010-0425, City Council approved an additional appropriation of $4.140 MM to fund the remaining Phase II restoration construction costs.

On June 29, 2011, Ordinance No. 2011-0578, City Council appropriated an additional $2,029,000 and allocated $300,000 for Phase II restoration and the purchase of furniture, fixtures and equipment and additional security cameras.

On December 14, 2011, Ordinance No. 2012-0936, City Council appropriated an additional $489,000 for Phase II restoration for improvements in the North Garden.

On October 31, 2012, Ordinance No. 2012-0936, City Council appropriated an additional $262,612 for the purchase of materials necessary for replacement of the JIB switchgear.

On December 5, 2012, Ordinance No. 2012-1025, City Council appropriated an additional $1,048,300 for installation of the JIB switchgear and basement sprinklers.

CONTRACT COMPLETION AND COST: The contractor completed renovations to the JIB within 981 days: the original contract time of 755 days plus 226 days approved by Change Orders; and installation of the JIB switchgear within the original contract time of 55 days. The final cost of the projects including Change Orders is $26,659,473.78, an increase of $3,101,354.78 over the original combined GMPs.

Gensler was the project design consultant for the project.

PREVIOUS CHANGE ORDERS:

JIB Restoration and Addition: Change Orders 1-28 generally addressed unforeseen conditions and improvements to the project which included the following: a credit for Phase I (new archival wing) savings; abatement of hazardous materials; additional storage and file cabinet furniture; a credit for reducing the contractor's fee on Phase II (restoration of the existing 66,000 square feet JIB and landscaping); demolition of the metal book stacks; replacing the hot, cold and chilled water piping; and restoring historic paint in the Tudor Gallery.

JIB Switchgear: Change Order No. 1 provided a credit to the City because the actual construction costs were less than the GMP.

M/W/SBE INFORMATION: The contract was awarded with a 24% M/W/SBE goal. The contractor submitted documentation of its Good Faith Effort to the Office of Business Opportunity. The Office of Business Opportunity reviewed the contractor's Good Faith Efforts and determined that a reduced M/W/SBE goal of 9.5% was appropriate. According to the Office of Business Opportunity, the contractor achieved 21.36% M/W/SBE participation and was assigned an outstanding rating.

SM:JLN:RAV:CC:MED:med

c : Marta Crinejo, Jacquelyn L. Nisby, John Middleton, Carter Roper, Veronica Lizama, Mary M. Villarreal, Morris Scott

CITY OF HOUSTON
HARRIS COUNTY, TEXAS

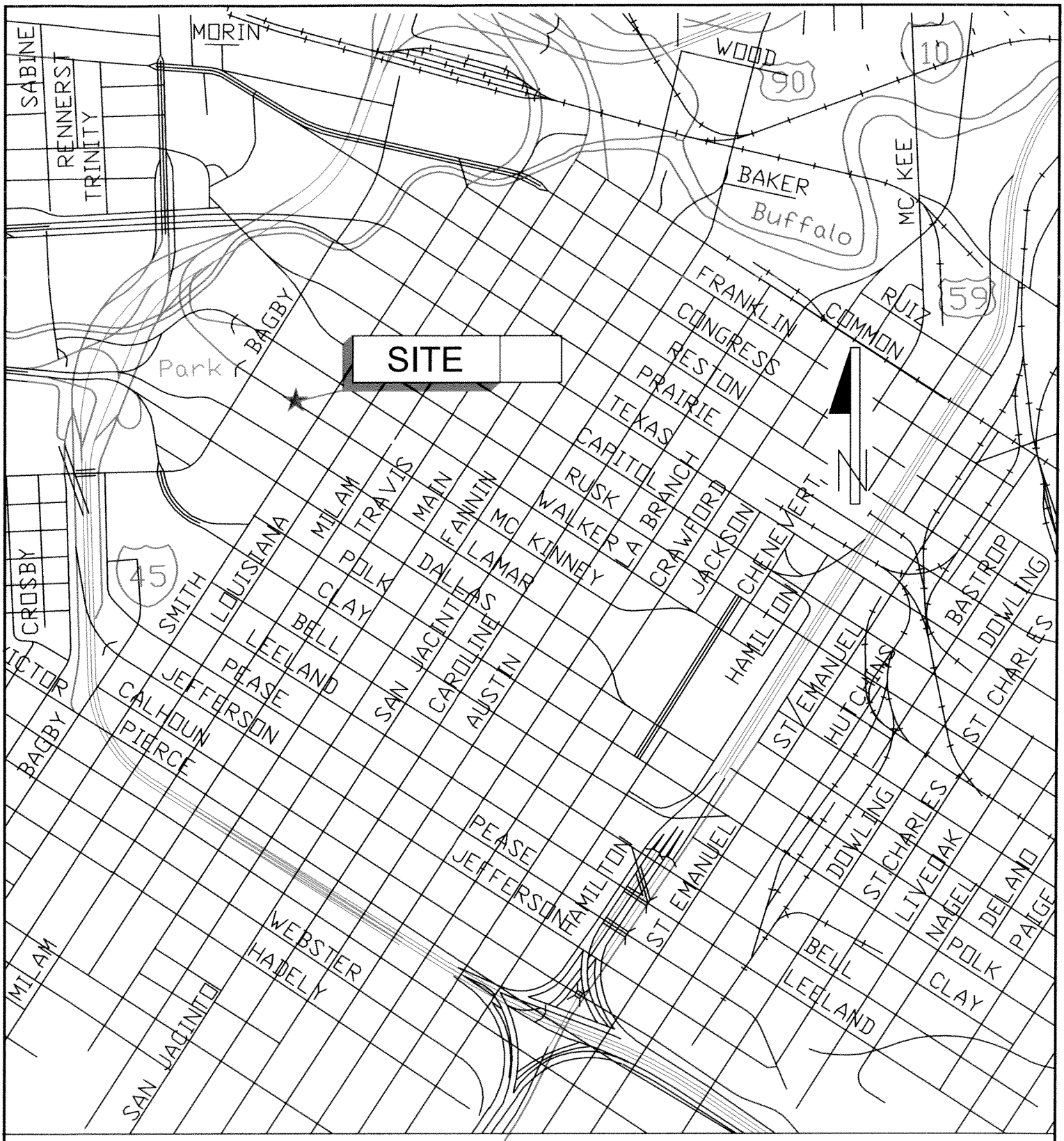
Julia Ideson Building Renovation and Addition and Julia Ideson Building Switchgear

550 MCKINNEY ST
HOUSTON, TX 77002

COUNCIL DISTRICT "I"

E-000155-0001-4
E-000186-0001-4

KEY MAP NO. 493 L



Julia Ideson Building Renovation and Addition and Julia Ideson Building Switchgear

550 MCKINNEY ST

HOUSTON, TX 77002

COUNCIL DISTRICT "I"	E-000155-0001-4 E- 000186-0001-4	KEY MAP NO. 493 L

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B
Item Creation Date: 11/30/2015

20ELG66 Purchase/Greens Road Paving and Draining Project/AY14-148

Agenda Item#: 17.

Summary:

RECOMMENDATION from Director Department of Public Works & Engineering to Purchase Parcel AY14-148, located at the 3300 Block of Greens Road, owned by CenterPoint Energy, Houston Electric, LLC for the **GREENS ROAD PAVING AND DRAINAGE PROJECT from Aldine Westfield to John F. Kennedy Boulevard** - **DISTRICT B - DAVIS**

Background:

SUBJECT: PROPERTY: PURCHASE of Parcel AY14-148, located at the 3300 Block of Greens Road for the GREENS ROAD PAVING AND DRAINAGE PROJECT (from Aldine Westfield to John F. Kennedy Boulevard), WBS N-000686-0002-2-01, Owners: CenterPoint Energy, Houston Electric, LLC.

RECOMMENDATION: (Summary) Authority be given through Council Motion to PURCHASE Parcel AY14-148.

SPECIFIC EXPLANATION:
The GREENS ROAD PAVING AND DRAINAGE PROJECT (from Aldine Westfield to John F. Kennedy Boulevard), is project is designed to improve traffic flow/circulation, reduce congestion and eliminate potential hazards on Greens Road, a designated major thoroughfare. This joint project with TxDOT consists of the removal of the original 2-lane asphalt roadway and replacement with a 4-lane concrete divided boulevard with curbs, sidewalks and street lighting, an underground storm sewer system, off-site storm sewer detention facilities, and replacement of sanitary sewer and water lines.

The City will acquire 4,050 square feet in easement out of improved commercial property. The City's offer was based on an appraisal by Simon Luttman and W.F. Trotter, MAI. The valuation was reviewed and recommended for approval by a senior staff appraiser of this department. The breakdown is as follows:

Parcel AY14-148 (Easement)	
LAND:	
4,050 square feet @ $3.40 PSF	$ 13,770.00
Improvements	$ 11,261.00
Cost to Cure	$181,053.00

Total Consideration	$206,084.00
Title Policy and Services	$ 2,200.00
TOTAL AMOUNT	$208,284.00

This property acquisition is being conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended and in compliance with the City of Houston's Relocation Assistance and Real Property Acquisition Policies.

It is recommended that authority be given through Council Motion to PURCHASE Parcel AY14-148, and improvements located thereon at the 3300 Block of Greens Road, owned by CenterPoint Energy, Houston Electric, LLC. This parcel contains 4,050 square feet of land for street right-of-way situated in the Washington Co. R.R. Co. Survey, Section 2, Block 6, A-1078, Harris County, Texas, being a portion of being a portion of that certain called 8.513 acre tract of land conveyed to Houston Lighting and Power Company by deed dated May 21, 1964 and recorded under Volume 5530, Page 529 of the Deed records of Harris County, of the Official Public Records of Real Property, Harris County, Texas, according to the approved City of Houston field notes.

Prior Council Action:

Ordinance 2014-0240, dated 03/26/2014

Amount of Funding:

No additional funding required (Funds were appropriated under Ordinance Number 2014-0240)

Contact Information:

Nancy P. Collins
Phone: (832) 395-3130
Senior Assistant Director

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet
Explanation of Cost to Cure	Backup Material
PCA Ordinance 2014-0240	Backup Material
Map	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B, District I
Item Creation Date: 11/23/2015

E25624-H Floor Cleaning Equipment - MOTION

Agenda Item#: 18.

Summary:

NILFISK, INC for Floor Cleaning Equipment through the Interlocal Agreement for Cooperative Purchasing with the Houston Galveston Area Council for the Houston Airport System $253,973.15 - Enterprise Fund - **DISTRICT B - DAVIS**

Background:

S38-E25624-H - Approve the purchase of floor cleaning equipment through the Houston Galveston Area Council (H-GAC) in the amount of $253,973.15 for the Houston Airport System.

Specific Explanation:

The Director of the Houston Airport System and the City Purchasing Agent recommend that City Council approve the purchase of floor cleaning equipment through the Interlocal Agreement for Cooperative Purchasing with the Houston Galveston Area Council (H-GAC) in the amount of **$253,973.15** for the Houston Airport System and that authorization be given to issue a purchase order to the H-GAC contractor, **Nilfisk, Inc.** The floor cleaning equipment will be used to strip wax, remove dirt and debris and to prepare the floors for waxing to create floor protection and shine at the George Bush Intercontinental and the William P. Hobby Airports.

This purchase consists of seven walk behind burnishers, five riding scrubbers, five walk behind scrubbers, three riding burnishers, two carpet extractors, and a riding sweeper. The new floor cleaning equipment will come with a 12-month warranty on workmanship and parts and the life expectancy is ten years. The new flooring equipment will be additions to the Department's inventory.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the Department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Attachment: MWBE zero percent goal-document provided by the Office of Business Opportunity

Calvin D. Wells, City Purchasing Agent **Department Approval Authority**
Signature
Finance/Strategic Procurement Division

Amount of Funding:

$241,013.03 - HAS-AIF Capital Outlay Fund (8012)
$ 12,960.12 - HAS- Revenue Fund (8001)
$253,973.15 - Total Funding

Contact Information:

Justina Mann	HAS	281-230-8086
Desiree Heath	SPD	832-393-8742
Lena Farris	SPD	832-393-8729

ATTACHMENTS:

Description	Type
E25624-H OBO Documents	Backup Material
E25624-H Form A	Backup Material
E25624-H Form B	Backup Material
E25624-H Affidavit of Ownership	Backup Material
RCA#E25624-H Nilfish, Inc	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District B, District I
Item Creation Date: 11/23/2015

E25624-H Floor Cleaning Equipment - MOTION

Agenda Item#:

Background:

S38-E25624-H - Approve the purchase of floor cleaning equipment through the Houston Galveston Area Council (H-GAC) in the amount of $253,973.15 for the Houston Airport System.

Specific Explanation:

The Director of the Houston Airport System and the City Purchasing Agent recommend that City Council approve the purchase of floor cleaning equipment through the Interlocal Agreement for Cooperative Purchasing with the Houston Galveston Area Council (H-GAC) in the amount of **$253,973.15** for the Houston Airport System and that authorization be given to issue a purchase order to the H-GAC contractor, **Nilfisk, Inc.** The floor cleaning equipment will be used to strip wax, remove dirt and debris and to prepare the floors for waxing to create floor protection and shine at the George Bush Intercontinental and the William P. Hobby Airports.

This purchase consists of seven walk behind burnishers, five riding scrubbers, five walk behind scrubbers, three riding burnishers, two carpet extractors, and a riding sweeper. The new floor cleaning equipment will come with a 12-month warranty on workmanship and parts and the life expectancy is ten years. The new flooring equipment will be additions to the Department's inventory.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the Department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Attachment: MWBE zero percent goal-document provided by the Office of Business Opportunity

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

$241,013.03 - HAS-AIF Capital Outlay Fund (8012)
$ 12,960.12 - HAS- Revenue Fund (8001)
$253,973.15 - Total Funding

Contact Information:

Justina Mann	HAS	281-230-8086
Desiree Heath	SPD	832-393-8742
Lena Farris	SPD	832-393-8729

ATTACHMENTS:

Description	Type
E25624-H OBO Documents	Backup Material
E25624-H Form A	Backup Material
E25624-H Form B	Backup Material
E25624-H Affidavit of Ownership	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/9/2015

E25640H - Appropriation - ORDINANCE

Agenda Item#: 19.

Summary:

ORDINANCE appropriating $150,428.00 out of Equipment Acquisition Consolidated Fund for Purchase of Three Emergency Response Trucks for the Houston Fire Department

Background:

Subject: S38-E25640-H - Approve an Appropriation Ordinance

The Director of Fleet Management Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of **$150,428.00** out of the Equipment Acquisition Consolidated Fund (1800) for the purchase of one 14,000-lb. GVWR and two 19,000-lb. GVWR crew cab emergency response trucks for the Houston Fire Department. The funding for these vehicles is included in the FY15 carry over budget and the adopted FY16 Equipment Acquisition Plan.

_____

_____

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

$150,428.00 - Equipment Acquisition Consolidated Fund (1800)

Contact Information:

Victor Ayres	FMD	832-393-6901
Desiree Heath	SPD	832-396-8742
Lena Farris	SPD	832-393-8729

ATTACHMENTS:

Description	Type
RCA#E25640H- Appropriation of funds	Signed Cover sheet

E25640-H Unsigned Ordinance Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
ALL
Item Creation Date: 12/9/2015

E25640-H Appropriation -ORDINANCE

Agenda Item#:

Background:

Subject: S38-E25640-H - Approve an Appropriation Ordinance

The Director of Fleet Management Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of **$150,428.00** out of the Equipment Acquisition Consolidated Fund (1800) for the purchase of one 14,000-lb. GVWR and two 19,000-lb. GVWR crew cab emergency response trucks for the Houston Fire Department. The funding for these vehicles is included in the FY15 carry over budget and the adopted FY16 Equipment Acquisition Plan.

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

$150,428.00 - Equipment Acquisition Consolidated Fund (1800)

Contact Information:

Vic Ayers	FMD	832-393-6901
Desiree Heath	SPD	832-396-8742
Lena Farris	SPD	832-393-8729

ATTACHMENTS:

Description	Type
E25640-H Unsigned Ordinance	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/9/2015

E25640H.1 -Purchase of Emergency Vehilces -MOTION

Agenda Item#: 20.

Summary:

CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD for Purchase of Emergency Response Vehicles through the Interlocal Agreement for Cooperative Purchasing with the Houston Galveston Area Council for the Houston Fire Department
This item should only be considered after passage of Item 19 above

Background:

S38-E25640-H - Approve the purchase of three emergency response vehicles through the Houston Galveston Area Council (H-GAC) in the amount of $150,428.00 for the Houston Fire Department.

Specific Explanation:

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve the purchase of one 14,000-lb. Gross Vehicle Weight Rating (GVWR) and two 19,000-lb. GVWR crew cab emergency response trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston Galveston Area Council (H-GAC) in the amount of **$150,428.00** for the Houston Fire Department and that authorization be given to issue a purchase order to the H-GAC contractor, **Chastang Enterprises, Inc. d/b/a Chastang's Bayou City Ford.** The 14,000-lb. GVWR and two 19,000-lb. GVWR emergency response trucks will be utilized by the Emergency Response Command Staff to respond to a variety of incidents. These units will also provide a higher clearance which will allow usage during flood events.

This purchase will consists of one 14,000 GVWR and two 19,000 GVWR crew cab emergency response trucks. The one 14,000-lb. GVWR and two 19,000-lb. GVWR crew cab emergency response trucks will come with warranties of: three years/36,000 miles bumper to bumper; five years/60,000 miles on the powertrain; and five years/100,000 miles on the diesel engines. The three new trucks will meet the EPA's current emission standards for trucks with diesel engines. The three emergency response trucks will have a life expectancy of 10 years and will be additions to the Departments fleet.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the Department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Attachment: MWBE zero percent goal-document provided by the Office of Business Opportunity

Calvin D. Wells, City Purchasing Agent **Department Approval Authority**
Signature
Finance/Strategic Procurement Division

Amount of Funding:

$150,428.00 - Equipment Acquisition Consolidated Fund (1800)

Contact Information:

Victor Ayres	FMD	832-393-6901
Desiree Heath	SPD	832-393-8742
Lena Farris	SPD	832-393-8729

ATTACHMENTS:

Description	Type
RCA#E25640H.1 Chastang's Bayou City Ford	Signed Cover sheet
E25640-H Unsigned Ordinance	Backup Material
E25640-H Form A	Backup Material
E25640-H Form B	Backup Material
E25640-H Delinquent Tax	Backup Material
E25460-H Affidavit of Ownership	Backup Material
E25640-H Funding Summary	Backup Material
E24540-H OBO	Signed Cover sheet
Signed RCA	Signed Cover sheet
Sgined RCA	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
ALL
Item Creation Date: 12/9/2015

E25640-H -Purchase of Emergency Vehilces -MOTION

Agenda Item#:

Background:
S38-E25640-H - Approve the purchase of three emergency response vehicles through the Houston Galveston Area Council (H-GAC) in the amount of $150,428.00 for the Houston Fire Department.

Specific Explanation:
The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve the purchase of one 14,000-lb. Gross Vehicle Weight Rating (GVWR) and two 19,000-lb. GVWR crew cab emergency response trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston Galveston Area Council (H-GAC) in the amount of **$150,428.00** for the Houston Fire Department and that authorization be given to issue a purchase order to the H-GAC contractor, **Chastang Enterprises, Inc. d/b/a Chastang's Bayou City Ford.** The 14,000-lb. GVWR and two 19,000-lb. GVWR emergency response trucks will be utilized by the Emergency Response Command Staff to respond to a variety of incidents. These units will also provide a higher clearance which will allow usage during flood events.

This purchase will consists of one 14,000 GVWR and two 19,000 GVWR crew cab emergency response trucks. The one 14,000-lb. GVWR and two 19,000-lb. GVWR crew cab emergency response trucks will come with warranties of: three years/36,000 miles bumper to bumper; five years/60,000 miles on the powertrain; and five years/100,000 miles on the diesel engines. The three new trucks will meet the EPA's current emission standards for trucks with diesel engines. The three emergency response trucks will have a life expectancy of 10 years and will be additions to the Departments fleet.

Hire Houston First:
This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the Department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Attachment: MWBE zero percent goal-document provided by the Office of Business Opportunity

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:
$150,428.00 - Equipment Acquisition Consolidated Fund (Fund 1800)

Contact Information:

Vic Ayers	FMD	832-393-6901
Desiree Heath	SPD	832-393-8742
Lena Farris	SPD	832-393-8729

ATTACHMENTS:

Description	Type
E25640-H Unsigned Ordinance	Backup Material
E25640-H Unsigned OBO Docs.	Backup Material
E25640-H Form A	Backup Material
E25640-H Form B	Backup Material
E25640-H Delinquent Tax	Backup Material
E25460-H Affidavit of Ownership	Backup Material
E25640-H Funding Summary	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 12/7/2015

25CONS289 Issuance of PO to Contract Resource Group
for Purchase and Installation of Furnishings for MVI- HHSD

Agenda Item#: 21.

Summary:

CONTRACT RESOURCE GROUP, L.L.C. for Purchase and Installation of Modular Furnishings and Furniture for the Transporter/Mobile Vehicle Inspection Area through the State of Texas Building and Procurement Commission's Contract for the Houston Health Department $192,448.02 - Special Waste Transportation & Inspection Fund

Background:

SUBJECT: Issuance of a Purchase Order to Contract Resource Group, L.L.C. through the State of Texas Building and Procurement Commission's Contract (TxMAS) for the Purchase and Installation of Modular Furnishings and Furniture for the Transporter/Mobile Vehicle Inspection Area for the Houston Health Department
WBS No. H-000110-0001-4

RECOMMENDATION: Authorize the issuance of a purchase order to the TxMAS vendor, Contract Resource Group, L.L.C. for the purchase and installation of modular furnishings and furniture for the Houston Health Department.

SPECIFIC EXPLANATION: The General Services Department recommends that City Council authorize the issuance of a purchase order in the amount of $192,448.02 to the TxMAS vendor, Contract Resource Group, L.L.C. to purchase and install modular furnishings and furniture for the Houston Health Department Transporter/Mobile Vehicle Inspection Area. The Environmental Health Division will use this facility to perform inspections of mobile food units/vehicles to ensure compliance with code and food safety requirements.
PROJECT LOCATION: 7427 Park Place, (Key Map 535N)
PROJECT DESCRIPTION: The transporter/mobile vehicle inspection area will consist of a new 6,000 square foot pre-engineered building with a standing seam metal roof and masonry façade; staff office area; cashier booth/reception desk; break room; waiting room for visitors; public and staff restrooms; circulation space, computer network/security room; electrical room; storage; and janitor's closet. Site improvements will include heavy-duty concrete driveways; a stand-alone inspection canopy; storm water drainage; retention pond; electrical, water and wastewater systems; visitors and staff parking; site lighting; security fence; electrically operated gates with card access; CCTV cameras; and landscaping.

SM:JLN:RAV:CC:KTH:kth

c: Marta Crinejo, Jacquelyn L. Nisby, Calvin Curtis, Claudette Manning, Angela Jackson, Veronica Lizama, File

Prior Council Action:

N/A

Amount of Funding:

$192,448.02 – Special Waste Transportation & Inspection Fund (2423)

Contact Information:

Jacquelyn L. Nisby
Phone: 832-393-8023

ATTACHMENTS:

Description	Type
RCA	Backup Material
MVI MAPS	Backup Material
Tax Delinquent Form	Backup Material

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

SUBJECT: Issuance of a Purchase Order to Contract Resource Group, L.L.C. through the State of Texas Building and Procurement Commission's Contract (TxMAS) for the Purchase and Installation of Modular Furnishings and Furniture for the Houston Health Department WBS No. H-000110-0001-4	**Page** 1 of 1	**Agenda Item**

FROM (Department or other point of origin): General Services Department	**Origination Date**	**Agenda Date**
DIRECTOR'S SIGNATURE: Scott Minnix 12/3/15	**Council District affected:** I	
For additional information contact: Jacquelyn L. Nisby **Phone:** 832-393-8023	**Date and identification of prior authorizing Council action:**	

RECOMMENDATION: Authorize the issuance of a purchase order to the TxMAS vendor, Contract Resource Group, L.L.C. for the purchase and installation of modular furnishings and furniture for the Houston Health Department.

Amount and Source of Funding: **$192,448.02** – Special Waste Transportation & Inspection Fund (2423)	**Finance Budget:**

SPECIFIC EXPLANATION: The General Services Department recommends that City Council authorize the issuance of a purchase order in the amount of $192,448.02 to the TxMAS vendor, Contract Resource Group, L.L.C. to purchase and install modular furnishings and furniture for the Houston Health Department Transporter/Mobile Vehicle Inspection Area. The Environmental Health Division will use this facility to perform inspections of mobile food units/vehicles to ensure compliance with code and food safety requirements.

PROJECT LOCATION: 7427 Park Place, (Key Map 535N)

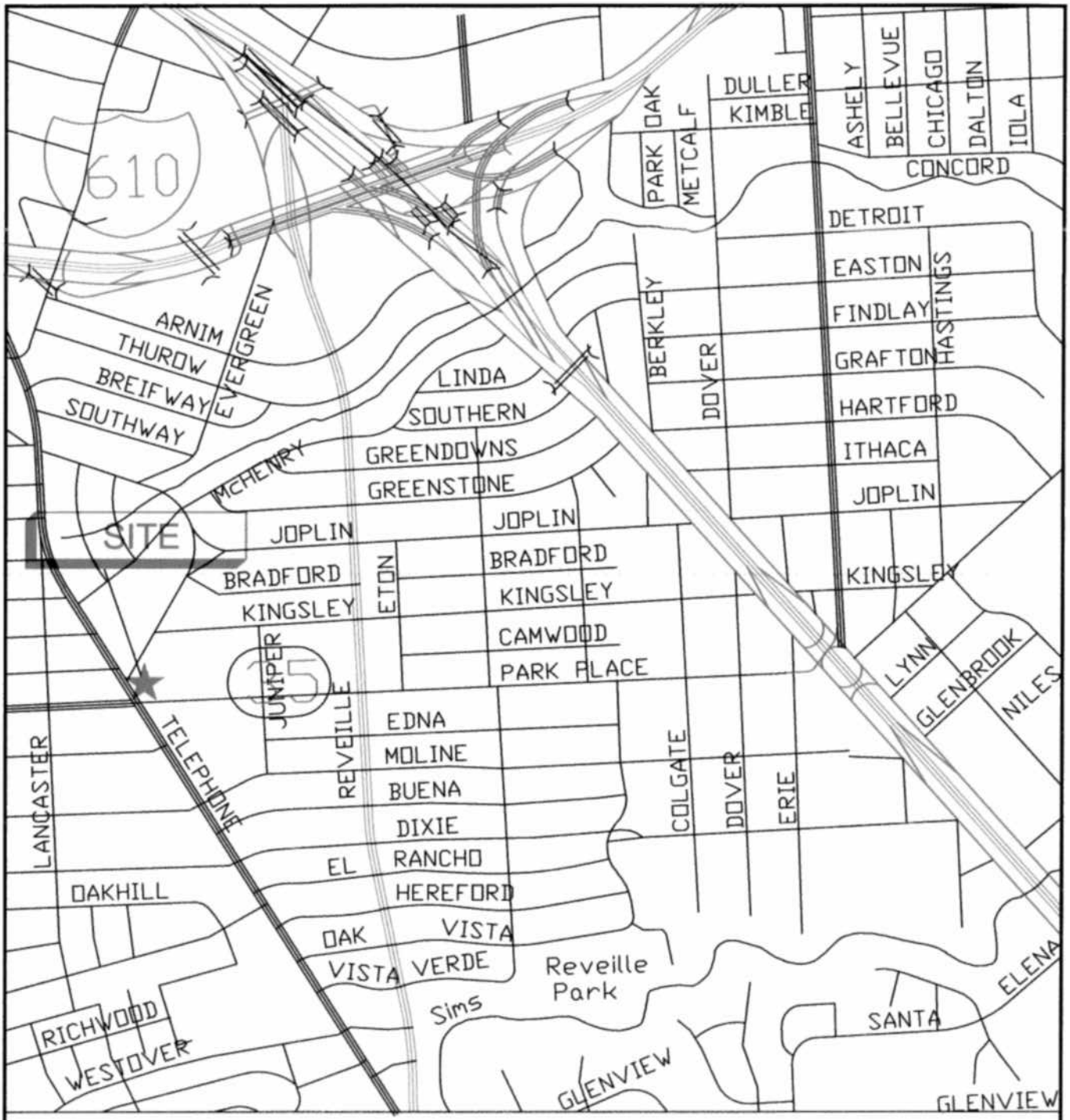
PROJECT DESCRIPTION: The transporter/mobile vehicle inspection area will consist of a new 6,000 square foot pre-engineered building with a standing seam metal roof and masonry façade; staff office area; cashier booth/reception desk; break room; waiting room for visitors; public and staff restrooms; circulation space, computer network/security room; electrical room; storage; and janitor's closet. Site improvements will include heavy-duty concrete driveways; a stand-alone inspection canopy; storm water drainage; retention pond; electrical, water and wastewater systems; visitors and staff parking; site lighting; security fence; electrically operated gates with card access; CCTV cameras; and landscaping.

SM:JLN:RAV:CC:KTH:kth

c: Marta Crinejo, Jacquelyn L. Nisby, Calvin Curtis, Claudette Manning, Angela Jackson, Veronica Lizama, File

REQUIRED AUTHORIZATION CUIC ID # 25CONS289

General Services Department:	**Houston Health Department:**
Richard A. Vella Chief of Design & Construction Division	Stephen L. Williams, M.Ed., M.P.A Director



WBS # H-000110-0001-4

Transporter/Mobile Vehicle Inspection Area

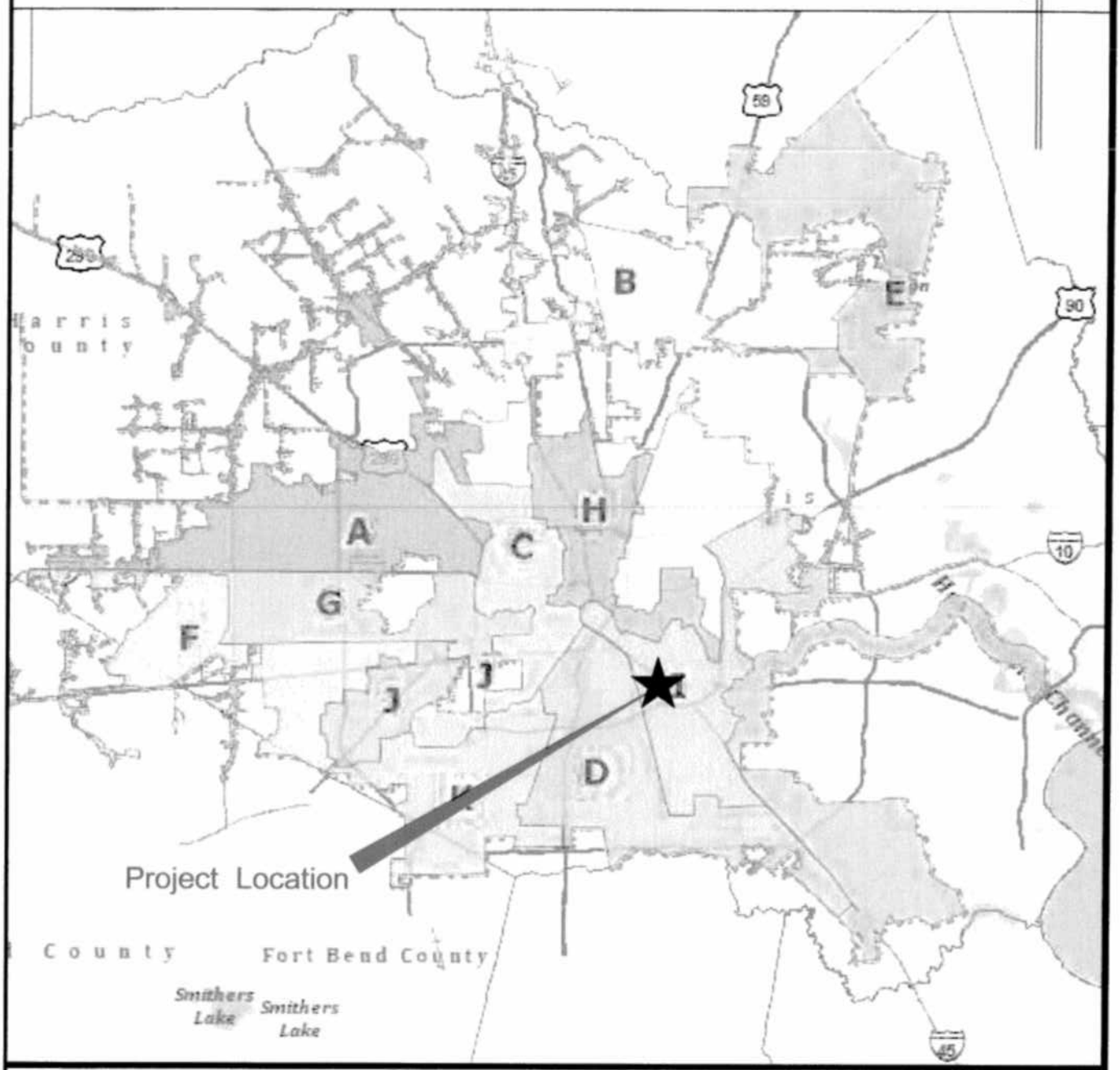
7411 Park Place

Houston, TX 77087

COUNCIL DISTRICT "I"

KEY MAP NO. 535N

CITY OF HOUSTON
HARRIS COUNTY, TEXAS



WBS # H-000110-0001-4

Transporter/Mobile Vehicle Inspection Area

7411 Park Place

Houston, TX 77087

COUNCIL DISTRICT "I"

KEY MAP NO. 535N

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District C
Item Creation Date: 12/1/2015

C25620E - Approve an Appropriation ORDINANCE

Agenda Item#: 22.

Summary:

ORDINANCE appropriating $188,259.25 out of Reimbursement of Equipment/Projects Fund to address an Emergency to Reconstruct the Metropolitan Multi-Service Center for the General Services Department on behalf of the Houston Parks and Recreation Department

Background:

S63-C25620E- Approved an Appropriation Ordinance

Specific Explanation:

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the **appropriation of $188,259.25** out of the Reimbursement of Equipment/Projects Fund (1850) to address an emergency to reconstruct the Metropolitan Multi-Service Center in an amount not to exceed $188,259.25 for the General Services Department on behalf of the Houston Parks and Recreation Department. Funds will be reimbursed when the City's insurance carrier has made payment on the claim for this emergency.

_____

_____

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

$188,259.25 - Reimbursement of Equipment/Projects Fund (1850)

Contact Information:

Jacquelyn L. Nisby	GSD	832-395-8023
Dave Evans	FIN/SPD	832-393-8701
Martin King	FIN/SPD	832-393-8705
Yesenia Chuca	FIN/SPD	832-393-8727

ATTACHMENTS:

Description	Type
RCA#C25620E appropriating funds	Signed Cover sheet

Legal Signed Ordinance
GSD Approval

Ordinance/Resolution/Motion
Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District C
Item Creation Date: 12/1/2015

C25620E - Approve an Appropriation ORDINANCE

Agenda Item#:

Background:
S63-C25620E- Approved an Appropriation Ordinance

Specific Explanation:
The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the **appropriation of $188,259.25** out of the Reimbursement of Equipment/Projects Fund (1850) to address an emergency to reconstruct the Metropolitan Multi-Service Center in an amount not to exceed $188,259.25 for the General Services Department on behalf of the Houston Parks and Recreation Department. Funds will be reimbursed when the City's insurance carrier has made payment on the claim for this emergency.

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:
Estimated Spending Authority: $188,259.25 - Reimbursement of Equipment/Projects Fund (1850)

Contact Information:

Jacquelyn L. Nisby	GSD	832-395-8023
Dave Evans	FIN/SPD	832-393-8701
Martin King	FIN/SPD	832-393-8705
Yesenia Chuca	FIN/SPD	832-393-8727

ATTACHMENTS:

Description	Type
Legal Signed Ordinance	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District C
Item Creation Date: 12/1/2015

C25620E.1 - Water Mitigation at the Metropolitan Multi-Service Center - MOTION

Agenda Item#: 23.

Summary:

APPROVE spending authority to address an Emergency for Water Mitigation at the Metropolitan Multi-Service Center for the General Services Department on behalf of the Houston Parks & Recreation Department, awarded to **S & R OPERATION, INC dba SERVPRO of the WOODLANDS/CONROE**

This item should only be considered after passage of Item 22 above

Background:

S63-C25620E.1 - Spending Authority to Address an Emergency for Water Mitigation at the Metropolitan Multi-Service Center for the General Services Department on behalf of the Houston Parks and Recreation Department.

Specific Explanation:

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve emergency spending authority in an amount not to exceed **$188,259.25** to reconstruct the Metropolitan Multi-Service Center and that authorization be given to issue automated (SAP) purchase orders and allow progress payments without further Council action to the general contractor, **S&R Operation, Inc. DBA SERVPRO of the Woodlands/Conroe.**

On April 20, 2015, at approximately 1:20 p.m., the Metropolitan Multi-service Center experienced a catastrophic water pipe failure that flooded three quarters of the building's interior. A 6" fire suppression system pipe ruptured under the foundation of the building and began releasing approximately 1,800 gallons of water per minute etching soil away and hydraulically lifting the building's concrete foundation causing major damage. The requested emergency spending authority will speed up the required construction and professional services to complete the repairs and insure the safety of staff and citizens in and around the facility. The above contractor has been issued one emergency purchase order.

The scope of work requires the construction contractor to furnish all labor, equipment, materials, supervision and transportation necessary to mitigate all water located within the Metropolitan Multi-service Center, located at 1475 West Gray. The work includes, but is not limited to water mitigation efforts. Materials and workmanship for this project has a one-year contractor's warranty upon completion and acceptance of all work.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" of the Texas Local Government Code for exempted procurements.

_____

_____

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

$188,259.25 - Reimbursement of Equipment/Projects Fund (1850)

Contact Information:

Jacquelyn L. Nisby	GSD	832-395-8023
Dave Evans	FIN/SPD	832-393-8701
Martin King	FIN/SPD	832-393-8705
Yesenia Chuca	FIN/SPD	832-393-8727

ATTACHMENTS:

Description	Type
RCA#C25620E.1 S&R Operation, Inc	Signed Cover sheet
Form A - Fair Campaign Ordinance	Backup Material
Form B - Fair Campaign Ordinance	Backup Material
Tax Report	Backup Material
Affidavit of Ownership	Backup Material
Legal Signed Ordinance	Ordinance/Resolution/Motion
GSD Approval	Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District C
Item Creation Date: 12/1/2015

C25620E.1 - Water Mitigation at the Metropolitan Multi-Service Center - MOTION

Agenda Item#:

Background:

S63-C25620E.1 - Spending Authority to Address an Emergency for Water Mitigation at the Metropolitan Multi-Service Center for the General Services Department on behalf of the Houston Parks and Recreation Department.

Specific Explanation:

The Director of the General Services Department and the City Purchasing Agent recommend that City Council approve emergency spending authority in an amount not to exceed **$188,259.25** to reconstruct the Metropolitan Multi-Service Center and that authorization be given to issue automated (SAP) purchase orders and allow progress payments without further Council action to the general contractor, **S&R Operation, Inc. DBA SERVPRO of the Woodlands/Conroe.**

On April 20, 2015, at approximately 1:20 p.m., the Metropolitan Multi-service Center experienced a catastrophic water pipe failure that flooded three quarters of the building's interior. A 6" fire suppression system pipe ruptured under the foundation of the building and began releasing approximately 1,800 gallons of water per minute etching soil away and hydraulically lifting the building's concrete foundation causing major damage. The requested emergency spending authority will speed up the required construction and professional services to complete the repairs and insure the safety of staff and citizens in and around the facility. The above contractor has been issued one emergency purchase order.

The scope of work requires the construction contractor to furnish all labor, equipment, materials, supervision and transportation necessary to mitigate all water located within the Metropolitan Multi-service Center, located at 1475 West Gray. The work includes, but is not limited to water mitigation efforts. Materials and workmanship for this project has a one-year contractor's warranty upon completion and acceptance of all work.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) "a procurement necessary to preserve or protect the public health or safety of the municipality's residents" of the Texas Local Government Code for exempted procurements.

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

Estimated Spending Authority: $188,259.25 - Reimbursement of Equipment/Projects Fund (1850)

Contact Information:

Jacquelyn L. Nisby	GSD	832-395-8023
Dave Evans	FIN/SPD	832-393-8701
Martin King	FIN/SPD	832-393-8705
Yesenia Chuca	FIN/SPD	832-393-8727

ATTACHMENTS:

Description	Type
Form A - Fair Campaign Ordinance	Backup Material
Form B - Fair Campaign Ordinance	Backup Material
Tax Report	Backup Material
Affidavit of Ownership	Backup Material
Legal Signed Ordinance	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/8/2015

S23117-A2 - Personal Protective Gear - MOTION

Agenda Item#: 24.

Summary:

AMEND MOTION #2009-610, 8/12/2009, as previously amended by Motion 2014-765, 8/6/2014, TO EXTEND expiration date from December 31, 2015 to December 31, 2016, for Personal Protective Gear for Various Departments, awarded to **MORNING PRIDE MFG dba HONEYWELL FIRST RESPONDER PRODUCTS**

Background:

S44-S23117-A2 - Amend Council Motion 2009-0610, passed August 12, 2009, as previously amended by Council Motion 2014-0765, passed August 6, 2014 to extend the expiration date for personal protective gear for various departments from December 31, 2015 to December 31, 2016.

Specific Explanation:

The City Purchasing Agent recommends that City Council amend Council Motion 2009-0610, as previously amended by Council Motion 2014-0765, to extend the expiration date for personal protective gear for various departments awarded to **Morning Pride MFG dba Honeywell First Responder Products** from **December 31, 2015 to December 31, 2016** with no additional spending authority required.

This award began August 28, 2009 for a 60-month term in an amount not to exceed $2,801,947.00 and was subsequently amended by Council Motion 2014-0765 to extend the expiration date to December 31, 2015 and to increase the spending authority from $2,801,947.00 to $3,486,869.00. Expenditures as of December 8, 2015 totaled $3,193,042.75.

The Houston Fire Department and Houston Airport System utilize this award for the purchase of personal protective gear, which consists of, but is not limited to bunker gloves, hoods, helmets, aluminized gloves, face shields, face shield bracket kits, and 16" pull-on Aircraft Rescue and Fire Fighting proximity boots.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First ordinance. Bids were solicited prior to the passing of the ordinance by City Council in September 2011.

Attachment: M/WBE zero percentage goal-document approved by the Office of Business Opportunity

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Prior Council Action:

Council Motion 2009-0610, Passed August 12, 2009
Council Motion 2014-0765, Passed August 6, 2014

Contact Information:

Cynthia Vargas	832-394-6926
Desiree Heath	832-393-8742

ATTACHMENTS:

Description	Type
RCA#S23117-A2 Morning Pride MFG	Signed Cover sheet
CM#2009-0610	Backup Material
CM# 2014-0765	Backup Material
S23117 MWBE 0% Goal	Backup Material
HFD RCA approval	Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
ALL
Item Creation Date:

S23117-A2 - Personal Protective Gear

Agenda Item#:

Background:

S44-S23117-A2 - Amend Council Motion 2009-0610, passed August 12, 2009, as previously amended by Council Motion 2014-0765, passed August 6, 2014 to extend the expiration date for personal protective gear for various departments from December 31, 2015 to December 31, 2016.

Specific Explanation:
The City Purchasing Agent recommends that City Council amend Council Motion 2009-0610, as previously amended by Council Motion 2014-0765, to extend the expiration date for personal protective gear for various departments awarded to **Morning Pride MFG dba Honeywell First Responder Products** from **December 31, 2015 to December 31, 2016** with no additional spending authority required.

This award began August 28, 2009 for a 60-month term in an amount not to exceed $2,801,947.00 and was subsequently amended by Council Motion 2014-0765 to extend the expiration date to December 31, 2015 and to increase the spending authority from $2,801,947.00 to $3,486,869.00. Expenditures as of December 8, 2015 totaled $3,193,042.75.

The Houston Fire Department and Houston Airport System utilize this award for the purchase of personal protective gear, which consists of, but is not limited to bunker gloves, hoods, helmets, aluminized gloves, face shields, face shield bracket kits, and 16" pull-on Aircraft Rescue and Fire Fighting proximity boots.

Hire Houston First:
This procurement is exempt from the City's Hire Houston First ordinance. Bids were solicited prior to the passing of the ordinance by City Council in September 2011.

Attachment: MWBE zero percentage goal-document approved by the Office of Business Opportunity

Calvin D. Wells, City Purchasing Agent **Department Approval Authority Signature**
Finance/Strategic Procurement Division

Prior Council Action:

Council Motion 2009-0610, Passed August 12, 2009
Council Motion 2014-0765, Passed August 6, 2014

Contact Information:

Cynthia Vargas	832-394-6926
Desiree Heath	832-393-8742

ATTACHMENTS:

Description	Type
CM#2009-0610	Backup Material
CM# 2014-0765	Backup Material
S23117 MWBE 0% Goal	Backup Material

RCA 10179

CITY OF HOUSTON

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

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

From: John G. Tatman

Date: August 8, 2008

Subject: MWBE Participation Form

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

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

I am requesting a **revision** of the MWBE Goal: Yes ☐ No ☒ Original Goal: N/A New Goal: N/A

If requesting a revision, how many solicitations were received: 0

Solicitation Number: S44-S22978 Estimated Dollar Amount: $11,368,125.18

Anticipated Advertisement Date: 9/3/2008 Solicitation Due Date: 9/18/2008

Goal On Last Contract: 0 Was Goal met: Yes ☐ No ☐

If goal was not met, what did the vendor achieve: 0

Name and Intent of this Solicitation:
Personal Protective Gear for the Fire Department

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

This solicitication is for personal protective gear for use by the fire department. History has shown this equipment will be direct shipped to the City by the manufacturer. There is no potential for M/WBE participation.

Concurrence:

John G. Tatman
SPD Initiator

Tyvana Rhone
for Division Manager

Robert Gallegos
Robert Gallegos, Deputy Assistant Director
*Affirmative Action

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

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

RECEIVED
AUG 1 2008

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/8/2015

S23646-A1 - Steel Construction Materials - MOTION

Agenda Item#: 25.

Summary:

AMEND MOTION #2010-901, 12/22/2010, TO EXTEND expiration date from December 27, 2015 to December 27, 2016, for Steel Construction Materials for Various Departments, awarded to **NORTH SHORE SUPPLY COMPANY, INC**

Background:

S44-S23646-A1 - Amend Council Motion No. 2010-0901, passed December 22, 2010, to extend the expiration date for steel construction materials for various departments from December 27, 2015 to December 27, 2016.

Specific Explanation:

The City Purchasing Agent recommends that City Council amend Council Motion No. 2010-0901 to extend the expiration date for steel construction materials for various departments awarded to **North Shore Supply Company, Inc.** from **December 27, 2015 to December 27, 2016** with no additional spending authority required.

This award began December 28, 2010 for a 60-month term in an amount not to exceed $822,030.36. Expenditures as of November 30, 2015 totaled $594,141.05. All other terms and conditions shall remain as originally approved by City Council.

This award consists of various pieces of steel tubing, steel bars and strips, steel beams, steel sheets and plates, steel grating, and miscellaneous rebar used by the Houston Airport System, Department of Public Works & Engineering, and Parks & Recreation and Solid Waste Management Departments for general repairs and construction.

This solicitation was issued with an 11% M/WBE participation goal. North Shore Supply Company, Inc. is currently achieving 85.78%.

Hire Houston First:

This procurement is exempt from the City's Hire Houston First ordinance. Bids were solicited prior to the passing of the ordinance by City Council in September 2011.

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Prior Council Action:

CM# 2010-0901, passed December 22, 2010

Contact Information:

David Guernsey	832-395-3640
Desiree Heath	832-393-8742

ATTACHMENTS:

Description	Type
RCA#S236646-A1 North Shore Supply Company, Inc	Signed Cover sheet
S23646 MWBE Goal Verification	Backup Material
S23646 CM 2010-0901	Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
ALL
Item Creation Date:

S23646-A1 - Steel Construction Materials

Agenda Item#:

Background:

S44-S23646-A1 - Amend Council Motion No. 2010-0901, passed December 22, 2010, to extend the expiration date for steel construction materials for various departments from December 27, 2015 to December 27, 2016.

Specific Explanation:
The City Purchasing Agent recommends that City Council amend Council Motion No. 2010-0901 to extend the expiration date for steel construction materials for various departments awarded to **North Shore Supply Company, Inc.** from **December 27, 2015 to December 27, 2016** with no additional spending authority required.

This award began December 28, 2010 for a 60-month term in an amount not to exceed $822,030.36. Expenditures as of November 30, 2015 totaled $594,141.05. All other terms and conditions shall remain as originally approved by City Council.

This award consists of various pieces of steel tubing, steel bars and strips, steel beams, steel sheets and plates, steel grating, and miscellaneous rebar used by the Houston Airport System, Department of Public Works & Engineering, and Parks & Recreation and Solid Waste Management Departments for general repairs and construction.

This solicitation was issued with an 11% M/WBE participation goal. North Shore Supply Company, Inc. is currently achieving 85.78%.

Hire Houston First:
This procurement is exempt from the City's Hire Houston First ordinance. Bids were solicited prior to the passing of the ordinance by City Council in September 2011.

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Prior Council Action:

CM# 2010-0901, passed December 22, 2010

Contact Information:

David Guernsey	832-395-3640
Desiree Heath	832-393-8742

ATTACHMENTS:

Description	Type
S23646 MWBE Goal Verification	Backup Material
S23646 CM 2010-0901	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District C
Item Creation Date: 9/25/2015

PLN-RESO designating Houston Heights Water Works at 449 W 19th Street as a Landmark & Protected Landmark

Agenda Item#: 26.

Summary:

RESOLUTION designating the **HOUSTON HEIGHTS WATER WORKS** located at 449 W. 19th street within the City of Houston as a landmark and protected landmark - **DISTRICT C - COHEN**

Background:

A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark and Protected Landmark designation of the Houston Heights Water Works at 449 W 19th Street was initiated by the owner.

A public hearing was held on April 23, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

_____

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:

Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Landmark Report	Other
Coversheet for Heights Water Works	Signed Cover sheet
PLN-RESO designating Houston Heights Water Works at 449 W 19th Street as a Landmark & Protected Landmark	Signed Cover sheet

PROTECTED LANDMARK DESIGNATION REPORT

LANDMARK NAME: Houston Heights Water Works
OWNER: City of Houston
APPLICANT: Same
LOCATION: 449 W 19th Street – Houston Heights

AGENDA ITEM: D.3
HPO FILE NO.: 15PL123
DATE ACCEPTED: Apr-4-2015
HAHC HEARING DATE: Apr-23-2015

SITE INFORMATION Lots 16 through 38, Tracts 13A, 14A, 15A, & 39A, Block 91, Houston Heights Subdivision, City of Houston, Harris County, Texas. The site contains a brick-clad concrete water reservoir built in 1928, a Pumping Building built in 1939, and a new Pumping Building built in 1949.

TYPE OF APPROVAL REQUESTED: Protected Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Houston Heights Water Works at W 19th Street and Nicholson Street represents different periods in the history of the City's management of its water facilities from the late 1800s until present.

Established in 1892, Houston Heights was one of the earliest planned communities in Texas and Houston's first suburban community. The new town was designed with areas for residential, commercial and industrial activities. In 1892, the property at 19th and Nicholson Streets was selected for a new water pumping station because of its proximity to commercial, social, and industrial areas centered on 19th Street.

In 1893, the Houston Heights Electric Light and Water Works, as it was then known, became operational, and within a few years, a section of the property was developed into a community park. Over the years, new buildings were constructed and old buildings were removed, but the facility continued to provide water to the Houston Heights community for over 100 years.

The Houston Heights Water Works site contains three remaining historic structures that are the subject of this designation: a 1928 brick-clad concrete 750,000 gallon Water Reservoir with an unusual grass roof, which is listed in the National Register of Historical Places; an Art Deco-style Pumping Building built by the federal Work Project Administration in 1939; and a limestone-trimmed brick-clad Pumping Building built in 1949 in a modern industrial style.

The Houston Heights Water Works meets Criteria 1, 3, 4, and 5 for Protected Landmark designation.

HISTORY AND SIGNIFICANCE

In 1887, the Omaha and South Texas Land Company, headed by Oscar Martin Carter, of Omaha, Nebraska, purchased land northwest of downtown Houston for a new town development. Daniel Denton Cooley was appointed trustee and given the responsibility of developing the tract. The development was named Houston Heights, and work began in 1892.

Houston Heights, appropriately named because of its higher elevation, was one of the earliest planned communities in Texas and Houston's first suburban community. Houston Heights was developed with attention to aesthetics with tree-lined boulevards and wide curbed avenues paved with shell. Daniel Cooley purchased a mule-drawn trolley system, which he converted to electrical power to ferry people

between Houston and Houston Heights. In order to attract people to the area, developers provided numerous amenities, including the new Water Works, with its Artesian well.

Within a few years, the 19th and Ashland Streets area became the center of commercial and social activity, with general merchandise stores, a saloon, and the Houston Heights Hotel. In 1892, this site was selected for the Houston Heights Electric Light and Water Works (the original name for the facility) because of its proximity to commercial, social, and industrial areas. The new electric trolley route ran along Heights Boulevard and 19th Street, in front of this site, then turned south at Railroad Street (Nicholson Street?) and looped back to Houston.

In 1893, the Houston Heights Electric Light and Water Works became operational. The facility included an impressive brick building with large arched windows, a deep artesian water well, and a 100 foot high iron water tank on the southwest corner of the property. By 1896, a portion of the Water Works site was developed into a community park. A summer theater, boasting a stage with electric foot lights, was located in the southeast corner of the property. The Houston Heights Hotel was in operation across Ashland Street. None of the original structures remain today.

Houston Heights was incorporated as a town in 1896. Between 1900 and 1910, the population of Houston Heights grew rapidly from 800 to 6000 residents. In 1918, the City of Houston annexed Houston Heights. Following the end of World War I, Houston experienced a boom period. It was during this period that the City of Houston constructed its first electric powered satellite water pumping stations. The annex of the Heights Pumping Station (as it was now called) was run by electricity since its construction in 1893.

By 1924, the original Houston Heights Electric Light and Water Works facility was demolished and replaced by tennis courts. A new water production facility was relocated to the northwest corner of the site. This new complex included as small Pumping Building, a 50,000 gallon concrete Settling Tank, and three on-site water wells. The remainder of the site continued to serve as a community park.

In 1928, a 750,000 gallon brick clad concrete Water Reservoir was constructed north of the Pumping Building. In 1939, the 1924 Pumping Building was demolished and a new Art Deco facility was constructed at the same location. This construction was funded by President Franklin D. Roosevelt's Depression-era "Work Projects Administration," created to provide new jobs. In 1949, a larger Pumping Building was constructed to the south of the 1939 building. The 1939 Pumping Building became offices for City of Houston Water Production Department.

This plant has provided water for the residents of Houston Heights since 1893, and continued to operate in this same capacity until last year.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

Of the existing structures at the Houston Heights Water Works, the oldest is the 1928 brick clad concrete Water Reservoir, which is recorded in the National Register of Historical Places. The reservoir was constructed with the capacity to hold 750,000 gallons. The interior consists of reinforced concrete columns and beams. The roof is a concrete slab supported by concrete beams. Intermediate beams hold the perimeter concrete walls in place, aided by exposed reinforced concrete bands at the base and just below mid height. The exterior brick is non-structural veneer with corbeled brick patterns at the top of the walls and decorative brick panels at all four corners. A layer of earth is located over the roof slab.

During World War II, Water Department employees reportedly planted and maintained a "Victory Garden" on the roof.

The next oldest existing structure is the 1939 Pump Building. This is one of few examples of Art Deco architecture remaining in Houston. The building includes a steel frame structure, with interior clay tile walls, brick veneer exterior, and a style of steel windows which are no longer produced. Main features of the building are painted cast stone entrances and fascias with inset medallions at the top of the exterior walls. The original chain-operated crane hoist and rails are still in place and operational. The original steel doors and frames remain. This building was constructed as a Depression-era "Work Project Administration" project.

Constructed in 1949, the current Pump Building is the most recently constructed major building on site. This building is a typical example of the modern industrial style of that era, with clean straight lines, little ornamentation, large windows and open spaces. The building is trimmed with a rare grade of shell limestone. The roof drains are copper. Originally, the steel windows had tinted glass only on the bottom half, but in 1999, with the addition of air conditioning, tinted glass was installed throughout.

In 1996, the City of Houston recognized the historical significance of the Houston Heights Water Works (Heights Water Pumping Station), and made site improvements and repairs to the old Water Reservoir building.

The information and sources provided by the applicant for this application have been reviewed, verified, edited, and supplemented with additional research and sources by the Historic Preservation Department, 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. 33-224(a)(1):

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

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

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

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

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

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

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

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

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

OR

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

OR

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

OR

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

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark and Protected Landmark Designation of the Houston Heights Water Works at 449 W 19th Street.

HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Landmark and Protected Landmark Designation of the Houston Heights Water Works at 449 W 19th Street.

EXHIBIT A
PHOTOS
HOUSTON HEIGHTS WATER WORKS
449 W 19th STREET

1928 WATER RESERVOIR

EXHIBIT A
PHOTOS
HOUSTON HEIGHTS WATER WORKS
449 W 19th STREET

1939 PUMPING BUILDING

EXHIBIT A
PHOTOS
HOUSTON HEIGHTS WATER WORKS
449 W 19th STREET

1949 PUMPING BUILDING

EXHIBIT B
SITE MAP
HOUSTON HEIGHTS WATER WORKS
449 W 19TH STREET

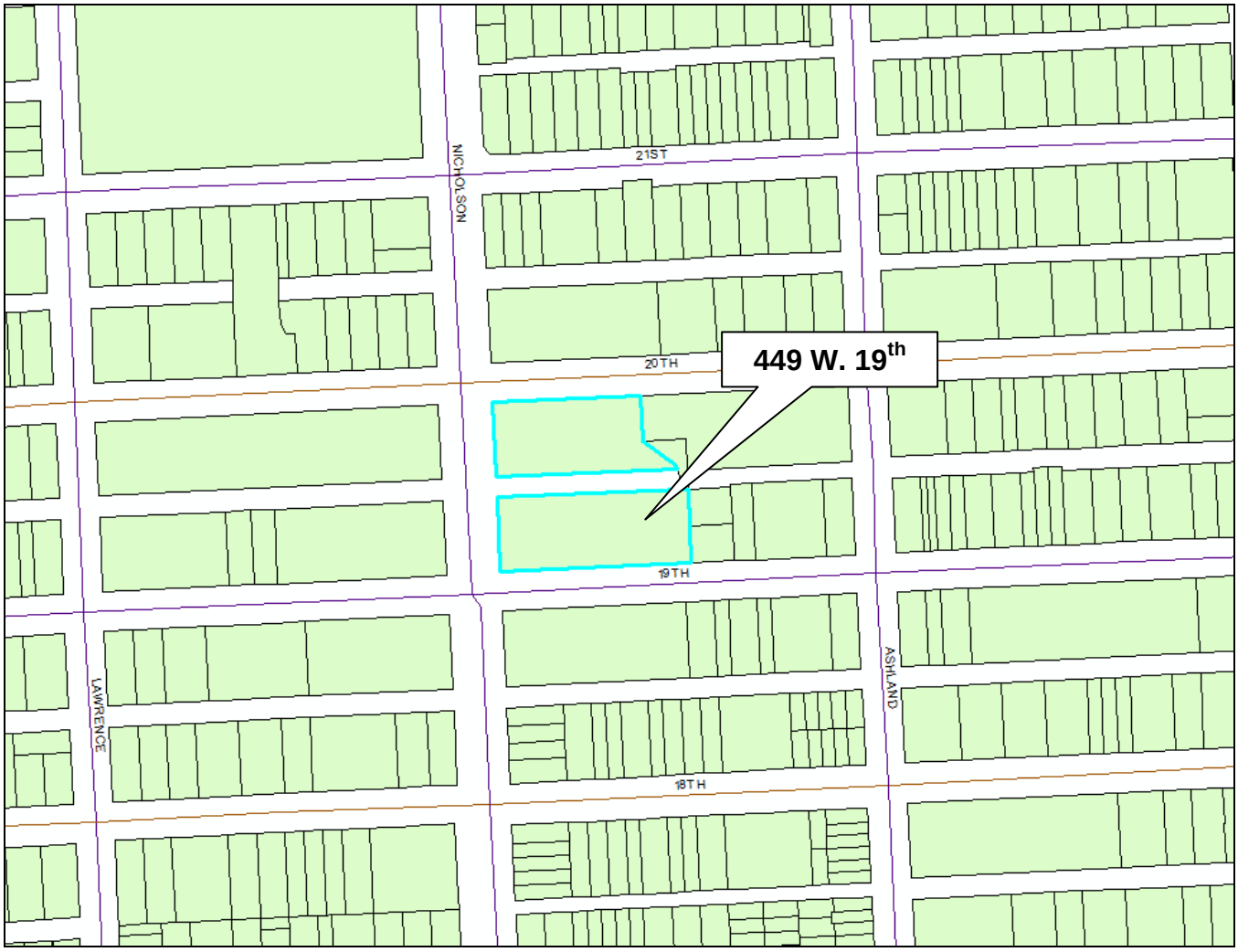


EXHIBIT C
SANBORN MAP, 1924
HOUSTON HEIGHTS WATER WORKS
449 W 19th STREET

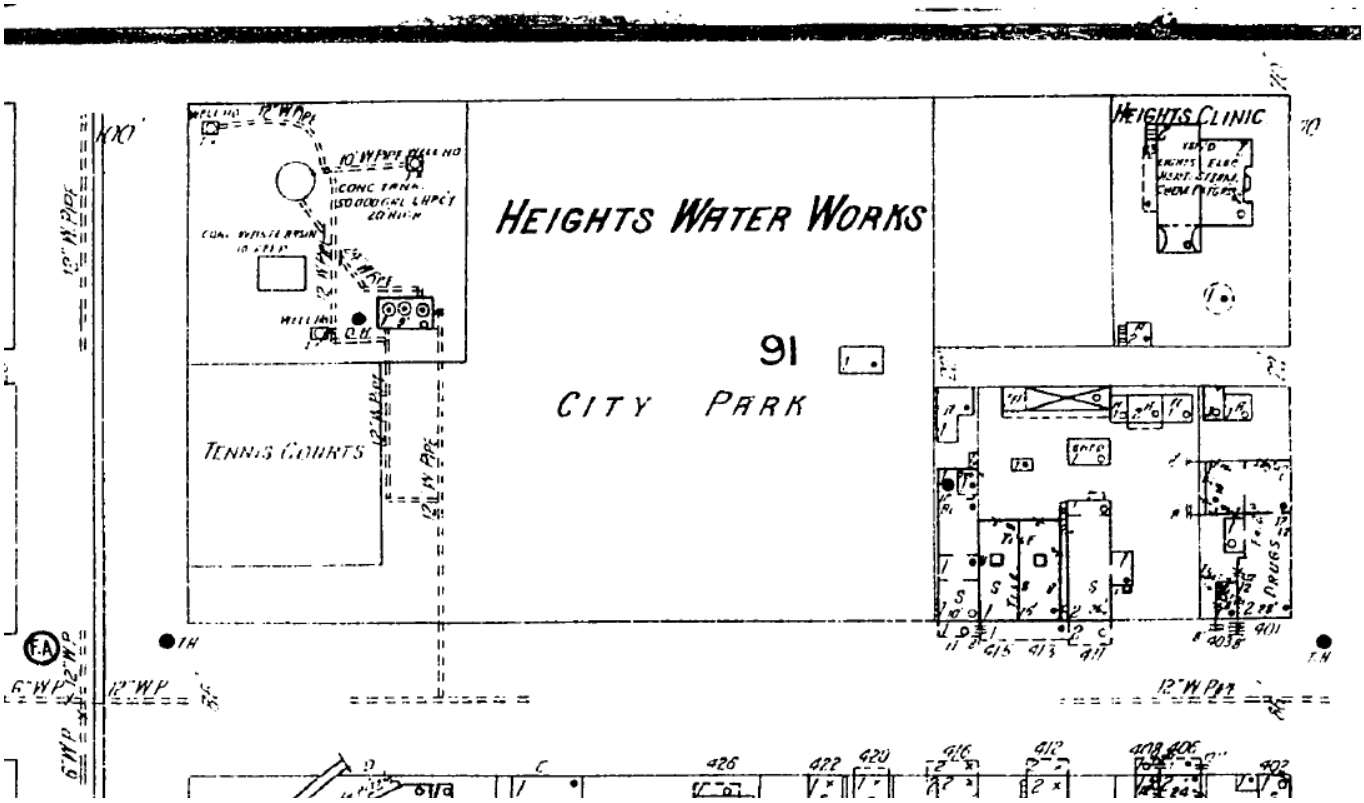


EXHIBIT C
SANBORN MAP, 1924-1951
HOUSTON HEIGHTS WATER WORKS
449 W 19th STREET

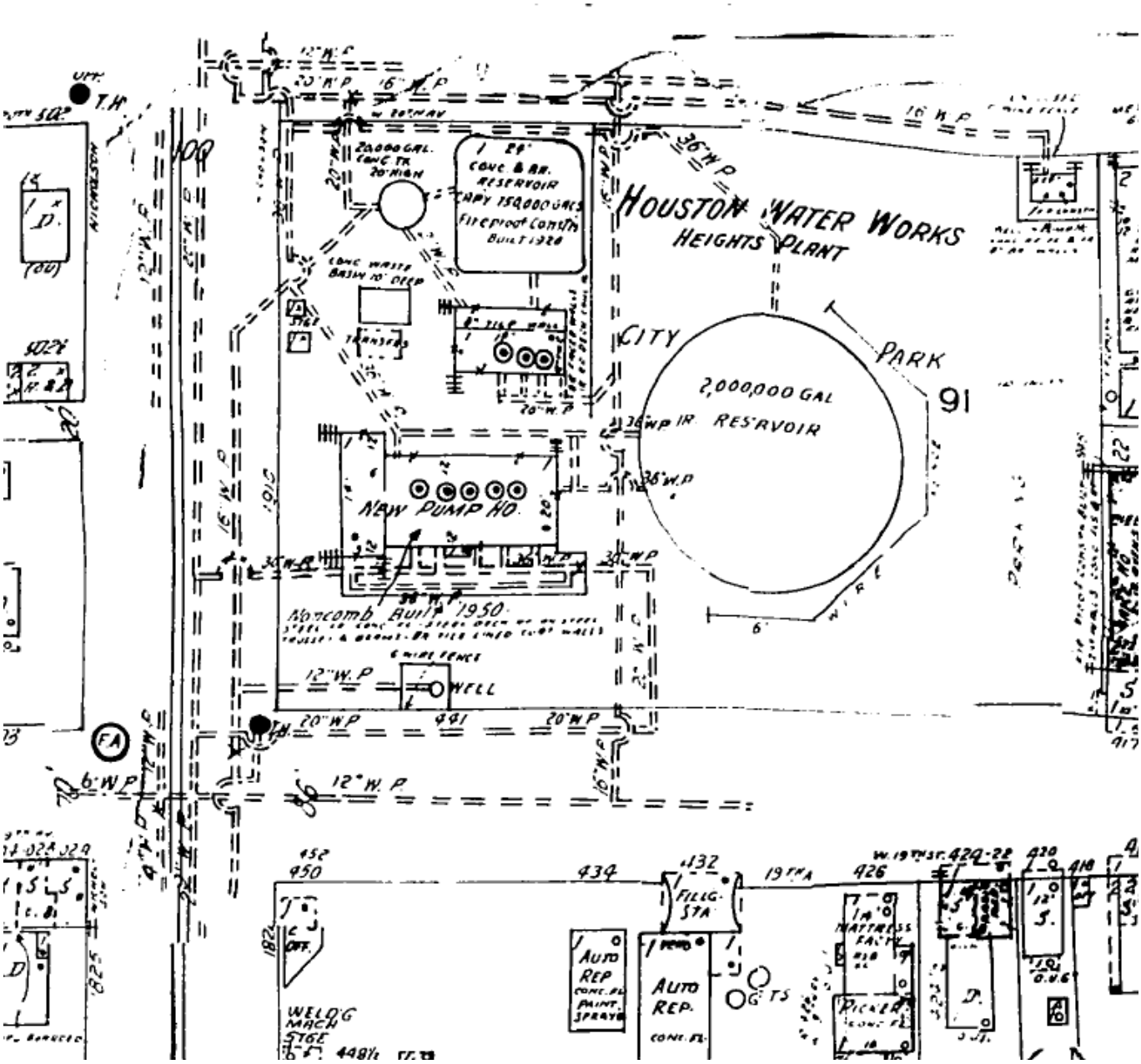
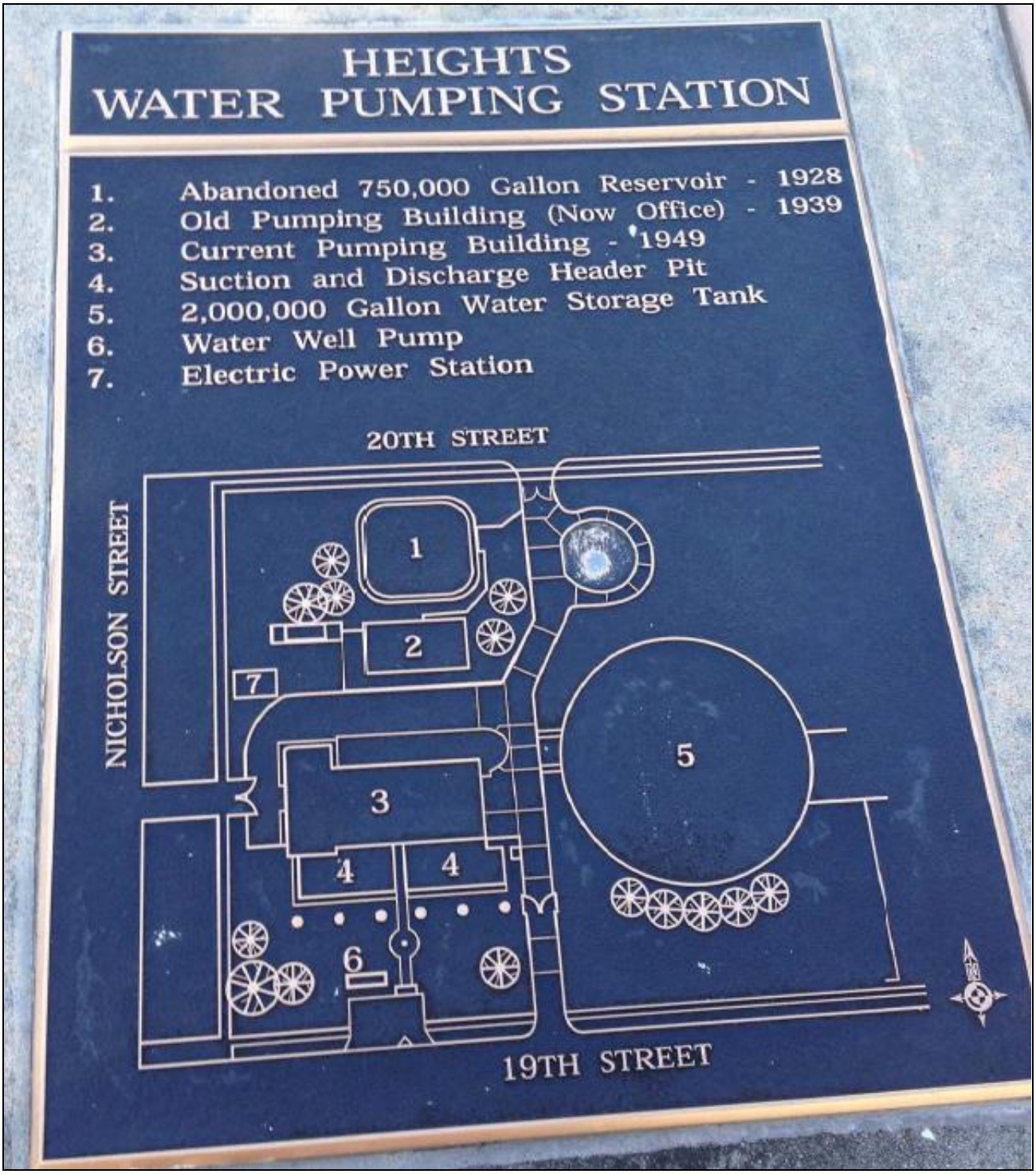


EXHIBIT D
HOUSTON HEIGHTS WATER WORKS
SITE LAYOUT
449 W 19th STREET



CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District C
Item Creation Date: 9/25/2015

Approval of a resolution designating the Houston Heights Water Works at 449 W 19th Street as a Landmark and Protected Landmark

Agenda Item#:

Background:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark and Protected Landmark designation of the Houston Heights Water Works at 449 W 19th Street was initiated by the owner.

A public hearing was held on April 23, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:
Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Signed Application	Other
Landmark Report	Other

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 9/23/2015

PLN-RESO designating Melrose Building @ 1121 Walker Street as a Landmark

Agenda Item#: 27.

Summary:

RESOLUTION designating the **MELROSE BUILDING LOCATED** at 1121 Walker Street within the City of Houston as a historic landmark - **DISTRICT I - GALLEGOS**

Background:

A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Melrose Building at 1121 Walker Street was initiated by the owner.

A public hearing was held on March 26, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

_____

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:

Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Staff Report	Other
Coversheet for Melrose Building	Signed Cover sheet
PLN-RESO designating Melrose Building @ 1121 Walker Street as a Landmark	Signed Cover sheet

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Melrose Building
OWNERS: Wang Investments Networks, Inc.
APPLICANT: Anna Mod, SWCA
LOCATION: 1121 Walker Street

AGENDA ITEM: C
HPO FILE NO.: 15L305
DATE ACCEPTED: Mar-02-2015
HAHC HEARING DATE: Mar-26-2015

SITE INFORMATION

Tracts 1, 2, 3A & 16, Block 94, SSBB, City of Houston, Harris County, Texas. The site includes a 21-story skyscraper.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Melrose Building is a twenty-one story office tower located at 1121 Walker Street in downtown Houston. It was designed by prolific Houston architecture firm Lloyd & Morgan in 1952. The building is Houston's first International Style skyscraper and the first to incorporate cast concrete cantilevered sunshades shielding rows of grouped windows. The asymmetrical building is clad with buff colored brick and has a projecting, concrete sunshade that frames the window walls. The Melrose Building retains a high degree of integrity on the exterior, ground floor lobby and upper floor elevator lobbies.

The Melrose Building meets Criteria 1, 4, 5, and 6 for Landmark designation of Section 33-224 of the Houston Historic Preservation Ordinance.

HISTORY AND SIGNIFICANCE

Location and Site

The Melrose Building is located at 1121 Walker Street in downtown Houston. The property includes only the office tower located on the southeastern corner of Block 94. The block is bounded by Walker Street to the south, San Jacinto Street to the east, Rusk Street to the north, and Fannin Street to the west. The surrounding area is an urban commercial neighborhood with surface parking lots, skyscrapers, and multi-story parking garages typical of downtown Houston.

The Melrose Building is three blocks southeast of the southern boundary of the Main Street/Market Square Historic District (NR, 1983), Houston's late nineteenth and early twentieth century commercial historic district that includes Allen's Landing, the place of the city's founding. Individually listed National Register of Historic Places properties in the neighborhood include the 1949 City National Bank Building (NR, 2000) and the 1921, 1936 Humble Oil Building (NR, 1999) located one and three blocks to the south respectively. Two blocks north are the Kress Building (NR, 2002), the 1929 Texas State Hotel (NR, 2008), the 1915, 1936, 1959 Texas Company Building (NR, 2003) and the 1911 United States Custom House (NR, 1974).

History of the Melrose Building

Houston developer Melvin A. Silverman and his partner Bennett Rose hired noted Houston architects Hermon Lloyd and W.B. Morgan to design the 21-story office building at the intersection of Walker and San Jacinto Streets. The two developers named the building the Melrose Building from the combination of both of their names. Silverman and Rose gave the architects an unusual amount of freedom for the design of the proposed skyscraper.[1] Their only request was that, before beginning the design of the building, Lloyd and Morgan thoroughly research all the most modern materials, techniques, and equipment available so that the new building would be "completely serviceable and yet of a type to command the immediate attention of the public."[2] Silverman's vision was of a new, modern office building that would be a departure from Houston's earlier skyscrapers.

Lloyd and Morgan used their design for the Melrose Building to engage in the national discussions concerning the modern, postwar office building. The final design served, in their view, as a summation of their beliefs on the essentials of good skyscraper design.[3] Many of Lloyd and Morgan's design choices that make the Melrose Building unique arise from the architects' answers to the questions concerning new office design listed above.[4] Concerning the treatment of windows, Lloyd and Morgan departed from the large window model. Whereas the Lever House and the UN Secretariat Building had all-glass curtain walls with large windows creating a dramatic transparency, Lloyd and Morgan used turquoise, glazed ceramic tile spandrel panels to create a sense of opacity while obtaining some of the exterior sheen experienced with the floor-to-ceiling windows of the New York buildings.[5] Likewise, when considering the effect of air-conditioning on window size and cost, the architects utilized cantilevered, projecting eyebrows on each floor to act as sunshades to lower the cost of air-conditioning by blocking the sun's rays. These concrete eyebrows also serve to illustrate Lloyd and Morgan's view concerning the proper exterior design of skyscrapers. In an interview, they described their theory that tall, multi-story buildings like skyscrapers are just a series of levels or planes. This idea, combined with Lloyd and Morgan's belief that exterior design should reflect the interior structure of the building resulted in the logical conclusion that the exterior design of the Melrose Building should stress the horizontal lines created by the loft-style building.[6] In addition to their practical role, the projecting eyebrows serve to articulate the horizontal focus and rhythm of the building.

Although they never identify specific buildings or architects, Lloyd and Morgan acknowledged gaining inspiration for their design from buildings in Brazil, Sweden, and Mexico City.[7] Two potential sources for this inspiration can be found in the work of Oscar Niemeyer of Brazil and the Dutch architect, Willem Marinus Dudok. The Gustavo Campanema Palace (1939-1941, Rio de Janeiro, Brazil), designed by Niemeyer in conjunction with Lucio Costa and Affonso Eduardo Reidy, employs a grid of protruding sunshades as well as smaller, adjustable levered sunshades within each opening. Lloyd and Morgan could easily have looked to this building as a precedent for a method of protecting their building from the solar heat gain particularly potent in the climates of Texas and Brazil. The work of Dudok may have

[1] Arthur E. Jones Architectural Records.
[2] Arthur E. Jones Architectural Records.
[3] Ibid.
[4] "New Thinking on Office Building," 107.
[5] Koush, "The Modern Mr. Jones," 32.
[6] Arthur E. Jones Architectural Records.
[7] Ibid.

inspired the Houston architects' choice of ceramic, turquoise-glazed tile for the Melrose Building's spandrel panels. His 1928-1931 Hilversum Town Hall in Hilversum, Netherlands, while Cubist in style, utilizes similar glazed, turquoise tiles to accentuate piers and other architectural details.

In addition to Lloyd and Morgan, the project team for the Melrose Building included Walter P. Moore as the structural engineer, Hermonn Blum as the mechanical engineer, and the Tellepsen Construction Company as the contractor.[8] Construction began in 1951 and the 220,687 square foot building was completed in 1952 at a cost of $3,160,000. The Melrose Building received both local and national recognition. In 1952, Lloyd and Morgan received the Medal of Honor for Architectural Merit from the Houston Chapter of the American Institute of Architects (AIA) for the Melrose Building. In 1955, the firm was also awarded the Honor Award for Architectural Design and Achievement from the Texas Society of Architects for their work on the building.[9]

In 1953, the Melrose Building was published in the national architecture journal, *Architectural Forum*, as an example of new thinking on sunshading and floor planning.[10] The article cites three devices employed by Lloyd and Morgan to create a "dramatic appearance and pleasant workspace." The first of these concerns the juxtaposition of the two windowless walls with the large, ribbon windows of the other two sides. The architects used these two walls both to cut air-conditioning requirements by preventing solar heat gain and to increase rentable floor area and allow for more flexibility to meet tenants' individual needs. By placing the elevators and service areas along one windowless wall, Lloyd and Morgan were able to create a bulk, loft interior space with only five columns interrupting the floor area. Each floor was left like this so that tenants could build out the space to their individual needs. The floor could be left open to allow for an open-office plan or could be partitioned into large or small offices. The versatility provided by the large available spaces on each floor provided a new level of service the building management could provide and thus made rental space in the Melrose Building even more marketable.[11] The other two devices noted by the article included the concrete eyebrow sunshades and the turquoise tile spandrel panels. The sunshades worked to cut air-conditioning requirements from 800 to 667 tons and the turquoise tiles served not only to create a sense of opacity but also to add color to the building's exterior.[12]

By 1953, various tenants occupied the majority of the Melrose Building. The Melrose Florist occupied the kiosk in the lobby while the upper floors were either rented by single entities or divided into smaller office spaces and occupied by multiple tenants. Floors two through seven and 14-16 held multiple companies and tenants while the remaining floors were leased by single groups. Smaller tenants included everything from insurance companies, dental supply companies, industrial-related companies, to language schools; however, the largest tenants were all oil-related. The Texas Pipe Line Company leased the eighth through tenth floors. The Texas Company rented the 11th through 13th floors for its South Texas Division and Shell Oil leased part of the 16th and the entire 17th floor. The 18th through 21st floors remained vacant.[13] In 1954, the Melrose Building was almost completely leased. The Home American Finance Company leased the ground floor, retail space and Bill Roberts & Associates occupied the

[8] "New Thinking on Office Building," 113.
[9] Arthur E. Jones Architectural Records.
[10] "New Thinking on Office Building," 113.
[11] "New Thinking on Office Building," 113.
[12] Ibid.
[13] *1953 Houston City Directory*, 1661.

penthouse. The oil-related tenants of the year before remained the largest building occupants.[14] By 1959, the Melrose Building had lost two of the earlier major tenants and only Shell Oil remained. The florist kiosk in the lobby had been converted to a cigar stand and the majority of the floors had been divided for multiple tenants. Next to Shell, the other largest occupant of the building was the Jefferson Chemical Company located on the 20th and 21st floors.[15] By the end of the 1960s, the Melrose Building had lost all major tenants and much of the rentable space remained vacant.[16]

In 1971, Lloyd, Morgan & Jones (Lloyd & Morgan prior to 1961) completed a building renovation.[17] The window glass was replaced with single-pane, Solarbronze plate glass and the blue-tile spandrel panels were covered with glass panels. The architects also participated in a major effort to re-partition each floor according to new tenants' needs. Smaller offices were offered for immediate occupancy while larger offices or unique floor-plans could be built to the client's specifications.[18] For a time, this renovation proved successful in attracting new tenants. By the end of the 1970s, the majority of the Melrose Building was occupied; however, there were no major, stand-out tenants as in earlier years.[19] This trend continued through the 1980s until occupancy began to decline again.[20] As of April 2014, the Melrose Building stands vacant and awaits rehabilitation.

Lloyd & Morgan, Architects

Although the firm underwent numerous name changes, Lloyd & Morgan (as it was known from 1941-1961) was one of the most prolific Houston architectural firms from the 1930s to 1990. Their oeuvre includes corporate headquarters and office buildings, retail facilities, banks, recreational facilities, high-rise residential buildings, educational and institutional buildings, and sports facilities. Some of their most notable work includes: nine buildings at Greenway Plaza begun in 1968, master planning for the 40-acre downtown Houston development the Allen Center, numerous buildings at Rice University, and the Astrodome (1965) in association with Wilson, Morris, Crain and Anderson.[21]

Hermon F. Lloyd founded the firm in 1932 upon his graduation from the Rice Institute (now Rice University). Lloyd partnered with Harvin C. Moore from 1932 to the outbreak of WWII. In 1941, William B. Morgan, also a graduate of the Rice Institute, joined the firm and the name was changed to Lloyd & Morgan. In 1947, upon his graduation from the Rice Institute, Arthur Jones joined the 12-person firm and eventually became a named partner in 1961 when the name was changed to Lloyd, Morgan & Jones.[22]

Melvin Silverman and Bennett Rose awarded the firm its first two major projects. The first, The Town & Country Apartments (1949, demolished) was a 488-unit project before which, Lloyd & Morgan had not

[14] *1954 Houston City Directory*, 386.
[15] *1959 Houston City Directory*, 589.
[16] *1968 Houston City Directory*, 523.
[17] "The New Melrose Building," 2.
[18] "The New Melrose Building," 2.
[19] *1978 Houston City Directory*, 1095.
[20] 1980 *Houston City Directory*, 1113; *1982 Houston City Directory*, 1128; *1984 Houston City Directory,* 1063.
[21] Arthur E. Jones Architectural Records.
[22] Ibid.

designed anything above three floors.[23] Following the success of the housing project, Silverman and Rose hired Lloyd & Morgan to design the Melrose Building in 1950.

The firm's name changed an additional four times after the firm's name changed to Lloyd, Morgan & Jones in 1961. In 1974, it became Lloyd/Jones and Associates, then Lloyd Jones Brewer in 1976, Lloyd Jones Fillpot in 1984, and Jones & Fillpot in 1990. Throughout its existence, the firm built or contributed to some major Houston landmarks as well as smaller projects. They master-planned and designed buildings for several large, Houston mixed-use developments including Greenway Plaza, the Allen Center, the American General Center, and Regency Square. In addition, they built a number of individual buildings including the Astrodome, Foley's Distribution Center, Cashco Tower, and the CitiCorp Building. The firm also designed buildings for Rice University, the University of Houston, and Houston Baptist University. Throughout its existence the firm received numerous awards from the Houston Chapter of the AIA, the Texas Society of Architects, the National Society of Professional Engineers, and the National Glass Association.[24] Although the Melrose Building was neither the largest commission nor the most recognized, it helped the firm establish its reputation in Houston as modern architects and allowed them to enter the national discourse surrounding modern skyscraper design.

Architectural Context

Houston's first skyscraper dates to 1894. All of the city's pre-World War I (WWI) skyscrapers referenced traditional architectural styles by using Neo-Classical or Gothic ornamentation and form. Following the national trend of Modernism following WWI, Houston architects began to build skyscrapers with minimal, streamlined ornamentation in Art Deco or Art Moderne styles. Following World War II (WWII), the International Style became the predominant style for skyscraper construction in the U.S. After several Houston skyscrapers failed to implement this style, prolific Houston architects, Hermon Lloyd and William B. Morgan succeeded in 1952 with the Melrose Building. Located at 1121 Walker Street, it was the first Houston skyscraper to be built in the International Style and was well-received both locally and nationally.

Houston's Pre-Modern Skyscrapers

Although there is no single, accepted definition of the term 'skyscraper,' the type can generally be described as a building of exceptional height with a steel-frame structure. Tall building in Houston began in the last decade of the nineteenth century with the construction of the 1894-1895 Binz Building (demolished 1950-1951) at the intersection of Main Street and Texas Avenue. Not technically a skyscraper due to its interior cast iron and steel frame with load-bearing brick walls, the six-story building marked the city's first attempts to build upward. The architect, Olle J. Lohren, ornamented the building with Italian Renaissance styled elements. The first completely steel-framed skyscraper in Houston was the eight-story First National Bank Building (Sanguinet & Staats, 1903-1905). As with the Binz Building, the architects utilized traditional Renaissance Revival ornamentation and organized the building into three parts: a base, a shaft, and a cornice.

Between 1908 and 1913, the City of Houston saw a boom in skyscraper construction with buildings ranging from seven to 17 stories in height. These new buildings followed the same composition and

[23] Koush, "The Modern Mr. Jones," 32.
[24] Arthur E. Jones Architectural Records.

ornamentation established by the Binz Building and First National Bank Buildings; traditional revival styles, such as the Renaissance or Gothic Revival styles, were used to ornament the exteriors. The skyscrapers were either 'U' or L-shaped in plan to bring natural light and ventilation to the center of the building. Additionally, the buildings were flat-sided, rising directly from the sidewalk in the tripartite, base, shaft, and cornice formation. Only those elevations that faced streets were ornamented while the secondary or tertiary elevations were left undecorated. These new skyscrapers did vary from the earlier office use examples in their use and included hotels, apartments, retail space, and hospitals. The Rice Hotel (Mauran, Russell & Crowell, 1913) and an apartment building, the Beaconsfield (A. C. Pigg, 1911), exemplify Houston skyscrapers built at this time.

During the early years of Houston skyscrapers, most developers hired architects from out-of-town for both high-rise and low-level construction. Sanguinet & Staats of Fort Worth, Texas, and Mauran, Russell & Garden of St. Louis, Missouri, were the most prolific. D. H. Burnham & Co. of Chicago (1909, Scanlan Building, 405 Main Street), Jarvis Hunt of Chicago (1911, Southern Pacific Building/ Bayou Lofts, 915 Franklin Avenue), and Warren & Wetmore of New York (1915, Texas Company Building, 720 San Jacinto Street) each designed a tall building in Houston as well. Sanguinet & Staats' C. F. Carter Building (1919) was the tallest building in Texas for a few months after its construction and the tallest building in Houston until 1926.

From 1913-1917, tall building in Houston slowed as World War I (WWI) began and construction stopped altogether from 1917-1918 after the United States (U.S.) joined the war. When it began again in the early 1920s, Houston joined the rest of the U.S. and the world in the effort to identify a modern style to accompany the many advancements of the twentieth century.

Modernism and the International Style

Modernism, also referred to as the Modern Movement, arose during the 1920s and 1930s in response to the numerous advancements in technology and extensive growth of cities following the industrialization of Western Society. It spans the arts, literature, religion, politics, the organization of society, and architecture. As a philosophy, its followers attempted to depart from traditional practices of the past and form new methods based upon the technological advancements of the present. Architectural historians have avoided defining Modernism because of the breadth of materials and characteristics found in the buildings of this time period. As architects abandoned traditional building precedents, a number of new architectural styles, schools, and theories of design were formed; all of which fall under the larger classification of Modernism.

The Modern Movement can be divided into two waves corresponding to the development of architectural Modernism. The first wave occurred after WWI from the 1920s to the 1940s. Following the horrors of WWI, architects sought to utilize modern architecture as a means to improve quality of life through buildings and spaces. The predominant styles of this first wave include: Art Deco, Streamlined Moderne, and Stripped Classical. All of these show an attempt to distance new architecture from past styles by minimalizing ornament to various degrees. The second wave of Modernism occurred post World War II and extends from the late 1940s to the 1970s when afterwards historical references and ornament begin to reappear in architecture. This wave was dominated by the International Style. Phillip Johnson and Henry-Russell Hitchcock are credited with giving this style its name in the title of their book, *The International Style*, which served as the catalog for an exhibit of modern architecture in 1932 at the Museum of Modern Art (MoMA) in New York City. This style follows three general tenets: the

first is the expression of volume rather than mass, the second is the emphasis of balance over symmetry, and the third is the expulsion of all ornament.

International Style Skyscrapers in the U.S.

Although there were early examples of International Style skyscrapers before WWII, such as the 1932 Philadelphia Saving Fund Society (PSFS) Building, now the Loews Philadelphia Hotel (NRHP & NHL, 1976), by William Lescaze and George Howe, the International Style was not widely adopted for use on skyscrapers until after WWII.[25] New York City was the first city to experience a major skyscraper building boom following WWII and, as a result, was the location of the first iconic International Style skyscraper office buildings. The 1952 Lever House (NRHP, 1983) was designed by Skidmore, Owings, & Merrill (SOM) and consists of one horizontal rectangular block on pilotis with a second, tall, vertical, rectangular block asymmetrically placed on top of the first horizontal rectangle. Both blocks have steel structural frames and all-glass curtain walls covering all four sides in a distinctive green color. The 1952 United Nations (U.N.) Secretariat Building was designed by Oscar Niemeyer and Le Corbusier as part of the U.N. complex and houses all administrative offices and offices of the delegates. Unlike the Lever House, the UN Secretariat Building is placed in a larger, landscaped park setting. It is also built with a steel frame; however glass curtain walls only cover the two larger sides of the rectangular form, the two smaller sides cap these translucent walls with windowless slabs of stone veneers. Both these buildings were considered international successes and both participated in discussions concerning International Style design issues for office buildings.[26]

Part of the goal of the International Style was to create spaces that were both economically and functionally efficient. Architects sought to use this style as a tool to create healthier living and working environments that were affordable to everyone.[27] Discussion of how best to achieve this goal for an office environment centered on several issues.[28]

- Windows:
    - Should they be as large as possible, as with the UN Secretariat Building and the Lever House, or should they be made smaller because air-conditioning and high-level artificial light had reduced their functionality?
    - Do tenants like bigger areas of glass or does the glare disrupt their work?
    - Are floor-to-ceiling windows worth the extra construction cost if tenants will pull Venetian blinds halfway down anyway?
- Volume:
    - Do air-conditioning and high-level lighting change the economy of office space construction? Deeper office space, away from windows, used to be cheaper for tenants but with air-conditioning and new lighting, deep space costs almost as much as space near a window. Should developers be building deeper offices as in the past, or is it more profitable to build thinner buildings, like the Lever House, to maximize window space?

[25] Prudon, *Preservation of Modern Architecture*, 4.
[26] Prudon, *Preservation of Modern Architecture*, 5.
[27] Prudon, *Preservation of Modern Architecture*, 4.
[28] "New Thinking on Office Buildings," 107.

- Curtain Wall:
    - How far can architects depart from the masonry walls of the past used to represent structure?
- Exterior Design:
    - Should there be an exterior pattern in the curtain wall? If so, should it be vertical, horizontal, or another pattern?
- Design Integration:
    - Should the engineering features of new office design be expressed on the exterior?
- Ground Floor:
    - Is there still sufficient demand for retail space that it remains profitable to build retail space on the ground floor of office buildings?

Common among these issues was the concern for maximizing the profitability of the building through the concern for tenants' individual needs. A major part of the effort to offer tenants maximum control of their space was the development of the loft style office that could be built out to meet individual client's specifications. If a particular tenant needed an open floor-plan then the space could be left open but if they preferred individual offices or a combination of the two, the space could be divided up.[29] The debate over how best to answer these concerns while providing the most profitable rental space played out in office skyscrapers across the country following the inspiration of the Lever House and the UN Secretariat Building.

Modern and International Style Skyscrapers in Houston

Houston participated in both waves of Modernism and produced Art Deco, Streamlined Moderne, and eventually International Style skyscrapers. The first building to attempt to break with traditional, architectural ornamentation was the 1929 Gulf Building (NRHP, 1983) developed by Jesse Jones and designed by Alfred C. Finn.[30] Built in the Art Deco style, the building retains the traditional tripartite arrangement of base, shaft, and cornice but has very little ornament. Here, the Neo-Classical features seen on earlier skyscrapers have been streamlined into linear suggestions of the earlier detailed ornamentation.

Skyscraper construction in Houston slowed during the Great Depression of the early 1930s but resumed by 1939 with the construction of Houston City Hall (NRHP, 1990) by Joseph Finger.[31] Ornamentation on this building is even more restrained and streamlined than the Gulf Building. Cornices are marked by simple banding or recessing the roofline back from the elevation. Simple, bas-relief friezes provide the most intricate decoration and sit atop each window column and over the main entrance. The building does retain the three fold formation; however, the base is articulated with two smaller towers placed in front of and on either side of the taller, central shaft with minimal cornice above.

[29] "New Thinking on Office Buildings," 107.
[30] Mod, *Building Modern Houston*, 10.
[31] Mod, *Building Modern Houston*, 14.

The 1940 St. Joseph's Infirmary Maternity and Children's Building was designed by I.E. Loveless and shows the continued streamlining of ornament typical of Art Moderne. This building was one of the last Houston Art Moderne skyscrapers to be built during the first wave of Modernism. It retained the three part formation and exemplified the streamlined ornament of the new style with its horizontal banding and vertical emphasis on the central tower.[32]

The First City National Bank Building of 1949 was the first building to be built following WWII. Although the first wave of Modernism ended before the war, the design of this building clearly shows lingering popularity. An additional reason for the retro Art Deco/Art Moderne appearance of this building is it was designed before the war, shelved, and then erected quickly once the war was over. Its ornamentation is more restrained than its pre-war predecessors and it clearly illustrates the turning point from the more streamlined, cut-back ornament of the first Modernist wave in Houston to the full expulsion of ornament in the second wave.[33] Almost all exterior ornament has been removed and only minimal marking on the spandrel panels and at the cornice provides any decoration. The tripartite formation is still discernible but has lost much of the emphasis seen in earlier buildings like City Hall and the Gulf Building.

Houston's attempts at International Style skyscrapers pre-dating the Melrose Building show architects attempting to implement elements of this style but not fully breaking with the earlier Modernist styles. The results of these attempts cannot be called International Style but are not Art Deco or Art Moderne. The 1951 original Methodist Hospital designed by Watkin, Nunn, McGinty & Phenix does implement cantilevered, eyebrows seen in fully International Style buildings and these do give the building a horizontal emphasis. The windows are still separated on the façade as if they were punched into the heavy brick exterior walls, making the building seem solid and heavy as opposed to the suggestion of weightlessness sought in the International Style with curtain walls. The original Methodist Hospital also retains a discernible base, shaft, and cornice division despite the lack of all applied ornament. The 1952 Prudential Building (demolished 2011), designed by Kenneth Franzheim, excludes all but the most minimal ornament and departs from the tripartite form. The building retains the stocky weight and vertical emphasis of earlier Modern styles due to the individual windows punched into the exterior limestone walls arranged in perpendicular masses of differing heights.

Houston architects did succeed in implementing the International Style in low-rise buildings prior to the Melrose Building. In the 1938 Houston Fire Alarm Building, MacKie & Kamrath successfully used ribbon windows to create a sense of volume rather than weight and to place an emphasis on the horizontal in keeping with the International Style. Battelstein's, the 1950 specialty store by Finger & Rustay, also achieves full expression of the International Style using ribbon windows centered on a brick façade.

Despite these successes with smaller building types, no skyscrapers achieved fully articulated International Style until the Melrose Building in 1952. Unlike with the original Methodist Hospital and the Prudential Building, Lloyd & Morgan used large ribbon windows with cantilevered concrete eyebrows above to create a horizontal emphasis while achieving a sense of weightlessness. The large expanses of windows with the shiny, blue ceramic spandrel panels beneath remove all sense of weight seen in earlier buildings with brick or masonry separating each window unit. The eyebrow sunshades

[32] Mod, *Building Modern Houston*, 20.
[33] Ibid.

also make it seem as if each floor is lightly stacked one-upon-the other. Although two of the walls are windowless and clad in brick, these are done in such a way as to emphasize the weightlessness of the building.

Following the Melrose Building, Houston architects continued to utilize the International Style on smaller, low-rise buildings like the 1955 East End YMCA (now the Cossaboom YMCA). Milton McGinty's design of a horizontal building with ribbon windows and raised on piers successfully implements the International Style. Kenneth Franzheim fails to fully implement the International Style with his 1955 Texas National Bank Building. He does achieve some horizontal emphasis with his small rows of ribbon windows but the overall emphasis is vertical with the divided spandrel panels. The building also retains a feeling of weight due to the large expanses of masonry cladding. Despite having the first aluminum curtain wall in Houston, the 1956 Bank of the Southwest Building also fails to generate a sense of weightless volume with horizontal emphasis yet it does successfully demonstrate that architects of this era were sensitive to site; the Bank of the Southwest is the same composition – central tower with flanking wings – as City Hall, only executed in a modern vocabulary. The first purely abstract skyscraper in Houston was the 1960 First City National Bank Building by Skidmore, Owings & Merrill (SOM) with Wilson, Morris, Crain & Anderson, with its floor-to-ceiling windows recessed into the structural frame to create a protective exoskeleton.[34] The second building was Cameron Fairchild's Houston First Savings and Loan Building built in 1962. Here Fairchild referenced the Lever House with his steel and glass tower set back on a rectangular base.[35]

ARCHITECTURAL SIGNIFICANCE AND RESTORATION HISTORY

Exterior

The building's primary façade faces south onto Walker Street and its eastern elevation faces east onto San Jacinto Street. Designed by Lloyd & Morgan in 1952, the Melrose Building is Houston's first modern style skyscraper and the first to incorporate cast concrete cantilevered sunshades shielding rows of grouped windows. The asymmetrical concrete reinforced steel frame building is clad with buff colored brick. The east and south elevations feature vertically stacked ribbon windows framed with projecting concrete sunshades. The ground floor storefront retains its original aluminum framed, single light entry doors and storefront punctuated with marble clad, unadorned square columns.

The building has a U-shaped plan with only a small inset airspace on the north elevation where the fire escape staircase is located. Due to its corner location, the twenty-one-story building with basement has two dominant elevations: the primary facade faces south onto Walker Street and includes the main entrance; the second elevation faces east onto San Jacinto Street. The building measures roughly 131' x 76' with the longer span facing south onto Walker. The rhythmic bay composition of the building is 5 x 3 bays following the structural system. The entire building is clad with buff colored brick with the west and south elevations solid end walls excepting the inset airspace on the north elevation for the fire escape.

The south and east elevations have an asymmetrically placed enframed window wall composed of a cast concrete cantilevered "eyebrow" that projects from the building plane and completly surrounds the

[34] Mod, *Building Modern Houston*, 93.
[35] Mod, *Building Modern Houston*, 94.

regularly grouped, aluminum framed ribbon windows. The windows are grouped in sixes and separated by a dominant vertical mullion, an expression of the structural column beneath; there are five groups of six windows on the south elevation and two groups on the east. Within the enframed window wall, there are additional cantilevered "eyebrows" that run continuously above the windows providing sun protection. The current fixed anodized aluminum windows are original to the building. In the early 1970s their original glass panes were replaced with tinted glass, but the historic fenestration pattern and window frames were retained. One significant change made in the renovation was the covering of the exterior turquoise tile spandrel panels with dark glass panels. There is an elevator penthouse, clad in buff brick, on the western side of the parapetted flat roof.

Despite the International Style of the building, its composition exhibits the last vestiges of the classical, three part composition of base, shaft, and cornice, executed in new modernist vocabulary. The base along Walker Street includes floor-to-ceiling aluminum framed storefront windows (now boarded), entry doors covered by a continuous aluminum clad cantilevered canopy that wraps the corner and continues half way along the San Jacinto elevation. The ground floor of the east (San Jacinto) elevation has an unadorned brick wall with paired egress doors on the northern-most bay. Above the ground floor, the shaft or central building section is an asymmetrical composition of continuous bands of aluminum-framed windows with cast concrete sunshades enframed by a projecting concrete band; the bands of windows compose the majority of the south façade leaving only a small vertical strip of the buff colored brick in the far western bay. This vertical element counters the horizontal emphasis of the window wall and continues above the projecting concrete band to simply express the cornice or terminus of the building. On the east elevation the enframed window wall is only two bays wide leaving a full bay for the vertical buff brick of the building plane.

Floor Plan

The ground floor public space is the elevator lobby, richly ornamented with green marble with heavy white veining. The upper 20 floors have mostly intact elevator lobbies with plaster walls, the glass mail chute, the fire hose boxes, and brushed aluminum molding surrounding the elevator cabs. The building's basement is utilitarian and designed for the mechanical systems and back of house maintenance offices and storage; there are no public spaces. The basement floor is concrete and the walls painted plaster or gypsum board.

Interior

There is a small rectangular inset along Walker Street that highlights the building's primary entrance spanning approximately 22 feet: central paired single light aluminum framed doors flanked by two single doors. The lobby is currently carpeted and has a drop ceiling; both of these elements were later alterations. The five elevator cabs are placed against the western solid end wall and are surrounded with green marble with white veining. The elevators cabs have brushed aluminum surrounds. Other original elements in the lobby include a mail box with glass mail chute from the upper floors; fire hose cabinets, and an aluminum framed office directory. The 1962 AIA award still hangs in the lobby. The original concrete dog leg staircase with simple metal pipe railing is in the northwest corner of the building just north of the elevator lobby.

There is a tenant space in the eastern two bays of the building. The tenant space has a concrete floor and drop ceiling; there are not remaining character defining features. There is a paired aluminum door with

access to the main lobby on the west elevation as well as access to Walker, also via aluminum framed single light doors.

The upper floors were designed to offer maximum flexibility for tenant build out. All floors retain some semblance of the elevator lobby and access to the rear fire escape. Alterations are visible on most floors: Twelve, or 60 percent, of the upper floors have had modifications to the corridors and/or elevator lobbies; the remaining eight floors have the majority of their corridors and elevator lobbies intact. The corridors were designed according to building codes at the time and ran in an L-shape from the southern end of the elevator lobby and turned in an easterly direction with a final turn northward to access the fire escape staircase. Electrical panels ran in a continuous vertical chase along the southern wall. Tenants altered the office plans and many of the corridors over time and electrical panels and fire boxes were relocated. The extant corridors have a thin layer of plaster over a metal stud wall and a rubber baseboard. The drop ceilings are now acoustical tile and are placed approximately three and one half feet below the original floor-to-ceiling height. The corridors have been altered and are not considered character defining features of the building. The elevator lobbies, largely intact on each floor, also have a plaster finish although most have been encapsulated with wallpaper, paint or wooden paneling. The elevator lobbies are the only character defining feature remaining on the upper floors.

Integrity

The Melrose Building has a high level of overall integrity. The building's exterior has experienced very few changes. The upper floor aluminum window sashes are original. The glass panes in the upper floor sashes were replaced in 1971. The most significant alteration to the exterior also occurred in the 1970s when the building's original turquoise spandrels were sheathed with dark glass panels. The turquoise spandrels are extant beneath the glass panels, however. Inside, the building retains the green marble walls, mailbox, building directory, and elevator surrounds in the ground floor elevator lobby. Alterations include carpeting and a drop ceiling. The upper floors have varying degrees of alteration. Twelve, or 60 percent, of the upper floors have modifications to their elevator lobbies. The tenant spaces have been altered; however, this follows the space planning ideas of the day that tenant spaces were designed to be as flexible as possible.

The integrity of the Melrose Building can be described as follows:

1. Location – The building is in its original location, and thus its integrity of location is high.
2. Design – The building has had virtually no design alterations. It retains its setback, massing, and composition, with asymmetrical projecting window walls and concrete sun shades, and its interior ground floor lobby is intact. Its turquoise tile spandrels are intact but hidden beneath dark glass panels. Despite that change, the building's overall integrity of design is good.
3. Setting – The building retains its original setting of a busy downtown street corner, with parking garages and other office buildings nearby. Its integrity of setting is high.
4. Materials – The building's buff bricks, window frames, and storefront are original, and the green marble in the elevator lobby is intact. The turquoise tiled spandrels, although hidden beneath glass panels, are also intact. The integrity of materials is high.

5. Workmanship – The historic workmanship is evident in the building finishes, storefront, and construction of windows and other features, and thus the overall integrity of workmanship is good.
6. Feeling – The building retains its feeling as an International Style office tower on a busy downtown street. It remains thoroughly modern in appearance and evokes the change and progress inherent in midcentury design. Its integrity of feeling is high.
7. Association – The building, currently vacant, is no longer associated with its original developers, but is still associated with Lloyd & Morgan, its architects. Furthermore, it is still associated with the evolution of the Modern style and its use in Houston skyscrapers. Because of this, the Melrose Building's overall integrity of association is good.

BIBLIOGRAPHY

Books

Ching, Francis D.K. *A Visual Dictionary of Architecture*. New York: John Wiley & Sons, 1995.

Fox, Stephen. *AIA Architectural Guide Third Edition*. Houston: American Institute of Architects, Houston Chapter, 2012.

Fox, Stephen. "Scraping the Houston Sky 1894-1976." In *Ephemeral City: Cite Looks at Houston*, edited by Barrie Scardino, William F. Stern, and Bruce C. Webb, 193-211. Austin: University of Texas Press, 2003.

Guedes, Pedro, ed. *Encyclopedia of Architectural Technology*. New York: McGraw-Hill Book Company, 1979.

Mod, Anna. *Building Modern Houston*. Charleston: Arcadia Publishing, 2011.

Prudon, Theodore H.M. *Preservation of Modern Architecture*. Hoboken: John Wiley & Sons, 2008.

Rifkind, Carole. *A Field Guide to Contemporary American Architecture.* New York: Penguin Group, 1998.

Robinson, Judith H. and Stephanie S. Foell. *Growth, Efficiency, and Modernism: GSA Buildings of the 1950s, 60s, and 70s.* Washington D.C.: U.S. General Services Administration Office of the Chief Architect Center for Historic Buildings, 2003.

Articles

Koush, Ben. "The Modern Mr. Jones: A Legendary Houston Architect Shares his Tall Building Portfolio." *Cite,* Fall 2007, 30-35.

"New Thinking on Office Buildings." *Architectural Forum,* September 1953, 107-117.

"New Thinking on the Effect of Office Windows on Design." *Architectural Forum*, September 1953, 118-123.

Houston Magazine, 1969, Courtesy Houston Metropolitan Research Center, Houston Public Library.

Archival Collections

Arthur E. Jones Architectural Records, MS 535, Woodson Research Center, Fondren Library, Rice University.

Houston City Directories, Clayton Library Center for Genealogical Research, Houston Public Library, Houston, Texas.

Melrose Building Architectural Drawings, Houston Metropolitan Research Center, Houston Public Library, Houston, Texas.

Online Resources

Willard B. Robinson, "ARCHITECTURE," *Handbook of Texas Online* (http://www.tshaonline.org/handbook/online/articles/cmask), accessed March 26, 2014. Uploaded on June 9, 2010. Published by the Texas State Historical Association.

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

APPROVAL CRITERIA FOR LANDMARK DESIGNATION

Sec. 33-224. Criteria for designation

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

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Melrose Building at 1121 Walker Street.

HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Landmark Designation of the Melrose Building at 1121 Walker Street.

EXHIBIT A
PHOTOS
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: SWCA Environmental Consultants, 10245 West Little York, suite 600, Houston, Texas 77040
South façade (left) and east elevation (right), camera facing west.

EXHIBIT A
PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: SWCA Environmental Consultants, 10245 West Little York, suite 600, Houston, Texas 77040
West elevation (left) and south façade (right), camera facing east; view east down Walker Street.

EXHIBIT A
PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: SWCA Environmental Consultants, 10245 West Little York, suite 600, Houston, Texas 77040
North elevation (left) and west elevation (right), camera facing southeast.

EXHIBIT A
PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: SWCA Environmental Consultants, 10245 West Little York, suite 600, Houston, Texas 77040
Interior ground floor elevator lobby, view north.

EXHIBIT A
PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: SWCA Environmental Consultants, 10245 West Little York, suite 600, Houston, Texas 77040
Interior ground floor elevator lobby, building directory on left, entry vestibule doors on right, view south.

EXHIBIT A
PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: SWCA Environmental Consultants, 10245 West Little York, suite 600, Houston, Texas 77040
Interior, upper floor, typical elevator lobby, view south.

EXHIBIT A
PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: SWCA Environmental Consultants, 10245 West Little York, suite 600, Houston, Texas 77040
Interior, typical corridor, view east.

EXHIBIT A
PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: SWCA Environmental Consultants, 10245 West Little York, suite 600, Houston, Texas 77040
Interior, typical floor on south elevation, replacement windows, view south.

EXHIBIT B
SITE MAP
THE MELROSE BUILDING
1121 WALKER STREET

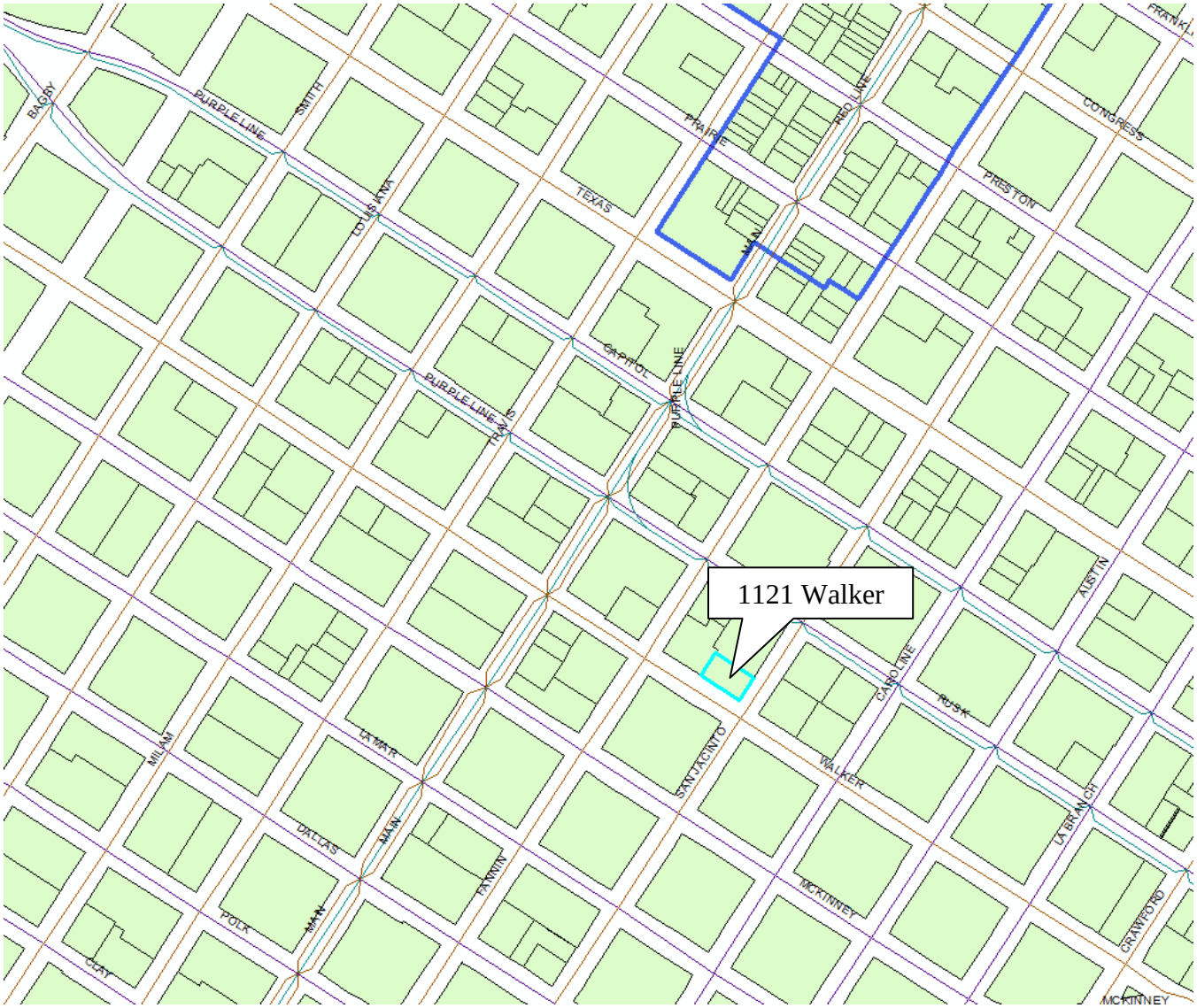
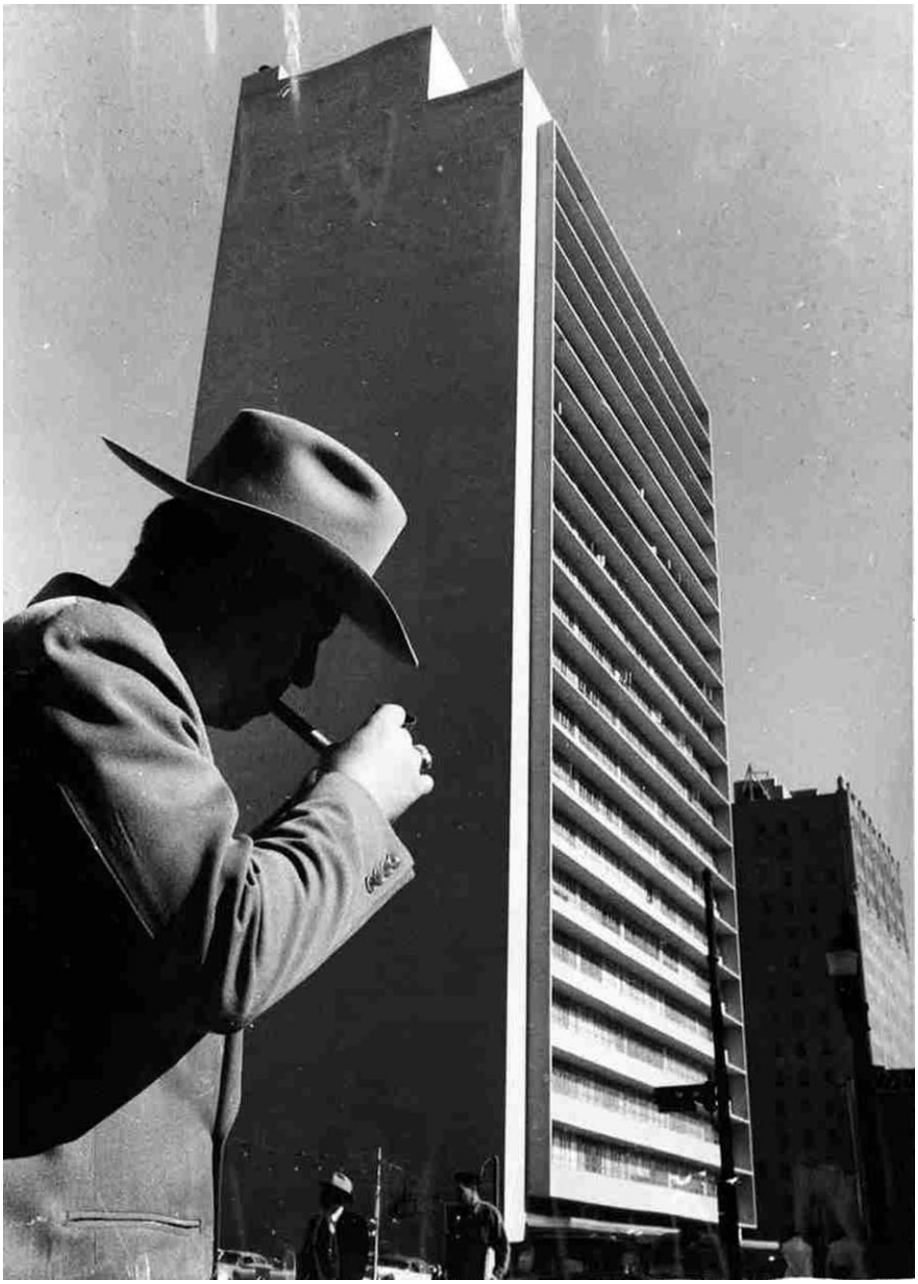


EXHIBIT C
HISTORIC PHOTOS
THE MELROSE BUILDING
1121 WALKER STREET



Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: unknown
Date of Photograph: c1952
Location of Original Digital Files: Houston Mod, Houston, Texas.
West façade (left) and south elevation (right), camera facing east.

EXHIBIT C
HISTORIC PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: unknown
Date of Photograph: 1952
Location of Original Digital Files: postcard collection Randy Pace, Houston
South façade (left) and east elevation (right), camera facing west.

EXHIBIT C
HISTORIC PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: unknown
Date of Photograph: 1952
Location of Original Digital Files: C*ourtesy Woodson Research Center, Fondren Library, Rice University*, Houston, Texas
Interior ground floor elevator lobby, camera facing south towards Walker Street.

EXHIBIT C
HISTORIC PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: unknown
Date of Photograph: 1952
Location of Original Digital Files: C*ourtesy Woodson Research Center, Fondren Library, Rice University*, Houston, Texas
Interior ground floor elevator lobby, concession area to the south of elevator banks, camera facing west.

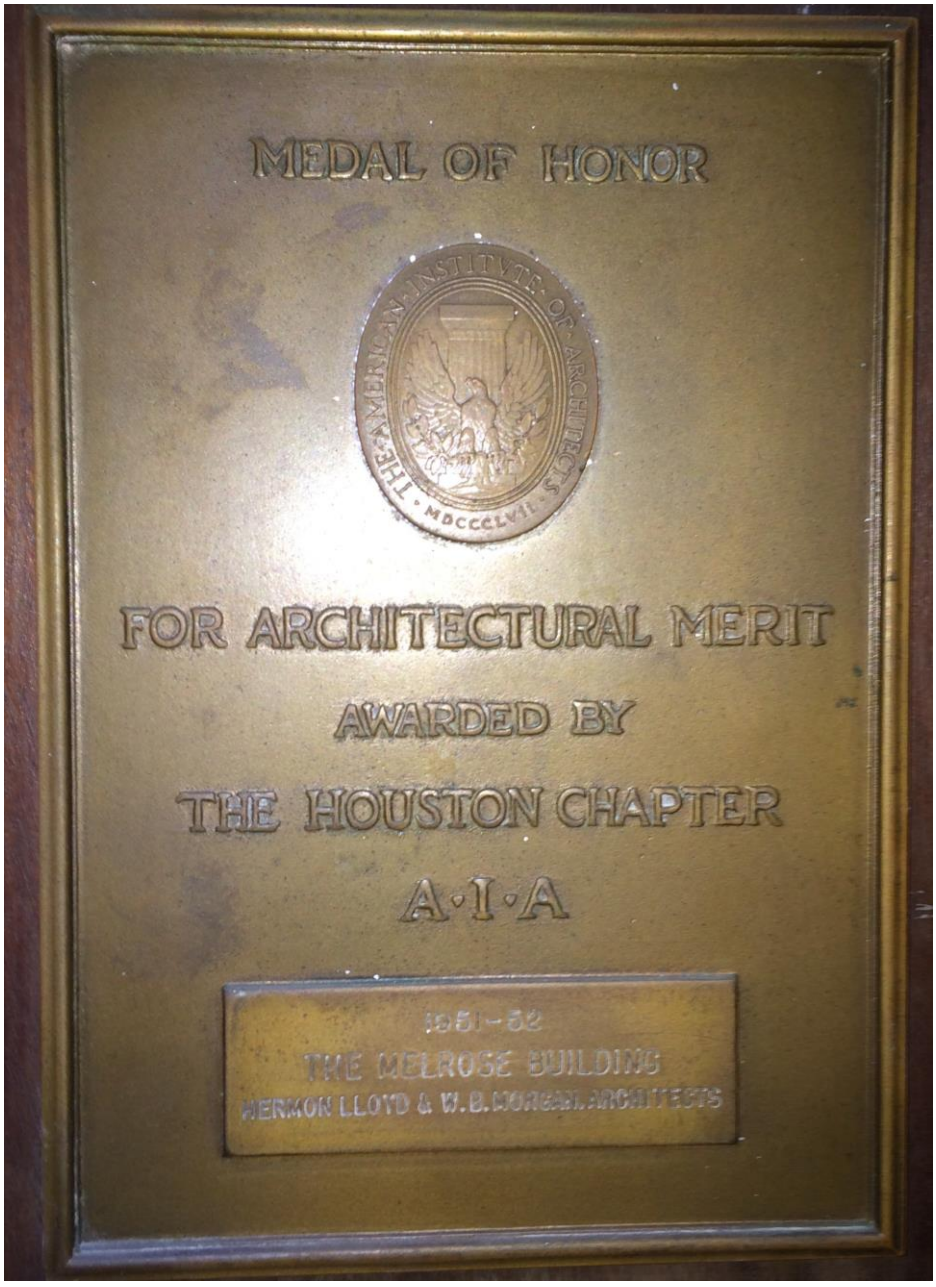
EXHIBIT C
HISTORIC PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: unknown
Date of Photograph: 1952
Location of Original Digital Files: C*ourtesy Woodson Research Center, Fondren Library, Rice University*, Houston, Texas)
Interior, upper floor, open plan office.

EXHIBIT C
HISTORIC PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

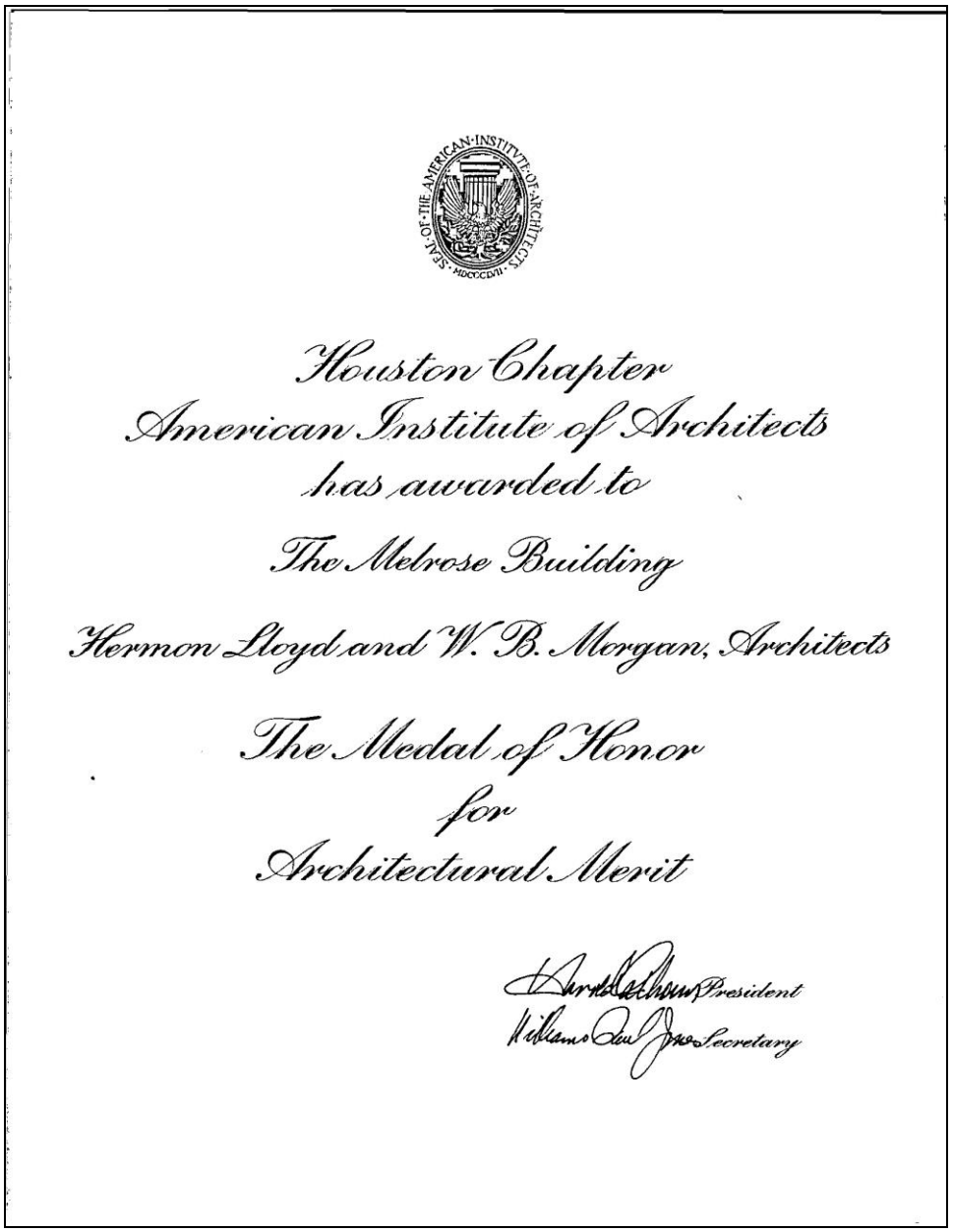
Name of Building: The Melrose Building
City or Vicinity: 1121 Walker, Houston
County: Harris County
State: TX
Name of Photographer: unknown
Date of Photograph: 1952
Location of Original Digital Files: C*ourtesy Woodson Research Center, Fondren Library, Rice University*, Houston, Texas
Interior, upper floor, typical office layout showing original fixed and casement windows.

EXHIBIT D
ADDITIONAL PHOTOS
THE MELROSE BUILDING
1121 WALKER STREET



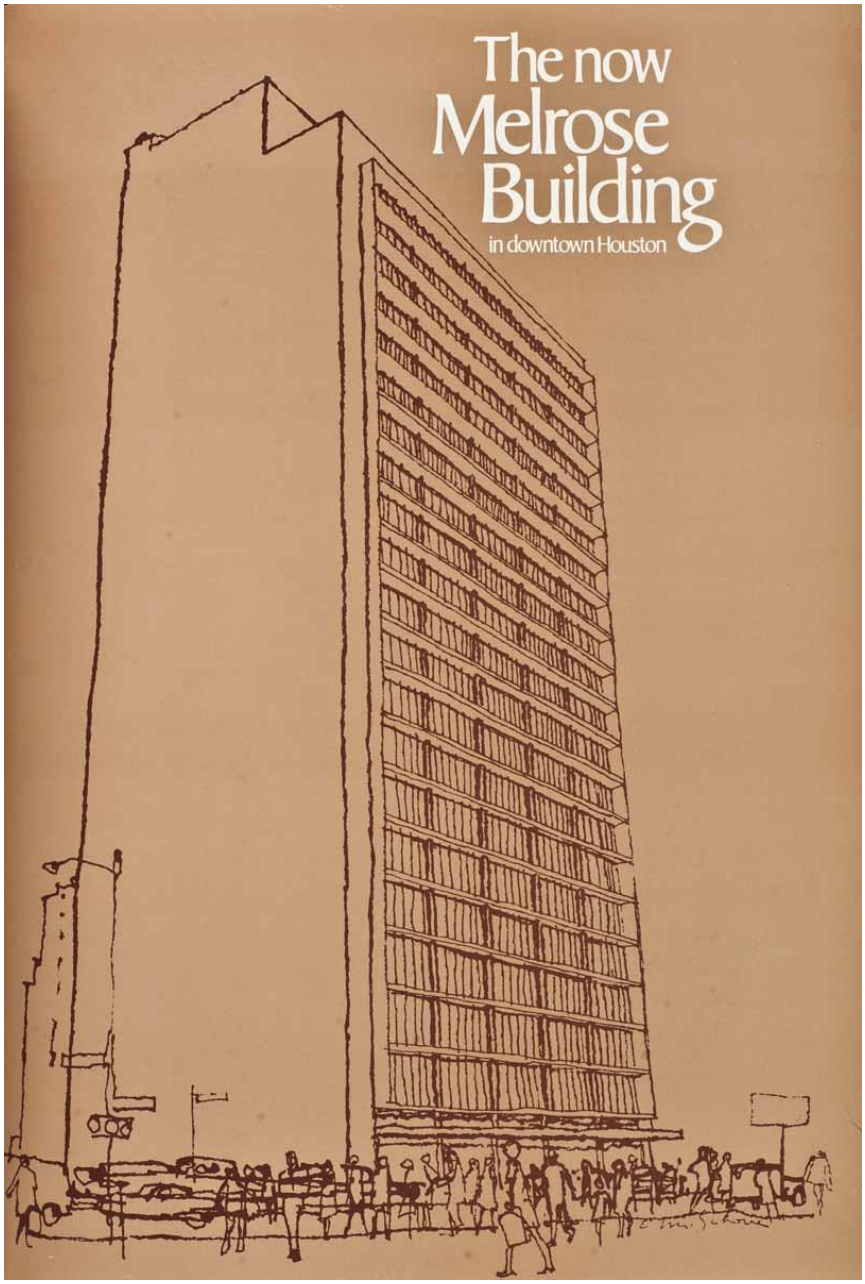
Name of Figure: AIA Award Plaque in the Melrose Building
City or Vicinity: Houston
County: Harris County
State: TX
Name of Photographer: Anna Mod
Date of Photograph: 2014
Location of Original Digital Files: Courtesy SWCA
Detail Photo of the AIA award plaque in the Melrose Building

EXHIBIT D
ADDITIONAL PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET



Name of Figure: AIA Award
City or Vicinity: Houston
County: Harris County
State: TX
Name of Photographer: n/a
Date of Photograph: 1952
Location of Original Digital Files: Courtesy Woodson Research Center, Fondren Library, Rice University
Scan of the original AIA Certificate

EXHIBIT D
ADDITIONAL PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET



Name of Figure: Houston Magazine, 1969
City or Vicinity: Houston
County: Harris County
State: TX
Name of Photographer: n/a
Date of Photograph: 1969
Location of Original Digital Files: Courtesy Houston Metropolitan Research Center, Houston Public Library
Scans of Houston Magazine, 1969

EXHIBIT D
ADDITIONAL PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

The Melrose Building has moved ahead with a tenant-oriented $500,000 modernization program, inside and out.

Familiar Melrose green has given way to a sculptured bronze exterior. Solarbronze plate glass to keep out glare. Bold bronze mullions to emphasize the verticals. The Astrodome architects, Lloyd, Morgan & Jones have transformed the Melrose Building into one of Houston's most exciting structures.

Inside, work is underway customizing each floor to the needs of individual tenants. Smartly-designed smaller offices (as small as 300 sq. ft.) are available for immediate occupancy. Larger offices, up to 25,500 sq. ft. on three adjoining floors, can be made available. Expansion room is guaranteed and lease terms are most attractive.

New blood. The Melrose Building has been under new management for over a year. We have received many compliments on what we have done so far. But the best is yet to come.

Basically, it's a matter of attitude—of tenant-mindedness. We *want* you to talk to our tenants; they constitute seventy of our best salesmen. Above all, talk to the Russells (Sam or Jake, 224-2764). We office here, too.

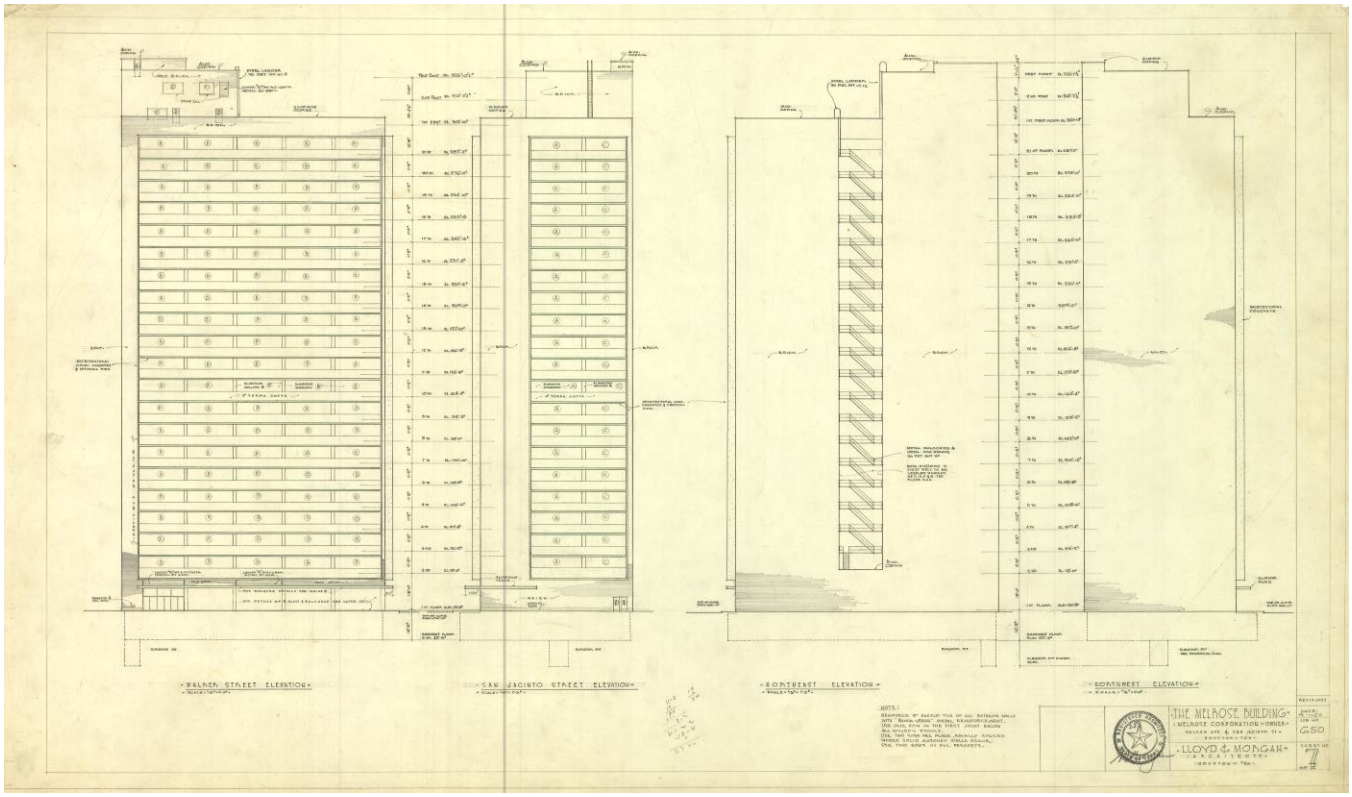
Unlike many buildings in Houston, the Melrose was designed to carry heavy floor loads as well as heavy heat loads. If you have data processing equipment, we welcome you.

Name of Figure: Houston Magazine, 1969
City or Vicinity: Houston
County: Harris County
State: TX
Name of Photographer: n/a
Date of Photograph: 1969
Location of Original Digital Files: Courtesy Houston Metropolitan Research Center, Houston Public Library
Scans of Houston Magazine, 1969

EXHIBIT D
ADDITIONAL PHOTOS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET

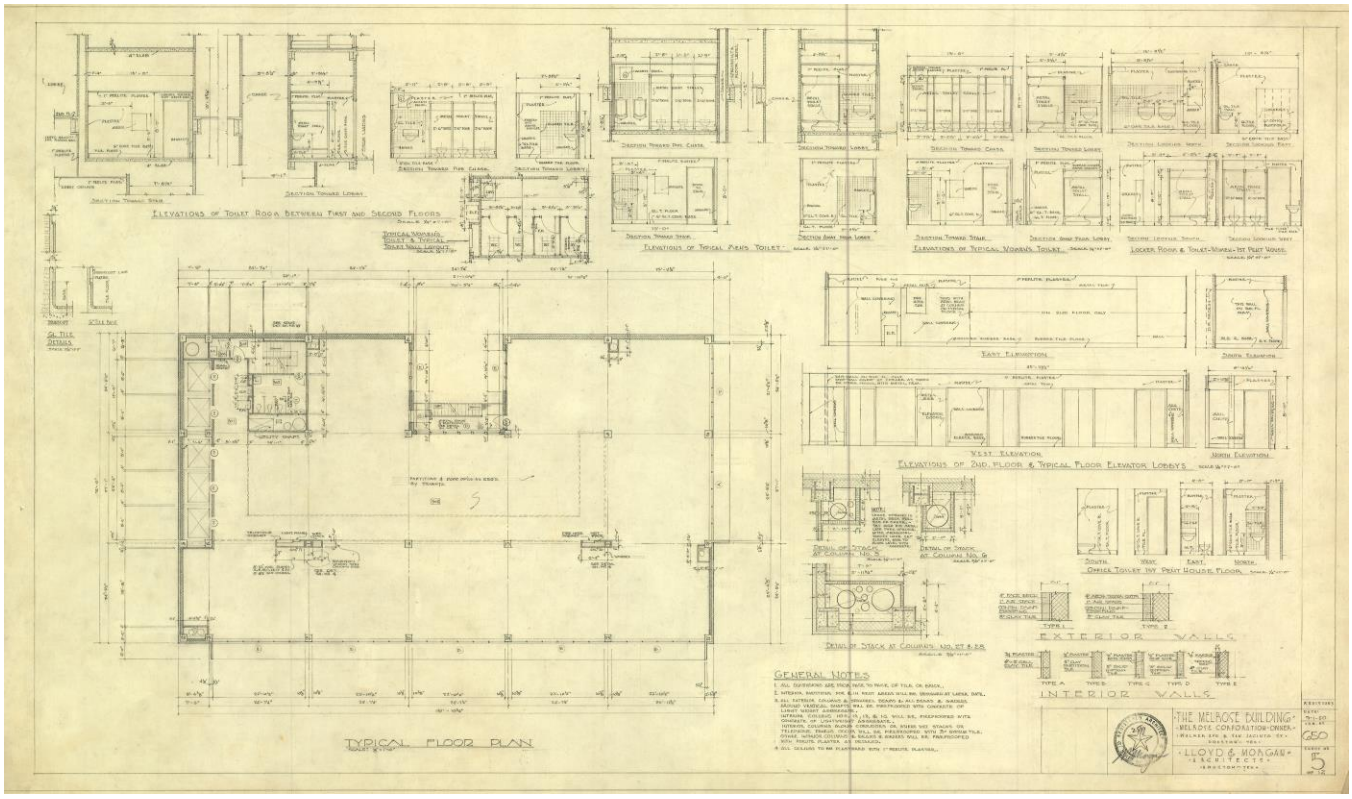
Name of Figure: Houston Magazine, 1969
City or Vicinity: Houston
County: Harris County
State: TX
Name of Photographer: n/a
Date of Photograph: 1969
Location of Original Digital Files: Courtesy Houston Metropolitan Research Center, Houston Public Library
Scans of Houston Magazine, 1969

EXHIBIT E
ARCHITECTURAL DRAWINGS
THE MELROSE BUILDING
1121 WALKER STREET



Name of Figure: Melrose Building Exterior Elevations
City or Vicinity: Houston
County: Harris County
State: TX
Name of Photographer: n/a
Date of Photograph: 1950
Location of Original Digital Files: Courtesy Houston Metropolitan Research Center, Houston Public Library
Melrose Building Exterior Elevations

EXHIBIT E
ARCHITECTURAL DRAWINGS (CONTINUED)
THE MELROSE BUILDING
1121 WALKER STREET



Name of Figure: Melrose Building Typical Floor Plan
City or Vicinity: Houston
County: Harris County
State: TX
Name of Photographer: n/a
Date of Photograph: 1950
Location of Original Digital Files: Courtesy Houston Metropolitan Research Center, Houston Public Library
Melrose Building Typical Floor Plan

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District I

Item Creation Date: 9/23/2015

Approval of a resolution designating the Melrose Building at 1121 Walker Street as a Landmark

Agenda Item#:

Background:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Melrose Building at 1121 Walker Street was initiated by the owner.

A public hearing was held on March 26, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:
Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Signed Application	Other
Staff Report	Other

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District C
Item Creation Date: 9/28/2015

PLN-RESO Mr. & Mrs. S.I. Morris House @ 2 Waverly Court
as a Landmark & Protected Landmark

Agenda Item#: 28.

Summary:

RESOLUTION designating **MR. and MRS. S.I. MORRIS HOUSE** located at 2 Waverly Court within the City of Houston as a landmark and protected landmark **DISTRICT C - COHEN**

Background:

A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark and Protected Landmark designation of the Mr. and Mrs. S.I. Morris House at 2 Waverly Court was initiated by the owner.

A public hearing was held on May 21, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark and Protected Landmark designation.

_____

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:

Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Landmark Report	Other
Coversheet for S.I. Morris House	Signed Cover sheet
PLN-RESO Mr. & Mrs. S.I. Morris House @ 2 Waverly Court as a Landmark & Protected Landmark	Signed Cover sheet

CITY OF HOUSTON

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

PROTECTED LANDMARK DESIGNATION REPORT

LANDMARK NAME: Mr. and Mrs. S.I. Morris House
OWNER: S.I. Morris Interests, Ltd.
APPLICANT: David K. Morris
LOCATION: 2 Waverly Court – Museum District

AGENDA ITEM: D.1
HPO FILE NO.: 15PL124
DATE ACCEPTED: Apr-15-2015
HAHC HEARING DATE: May-21-2015

SITE INFORMATION

Lot 2, Waverly Court, City of Houston, Harris County, Texas. The site includes a historic two-story, contemporary style single-family residence facing west on Waverly Court at the corner of Bissonnet Street.

TYPE OF APPROVAL REQUESTED: Protected Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Mr. and Mrs. S.I. Morris House is a contemporary residence at 2 Waverly Court in the Museum District south of downtown Houston. The house was designed by prominent Houston architect Seth Irwin "S.I." Morris, Jr. (1914-2006) and completed in 1952 as his family's home. Morris' firms – Wilson, Morris & Crain, AIA; Wilson, Morris, Crain & Anderson, AIA; S.I. Morris Associates; Morris*Aubry Architects and Morris Architects – left a timeless imprint on Houston through their crucial roles in creating such treasured landmarks as the Astrodome (1965), Pennzoil Place (1976), Transco (now Williams) Tower (1983) and Gus S. Wortham Theater Center (1987), among many others.

In *Building A Houston Practice: The Career of S.I. Morris,* Barry Moore notes that Morris insisted the only building he had ever personally designed was the house built at the corner of Waverly Court and Bissonnet in the 1950s. That house remains in the Morris family and is home to the architect's widow, Mrs. Suzanne Morris.

The Mr. and Mrs. S.I. Morris House is significant for its architect, architecture and as a visible reminder of Houston's development, and meets Criteria 1, 3, 4, 5, and 6 for Protected Landmark designation.

HISTORY AND SIGNIFICANCE

Seth Irwin "S.I." Morris, FAIA

Seth Irwin "S.I." Morris, Jr. was born in Madisonville, Texas, in 1914 to Seth Irwin Morris, Sr. and Carrie Holleman Morris. When S.I. was two years old, his mother moved the family to Houston after she discovered that her son might receive a free education at the newly opened Rice Institute. After graduating from San Jacinto High School, Morris entered Rice at 18 years of age. He majored in architecture after being told the engineering program was full. Morris graduated in 1935 and went to work for architect Burns Roensch before joining his former Rice classmate F. Talbott Wilson, Jr. (1912-1987) in starting a firm.

At the end of the New Deal era, the partners earned a major early commission: Park Lane Apartments (1940, demolished) on Hermann Drive, was Houston's most impressive Federal Housing Administration-sponsored garden apartment complex. At about the same time, developer E.L. Crain

hired the young architects to design a series of houses in his new Garden Oaks subdivision, and helped them win the contract to design Garden Oaks School (1940, demolished).

After wartime service with the U.S. Navy in bomb disposal and intelligence behind the Chinese lines, Morris married Suzanne Kibler and returned to Houston to raise a family and re-establish his practice with Wilson. In 1946, a third partner, B.W. Crain, Jr. (1914-1995), joined the firm. In 1953, Ralph Anderson, Jr. (1923-1990) became the fourth partner.

Morris contended that he designed very few buildings other than his family's home on Waverly Court, but claimed that design was only part of what makes an architect successful. Firms must earn commissions and get buildings constructed; in those areas Morris had no peers, beginning with his determined effort to bring in the commission for the new Houston Country Club (1957). Morris asserted that taking on that one job allowed his firm to move from residential and small institutional projects to major commercial work thanks to the contacts established with club members.

Major new commissions did come in. Wilson, Morris, Crain & Anderson was selected as associate architect with Skidmore, Owings & Merrill for the First City National Bank Building (1961) and on its own received the federal commission for the new U.S. Post Office (1962, facing demolition).

The firm's greatest challenge and greatest triumph came when Judge Roy Hofheinz chose Wilson, Morris, Crain & Anderson to design the Harris County Domed Stadium (1965) with Lloyd, Morgan & Jones. After the Astrodome, the firm made its biggest impact on Houston's skyline in the 1970s when it designed Gerald Hines' first major downtown office building, One Shell Plaza (1971), again with Skidmore, Owings & Merrill. The firm was soon commissioned to design One Allen Center (1972) on its own.

In 1970, Morris recruited Eugene Aubry as chief designer and two years later dissolved Wilson, Morris, Crain & Anderson to establish S.I. Morris Associates. The reconstituted firm would be associated with some of Houston's most visible projects, including the Central Library, Jesse H. Jones Building, Houston Public Library (1975); Pennzoil Place (1976) with Johnson/Burgee Architects; and Alfred C. Glassell, Jr. School of Art at the Museum of Fine Arts, Houston (1978, facing demolition). As Morris*Aubrey Architects, the firm designed First City Tower (1981) and worked on the Transco (now Williams) Tower (1983) again with Johnson/Burgee Architects.

Morris helped transform Houston's Theater District with the Gus S. Wortham Center, a project begun in 1979 by S.I. Morris Associates, carried out under Morris*Aubrey Architects and completed in 1987 by Morris Architects, one year after S.I. Morris had retired.

S.I. Morris served on the boards of the Museum of Fine Arts, Houston, the Houston Chamber of Commerce, Rice University, the Contemporary Arts Museum, Boy Scouts of America and many other philanthropies. He was recognized with alumni awards from Rice University in 1981 and 1991, as a member of the College of Fellows of the American Institute of Architects, with the Texas Society of Architects' Llewellyn Pitts Award in 1992, and with honors from the Associated General Contractors in 1994 and Rice Design Alliance in 1998.

Morris died on August 1, 2006, in Houston. He was survived by his wife of 60 years, Suzanne Kibler Morris, five children, 14 grandchildren and one great-grandchild. S.I. Morris is interred at Glenwood Cemetery.

Waverly Court

Waverly Court is one of the Bissonnet Street private enclaves, including Shadow Lawn (City of Houston Historic District) and West 11th Place (City of Houston and National Register historic districts), which were created along the periphery of the exclusive Shadyside subdivision in the 1920s. Banker J.T. Scott and Mrs. James L. Autry were Waverly Court's developers. In 1922, consulting engineer J.S. Boyles platted the enclave to end in a cul-de-sac; the following year, Boyles would plat the adjacent Shadow Lawn subdivision with a circular street plan.

Several of J.T. Scott's children built houses in the subdivision, two of which, 4 and 6 Waverly Court, were completed in 1923. These homes were designed by Scott's son-in-law, architect James Ruskin Bailey; both houses are still standing. Later, architecturally significant homes were designed by David C. Baer at 1 Waverly Court (1952, demolished); Glassman Shoemake Maldonado also at 1 Waverly Court (1999, demolished); Wilson, Morris & Crain, AIA, at 2 Waverly Court (1952) and Eubanks/Bohnn Associates with Peter H. Brown at 10 Waverly Court (1997).

ARCHITECTURAL SIGNIFICANCE AND ALTERATION HISTORY

This contemporary style, flat-roofed, two-story house faces west at 2 Waverly Court on a well-landscaped corner lot. The house is clad in brick veneer and vertical frame siding on a concrete slab.

Although the original architectural drawings for the home are dated 1950, the Morris House was not completed until 1952. The house has an overall rectangular plan with internal courtyards. The house largely fills the site as a result of three additions designed by Wilson, Morris & Crain, AIA (1953, 1959), and Wilson, Morris, Crain & Anderson, AIA (1963). The additions will be addressed in separate sections of this report.

Front (West) Façade

The front, west facade is divided into three unequal bays.

The two-story north bay occupies approximately 1/3 of the front façade. The first floor is clad in brick around an offset horizontal plate glass window with brick sill. The window is divided into three sections; the central pane is wider than the two equal side panes. Above the window is a section of vertical wood trim that matches the vertical siding on the second floor of the north bay. A single row of brick headers is at the top of the brick wall beneath a wooden fascia board and narrow metal flashing that run the entire width of the first floor of the house.

The second floor of the north bay is set back from the front of the house facing Waverly and projects slightly from the north side of the house facing Bissonnet. A narrow column of brick delineates the northwest corner of the two-story section; the rest of the two-story façade is clad in vertical siding. There is one, single-lite casement window offset completely to the north side of the projecting first floor and a second casement window directly above it beneath the eaves on the second floor. The second floor has a shed roof with a shallow slope down to the north. The roofline is delineated by a wooden fascia board beneath metal flashing. Open rafters are visible along the south side of the second floor.

The narrow, one-story, middle bay is offset toward the north side of the first floor. The middle bay contains a recessed entry porch with full-height, 2/3-width plate glass sidelight on the north side of a 1/3-width solid wood door with wooden transom. The floor of the porch is covered in pebbled paving.

The flat-roofed, one-story, south bay occupies approximately 2/3 of the front façade. The front wall is completely covered in brick veneer with a single top row consisting only of headers beneath the fascia board and metal flashing. There are two rounded-end skylights on the roof parallel to the front wall. A square, brick interior chimney with metal cap is centered on the roof of the south bay.

North Side

The north side is divided into four unequal bays. The east bay contains a wood frame, one-story, two-car garage clad in vertical siding. The garage has a shed roof with a very shallow slope to the south. The roofline is delineated with a narrow wooden fascia board.

The second bay to the right is two stories tall and clad in vertical siding. A curved wooden fence screens the first floor of the second bay. According to the architectural drawings, this fence shelters the window of the morning room added in 1959. On the second floor above the morning room is a set-back, shed-roofed, rectangular room clad in vertical siding. According to the architectural drawings, this is a bathroom added in 1959.

The third bay occupies most of the north side. The two-story bay is clad in brick veneer with a single row of brick headers at the top of the second floor beneath the fascia board and metal gutter. The first floor contains a wooden entry door located at the west side of the building. The full-height, 2/3-width wooden door has a repeating triangular decorative pattern. A full-height, 1/3-width prism glass sidelight is on the east side of the door. The door and sidelight are sheltered by a flat metal canopy supported by a single metal bracket. The only other ornamentation in this bay is a rectangular brick grille on the second floor directly above the entry and beneath the eaves.

The fourth bay contains the recessed side of the one-story front façade. The wall is clad in brick veneer with a single row of headers below the fascia board and metal flashing.

East Side

The east side of the house faces Yoakum Boulevard. The south side of this bay is screened by a wooden fence in front of what the architectural drawings indicate is the playroom added in 1953. The roof of the playroom has a very shallow slope down to the east. To the north is the opening of a two-car frame garage clad in vertical siding. A fascia board and metal flashing delineate the shed roof, which has a shallow slope down to the north. Another shed-roofed addition clad in vertical siding is set back on the north side of the garage.

Set back on the second floor behind the garage is a rectangular room with vertical siding and a single jalousie window centered in the wall. This room's shed roof contains a skylight and has a very shallow slope to the south. According to the architectural drawings, this is the bathroom added above the morning room in 1959.

Additions

In the *AIA Houston Architectural Guide*, Stephen Fox writes of the Morris home: "This small-scaled contemporary house, closed off from the traffic along Bissonnet, is focused on a series of internal garden courts." That paragraph, however, describes the result of an 11-year evolution, which saw the house expanded three times to accommodate Morris' growing family.

1953 Playroom - Wilson, Morris & Crain, AIA

The one-story, 26' x 15' playroom was added perpendicular to the east end of the original house along Yoakum Boulevard, giving the home an L-shaped footprint. While the east elevation facing Yoakum has limited windows, as described above, the playroom's west elevation faces the interior of the site and has wide fixed glass windows overlooking the existing garden court.

1959 Morning Room and Bat – Wilson, Morris, Crain & Anderson, AIA

Since it was built, the morning room addition off the kitchen has been hidden from outside view by a curved wooden fence. The first-floor morning room supports an additional bathroom on the second story of the house.

1963 Living Room, Master Bedroom and Bath – Wilson, Morris, Crain & Anderson, AIA

The one-story, brick veneer addition contained a new living room, master bedroom and bath. Construction of the 49' x 43' wing on the west side of the property closed off the site to Waverly Court. The wing has no windows on the Waverly Court, west facade, as described above, however, the bedroom and living room open onto interior garden courts, as does the earlier playroom addition.

BIBLIOGRAPHY

American Architects Directory. (http://public.aia.org/sites/hdoaa/), accessed April 2, 2015. New York: R.R. Bowker LLC, 1956, 1962, 1970.

Fox, Stephen. *AIA Houston Architectural Guide*. Houston: AIA Houston and Minor Design, 2012.

Fox, Stephen. "A Report on the Wortham Theater Center." *Cite*, Winter 1984. Houston: Rice Design Alliance.

Fox, Stephen. "S.I. Morris (1914-2006)." *Texas Architect*, September/October 2006. Austin: Texas Society of Architects.

Koush, Ben. "The Buildings of the Texas Medical Center Through the Years." *OffCite*, (http://offcite.org), accessed March 30, 2015. Uploaded September 5, 2012. Houston: Rice Design Alliance.

Moore, Barry. "Building a Houston Practice: The Career of S.I. Morris." *Cite 43*, Winter 1999. Houston: Rice Design Alliance.

Ruiz, Rosanna. "Seth Irvin Morris, whose architectural firm designed the Astrodome, dies: Houston sky no limit for prolific architect." *Houston Chronicle*, August 2, 2006.

Sylvan, Linda Leigh, ed. *Houston's Cradle of Culture & Environs: Three Architectural Walking Tours of the Museum Area*. Houston: Rice Design Alliance, 1985.

Turner, Drexel. "Neighborhood of Make-Believe: The Houston Theater District." *Ephemeral City: Cite Looks at Houston*. Austin: University of Texas Press.

Wilson, Morris & Crain, AIA. "A Residence for Mr. & Mrs. S.I. Morris." Architectural drawings, 1950. Courtesy of David K. Morris.

Wilson, Morris & Crain, AIA. "A Residence for Mr. & Mrs. S.I. Morris." Architectural drawings, 1953. Courtesy of David K. Morris.

Wilson, Morris, Crain & Anderson, AIA. "Residence for Mr. & Mrs. S.I. Morris." Architectural drawings, 1959. Courtesy of David K. Morris.

Wilson, Morris, Crain & Anderson, AIA. "Addition to S.I. Morris Residence." Architectural drawings, 1963. Courtesy of David K. Morris.

The information and sources provided by the applicant for this application have been reviewed, verified, edited and supplemented with additional research and sources by Erin Glennon, 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 33-224, as follows:

S NA **S - satisfies NA - not applicable**

Meets at least three of the following (Sec. 33-224(a)(1):

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

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

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

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

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

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

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

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

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

OR

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

OR

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

OR

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

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Protected Landmark Designation of the Mr. and Mrs. S.I. Morris House at 2 Waverly Court.

HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Landmark and Protected Landmark Designation of the Mr. and Mrs. S.I. Morris House at 2 Waverly Court.

EXHIBIT A
SITE MAP
MR. AND MRS. S.I. MORRIS HOUSE
2 WAVERLY COURT

EXHIBIT B
CURRENT PHOTOS
MR. AND MRS. S.I. MORRIS HOUSE
2 WAVERLY COURT

Residence for Mr. & Mrs. S.I. Morris. Front (west) façade looking east from Waverly.2 Waverly Court, Houston, Harris County Texas 77005. March 31, 2015.

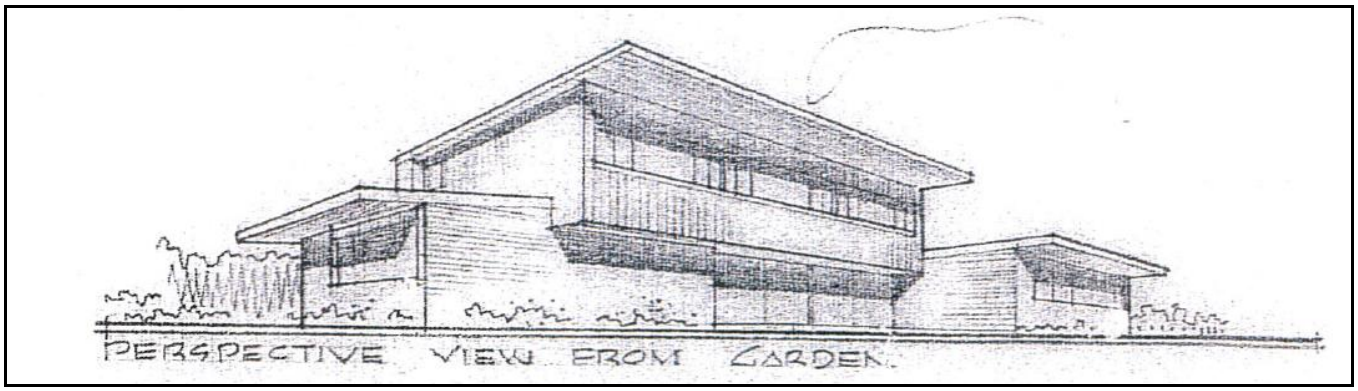
EXHIBIT B
CURRENT PHOTOS
MR. AND MRS. S.I. MORRIS HOUSE
2 WAVERLY COURT

Morris House, North side looking south from Bissonnet Street. March 31, 2015.

EXHIBIT B
CURRENT PHOTOS
MR. AND MRS. S.I. MORRIS HOUSE
2 WAVERLY COURT

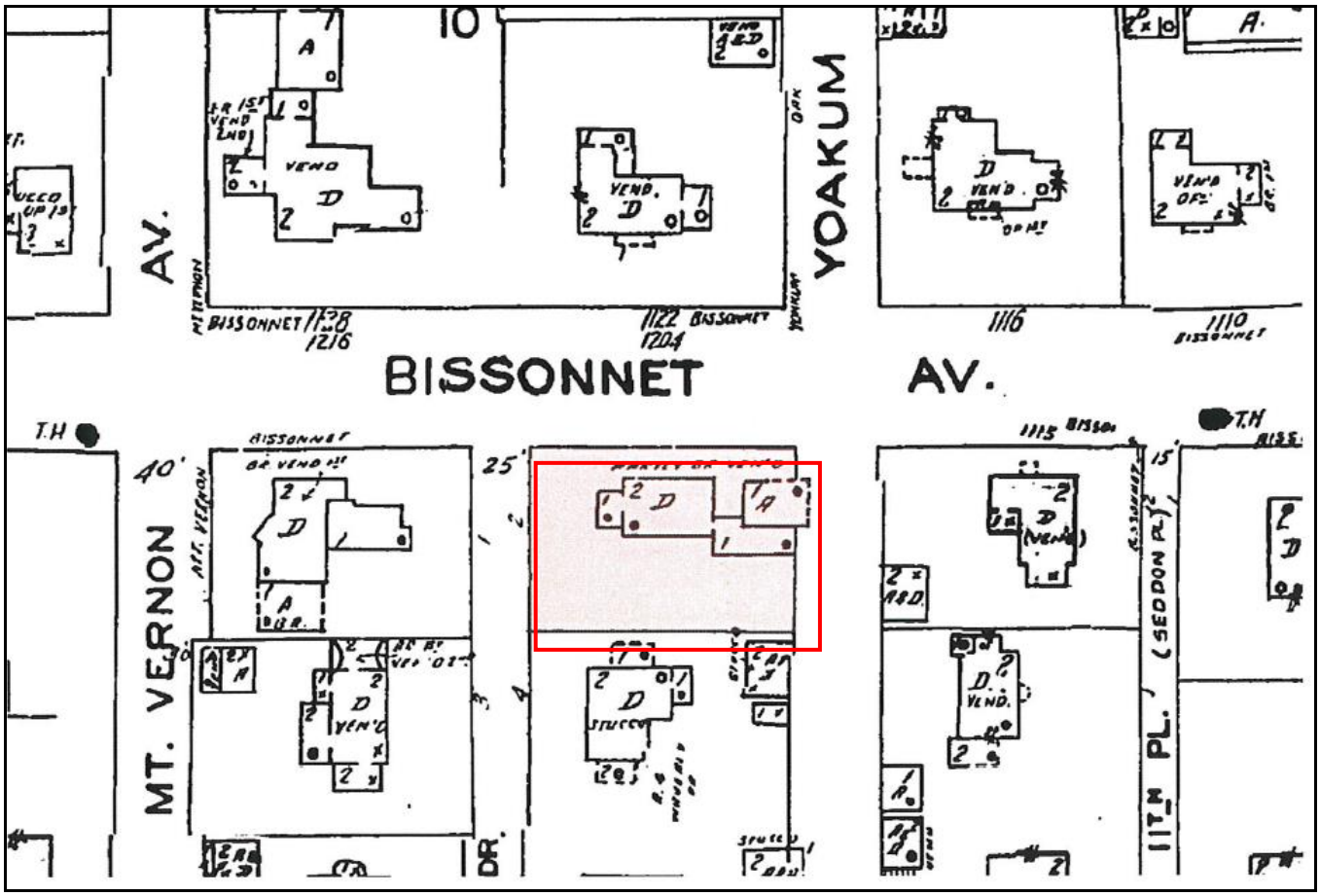
Morris House, East (back) side looking west from Yoakum. March 31, 2015.
Photos by Jim Parson, Preservation Houston.

EXHIBIT C
HISTORIC DRAWINGS
MR. AND MRS. S.I. MORRIS HOUSE
2 WAVERLY COURT



Morris House rendering, 1950. Wilson, Morris & Crain, AIA.
Architectural drawing courtesy David K. Morris.

EXHIBIT D
SANBORN MAP
MR. AND MRS. S.I. MORRIS HOUSE
2 WAVERLY COURT



2 Waverly Court, Houston 5, Texas (1952 address),
Sanborn Fire Insurance Maps of Houston, 1924-1951, Volume 5, Sheet 584,
Houston Metropolitan Research Center, Houston Public Library.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District C
Item Creation Date: 9/28/2015

Approve a resolution designating the Mr. and Mrs. S.I. Morris House at 2 Waverly Court as a Landmark and Protected Landmark

Agenda Item#:

Background:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark and Protected Landmark designation of the Mr. and Mrs. S.I. Morris House at 2 Waverly Court was initiated by the owner.

A public hearing was held on May 21, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark and Protected Landmark designation.

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:
Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Signed Application	Other
Landmark Report	Other

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District G
Item Creation Date: 9/28/2015

PLN-RESO designating the Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive as a Landmark

Agenda Item#: 29.

Summary:

RESOLUTION designating the **JUDGE and MRS. J.A. PLATT HOUSE** located at 3311 Del Monte Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

Background:

A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive was initiated by the owner.

A public hearing was held on May 21, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

-
-
-
-

_____
~~Patrick Walsh, P.E.~~
~~Director~~
~~Planning and Development Department~~

Contact Information:

Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Landmark Report	Other
Coversheet for JA Platt House	Signed Cover sheet
PLN-RESO designating the Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive as a Landmark	Signed Cover sheet

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Judge and Mrs. J.A. Platt House
OWNER: Harry C. Pinson
APPLICANT: Same as Owner
LOCATION: 3311 Del Monte Drive – River Oaks

AGENDA ITEM: C
HPO FILE NO: 15L309
DATE ACCEPTED: Apr-15-2015
HAHC HEARING: May-21-2015

SITE INFORMATION: Tract 10, Block 8, River Oaks Country Club Estates, City of Houston, Harris County, Texas. The site contains a historic two-story French Renaissance style house on a prominent location facing north on Del Monte Drive at River Oaks Boulevard.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive at River Oaks Boulevard was constructed in 1936 from a design by celebrated Houston architect Joseph Finger. From the 1910s through the 1940s, Finger was one of Houston's foremost architects and was the designer of many landmark buildings, including Houston's City Hall.

Finger designed the elaborately detailed, 7,347-square-foot, two-story painted brick house at 3311 Del Monte Drive in the French Renaissance style. The house was completed in 1937 for Judge and Mrs. J.A. Platt at a cost of $40,000. Judge Platt (1884-1972) was an important associate of oil and lumber baron James M. West. The house was later owned by prominent Texas developer and entrepreneur Welcome W. Wilson, Sr.

The Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive is significant for its occupants, architect, architecture and the role it played in Houston's development, and meets Criteria 1, 3, 4, 5, 6, and 8 for Landmark designation.

HISTORY AND SIGNIFICANCE

J. A. Platt

John Arthur "J.A." Platt was born on April 17, 1884, in New Iberia, Louisiana. His father, B.A. Platt, was involved in business in Trinity County, Texas, for many years. B.A. eventually moved his family to Groveton, Texas, the Trinity County seat, where his son attended public school before entering the University of Texas at Austin. J.A. Platt graduated from UT in 1904 with a Bachelor of Laws (LLB) degree and immediately returned to Groveton to open his practice.

In 1908, Platt was elected Trinity County attorney and served until 1912. The following year, he married Maude Dudley (1885-1976), the daughter of a prominent local lumberman. In 1914, Platt was elected district attorney of the Twelfth District; he held the office until 1918. One year later, Governor William P. Hobby appointed Platt district judge of the District Court of the Twelfth District; he served until 1920, when he resigned.

Platt moved to Houston in January 1921 and began working for James M. "Jim" West (1871-1941), whose business empire included ranching, banking, lumber, oil, newspaper publishing, and real estate.

West had grown up poor in Trinity County and dropped out of school to work as a water boy for the Trinity County Lumber Company in Groveton. As West's vice president and general attorney, Platt would represent the West Lumber Company, South Texas Lumber Company, Fort Terrett Ranch Company, West Production Company, South Texas Hardwood Company, West Building Company, West Securities Company, and the Trinity Valley & Northern Railroad Company.

In February 1923, Platt was one of seventeen Houstonians who purchased two densely wooded tracts of land totaling 360 acres on the south side of Buffalo Bayou, two-and-a-quarter miles west of Montrose Boulevard. The erstwhile developers solicited memberships and stock subscriptions in their Country Club Estates Company at $100 for membership and $250 per share of stock. Their plans called for the construction of an 80-foot-wide boulevard between San Felipe Road and the proposed site of a country club and 180-acre golf course. Consulting engineer Herbert A. Kipp was retained to subdivide the rest of the tract into home sites along picturesque curved streets named for famous country clubs: Inwood, Del Monte and Chevy Chase.

The investors chartered River Oaks Country Club and commissioned noted Houston architect John F. Staub to design the Spanish Colonial style clubhouse. Scottish golf course designer Donald Ross was hired to plan the course. Although the country club was built and the subdivision plat was filed, the costs had driven the Country Club Estates Company into debt and no further work was carried out. In 1924, Will and Mike Hogg, the future developers of River Oaks, purchased all of the Country Club Estates Company's holdings, which formed the centerpiece of their River Oaks Corporation. Coincidentally, Judge Platt would later build his family home on a prominent site in River Oaks' original Country Club Estates section.

Platt would go on to represent Jim West in his frequently difficult dealings with Texas Governor Ross Sterling. Although Sterling was one of the founders of the Humble Oil Company, a forerunner of ExxonMobil, the governor had financial difficulties during his term in office from 1931 to 1932. In November 1931, Platt served as attorney for West Securities Company when the firm sold its stock in the Houston Post-Dispatch, Sterling's flagship newspaper. The governor had gone before a judge to issue a restraining order preventing the sale, but Platt moved too quickly. In April 1932, Sterling was forced to sell his namesake skyscraper, the Sterling Building (1931, Wyatt C. Hedrick, demolished) on Texas Avenue in Houston. The governor owed more than $1.6 million to the West Securities Company on behalf of the West Building Company for the 21-story Art Deco structure. In December of the same year, Platt was the sole bidder when West Securities Company purchased Sterling's real estate holdings in seven Texas counties plus stocks, bonds, notes, and oil leases for $18,750. The Houston Chronicle reported Sterling owed West more than $800,000 at the time of the sale.

Platt continued working for the West Securities Company through the 1960s. He and his wife lived in the house on Del Monte Drive until 1966 when they sold the property to Welcome W. Wilson, Sr. and his wife Joanne. J.A. Platt died on March 23, 1972, in Houston. He is buried at Forest Park Lawndale Cemetery.

Welcome W. Wilson, Sr.

Mr. and Mrs. Welcome W. Wilson, Sr. purchased 3311 Del Monte Drive in 1966. It remained their family home until 1996, when the current owners bought the house.

When Welcome Wade Wilson was born in 1928 in San Angelo, Texas, his parents argued over an appropriate name for their baby. His father, E.E. Wilson eventually said, "Let's make him feel welcome," and the name stuck. Wilson's father owned radio stations in Corpus Christi and Brownsville, and the family later lived in both cities. As a teenager, Wilson worked as a newscaster, disc jockey, and station announcer while picking up extra income as a longshoreman on banana boats in Brownsville and becoming president of the student body at Brownsville Junior College.

E.E. Wilson believed Houston would become the largest city in the world, so he enrolled both his sons, Welcome and his younger brother Jack, in the University of Houston in 1946. Welcome Wilson worked on the student newspaper, *The Cougar*, and was eventually named one of the Ten Outstanding Students at UH. In 1949, he graduated with a Bachelor of Business Administration the same day he married his college sweetheart, Joanne Guest. He was almost immediately hired to raise funds and recruit new students for the UH College of Nursing. It would be his first experience in a long career of development for UH.

After the Korean War broke out, Wilson was drafted and sent to Japan for two years as a defense battalion commander. In 1953, he returned to Houston and became executive assistant to oilman, developer and philanthropist R.E. "Bob" Smith. At about the same time, Smith assigned Wilson to serve as chairman of the March of Dimes and assistant director of Civil Defense to help newly elected mayor Judge Roy Hofheinz.

In 1956, President Dwight Eisenhower appointed Wilson, then 27 years old, director of Defense Mobilization for a five-state area. As a result of this assignment, he received the Arthur S. Flemming Award as one of Ten Outstanding Young Men in Federal Service for his work in the aftermath of Hurricane Audrey, which struck the region in 1957 and killed more than 300 residents of Cameron, Louisiana. Wilson continued serving in the Executive Office of the President under John F. Kennedy. He last spent time with Kennedy in Houston on November 21, 1963, the night before the president's assassination.

In 1958, Wilson, his brother Jack, and four friends broke ground for Jamaica Beach, a resort community of second homes for middle-class buyers on the west end of Galveston Island. Bob Smith bought the land, resold it to the developers without requiring a down payment, and guaranteed a $250,000 loan. Today Jamaica Beach is an incorporated city with a population of about 1,000. The partners went on to develop several other resort communities in Galveston County, including Tiki Island, which is also an incorporated city.

When E.E. Wilson died in 1964, he left his sons more than 100 parcels of farm and ranch land in four counties in East Texas, including property on the north side of Houston. Welcome Wilson began developing six major apartment complexes in Houston that year and was one of the founding partners and chairman of Homestead Bank (later North Houston Bank) in 1965. By 1970, Wilson owned 18,000 acres in seven Texas counties and 10% of the Houston Astros baseball team. With his brother, he held the lease on the Astrodome.

Today, Wilson is chairman of GSL Welcome Group, a family-owned business, which holds four million square feet of single-tenant industrial and office facilities from Rosenberg to Conroe. As chairman of the University of Houston's Tier One campaign, he was instrumental in achieving UH's Carnegie-designated Tier One status. He has also served as a member and chairman of the UH System Board of Regents. Wilson has received Distinguished Alumnus awards from University of Texas at Brownsville –

Texas Southmost College (formerly Brownsville Junior College) as well as from the University of Houston and the UH C.T. Bauer College of Business. In 2011, the Texas Business Hall of Fame inducted Wilson as a Legend and Honoree and the Houston Technology Center named him "Entrepreneur of the Year."

Joseph Finger

Joseph Finger was born on March 7, 1887, in Bielitz, in a section of the Austro-Hungarian Empire that is now part of Poland. He received his primary and secondary education in his hometown, and his father Henri wanted him to take over the family dry goods store. Instead, Joseph went to the Royal School in Vienna for technical training before immigrating to the United States in 1905.

Finger initially settled in New Orleans, but moved to Houston in 1908, where he worked as a draftsman in the branch office of Dallas architect C.D. Hill and Company. In 1912, he became the junior partner in the firm Green & Finger with Houston architect Lewis Sterling Green. Between 1914 and 1919, he was in partnership with James Ruskin Bailey. As Finger & Bailey, their work included the Sterne Building (1914-16) and the Cheek-Neal Coffee Company Building (1917). From 1920 to 1923, he was senior partner in Finger & Cato with Lamar Q. Cato.

Finger practiced under his own name from 1923 to 1944. During this time, he became very well known for his hotel designs, which served a mostly upper-middle class clientele. His work in Houston included the Ben Milam Hotel (1925, demolished), Auditorium Hotel (1926, later The Lancaster), Plaza Apartment Hotel (1926, later the Plaza-Tradition Bank) and the Texas State Hotel (1929, later Club Quarters) as well as hotels in Port Arthur and Texarkana, Texas, and Lake Charles, Louisiana.

During much of his career, Finger was best known for his exuberant modernistic designs. These included the Art Deco-style Houston Turn-Verein (1929, demolished), the A.C. Burton Company auto showroom (1929, demolished) and the streamlined Carnation Company creamery (1946-47, demolished). Jefferson Davis Hospital (1937, with Alfred C. Finn, demolished) and Houston City Hall (1939) exhibited more restrained modernistic detailing.

As the city's foremost Jewish architect from the 1910s through the 1940s, Finger frequently designed Jewish institutional buildings, as well as projects for individual Jewish clients. Among these were Temple Beth Israel (1925, later Heinen Theatre¬ at Houston Community College), Temple of Rest mausoleum (1935) and Congregation Beth Yeshurun Educational Building (1949, later Lucian L. Lockhart Elementary School, demolished). Finger designed his own family home, a duplex completed in 1926, at 120 Portland Place. Many of his other residential commissions were for prominent families in Riverside Terrace, often called the "Jewish River Oaks." His works there include the Abe Weingarten House (1938), Joseph Weingarten House (1939) and Abe Battelstein House (1940).

Finger was a member of the American Institute of Architects, and of Congregation Beth Israel, the Independent Order of B'nai Brith, Houston Turn-Verein, Westwood Country Club, Houston Chamber of Commerce, and the Benevolent and Protective Order of Elks.

From 1944 until his death, Finger was in partnership with George W. Rustay. At the time of his passing, Finger & Rustay's Harris County Courthouse (1953) was under construction in downtown Houston. Joseph Finger died on February 6, 1953. He is interred in the Temple of Rest, which he designed, in

Beth Israel Cemetery. He was survived by his wife, Gertrude Levy Finger, and one son, Joseph Seifter Finger, a landscape architect and golf course designer.

Designated Landmark Buildings designed by Joseph Finger in Houston and Harris County include:

- Auditorium Hotel (1926, later The Lancaster), Recorded Texas Historic Landmark.
- Cheek-Neal Coffee Company Building (1917), City of Houston Landmark.
- Clarke & Courts Building (1935), National Register of Historic Places.
- Houston City Hall (1939), City of Houston Protected Landmark, National Register of Historic Places.
- Houston Municipal Air Terminal (1940, later 1940 Air Terminal Museum), City of Houston Protected Landmark.
- Simon & Mamie Minchen House (1931), City of Houston Protected Landmark, Recorded Texas Historic Landmark, National Register of Historic Places.
- National Cash Register Building (1929), City of Houston Landmark.
- Sterne Building (1914-16), City of Houston Protected Landmark, National Register of Historic Places.
- Temple Beth Israel (1925, later Heinen Theatre at Houston Community College), Recorded Texas Historic Landmark, National Register of Historic Places.
- Texas State Hotel (1929, later Club Quarters), City of Houston Landmark, National Register of Historic Places.
- Joseph Weingarten House (1939), City of Houston Landmark.
- James & Jessie West Ranch House (1929-30), Recorded Texas Historic Landmark, National Register of Historic Places.

River Oaks

River Oaks is adjacent to Buffalo Bayou and Memorial Park in west central Houston. The residential garden suburb, which comprises 1,100 acres, was developed starting in the 1920s through the foresight and persistence of brothers Will Hogg (1875-1930) and Mike Hogg (1885-1941) and attorney Hugh Potter (1888-1968).

The nucleus of the expansive subdivision predates the Hoggs' and Potter's involvement. By 1924, Country Club Estates, the section south of the newly established River Oaks Country Club, had been platted, but not developed. The Hogg brothers bought out the original investors, including James West associate Judge J.A. Platt, and established Country Club Estates, Inc., later the River Oaks Corporation.

Mike Hogg's friend, Hugh Potter, was installed as president of the corporation. Under his expert direction, the development of River Oaks began in earnest. Not only was the existing section developed, the corporation also busily acquired land on all sides of the original Country Club Estates. Between 1926 and 1947, an additional 19 platted subdivisions were joined to River Oaks.

A study of noteworthy American suburban communities, particularly Roland Park in Baltimore and the Country Club District in Kansas City, was responsible for such innovative ideas as the institution of

architectural controls in River Oaks, the levying of a private tax to support a maintenance and services fund, and the creation of a property owners' association to enforce deed restrictions.

Will Hogg was especially determined that River Oaks serve as a model of enlightened community planning standards for Houston. He retained Kansas City landscape architects Hare & Hare to provide a master plan that would protect the environmental integrity and natural beauty of the area. The developers also hired J.C. Nichols, who built Kansas City's Country Club Plaza, one of the first major shopping centers in the United States, to serve as a design consultant.

The River Oaks master plan included home sites, a fifteen-acre campus for River Oaks Elementary School (1926, Harry D. Payne), two shopping centers, and esplanades planted with flowers. The plan called for underground utility lines, eliminated alleys, allowed only three intersecting streets and provided rigid building codes. Deed restrictions and centralized community control assured exclusivity; approval of house designs by a panel of architects and citizens and a purchase price of at least $7,000 were required. A "gentleman's agreement" excluded blacks, Jews and other minorities.

The first home in the area predates River Oaks, the William L. Clayton Summer Home, 3376 Inwood Drive (1924, Birdsall P. Briscoe), is a City of Houston Protected Landmark and listed on the National Register of Historic Places. Among the other notable houses in the subdivision is Ima Hogg's estate, Bayou Bend, (1928, John F. Staub with Birdsall P. Briscoe), which is a City of Houston Landmark and listed on the National Register of Historic Places. To date, more than 100 River Oaks houses have been designated as City of Houston Landmarks through the joint efforts of Preservation River Oaks and Preservation Houston.

River Oaks operated independently for three years before it was annexed by the City of Houston. In the late 1920s, the development lost money, but by the late 1930s developers had invested $3 million in the project and River Oaks had begun to influence development patterns in the rest of the city.

ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

The residence at 3311 Del Monte Drive at River Oaks Boulevard in River Oaks Country Club Estates was constructed in 1936 by contractor E.T. Seymour of Beaumont from a design by celebrated architect Joseph Finger. The house was completed in 1937 for Judge & Mrs. J.A. Platt at a cost of $40,000. The 7,347-square-foot, two-story house faces north on a 44,172-square-foot corner lot. A 768-square-foot garage is not visible from the public right of way.

Finger designed the home in the French Renaissance style. The overall rectangular plan has slightly asymmetrical massing. The house is divided into five bays consisting of one bay on the east wing, three bays on the main house and one bay on the west wing. Quoins demarcate each of the five bays.

The house is clad in a painted brick veneer under a moderately pitched, hipped roof with flared eaves. A dentiled cornice delineates the roofline across all five bays of the house. Many of the windows and the main entryway are distinguished by Gibbs surrounds, classically inspired rusticated doorways and window frames consisting of alternating square and rectangular masonry blocks.

The first, east bay encompasses a recessed two-story wing with hipped roof. The view of the first floor is blocked by a brick garden wall with offset wrought iron gate. The second floor contains two symmetrically spaced 6 x 6 lite casement windows with fixed four-lite transoms.

The home's second bay has an asymmetrical fenestration pattern containing two offset windows on the first floor. The window on the east side of the bay is a 10 x 10 lite casement window under a fixed eight-lite segmental arch transom with a Gibbs surround. A 10 x 10 lite casement window with fixed four-light transom and masonry sill is offset on the west side of the second bay.

The windows on the second floor of the second bay are directly above the first floor windows. The east window is an 8 x 8 casement with fixed four-lite transom. The window features a Gibbs surround topped by a round medallion and segmental arch dormer that projects slightly through the flared eave. The offset window on the west side is a 6 x 6 lite casement under a fixed four-lite transom. A hipped dormer with 6 x 6 lite casement window is centered between the two second-story windows in the north slope of the roof. The east slope of the roof contains a tall, narrow, chamfered masonry chimney with medieval-inspired decorative elements and two chimney pots.

The focal point of the projecting central (third) bay is an elaborately detailed, neoclassical entry surround that continues from the first floor through the second floor to culminate in a rounded arch dormer. The rectangular paneled door on the first floor is set into a Gibbs surround beneath a segmental arch with masonry escutcheon, which is beneath a large keystone. The decorative surround on the second floor incorporates large scrolls on either side of a small, bracketed masonry balconet with decorative metal railing. Opening onto the balconet is a pair of 10 x 10 lite french doors beneath a segmented, fixed four-lite transom. A keystone is centered in the masonry segmental arch above the transom. The central bay's detailing ends in a rounded arch masonry dormer containing a square, four-light window. The dormer projects through the cornice and flared eave of the cross hipped roof.

The fourth bay has an asymmetrical fenestration pattern similar to that of the second bay. The east side of the bay contains an offset 8 x 8 casement window placed high in the wall between the first and second stories, which indicates the location of the interior staircase. The west side of the first floor contains 10 x 10 lite french doors with fixed eight-lite transom under a segmental arch with keystone.

The window on the east side of the fourth bay's second story is a 6 x 6 casement with masonry sill. The window on the west side of the second floor is a 6 x 6 casement with fixed four-lite transom in a Gibbs surround topped by a round medallion and segmental arch dormer that projects slightly through the flared eave. A hipped dormer with 6 x 6 casement window is centered in the north slope of the roof between the two second-story windows.

The fifth, west bay contains a slightly recessed two-story wing. The wing's first floor includes centered, multi-pane, triple french doors under a segmental arch with keystone. The second floor contains a central 4 x 4 lite casement window with fixed four-lite transom. A tall, narrow, masonry chimney rises from the south slope of the roof. Its decorative elements and pots match the chimney on the east side of the house.

Alterations

It is not clear how closely the house was built to follow the 1936 rendering published in the Houston Post. If the drawing is accurate (see pg.16), the first floor of the east bay has been altered to enclose a sleeping porch. The 1936 rendering and the Sanborn Fire Insurance Maps indicate the first floor of the west bay has been altered to enclose a porte cochere. The driveway now curves around the west side of the house.

Louvered shutters mentioned in the City of Houston Architectural Survey (1980) and seen in the photograph that accompanied the survey (see pg.15) and the 1936 rendering were removed from the first floor at a later date.

According to the current owner, a master bedroom wing was built perpendicular to the east bay of the house in the 1970s. Based on satellite imagery, this brick two-story, rectangular wing has a flat-topped, hipped roof and extends to the south behind the original east bay. The added wing gives the house an overall L-shaped plan.

BIBLIOGRAPHY

Books

Davis, Ellis A. and Edwin H. Grobe, ed. "Judge J. A. Platt." *The New Encyclopedia of Texas*. Dallas: Texas Development Bureau, *1926.*

Ferguson, Cheryl Caldwell. *Highland Park and River Oaks: The Origins of Garden Suburban Community Planning in Texas*. Austin: University of Texas Press, 2014.

Fox, Stephen. *AIA Houston Architectural Guide. Houston*: AIA Houston and Minor Design, 2012.

Fox, Stephen. "Riverside Terrace and Environs: An Architectural Tour." *Cite*, Winter 1987. Houston: Rice Design Alliance.

Houston Architectural Guide, Vol. 3, River Oaks/Memorial. City of Houston, 1980.

Levine, Josh. "Joseph Finger: The Man Behind Houston's Iconic Architecture." *Houston History*, Volume 10 Number 3, Summer 2013.

McAlester, Virginia & Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1988.

Articles

"Paper Stock Sold Before Injunction." *The Galveston Daily News,* November 10, 1931.

"Plans Made For New Houston Country Club." *The Galveston Daily News*, March 1, 1923.

"Platt Appointed Judge." *The Eagle* (Bryan, TX), November 15, 1919.

"Ross Sterling Loses In Sale." *Lubbock Morning Avalanche*, October 5, 1932.

"Sterling Building Sold In Houston." *Denton (TX) Record-Chronicle*, April 26, 1932.

Saxton, Melanie. "50 (or More) Things You May Not Know About Welcome Wilson, Sr." *Houston Lifestyles & Homes*, August 1, 2011.

Archival Collections

"Deed Records." *Daily Court Review*. Houston, September 12, 1966.

Houston City Directories.

Sanborn Fire Insurance Map of Houston, Volume 11, 1934-August 1950.

Online Resources

"GSL Welcome Group – Role in Houston Development."
(http://www.welcomegroup.com), accessed March 28-29, 2015.

"Houston Deco: Modernistic Architecture of the Texas Coast."
(http://www.houstondeco.org), accessed March 28, 2015. Published by Preservation Houston.

"Jamaica Beach, Texas." Wikipedia, (http://en.wikipedia.org/), accessed March 29, 2015.

Kleiner, Diana J. "River Oaks, Houston." *The Handbook of Texas Online*,
(https://tshaonline.org/handbook/online), accessed March 27, 2015. Uploaded on June 15, 2010. Published by the Texas State Historical Association.

"The River Oaks History." (http://www.ropo.org/), accessed March 28, 2015. Published by River Oaks Property Owners, Inc.

Texas Historical Commission Atlas. (http://atlas.thc.state.tx.us/), accessed March 27, 2015.

"Welcome Wilson, Sr." The Texas Oral History Project – Houston Public Library Digital Archives. (http://digital.houstonlibrary.net/oral-history/welcome-wilson.php), accessed March 29, 2015. Recorded September 17, 2007.

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

APPROVAL CRITERIA FOR LANDMARK DESIGNATION

Sec. 33-224. Criteria for designation

(a) The HAHC, 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 D - does not satisfy 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;
☐	☒	(2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;
☒	☐	(3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;
☒	☐	(4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;

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

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

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

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

☐ ☒ (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 Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive.

HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Landmark Designation of the Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive.

EXHIBIT A
CURRENT PHOTOS
JUDGE AND MRS. J.A. PLATT HOUSE
3311 DEL MONTE DRIVE

Main façade looking south. Photo by David Bush, Preservation Houston, Apr. 7, 2015

EXHIBIT A
CURRENT PHOTOS
JUDGE AND MRS. J.A. PLATT HOUSE
3311 DEL MONTE DRIVE

Main façade looking south-southwest. April 7, 2015.

EXHIBIT B
SITE LOCATION MAP
JUDGE AND MRS. J.A. PLATT HOUSE
3311 DEL MONTE DRIVE

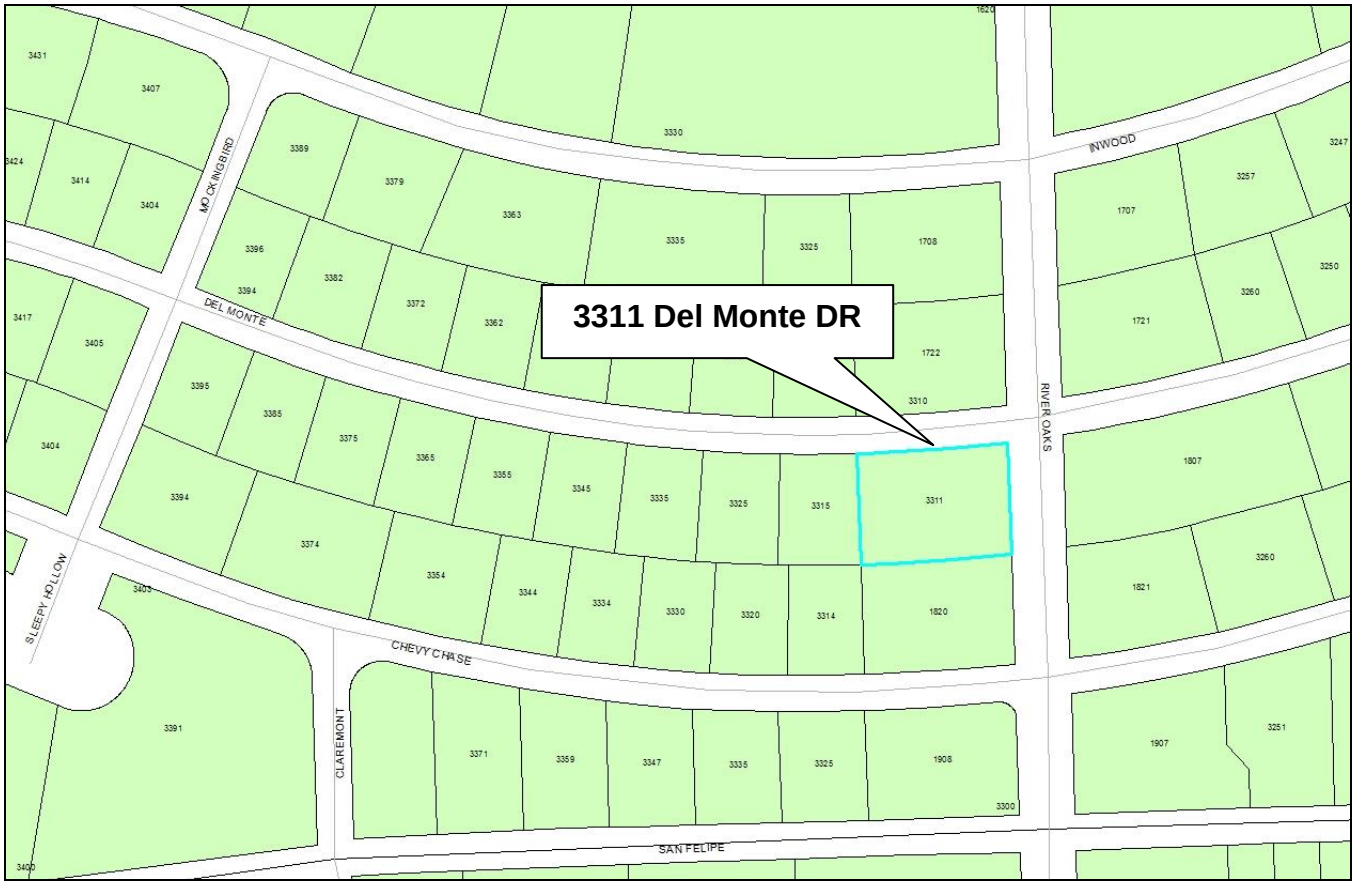


EXHIBIT C
HISTORIC PHOTO
JUDGE AND MRS. J.A. PLATT HOUSE
3311 DEL MONTE DRIVE

Photocopy of original photo by Paul Hester.
From *Houston Architectural Survey, Vol. 3, River Oaks/Memorial*, 1980.

EXHIBIT D
HISTORIC RENDERING
JUDGE AND MRS. J.A. PLATT HOUSE
3311 DEL MONTE DRIVE

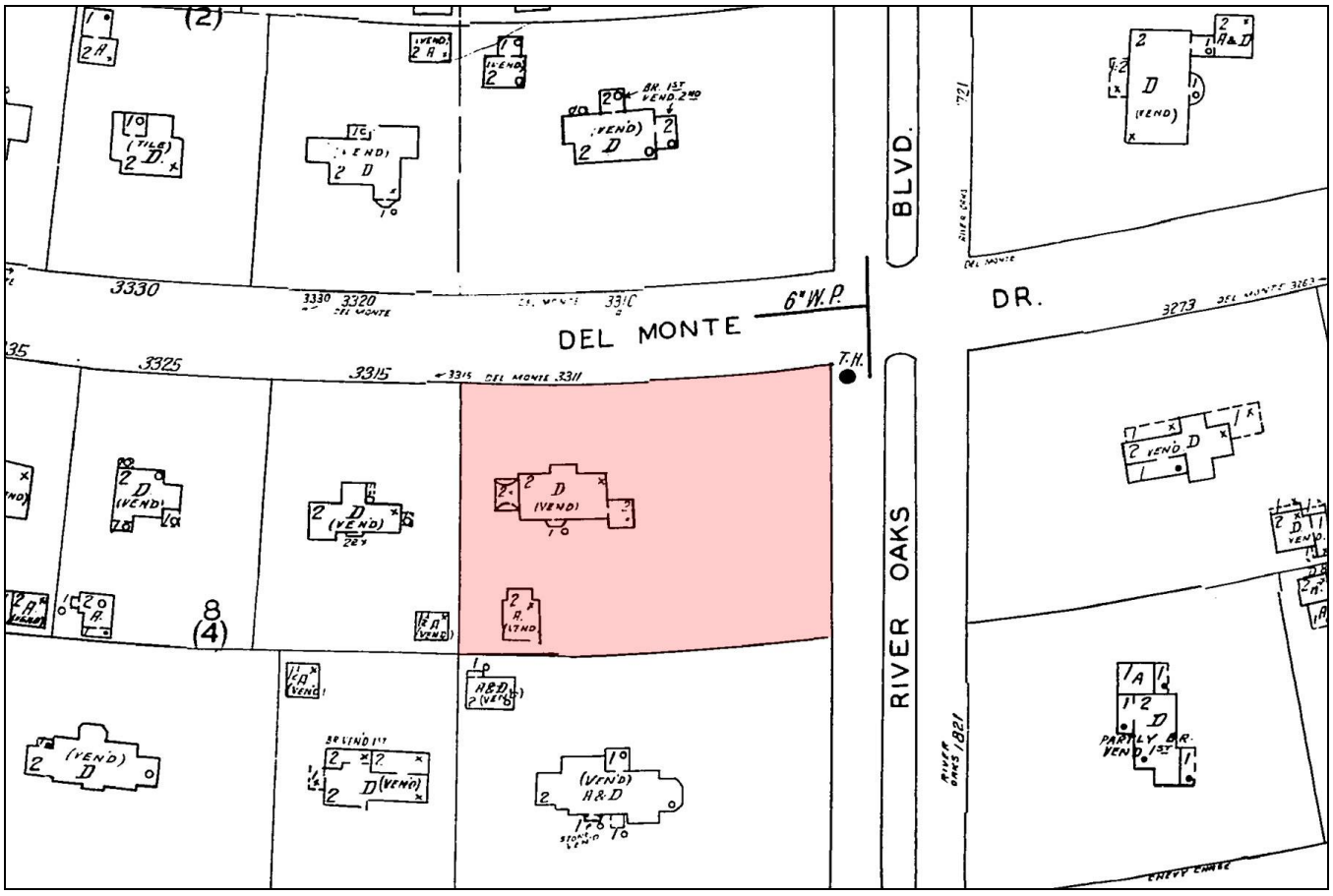
RESIDENCE FOR J. ARTHUR PLATT

Contract for the construction of this French Versailles residence on River Oaks boulevard at Del Monte rive for Mr. and Mrs. J. Arthur Platt has been awarded to E. P. Seymour, according to announcement Saturay by Joseph Finger, Inc., architects. The second floor arrangement will include four bedrooms and three iled baths. Construction will be of brick veneer, painted white. Interior walls will be plastered, and all oodwork will be teakwood. The building site is 180 by 245 feet. Work is expected to start Monday.

Post 9/6/36

Houston Post clipping, September 6, 1936.
River Oaks Scrapbooks. Houston Metropolitan Research Center.

EXHIBIT E
SANBORN FIRE INSURANCE MAP
JUDGE AND MRS. J.A. PLATT HOUSE
3311 DEL MONTE DRIVE



Sanborn Fire Insurance Map of Houston, 1934-August 1950, Vol. 11, Sheet 1109, September 1935

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District G
Item Creation Date: 9/28/2015

Approve a resolution designating the Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive as a Landmark

Agenda Item#:

Background:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Judge and Mrs. J.A. Platt House at 3311 Del Monte Drive was initiated by the owner.

A public hearing was held on May 21, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:
Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Signed Application	Other
Landmark Report	Other

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District C
Item Creation Date: 10/14/2015

PLN-RESO designating the Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House at 2520 Mason Street as a Landmark

Agenda Item#: 30.

Summary:

RESOLUTION designating the **JOSEPH R. GREENHILL III and VIOLET STANUELL GREENHILL HOUSE** at 2520 MASON STREET within the City of Houston as a historic landmark - **DISTRICT C - COHEN**

Background:

A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House at 2520 Mason Street was initiated by the owner.

A public hearing was held on July 22, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Contact Information:

Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Signed Application	Other
Landmark Report	Other
Coversheet for Greenhill House	Signed Cover sheet
PLN-RESO designating the Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House at 2520 Mason Street as a Landmark	Signed Cover sheet

CITY OF HOUSTON

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

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House
OWNER: William Charles Egerton
APPLICANT: Same as Owner
LOCATION: 2520 Mason Street - Montrose

AGENDA ITEM: B
HPO FILE NO: 15L310
DATE ACCEPTED: May-27-2015
HAHC HEARING: July-22-2015

SITE INFORMATION: Lot 4, Block 16, Fairgrounds Extension, City of Houston, Harris County, Texas. The site includes a historic one-story, frame single-family residence built c. 1911.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House at 2520 Mason Street in the Montrose neighborhood was the childhood home of Judge Joe R. Greenhill III, the longest-serving chief justice of the Texas Supreme Court, and his mother Violet Stanuell Greenhill, who was the first chief executive of the Texas Division of Child Welfare. The circa 1911 Craftsman style house is also significant for its architecture and ornate detailing, including a distinctive siding profile and trim. The home's high level of craftsmanship and exaggerated scale is unique and not historically typically seen in the area.

The Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House meets Criteria 1, 3, 4, 5, and 6 for Landmark designation.

HISTORY AND SIGNIFICANCE

Joseph R. Greenhill III was raised in the family home at 2520 Mason Street located in the Montrose area of Houston. He resided in the home from his birth on July 14, 1914, through his years at San Jacinto High School. The elder Greenhill, Joe, Jr. (1889-1918), an accountant with the Texas Company (later Texaco), died days before his son's fourth birthday, leaving his wife, Violet Stanuell Greenhill (1889-1983) to raise her son alone. Violet inherited the house on Mason Street, which she divided into a duplex. Mother and son lived in half of the house and rented the other half for $60 a month, which became the family's primary source of income for several years.

After her son entered junior high school, Violet Greenhill secured a position at the DePelchin Faith Home working with adoptions and began formal training in social work at Rice Institute (later University). Her work in Houston attracted attention at the state level and, after she earned her degree, Governor Ross Sterling appointed Mrs. Greenhill as the first head of the new Child Welfare Division of the Department of Public Welfare in 1932. During her tenure in Austin, Mrs. Greenhill dealt with statewide issues such as truancy and delinquency, safeguarding children through the Great Depression and preparing childcare institutions for World War II. She was also instrumental in establishing the Texas Society for Mental Hygiene (later the Texas Society for Mental Health) in 1934. She remained the director of the Child Welfare Division until 1942, when she retired to La Porte. Mrs. Greenhill died in Austin on July 5, 1983, and is buried in Hollywood Cemetery in Houston.

Joe Greenhill moved with his mother to Austin where he attended the University of Texas, earning a B.A. and B.B.A. in 1936. He passed the state bar exam as a second-year law student and graduated at the

top of his class with an L.L.B. degree from the University of Texas Law School. Greenhill then returned to Houston and practiced with the law firm of Bryan, Suhr, Bering & Bell until 1941, when he accepted a job as a Texas Supreme Court briefing attorney. His law career was interrupted by four years of active duty as commander of a minesweeper in the Pacific Theater during World War II. Greenhill returned to Austin and took up his old job before becoming First Assistant Attorney General of Texas from 1948 to 1950, during which time he argued several cases before the United States Supreme Court. He returned to private practice until 1957, when Governor Price Daniel appointed Greenhill an associate justice on the Texas Supreme Court. His tenure on the high court, from 1957 to 1982, was the longest in the state's history and was capped by his ten years of service as chief justice from October 1972 to October 1982.

Greenhill returned to private practice in Austin after retiring from the Supreme Court. The Texas Bar Foundation named him Outstanding Texas Lawyer in 1989, the same year he helped incorporate the Texas Center for Legal Ethics and Professionalism. Justice Greenhill died in Austin on February 11, 2011, and is buried in the Texas State Cemetery.

Fairgrounds Addition and Extension

The Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House is located in the Fairgrounds Addition in the Montrose area. The addition is named for the fairgrounds that existed on the land in the late 1800s. In the aftermath of the Civil War (1861-1865), Houston entered a period of economic decline. In hopes of stimulating business, attorney John Thomas Brady and other community leaders organized a state fair for the Agricultural, Mechanical and Blood Stock Association of Texas. The organization held its first fair in 1870 on the north bank of Buffalo Bayou south of Washington Avenue.

After two successful fairs in a row, the association used proceeds from the event to purchase acreage south of town near what is now Main Street and Webster Avenue. The group built a grandstand, a one-mile racetrack and exhibit halls on the site, and held the first exposition on the new fairgrounds in 1872. The following year a mulecar line was opened to the fairground; the one-and-a-half-mile trip from Market Square to the fair's entrance took 15 minutes. For five years beginning in 1876, the City of Houston leased a portion of the site for use as Houston's first city park.

The fair continued until 1879 when Houston experienced another economic downturn along with a yellow fever scare. At that point, the fair declared bankruptcy. The site continued to be used for popular celebrations by a number of local groups, including the German community, which produced the annual Volksfest at the fairgrounds well into the 1880s. In 1890, the Texas State Fair Association sold the site for $75,000 to the Houston & Galveston Investment Company, which platted the Fairgrounds Addition and sold lots for single-family homes. Mulecar service began in the neighborhood two years later.

The Fairgrounds Extension, bordered by Pacific Street on the south, Taft Street on the west, West Gray on the north and Genesee on the east, was platted circa 1893. Like the adjacent Fairview Addition, where lots went on sale in early 1894, the Fairgrounds Extension was subdivided for the construction of single-family homes. Mulecar service to the neighborhoods was provided by the Houston & Fairview Street Railway Company, which received its franchise in 1894 and carried passengers from Louisiana Street along Tuam Street to Fairview Street. At the end of the decade, the Houston Electric Street Railway Company took over the mulecar service and rebuilt the line for electric streetcar operations.

ARCHITECTURAL SIGNIFICANCE AND RESTORATION HISTORY

The 2,074 square foot house is sited facing east in the center of a 5,000 square foot lot at the corner of Mason Street and Pacific Avenue. A ten-foot high wall and hedges obscure the view of the property from the east and south sides.

The one-story frame house is clad in horizontal joint siding (aka drop siding) under a hipped roof that is covered in composite shingles. There is a corbelled chimney on the ridge of the roof.

The house is three bays wide with a full-width, inset porch supported by four, non-original symmetrically spaced, fluted square columns on brick bases. There are three symmetrically spaced sets of French doors, one per bay, across the front façade. Each door contains eight lights. A non-original brick, curved, double staircase leads to the central set of French doors. The crawl space is also faced in brick.

The south façade is divided into three bays. The first and third bays each contain an asymmetrically spaced pair of 9-over-1 sash windows. The central bay projects slightly from the main body of the house and contains a set of french doors with sidelights. A wooden porch with brick steps under a side-gable roof supported by Doric columns projects from the central bay of the south side of the house.

The home has been modified several times in its history. The Harris County Building Assessment documents from the Harris County Archives confirm that the house was divided into a duplex when Mrs. Violet Greenhill still owned the property; it had been returned to a single-family residence by 1961. The current owner reconfigured the front porch after it sustained damage from Hurricane Ike in 2008. While several alterations have modified the original appearance of the structure, the overall form, mass, high level of craftsmanship, and detailing of the residence remains intact, and the house retains its historic character.

BIBLIOGRAPHY:

Aulbach, Louis F. "Volksfest Park," *Buffalo Bayou: An echo of Houston's wilderness beginnings*. Houston: Louis F. Aulbach, Publisher, 2012.

Baron, Steven M. *Houston Electric: The Street Railways of Houston, Texas*. Houston: Steven M. Baron, Publisher, 1996.

Cullen, Jim. "The Joe Greenhill Story," Texas Supreme Court Historical Society, http://www.texascourthistory.org, accessed September 29, 2014.

Fairview Addition ad, *Houston Post*, February 4, 1894.

Harris County Building Assessment, 1933, 1940, 1961. Harris County Archives.

Houston City Directories. Houston Metropolitan Research Center.

Joe R. Hill obituary, *Austin American-Statesman*, February 13, 2011.

"Mental Health Study Society To Organize," *The Daily Texan* (Austin), November 18, 1934.

"New Division," *San Antonio Express*, March 26, 1932.

Various resources from Ancestry.com, accessed March 15, 2015.

Whitty & Scott Map of Houston, 1895.

Wiese, Art. "Joe R. Greenhill takes over as Texas' top jurist," *The Bryan Eagle*, February 25, 1973.

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

APPROVAL CRITERIA FOR LANDMARK DESIGNATION

Sec. 33-224. Criteria for designation

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

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House at 2520 Mason Street.

HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Landmark Designation of the Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House at 2520 Mason Street.

EXHIBIT A
CURRENT PHOTOS
JUDGE JOSEPH R. GREENHILL III AND VIOLET STANUELL GREENHILL HOUSE
2520 MASON STREET

Front (east) façade looking SW. Photo by Jim Parsons.

South side looking NNW. Photo by Jim Parsons.

EXHIBIT A
CURRENT PHOTOS
JUDGE JOSEPH R. GREENHILL III AND VIOLET STANUELL GREENHILL HOUSE
2520 MASON STREET

Front (east) façade looking NNW. Photo by David Bush.

EXHIBIT B
SITE LOCATION MAP
JUDGE JOSEPH R. GREENHILL III AND VIOLET STANUELL GREENHILL HOUSE
2520 MASON STREET

EXHIBIT C
HISTORIC PHOTO
JUDGE JOSEPH R. GREENHILL III AND VIOLET STANUELL GREENHILL HOUSE
2520 MASON STREET

Historic photo of front (east) façade looking NNW, April 19, 1961.
Courtesy Harris County Archives.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District C
Item Creation Date: 10/14/2015

Approve a resolution designating the Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House at 2520 Mason Street as a Landmark

Agenda Item#:

Background:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Judge Joseph R. Greenhill III and Violet Stanuell Greenhill House at 2520 Mason Street was initiated by the owner.

A public hearing was held on July 22, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:
Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Signed Application	Other
Landmark Report	Other

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 9/23/2015

PLN-RESO designating Stowers Building @ 820 Fannin Street as a Landmark

Agenda Item#: 31.

Summary:

RESOLUTION designating the **STOWER BUILDING** located at 820 Fannin Street within the City of Houston as a historic landmark - **DISTRICT I - GALLEGOS**

Background:

A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Stowers Building at 820 Fannin Street was initiated by the owner.

A public hearing was held on April 23, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

_____

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:

Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Signed Application	Other
Staff Report	Other
Coversheet for Stowers Building	Signed Cover sheet

PLN-RESO designating Stowers Building @ 820 Fannin Street as a Landmark	Signed Cover sheet

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Stowers Building
OWNERS: Nazar Momin, Trend Hospitality, LP
APPLICANT: Anna Mod, SWCA Env. Consultants
LOCATION: 820 Fannin Street - Downtown

AGENDA ITEM: C.1
HPO FILE NO.: 15L308
DATE ACCEPTED: Apr-01-2015
HAHC HEARING DATE: Apr-23-2015

SITE INFORMATION

Lots 1 & 2, Tracts 3A, 12A, 13, 13A & 13B, Block 93, SSBB, City of Houston, Harris County, Texas. The site includes a ten story commercial building.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Stowers Building at 820 Fannin Street is a representative example of early high-rise construction in Houston with a combination of traditional classical and Chicago style influences. Designed by the Houston architectural firm Green & Finger and completed in 1913, the Stowers Building is an excellent example of the Commercial Style of the early twentieth century and marks a shift to simplified exterior ornamentation while respecting the traditional composition of base, shaft, and cornice. A notable architectural feature of the Stowers Building is the use of white glazed brick for the exterior veneer.

Located at 820 Fannin Street in Houston's commercial business district, the 1913 Stowers Building was the Houston headquarters for the G. A. Stowers Furniture Company and its third Houston location. The Stowers Building was nominated for listing in the National Register of Historic Places (NRHP) under Criterion C for Architecture at the local level of significance. In January 2015, the Texas State Board of Review approved the nomination and submitted the nomination to the National Park Service.

The Stowers Building meets Criteria 1, 3, 4, 5, 6, and 8 for Landmark designation of Section 33-224 of the City of Houston Code of Ordinances.

HISTORY AND SIGNIFICANCE

The Stowers Building at 820 Fannin Street sits on Block 93 of the South Side Buffalo Bayou (SSBB) plat, which is bounded by Walker to the south, Fannin to the east, Main Street to the west and Rusk to the north. BG Place, a 46-story skyscraper with integrated 10-story parking garage completed in 2011, envelops the Stowers Building and is the only other building on this city block. Fannin is a major one-way, southbound traffic artery. The surrounding area is an urban commercial neighborhood with surface parking lots, skyscrapers and multi-story parking garages. Other individually-listed National Register of Historic Places (NRHP) properties in the surrounding area include the 1949 City National Bank Building (NRHP, 2000) and the 1921 Humble Oil Building (NRHP, 1999), located one and three blocks to the south respectively. Two blocks to the north on Main Street is the Kress Building (NRHP, 2002). The 1929 Texas State Hotel (NRHP, 2008) and the 1915 Texas Company Building (NRHP, 2003) are both two blocks to the north at the Fannin at Rusk intersection. Two blocks to the northeast is the 1911 United States Custom House (NRHP, 1974) at San Jacinto and Rusk.

The Stowers Building is three blocks southeast of the Main Street/Market Square Historic District (NRHP, 1984), Houston's late nineteenth and early twentieth century commercial historic district that includes Allen's Landing on Buffalo Bayou, the place of the city's founding at the foot of Main Street. Directly across Fannin to the east is the Melrose Building, the city's first modernist skyscraper (NRHP, 2014).

Houston's Pre-Modern Skyscrapers

Buildings taller than the typical two- and three-part commercial blocks began to appear in Houston in the last decade of the nineteenth century with the construction of the six-story Binz Building (1894-1895) at the intersection of Main Street and Texas Avenue. This building marked the city's first endeavors to build upward with an interior cast iron and steel frame aided by the steam powered elevator and non–combustible structural framing.[1] Designed by architect Olle J. Lohren, the heavy masonry cladding and Italian Renaissance embellishment firmly root it to the ground as it simultaneously reaches skyward and higher than any previous building. In the early twentieth century, the eight-story First National Bank Building (1905) became Houston's first completely steel-framed vertical tower. Designed by Sanguinet & Staats, the building similarly utilized traditional Renaissance Revival ornamentation and followed the classical three-part composition of base, shaft, and cornice, yet also began to enlarge the window openings between the vertical masonry cladding that defined the building's bays.[2]

Between 1908 and 1913, Houston saw a boom in the new "skyscraper" construction with buildings ranging from seven to 17 stories in height.[3] These new buildings followed the same composition and ornamentation established by the Binz Building and First National Bank Building. Traditional revival styles, such as the Renaissance or Gothic Revival styles, were used to ornament the exteriors. The skyscrapers were either 'I,' 'C,' 'U,' or 'L'-shaped in plan to bring natural light and ventilation into the interior. The uses for these new skyscrapers varied and included hotels, apartments, retail spaces, and hospitals. Examples of these early skyscrapers include the original 1913 'C'-plan Rice Hotel designed by Mauran, Russell & Crowell, with an addition by Alfred Finn in 1926 that turned it into an 'E'-plan building, and the eight-story Beaconsfield 'I'-plan apartment building, designed by A. C. Pigg in 1911.

During the early years of Houston skyscrapers, most developers hired architects from out-of-town for both high-rise and low-level construction. Sanguinet & Staats of Fort Worth, Mauran, Russell & Crowell of St. Louis (1912 Union National Bank and 1913 Rice Hotel), D. H. Burnham & Co. of Chicago (1909, Scanlan Building), Jarvis Hunt of Chicago (1911, Southern Pacific Building), and Warren & Wetmore of New York (1915, Texas Company Building) each designed a new skyscraper for Houston prior to 1915.[4] The city's first true skyscraper, Sanguinet & Staats' 16-story C. F. Carter Building (1919), was the tallest building in Texas for a few months after its construction and the tallest building in Houston until 1926.[5]

From 1913-1917, tall building construction in Houston slowed as World War I began and construction stopped altogether from 1917-1918 after the United States joined the war.[6] When construction began

[1] Fox, Stephen, "Scraping the Sky," *Ephemeral Houston*, p. 193.
[2] Fox, Stephen, "Scraping the Sky," *Ephemeral Houston*, p. 193.
[3] Fox, Stephen, "Scraping the Sky," *Ephemeral Houston*, p. 193.
[4] Fox, Stephen, "Scraping the Sky," *Ephemeral Houston*, p. 193; and, Fox, *AIA Houston*, 64, 73, and 81.
[5] Long, Christopher, "SANGUINET AND STAATS," *Handbook of Texas Online* (http://www.tshaonline.org/handbook/online/articles/cms01), accessed November 20, 2014. Uploaded on June 15, 2010. Published by the Texas State Historical Association; and Fox, "Scraping the Sky," 196.
[6] Fox, "Scraping the Sky," 197.

again in the early 1920s, Houston joined the rest of the U.S. and the world in the effort to identify a modern style to accompany the many advancements of the twentieth century. The Stowers Building is a remaining example of the early efforts in building skyward in the pre-World War I period in Houston.

The G. A. Stowers Furniture Company

The G. A. Stowers Furniture Company began in Birmingham, Alabama, by George Arthur Stowers (1867-1917) who by age 17 was able to start his own furniture store with $500 capital saved out of his two-dollar-a-week job in a candy company.[7] Stowers eventually operated stores in Alabama and Tennessee as well as Texas, with stores in Cuero, San Antonio, Dallas, Waco, Ft. Worth, and Houston.[8] Stowers moved his business from Birmingham to Dallas in 1889, but soon after, he relocated to San Antonio, where his business was thereafter headquartered. In Houston, the first store was established in 1901-1902 at 411-413 Main Street and managed by William H. Stowers.[9] Nearby competition at that time included the Rhodes-Haverty Furniture Company located at 210 Milam and the Waddell Furniture Store at the corner of Fannin and Prairie streets. By 1907, city directories indicate the company had moved to a seven-story building at 701-703 Main Street and Marion P. Strickland was president. Strickland maintained rooms nearby at the Hotel Bender while residing in San Antonio. The company may have remained on Main Street were it not for a fire that decimated their building. By 1913 the company had moved into the current ten-story Stowers Building at the corner of Fannin and Walker Streets.

By 1920-1921, Stowers was referring to its store as "The Big White Store" while advertising "Complete Home Furnishings" "on easy terms" and offering "Refrigerators, stoves and ranges, draperies, carpets and rugs, office furniture."[10]

By 1935, the company had a warehouse and factory located at 104-120 N. Hamilton where they made mattresses. By 1945, the company sought to change its image and employed a new slogan and new logo. The new slogan was "Dependable Furniture for Cottage and Mansion." The warehouse had moved to 3114 McKinney by this time. Eight pages of furniture company ads in the 1945 City Directories indicate the large amount of local competition. In 1966 the company was sold to Gordon's Jewelers Inc. and the store on Fannin Street was closed.[11] A new store was opened at 12850 Memorial Drive and the warehouse remained on McKinney.

By 1974, Gordon's Jewelers Inc. occupied the Stowers Building where they remained as the last major tenant. The Gordon Jewelry Corporation, headquartered in Houston, was the nation's second-largest jewelry store chain until it was surpassed by the Zale Jewelry Corporation, which bought Gordon's in 1989. Gordon's was founded by Meyer Morris Gordon (1882-1961) a Lithuanian immigrant who came to Texas in the late nineteenth century. Following a general mercantile business, he opened his first jewelry store, McGaughon & Gordon, in 1916 and later bought out his partner, changing the name to

[7]Pease, S. W., "STOWERS, GEORGE ARTHUR," *Handbook of Texas Online* (http://www.tshaonline.org/handbook/online/articles/fst69), accessed November 10, 2014. Uploaded on June 15, 2010. Published by the Texas State Historical Association

[8]Pease, S. W., "STOWERS, GEORGE ARTHUR," *Handbook of Texas Online* (http://www.tshaonline.org/handbook/online/articles/fst69), accessed November 10, 2014. Uploaded on June 15, 2010. Published by the Texas State Historical Association and City Directories, City of Houston.

[9] City Directories, City of Houston. It is not known if William H. Stowers was a relative of G. A. Stowers. William H. appears in a later city directory as a salesman of the company and by 1920 is no longer associated with the company.

[10] Houston City Directory, 1923-24, page 188.

[11] *San Antonio Express News*, May 7, 1990.

Gordon's. He first expanded to Beaumont and then Louisiana before the company opened a suburban location and then expanded to shopping malls nationwide.[12]

Green & Finger

The architect of the Stowers Building is Green & Finger, identified on a published illustration of the building in the *Houston Daily Post* on February 2, 1913 with their signature.[13] No other historic architectural drawings have been located. The design of the building is very similar to its predecessor on Main Street, completed in 1903 and also designed by Lewis Sterling Green when he was in a partnership with Gerhard C. Svarz.[14] The earlier building, located at 701-703 Main Street, burned in 1912 and prompted the company to move to this location at the corner of Walker and Fannin Streets. Both buildings are also similar to the Stowers Building in San Antonio completed in 1910 and demolished in 1982. Similar features include the two-story base, the paired windows in each bay, the paired arched windows on the tenth floor, the projecting cornice, and the corner blade sign and graphics.

Green & Finger was a short-lived partnership of Lewis Sterling Green and Joseph Finger. Finger was a junior partner in the firm and the partnership only lasted a few years. Other Houston buildings designed by the firm include the De George Hotel (1913, extant), American National Insurance Company Building (1912, demolished), and the Model Laundry Company Building (1912, demolished). In 1912, the pair also designed the Panama Hotel and the Cotton Compress & Warehouse Co., both in Galveston, the Temple Freda in Bryan, and Dickinson High School. Prior to his partnership with Joseph Finger, Green was associated Gerhard C. Svarz and later with Birdsall Briscoe and Victor Grimmer. Green died in 1929, possibly in a house fire.[15]

Finger went on to become a well-known Houston architect of commercial and civic buildings including Houston's City Hall (1939) and the city's first Houston Municipal Airport Terminal and Hangar (1940). He was born in 1887 in Bielitz, Austria, where he received his technical education and immigrated to the United States in 1905, first settling in New Orleans. He arrived in Houston in 1908 and worked for a branch office of C. D. Hill and Company. In 1912 he became a junior partner with Lewis Sterling Green. He had several other partnerships before establishing his own practice, which he operated until 1944.[16]

Finger was the city's foremost Jewish architect and designed numerous synagogues including the 1925 Congregation Beth Israel Temple (Recorded Texas Historic Landmark, NRHP 1994) and the Beth Israel Mausoleum (1925). His noteworthy civic and commercial buildings include the Montgomery County Courthouse in Conroe, TX (1936), the Houston TurnVerein (1929, NR 1978; demolished 1993), the Clarke and Courts warehouse in Houston (1936, NR 1994), and a series of stores for the Weingarten grocery chain. His extant hotel and commercial buildings in downtown Houston include the Auditorium

[12] Natalie Ornish, "GORDON JEWELRY CORPORATION," *Handbook of Texas Online* (http://www.tshaonline.org/handbook/online/articles/dhg01), accessed November 19, 2014. Uploaded on June 15, 2010. Published by the Texas State Historical Association.
[13] *Houston Daily Post*, February 2, 1913.
[14] Houston City Directories, 1908-1912 and Houston Metropolitan Research Center photograph collection (MSS 0114-0856 and -0874).
[15] Research notes by Stephen Fox, Fellow of the Anchorage Foundation of Houston, supplied by Gregory Smith, Texas Historical Commission.
[16] Fox, Stephen. "FINGER, JOSEPH," *Handbook of Texas Online* (http://www.tshaonline.org/handbook/online/articles/ffi37), accessed November 9, 2014. Uploaded on June 12, 2010. Published by the Texas State Historical Association.

Hotel (1926), Texas State Hotel (1929, NRHP 2008), De George Hotel (1913), Plaza Hotel (1925), and the retail store Battlestein's (1923 with subsequent additions).[17]

ARCHITECTURAL SIGNIFICANCE AND ALTERATION HISTORY

The Stowers Building is a representative example of early high-rise construction in Houston with traditional and Chicago style influences. Designed by the Houston firm of Green & Finger, the ten-story building was under construction by the builder Pearson & Co. in 1912 for a cost of $160,000.[18] The building was completed in 1913 and was one of a handful of tall buildings marking the beginning of the city's early skyscraper exploration. Of similar scale at the time were the 10-story Cotton Hotel (1913), the 10-story Bender Hotel (1909, demolished), the 16-story S. F. Carter Building (1909-1910), the 11-story Scanlan Building (1909, NRHP 1980), the 9-story Southern Pacific Office Building (1911, NRHP 1984), the 11-story Union National Bank (1912, NRHP 1984), the 17-story Rice Hotel (1913, NRHP 1978), and the 13-story Texas Company building (1915, NRHP 2003).

Skyscraper design in Chicago and New York began to show more transparency in the late nineteenth century as architects experimented with the technological boundaries of the steel frame. This led to progressively more window openings and diminishing masonry cladding as the buildings grew taller. Houston's early skyscraper boom followed behind the northern cities by several decades. The Stowers Building reflects both the traditional and new technological developments of a Houston skyscraper of the early twentieth century. The traditional aspects include the three-part composition, the pronounced metal cornice, and the masonry exterior. The innovative elements include its ten-story height, the glazed brick cladding, the paired windows, and the flatness and minimal decorative elements of the building plane. The exterior brick cladding lend the building a lighter feeling solely due to the color and flatness of the material and the paired windows reflect a greater penetration of the exterior building plane to give the exterior more transparency and address the practical need for a greater amount of light into the interior. Paired windows are also seen on the Scanlan and Texas Company Buildings, both nearby and contemporary examples.

The Scanlan Building, designed by Daniel Burnham of Chicago in 1909, is the only other skyscraper in downtown Houston to use glazed brick for the exterior veneer. The Scanlan Building's brick is grey in color as compared to the white brick of the Stowers Building. A contemporary and notable building with a glazed brick exterior is the 40-story Equitable Building in New York constructed in 1915.

The Stowers Building is an excellent example of Houston's early twentieth century Commercial Style high-rise construction. The building retains its original exterior glazed brick cladding, overall three part composition, window openings, terra cotta pilaster capitals and pressed tin cornice. On the interior, the building retains its original decorative plaster on the first and second floor ceilings and flat plaster on the columns. The building retains its integrity of location, design, materials, workmanship, feeling and association.

[17] Stephen Fox, "FINGER, JOSEPH," *Handbook of Texas Online* (http://www.tshaonline.org/handbook/online/articles/ffi37), accessed November 9, 2014. Uploaded on June 12, 2010. Published by the Texas State Historical Association.
[18] Interview between Stephen Fox and Randy Pace regarding construction notice in the San Antonio commercial Recorder.

Exterior

The Stowers Building represents early high-rise construction design and construction methods. The structure is an early example of concrete frame design with concrete floor slabs, a benefit of which was "fire-proof construction." The east and south elevations are finished entirely with white glazed brick and the secondary elevations are clad with buff colored brick. The roof is flat behind a tall parapet. The building measures roughly 100' x 125' with the longer side along Walker. The building has a 5 x 7 bay structure with two primary elevations due to its corner location: the five bay elevation faces east onto Fannin and the seven bays face south onto Walker. The east and south elevations follow the same composition and detailing. The two secondary elevations have an irregular window pattern. Most of these secondary windows are obscured by the adjacent building and alterations to the interior. The building's main entrance is now located at the northern end of the Fannin Street elevation; this non-history entry location was added during renovations in the 2000s.

The building follows the traditional three part composition of base, shaft and cornice. The structural divisions of the bays are marked with square columns with corbelled bases on the ground floor and pilasters above. The original ground floor storefront has been replaced with aluminum framed, full height glass windows that fill the entire space between the columns. There is an inset paired aluminum framed door in the third bay and paired glass entry doors in the fifth bay. The south elevation has a single solid door and a paired door in the first bay and solid paired doors in the second bay. The aluminum framed second floor windows fill the space between the columns, creating the appearance of a double-height ground floor, and accentuate the building's base.

The third through ninth floors compose the shaft of the building and full-height vertical pilasters with terra cotta capitals define the bays. Floors three through five have secondary pilasters with corbelled brick capitals between and flanking the paired windows emphasizing the building's verticality. Square spandrel panels are of the same glazed brick as the building and are located beneath each of the paired windows on the fourth and fifth floors. Above the fifth floor windows is a clear transition from a strict vertical emphasis to the gradual introduction of the building's terminus. This is accomplished by full width rectangular spandrels that span the entirety of each bay below and above the windows. The tenth floor originally had the same paired windows as the other upper floors, but was altered to have numerous 1/1 windows in each bay; the windows are adjacent to one another and span the distance between each pilaster. On the Fannin Street elevation, each bay contains four windows. The Walker elevation has three windows in each bay. A pressed tin cornice tops the building with paired brackets aligning with the pilasters and divisions of the bays. In the center bay of the south and east elevations, the frieze has "STOWERS" embossed on it.

The building's secondary north and west elevations are unglazed brick with irregular fenestration. Historically, the windows were 2/2 metal sash with wire glass; these secondary elevation windows were replaced with the same metal 1/1 sash windows as on the other elevations. The 2011 construction of BG Place has obscured the secondary elevations from the public right of way.

Floor Plan and Interior Details

The ground floor interior is divided into two main sections: the elevator lobby accessed via the paired glass entry doors in the fifth bay from Fannin, and the open space to the south. The elevator entry lobby was completely renovated in the early 2000s by a previous owner and includes an enclosed fire stair,

mechanical and electrical closets, and an egress hallway along the north and west walls with a single egress door onto Walker. Adjacent to the hallway to the east are the two small mechanical closets. Slightly to the north is an enclosed fire stair with access between the first and second floors only. The entry lobby floor is patterned marble tiles. The gypsum board walls include a wooden chair rail and reproduction decorative plaster crown molding. The remainder of the ground floor to the south has a concrete floor and open plan. Remnants of the original flat plaster remains on many (but not all) of the square columns, celling, and beams. Run-in-place Classical style decorative plaster composed of acanthus leaf, dentil and egg and dart moldings is on many of the column capitals and beams on the first and second floors only. Alterations include the addition of the escalator, the enclosure of the mezzanine with metal infill ceiling panels, and the enclosure of the original metal staircase (located in the northeast corner of the building) with a fire-rated enclosure.

The second floor retains much of its original decorative plaster on the ceiling beams and remnants of the flat plaster on the square columns. Men and women's restrooms and mechanical closets located to the west of the elevators on this floor and all the floors above were added in the early 2000s. The rest of the second floor has an open plan.

As part of the renovation in the early 2000s, the third and fourth floors were renovated as the model floors for an office condo concept. Hallways extend to the south and west from the elevator lobby to individual offices. The design of these floors is contemporary and utilitarian with gypsum board walls, carpet on the floors, drop ceilings in the hallways, aluminum framed sidelights adjacent to solid laminate clad office doors. The original ceiling beams are exposed in the offices and are plastered. No other original elements remain in the office spec area; above the false ceiling, remnants of the original non-decorative plaster is believed to be intact. These two floors and those above have the similar placement of the new restrooms and mechanical closets to the west of the elevators.

Floors five through ten have open floor plans with exposed structural columns, many of which retain their original flat plaster. There is no decorative plaster above the second floor, an indication that the first two floors were the retail showrooms of the furniture company and the upper floors were used as workshops. The tenth floor has a taller ceiling height and the plaster covers only the lower two-thirds of the square columns. Forensic evidence seems to indicate that a plaster ceiling once covered the exposed concrete space above. A small metal plate is visible on the ceilings of each floor along the west elevation, a patch of the original service elevator that was removed at an unknown date.

Integrity

Alterations to the two primary elevations include the replacement of the ground floor storefronts and the relocation of the entrance, the removal of a continuous metal awning that once wrapped around the Fannin and Walker façades, and the replacement of all upper floor windows. The current entrance on Fannin was introduced when the building was partially renovated into office condominiums in the 2000s. The glazed brick columns at the ground floor are replicas of the originals and were added at an unknown date. The 2011 construction of the adjacent BG Place building has largely obscured the secondary elevations from public view. Finally, the tenth floor's fenestration pattern was changed from its historic paired arched windows to numerous adjacent windows that span each bay.

Alterations to the public interior spaces include the renovation of the elevator lobby, a new egress hallway, new mechanical closets, and the enclosure of an open stair for fire-rating purposes.

Additionally, an escalator was installed and the mezzanine was enclosed with metal panels. Alterations to the upper floors include the addition of restrooms and mechanical closets west of the elevators and the removal of a service elevator. The third and fourth floors were renovated with new carpeting, drop ceilings, and gypsum board walls. The tenth floor likely had its ceiling height raised.

Despite the alterations, the building retains its historic appearance to a high degree. The building's base, cornice, and shaft are still clearly delineated and decorative details such as pilasters, spandrels, and cornices are intact. The storefront and mezzanine-level fenestration pattern is intact despite new window sash being in place. This overall integrity was recognized by the State Board of Review, who approved the building's NRHP nomination under Criterion C.

The integrity of the Stowers Building can therefore be described as follows:

1. Location – The building is in its original location, and thus its integrity of location is high.
2. Design – The building has some design alterations as outlined above. However, its three-part composition and architectural details are intact, and other than the tenth floor, its fenestration pattern is unchanged. Because of this, the building has a good overall integrity of design.
3. Setting – Two of the building's elevations have been obscured by the construction of a sleek glass skyscraper and its parking lot, and a flat surface lot is now located across Fannin Street. The integrity of setting is therefore low.
4. Materials – The building's glazed and buff bricks, terra cotta capitals, pressed tin cornice, and architectural details are intact. The glazed brick on the lower columns was replaced in kind. The most notable alteration is the new window sash. Despite this, the overall integrity of materials is high.
5. Workmanship – The historic workmanship is evident in the masonry work and myriad architectural details such a capitals, panels, cornices, and pilasters. The overall integrity of workmanship is high.
6. Feeling – The building retains the feeling of an early high-rise building with a blend of traditional Chicago School composition and more modern, simplified detailing. It also retains the feeling of Houston's early 20th century commerce. Its integrity of feeling is therefore high.

Association – The building is still named the Stowers Building after its notable first tenant, the G.A. Stowers Furniture Company. Because of this its overall integrity of association is high.

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

BIBLIOGRAPHY

Books

Fox, Stephen. *Houston Architectural Guide*, 3rd ed. Houston: American Institute of Architects, Houston Chapter, 2012.

Fox, Stephen. "Scraping the Houston Sky 1894-1976." *Ephemeral City: Cite Looks at Houston*, edited by Barrie Scardino, William F. Stern, and Bruce C. Webb, 193-211. Austin: University of Texas Press, 2003.

Guedes, Pedro, ed. *Encyclopedia of Architectural Technology*. New York: McGraw-Hill Book Company, 1979.

Henry, Jay C. *Architecture in Texas 1895-1945*. Austin: University of Texas Press, 1993.

Longstreth, Richard. *The Buildings of Main Street: A Guide to American Commercial Architecture*. Walnut Creek, CA: AltaMira Press, 2000.

Rifkind, Carole. *A Field Guide to Contemporary American Architecture*. New York: Penguin Group, 1998.

Articles

Houston Daily Post, February 2, 1913.

"Stowers Name Woven Into the History of South Texas," *Laredo Times*, Sunday, July 14, 1940.

Archival Collections

Houston City Directories, Clayton Library Center for Genealogical Research, Houston Public Library, Houston, Texas.

Sanborn Maps of Houston, Texas, Houston Metropolitan Research Center, Houston Public Library.

Online Resources

Fox, Stephen. "FINGER, JOSEPH," Handbook of Texas Online (http://www.tshaonline.org/handbook/online/articles/ffi37), accessed November 9, 2014. Uploaded on June 12, 2010. Published by the Texas State Historical Association.

Ornish, Natalie. "GORDON JEWELRY CORPORATION," Handbook of Texas Online (http://www.tshaonline.org/handbook/online/articles/dhg01), accessed November 9, 2014. Uploaded on June 15, 2010. Published by the Texas State Historical Association.

Pease, S. W. "STOWERS, GEORGE ARTHUR," Handbook of Texas Online (http://www.tshaonline.org/handbook/online/articles/fst69), accessed November 10, 2014. Uploaded on June 15, 2010. Published by the Texas State Historical Association.

APPROVAL CRITERIA FOR LANDMARK DESIGNATION

Sec. 33-224. Criteria for designation

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

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Stowers Building at 820 Fannin Street.

HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Landmark Designation of the Stowers Building at 820 Fannin Street.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

South (left) and east facades (right), camera facing northwest, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

East façade (center) and partial south façade (left), camera facing west, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

East elevation and roof, camera facing west taken from the roof of the 1121 Walker, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

East elevation, cornice detail (BG Place, 811 Main in background), camera facing northwest, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

East elevation, detail of cornice and glazed brick, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

Interior, tenth floor, camera facing south, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

Interior, first floor, camera facing southwest, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

Interior, first floor, detail of column, camera facing northwest, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

Interior, first floor, detail of decorative plaster, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

East elevation, detail of ground floor storefront, camera facing west, 2014.

EXHIBIT A
CURRENT PHOTOS
STOWERS BUILDING
820 FANNIN STREET

South elevation, detail of ground floor storefront, camera facing northeast, 2014.

EXHIBIT B
SITE MAP
STOWERS BUILDING
820 FANNIN STREET

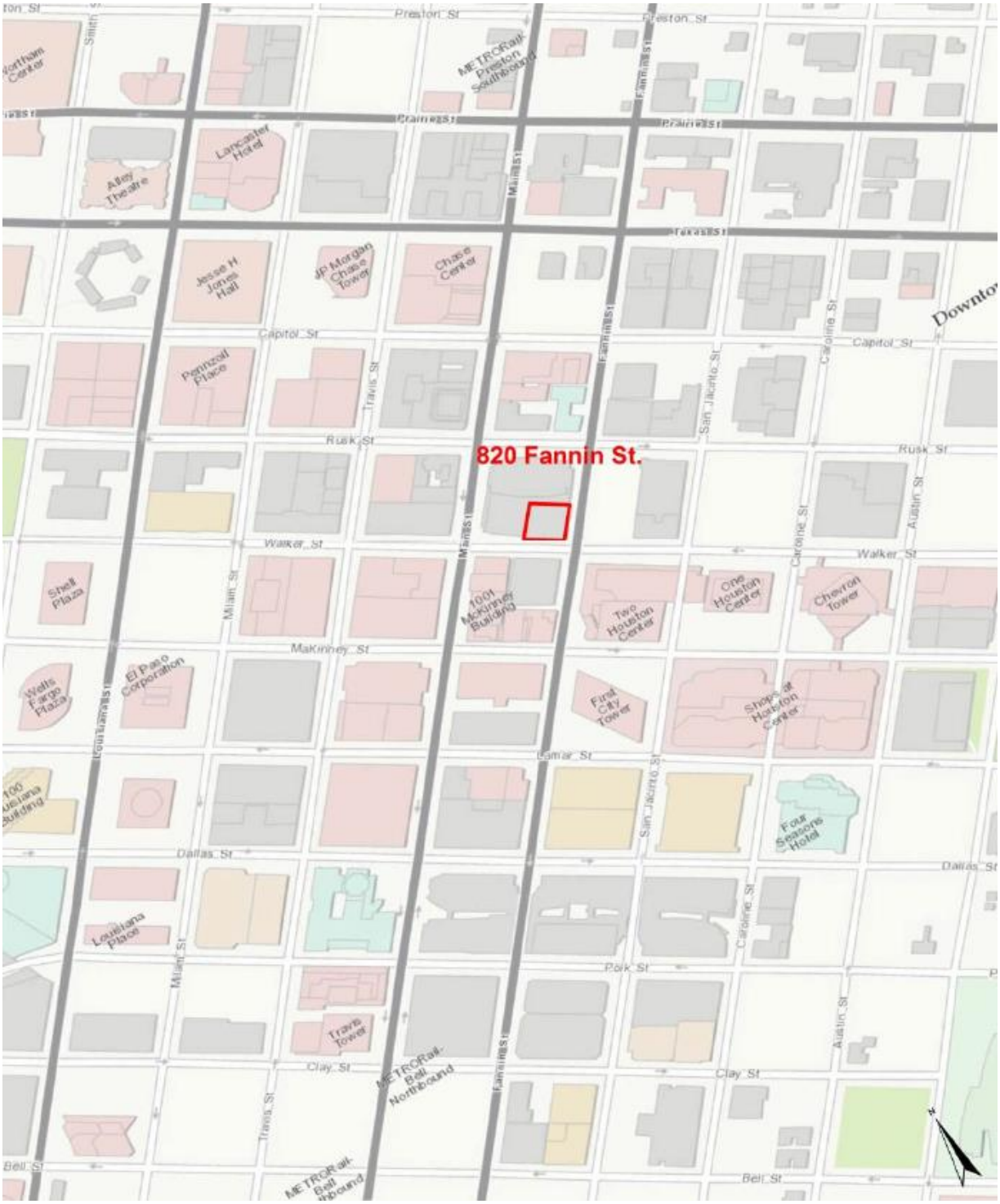


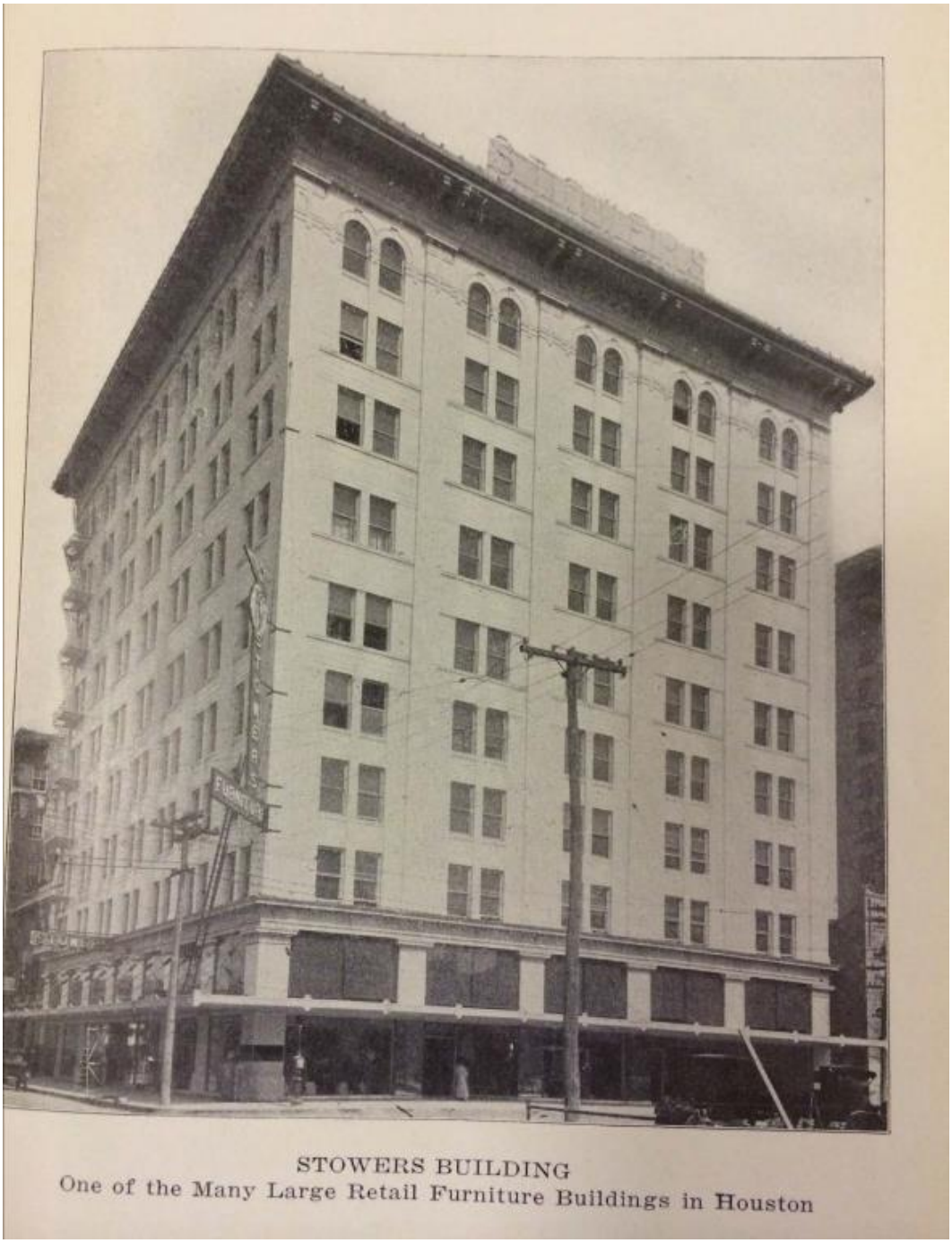
EXHIBIT C
HISTORIC PHOTOS
STOWERS BUILDING
820 FANNIN STREET

Historic Photo
East façade, view north down Fannin from Walker intersection, camera facing north, ca. 1915.
Courtesy HMRC, HPL.

EXHIBIT C
HISTORIC PHOTOS
STOWERS BUILDING
820 FANNIN STREET

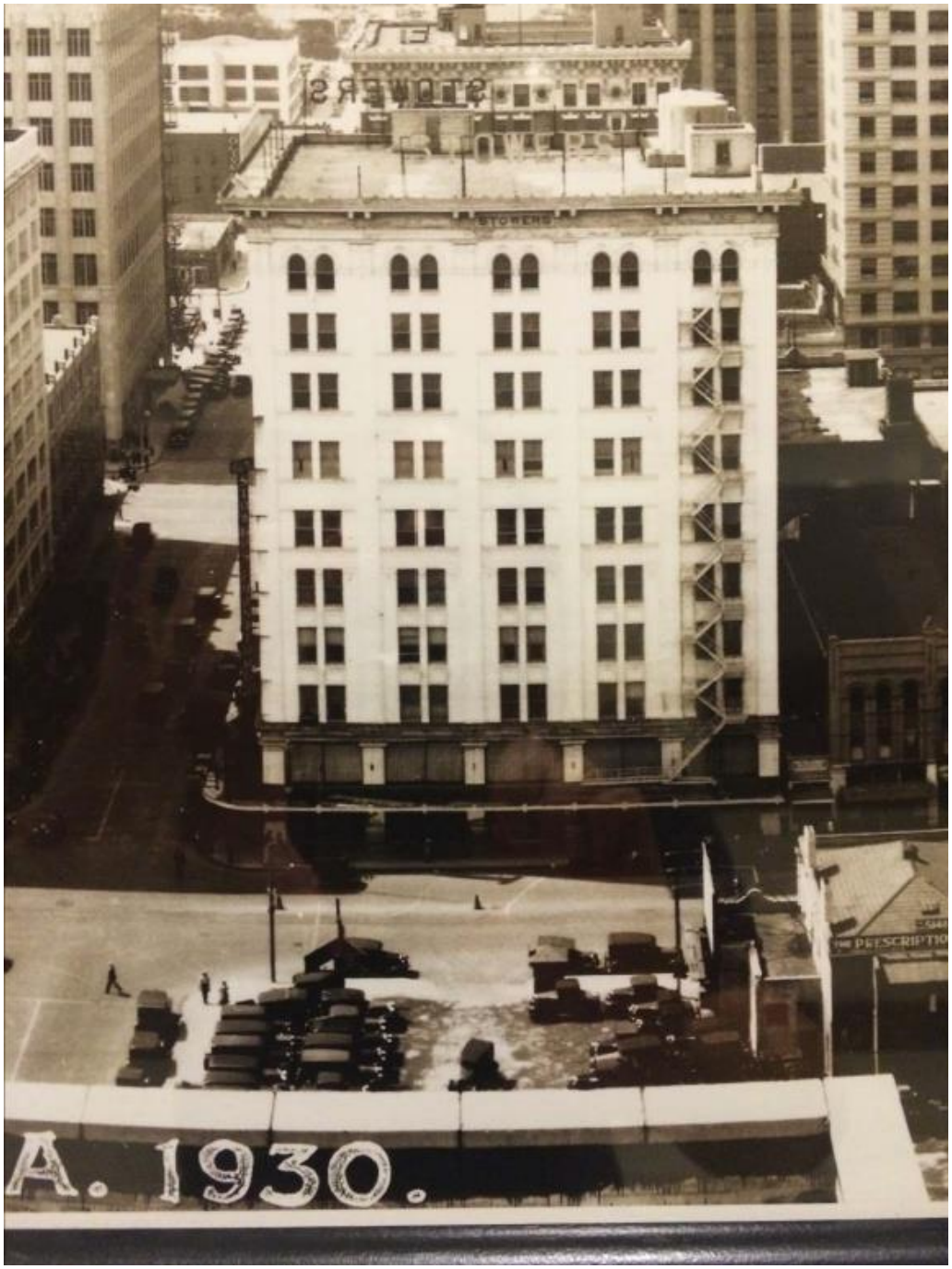
Historic Photo
Partial west and south elevations (behind Beatty-West Building), view east down Walker from Main Street camera facing east, 1916.
Courtesy HMRC, HPL.

EXHIBIT C
HISTORIC PHOTOS
STOWERS BUILDING
820 FANNIN STREET



Historic Photo
East and south facades, camera facing northwest, 1916.
Courtesy HMRC, HPL.

EXHIBIT C
HISTORIC PHOTOS
STOWERS BUILDING
820 FANNIN STREET



Historic Photo
East façade, camera facing west, 1930.
Courtesy HMRC, HPL.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District I

Item Creation Date: 9/23/2015

Approval of a resolution designating the Stowers Building at 820 Fannin Street as a Landmark

Agenda Item#:

Background:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Stowers Building at 820 Fannin Street was initiated by the owner.

A public hearing was held on April 23, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:
Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Signed Application	Other
Staff Report	Other

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District D
Item Creation Date: 9/23/2015

PLN-RESO Gulf Oil Filling Station @ 3709 La Branch Street as a Landmark

Agenda Item#: 32.

Summary:

RESOLUTION designating the **GULF OIL FILLING STATION** at 3709 La Branch Street within the City of Houston as a historic landmark - **DISTRICT D - BOYKINS**

Background:

A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Gulf Oil Filling Station at 3709 La Branch Street was initiated by the owner.

A public hearing was held on April 23, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

_____

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:

Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Staff Report	Other
Coversheet for Gulf Oil Building	Signed Cover sheet
PLN-RESO Gulf Oil Filling Station @ 3709 La Branch Street as a Landmark	Signed Cover sheet

LANDMARK DESIGNATION REPORT

LANDMARK NAME: Gulf Oil Filling Station
OWNERS: Brookhollow Venture LTD
APPLICANT: Stephen Harrison
LOCATION: 3709 La Branch Street

AGENDA ITEM: C.2
HPO FILE NO.: 15L307
DATE ACCEPTED: Apr-01-2015
HAHC HEARING DATE: Apr-23-2015

SITE INFORMATION

Lots 5 & 6, Block 3, Empire, City of Houston, Harris County, Texas. The site includes a 294 square foot one story commercial building, formerly a gas station.

TYPE OF APPROVAL REQUESTED: Landmark Designation

HISTORY AND SIGNIFICANCE SUMMARY

The Gulf Oil Filling Station at 3709 La Branch Street was constructed circa 1926 at a time when the automobile was becoming dominant in American cities. Built for the Gulf Oil Corporation, it is an excellent high-style example of early twentieth century neighborhood filling stations, and is representative of the transition in Gulf filling stations from the residentially-oriented Craftsman house with canopy form of 1910-1930 to the more streamlined, Art Deco influenced oblong box with canopy of the 1930s and 1940s.

For half of a century, the La Branch station served the community of the Third Ward, but in the 1970s it fell into disrepair, as the neighborhood filling station was eclipsed by full-service gas station convenience stores located on major thoroughfares and highways. More recently, the structure has enjoyed a new lease on life as an ever-changing canvas for public art. Even in its vacancy the Gulf Filling Station has remained a neighborhood fixture and hub of activity. The building is currently undergoing rehabilitation for a new commercial use.

The Gulf Oil Filling Station meets Criteria 1, 3, 4, 5 and 6 for Landmark designation of Section 33-224 of the Houston Historic Preservation Ordinance.

HISTORY AND SIGNIFICANCE

The Gulf Oil Filling Station is located at the corner of La Branch and Alabama streets. It was built in the 1920s at a time when the mass production of the automobile was beginning to have a profound effect on American life by ushering in a new era of mobility and convenience. To meet the needs of this revolution in transportation, neighborhood fueling stations were constructed throughout the country. This structure is one of only a handful of remaining examples of these early small-scale neighborhood filling stations in Houston.

Although many early oil companies kept to a uniform style of design, Gulf Oil left its design open to the local neighborhood to be flexible with overall exterior style. That allowed this station to have its own distinct character within its specific community. Photos of similar stations show a pair of brick columns rather than this station's single massive column with abstracted capital. As it stands today, the station at 3709 La Branch represents a unique comingling of styles with its clean lines and varied detailing.

A historic photo of the filling station shows customers mingling around an electric refrigerator enjoying cold drinks while they refueled. Refrigerated beverages contributed to the filling station's appeal as a source of novel convenience and modernism. For half of a century, the station served the community of the Third Ward, but in the 1970s it fell into disrepair, as the neighborhood filling station was eclipsed by full-service convenience stores located on major thoroughfares and highways. Tax records show that by 1979 the filling station itself was defunct, though a now demolished non-original garage was still in operation.

More recently, the structure has enjoyed a new lease on life as an ever-changing canvas for public art. As seen in the accompanying pictures, the building has been painted with folk art, Soviet imagery, even styled as an airplane hangar complete with an airplane parked out front. Even in its vacancy the Gulf Filling Station has remained a neighborhood fixture and hub of activity.

Gulf Oil Corporation

The history of the Texas Gulf Coast is inextricably linked to the oil and gas industry, and Gulf Oil, a company that took the region as inspiration for its name, was at the forefront of that industry.

The Gulf Oil Corporation was formed in 1907 as a consolidation of the J. M. Guffey Petroleum Company and the Gulf Refining Company of Texas. Gulf was organized to integrate everything from production of crude oil to refining and retailing under a single brand.

Following a period of significant expansion, the company was hit hard by the Great Depression, operating at a loss in 1931 for the first time in its history. It quickly recovered, and in 1951 built one of the world's largest catalytic cracking units in Port Arthur, Texas. Gulf then merged with the B.F. Goodrich Company to become Gulf-Goodrich Chemicals, Incorporated. In 1956 the new company acquired Warren Petroleum Corporation and increased its interest in British American Oil Company. In the 1950s the Gulf of Mexico became "one of the company's leading domestic producing areas." (Texas Historical Association)

With rapidly declining oil reserves and the nationalization of the company's operations in Kuwait in 1975, the company's stability was threatened. After rebounding in 1983, the Mesa Petroleum Corporation began buying shares of Gulf Oil, prompting the executives to invite outside takeover offers.

In 1984 the company was sold to Chevron in "the largest corporate merger to date." (Texas State Historical Association)

Station Museum of Contemporary Art

Located across the street at 1502 Alabama Street, the Station Museum of Contemporary Art emphasizes fine arts that reflect Houston's diversity. The museum stages exhibitions of art produced by local, national and international artists.

Beginning in 2010, the Station Museum has used the Gulf Filling Station as both an outdoor gallery and art canvas in exhibitions. Examples include:

- *Andrei Molodkin | Crude*, 2011-2012, Andrei Molodkin.
- *CALL IT STREET ART, CALL IT FINE ART, CALL IT WHAT YOU KNOW*, 2013, Wiley Robertson & Bryan Cope.

ARCHITECTURAL SIGNIFICANCE AND RESTORATION HISTORY

Filling Stations

Filling station design changed throughout the twentieth century and varied between companies. As described by W. Dwayne Jones in *A Field Guide to Gas Stations in Texas*, the Gulf Oil Corporation used the "house and canopy" form in the 1920s and the "oblong box with canopy" in the 1930s. The oblong box with canopy was distinguished by a canopy significantly narrower than the main building. This allowed for additional services to be offered. The filling station at 3709 La Branch represents a transitional form: a box with canopy without the additional service bays of the 1930s.

Exterior

The station at 3709 La Branch is a highly ornamented box with canopy in the classical revival style with some Craftsman and Art Deco detailing. It is representative of the transition in Gulf filling stations from the residentially oriented Craftsman house with canopy form of 1910-1930 to the more streamlined, Art Deco influenced oblong box with canopy of the 1930s and 1940s.

The form of the structure is defined by a one story stucco rectangular building with a front canopy of equal width projecting toward La Branch Street. Historic photos show a centrally positioned entrance door flanked by two windows with 2/1 lite patterns and two windows with 4/1 lite patterns. Consistent transoms across the front featured a decorative sunburst lite pattern. The south wall, facing Alabama Street, featured one door and one window with matching transoms. The north wall featured a single window and transom. A decorative metal cornice circumscribes the building and canopy. The canopy is supported at the west end by a single Art Deco-influenced square column with an abstracted capital.

With the exception of frequent repainting, exterior alterations are limited to windows and doors, most of which have been removed and their openings covered with plywood. One small window and transom on the south side and one large window with transom on the west side remain and are covered with plywood. The canopy and cornice are unaltered.

The filling station is currently in the process of being rehabilitated for commercial use.

BIBLIOGRAPHY

Harris County Building Assessment Records, 1965. Harris County Archives.

James A. Clark and Mark Odintz, "GULF OIL CORPORATION," *Handbook of Texas Online* (http://www.tshaonline.org/handbook/online/articles/dog02), accessed April 06, 2015. Uploaded on June 15, 2010. Published by the Texas State Historical Association.

Station Museum of Contemporary Art, http://www.stationmuseum.com, accessed April 06, 2015.

W. Dwayne Jones, *A Field Guide to Gas Stations in Texas*. Texas Department of Transportation, 2003

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

APPROVAL CRITERIA FOR LANDMARK DESIGNATION

Sec. 33-224. Criteria for designation

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

STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Gulf Oil Filling Station at 3709 La Branch Street.

HAHC RECOMMENDATION

The Houston Archaeological and Historical Commission recommends to City Council the Landmark Designation of the Gulf Oil Filling Station at 3709 La Branch Street.

EXHIBIT A
CURRENT PHOTO
GULF FILLING STATION
3709 LA BRANCH STREET

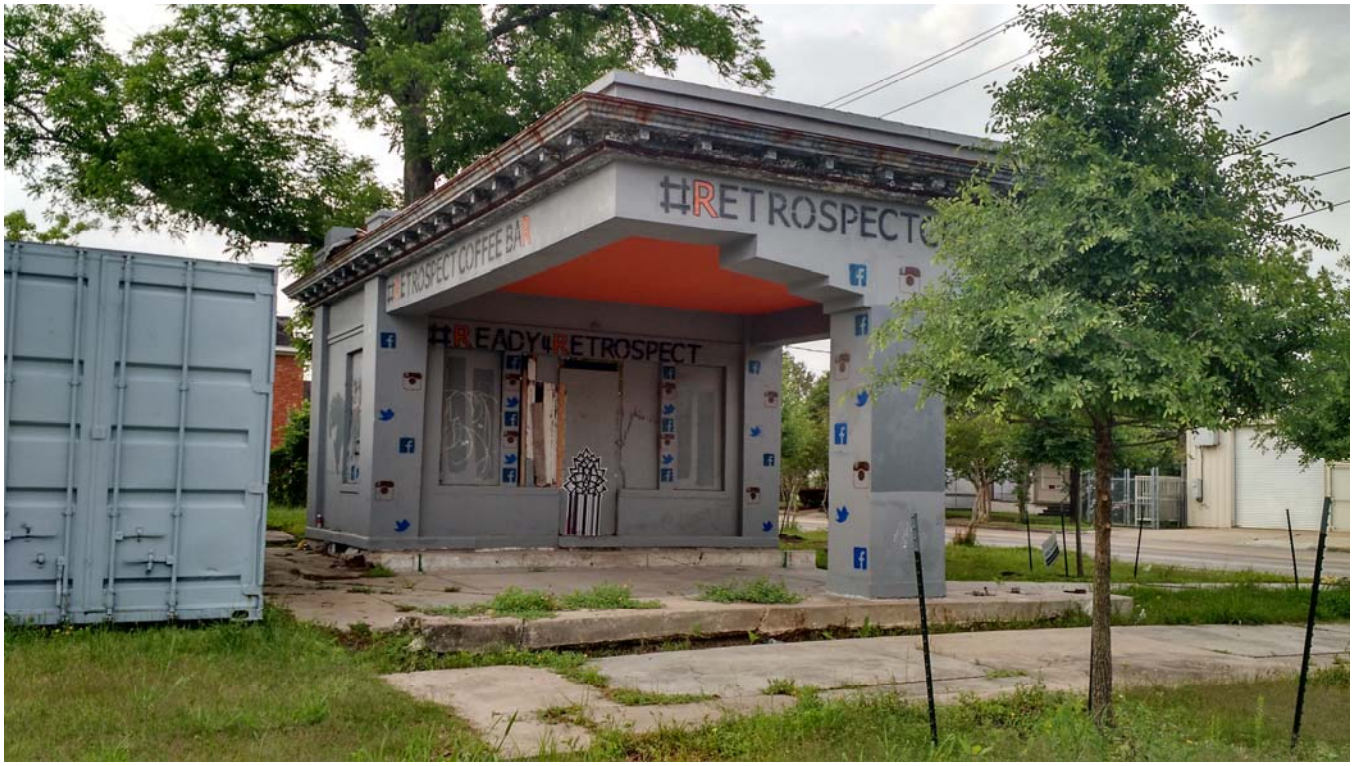


EXHIBIT B
SITE MAP
GULF FILLING STATION
3709 LA BRANCH STREET

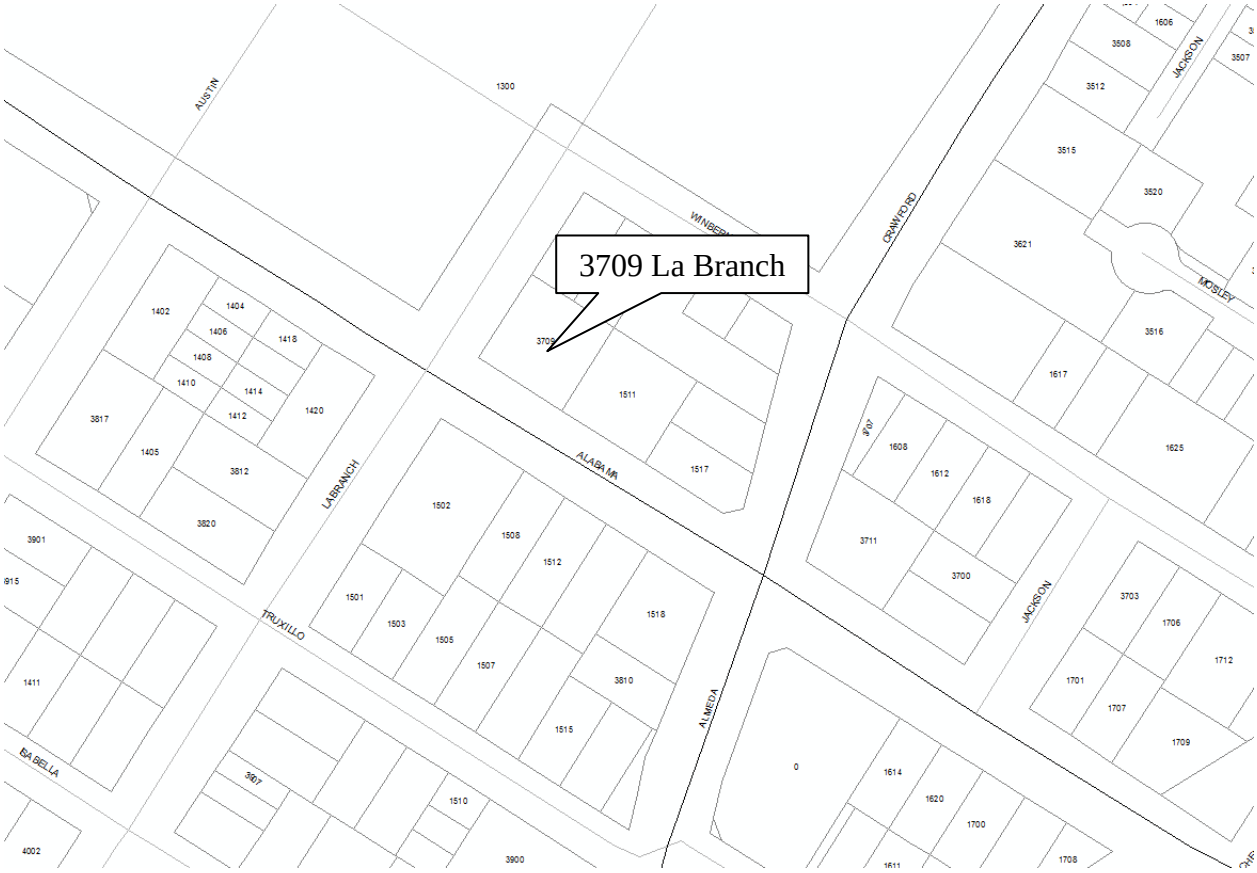


EXHIBIT C
ART INSTALLATION PHOTOS
GULF FILLING STATION
3709 LA BRANCH STREET

Photo courtesy of The Station Museum of Contemporary Art, 2011

EXHIBIT D
HISTORIC PHOTOS
GULF FILLING STATION
3709 LA BRANCH STREET

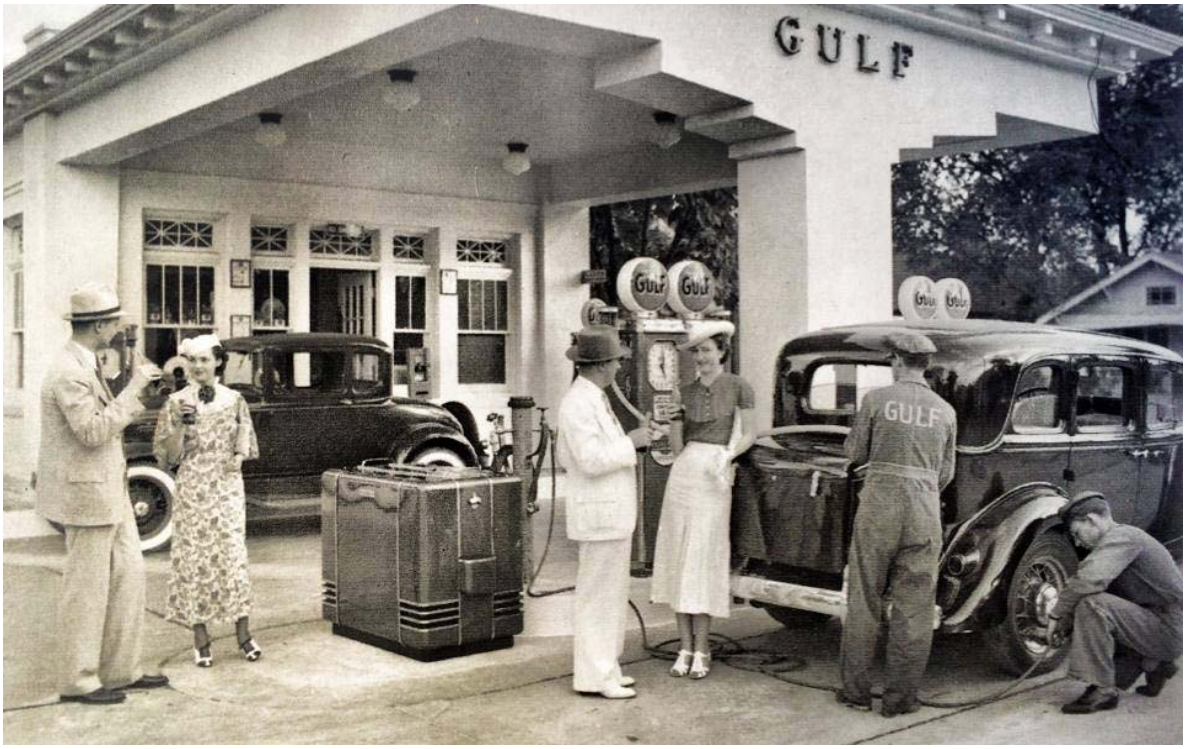


Photo courtesy of The Sloane Gallery, www.sloanegallery.com

EXHIBIT D
HISTORIC PHOTOS
GULF FILLING STATION
3709 LA BRANCH STREET

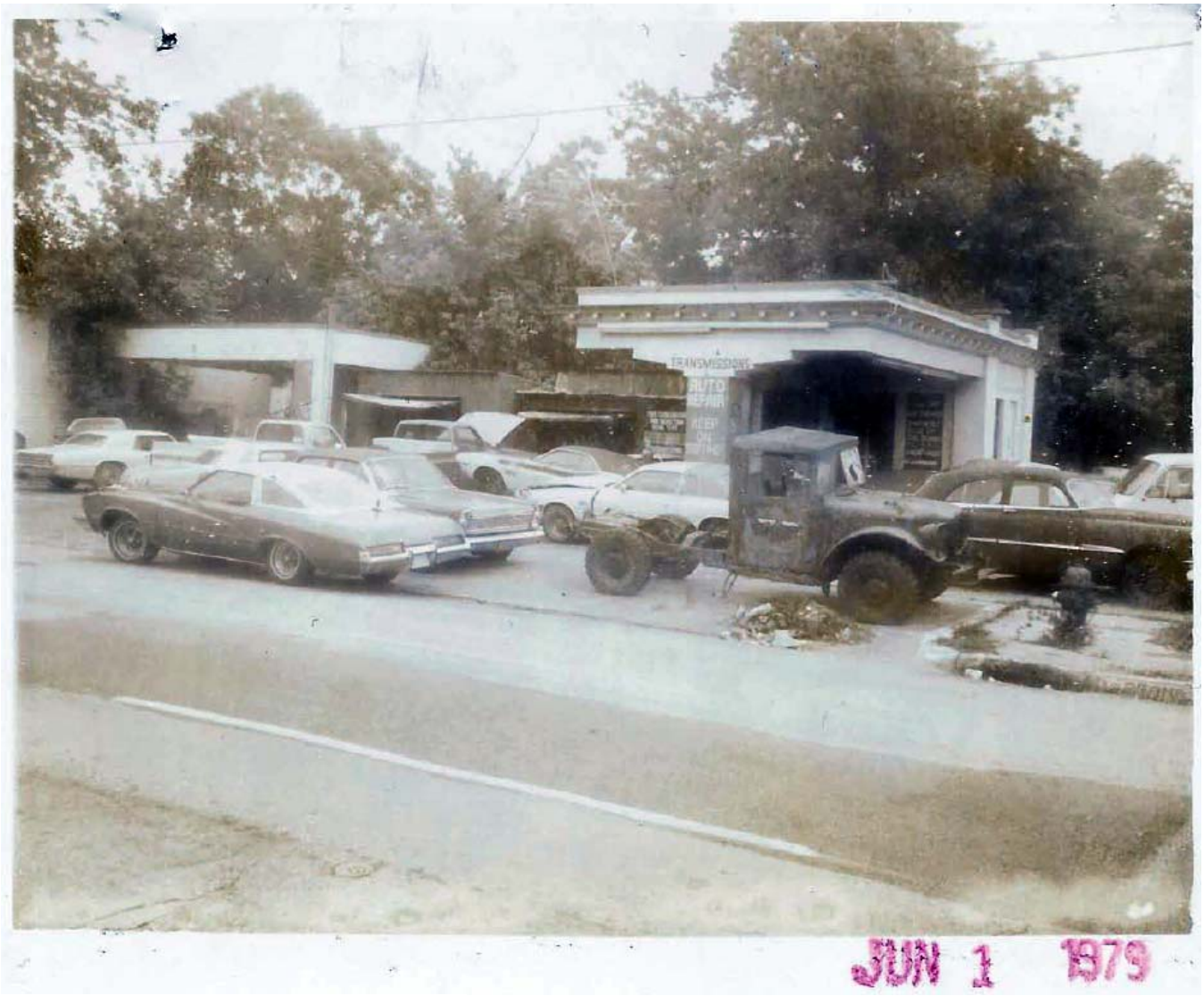
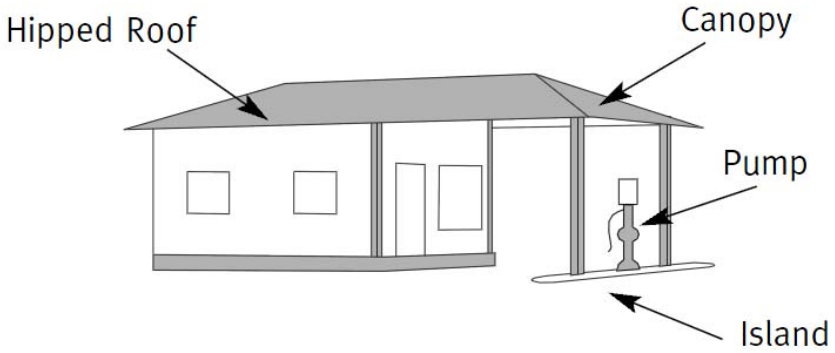
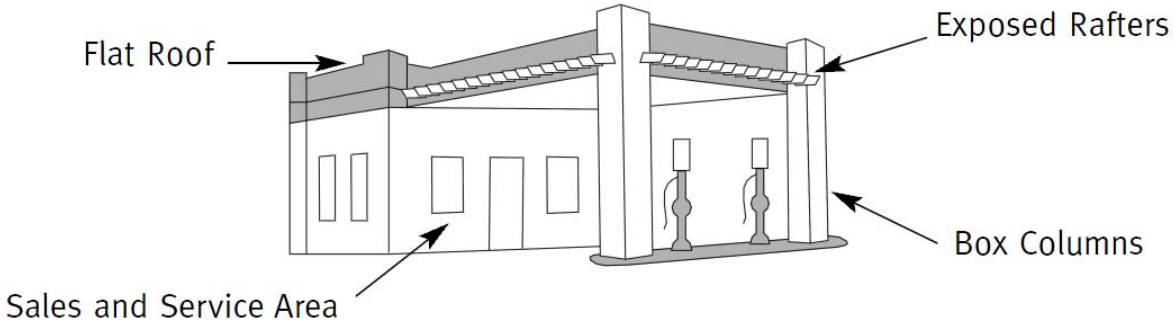


Photo sourced from Harris County Archives

EXHIBIT E
EXCERPTS FROM A FIELDGUIDE TO GAS STATIONS IN TEXAS
GULF FILLING STATION
3709 LA BRANCH STREET



Gas Station 1910-1930 – House with Canopy



Gas Station 1920-1940 – Box with Canopy

EXHIBIT E
EXCERPTS FROM A FIELDGUIDE TO GAS STATIONS IN TEXAS
GULF FILLING STATION
3709 LA BRANCH STREET

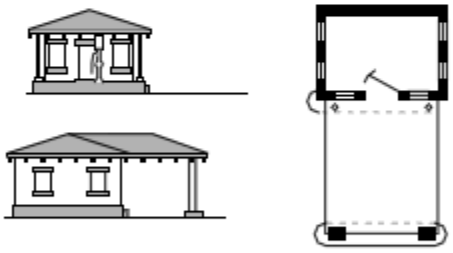
1920-1930 GULF

Early Gulf Refining Company stations rarely followed any set design or standardized form. The early hexagonal shaped station may have been interpreted in similar shapes through the 1920s in some locations. Signage may be the most distinctive element of this period of Gulf stations. A round sign containing the words "That Good Gulf Gasoline" often sat on a single light standard along the street. The station itself appeared as a box without canopy, often featuring landscape features that helped it blend into the neighborhood. In other examples, Gulf dealers operated from the former location of another company occupying a house with canopy form.

Identifying Features:

- Signage would be the best indicator of the company.
- Bungalow/Craftsman and Colonial Revival.

Form: House with Canopy



Form: Box

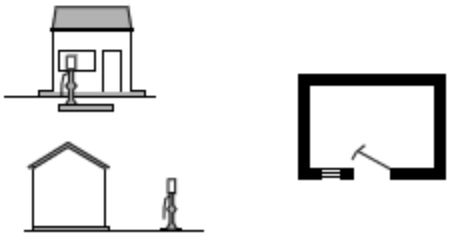


Figure 28: This example of a 1920s Gulf station shows the prominent signage common to these early locations.

Figure 29: The above Gulf Refining Company station, located in Grapevine, is an example of the house with canopy form.

Distribution of Gulf in the 1920s.

EXHIBIT E
EXCERPTS FROM A FIELDGUIDE TO GAS STATIONS IN TEXAS
GULF FILLING STATION
3709 LA BRANCH STREET

GULF 1930-1940

Figure 46: During the 1930s, Gulf gas stations were typically an oblong box with a flat roof, demonstrating an Art Deco influence.

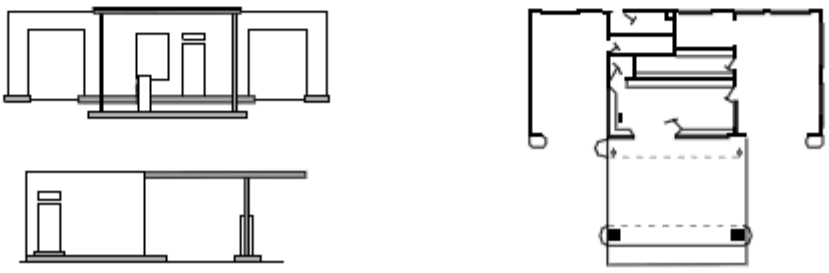
In the 1930s, Gulf successfully extended its market throughout the Southeast, Midwest, and Northeast states. The company stations during this period were typically the oblong box form. These gas stations adopted a handsome Art Deco style with exaggerated pilasters and a smooth stucco exterior. Gulf became one of the largest companies operating in Texas during this era, located in most of the state's large cities.

Distribution of Gulf during the 1930s.

Identifying Features:

- Flat roof.
- Exaggerated pilasters, clean Art Deco lines.
- Tile bases on columns and display area.
- Multiple service bays.
- Attached canopies.
- Art Deco.

Form: Oblong Box With Canopy



Page 52

EXHIBIT F
EXAMPLES OF SIMILAR FILLING STATIONS IN TEXAS
GULF FILLING STATION
3709 LA BRANCH STREET

Corner of Westheimer Rd. and Yupon St. http://www.city-data.com/forum/houston/242028-i-remember-montrose-westheimer-1970s-22.html. Accessed April 22, 2105.

Fayetteville, TX. http://www.fayettevilletxchamber.org/site_page.php?page_id=A7. Accessed April 22, 2015

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
District D

Item Creation Date: 9/23/2015

Approval of a resolution designating the Gulf Oil Filling Station at 3709 La Branch Street as a Landmark

Agenda Item#:

Background:
A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Gulf Oil Filling Station at 3709 La Branch Street was initiated by the owner.

A public hearing was held on April 23, 2015 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Patrick Walsh, P.E.
Director
Planning and Development Department

Contact Information:
Matthew Kriegl, 832-393-6557

ATTACHMENTS:

Description	Type
Application	Other
Staff Report	Other

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District D
Item Creation Date: 12/9/2015

HCD15-89 Resolution for Economic Development

Agenda Item#: 33.

Summary:

RESOLUTION supporting the creation of quality jobs and the provision of healthy food alternatives to serve the Third Ward and surrounding communities, including people living in food deserts, through development of a full service grocery store on publicly owned land near SH 288 and MacGregor - **DISTRICT D - BOYKINS**

Background:

SUBJECT: A Resolution regarding a non-binding term sheet for an economic development transaction resulting in the possible development of a grocery store at the northeast corner of State Highway 288 and North MacGregor Way

RECOMMENDATION: Approval of a Resolution regarding a non-binding term sheet for an economic development transaction resulting in the possible development of a grocery store at the northeast corner of State Highway 288 and North MacGregor Way

SPECIFIC EXPLANATION:

Recommend approval of a resolution regarding a non-binding term sheet for an economic development transaction involving the City, Houston Community College (HCC), Houston Housing Finance Corporation (HHFC) and HEB that could result in the development of a grocery store on approximately 9.2 acres at the northeast corner of State Highway 288 and North MacGregor Way. This store would provide employment for over 150 low- to moderate-income citizens. The community would benefit from a full-service grocery store in an area that lacks such an amenity. HEB is interested in developing the grocery store but cannot do so alone due to the property's projected acquisition and development costs. Thus, the City and HHFC are exploring possible options for purchasing the site and leasing it back to HEB.

Approval of this Resolution does not commit any funds to this potential transaction. Funding options, once identified and negotiated with the other parties, would come back to Council for approval.

The City and HHFC currently are exploring possible equity and debt financing, including, but not limited to, a EDI/Section 108 loan from the U.S. Department of Housing and Urban Development (HUD) to finance the possible acquisition of the property from HCC. HCC has offered to sell the property, but challenges unique to this site must be overcome before the grocery store could be developed. The purchase will occur only if these challenges are resolved, financing is secured, all requirements are met and a commitment is gained from HEB to develop the store on the site.

The City, HHFC and HCC are discussing an interlocal agreement whereby HCC sells the property based on terms and conditions to be negotiated and confirmed in the future, including but not limited to execution of a ground lease with HEB as lessee. HCC has requested that the City create this MOU.

AI: NR: DK
Cc: Mayor's Office, City Secretary, Legal, Finance

Prior Council Action:

Not applicable

Amount of Funding:

No funding required

Contact Information:

Andrew F. Icken Phone: 832.393.1032

ATTACHMENTS:

Description	Type
RCA HEB Resolution	Signed Cover sheet
HCD15-89 Financial Information	Financial Information
HCD15-89 Memorandum of Understanding	Backup Material
HCD15-89 Resolution	Backup Material

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

SUBJECT: A Resolution regarding a non-binding term sheet for an economic development transaction resulting in the possible development of a grocery store at the northeast corner of State Highway 288 and North MacGregor Way	**Category #**	**Page 1 of**	**Agenda Item #**

FROM (Department or other point of origin): Andrew F. Icken, Chief Development Officer Office of Mayor of City of Houston	**Origination Date** 12-9-15	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District(s) affected:** District D	
For additional information contact: Andrew F. Icken **Phone:** 832-393-1032	**Date and identification of prior authorizing Council action:** N/A	

RECOMMENDATION: Approval of a Resolution regarding a non-binding term sheet for an economic development transaction resulting in the possible development of a grocery store at the northeast corner of State Highway 288 and North MacGregor Way

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

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

[ ] **Other (Specify)** N/A

SPECIFIC EXPLANATION:

Recommend approval of a resolution regarding a non-binding term sheet for an economic development transaction involving the City, Houston Community College (HCC), Houston Housing Finance Corporation (HHFC) and HEB that could result in the development of a grocery store on approximately 9.2 acres at the northeast corner of State Highway 288 and North MacGregor Way. This store would provide employment for over 150 low- to moderate-income citizens. The community would benefit from a full-service grocery store in an area that lacks such an amenity. HEB is interested in developing the grocery store but cannot do so alone due to the property's projected acquisition and development costs. Thus, the City and HHFC are exploring possible options for purchasing the site and leasing it back to HEB.

Approval of this Resolution does not commit any funds to this potential transaction. Funding options, once identified and negotiated with the other parties, would come back to Council for approval.

The City and HHFC currently are exploring possible equity and debt financing, including, but not limited to, a EDI/Section 108 loan from the U.S. Department of Housing and Urban Development (HUD) to finance the possible acquisition of the property from HCC. HCC has offered to sell the property, but challenges unique to this site must be overcome before the grocery store could be developed. The purchase will occur only if these challenges are resolved, financing is secured, all requirements are met and a commitment is gained from HEB to develop the store on the site.

The City, HHFC and HCC are discussing an interlocal agreement whereby HCC sells the property based on terms and conditions to be negotiated and confirmed in the future, including but not limited to execution of a ground lease with HEB as lessee. HCC has requested that the City create this MOU.

AI: NR: DK

Cc: Mayor's Office, City Secretary, Legal, Finance

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 12/15/2015
District B, District I
Item Creation Date: 10/22/2015

HCD15-88 Resolution of No Objection for 4% Tax Credits Through TDHCA

Agenda Item#: 34.

Summary:

RESOLUTION expressing no objection to approximately two applications for non-competitive 4% Federal Tax Credits for rehabilitation or construction of developments for affordable rental housing located in the City of Houston, Texas or its extraterritorial jurisdiction - **DISTRICTS B - DAVIS and I - GALLEGOS**

Background:

The Housing and Community Development Department (HCDD) recommends approval of a Resolution of No Objection for two applicants seeking 4% Housing Tax Credits (HTCs) for the multifamily developments listed below.

- The Kissito Center for Healthy Living received a similar resolution in June 2014, however the developer subsequently cancelled the project on the original site due to neighborhood resistance. A new site is under contract, and the developer is meeting with neighborhood groups to obtain their support; early indications are positive. HCDD is currently underwriting the Kissito project. Upon successful completion of the underwriting process, HCDD intends to provide gap financing in support of this development.

- The developer of the Garden City Apartments has not requested funding from HCDD; however due to the afore-mentioned statute, the developer is required to obtain a Resolution from the City in order to qualify for tax credits. This is a $29 million project, including $9 million of pure hard costs, to provide extensive exterior and interior renovations including upgraded kitchens and bathrooms, plus a complete remodel of the existing community building.

Following is information on the two applications:

Property Name	Tax Credit Applicant	Project	No. of Units	Location	Council District
Garden City Apartments	Steele Texas LIHTC LLC	Sec. 8 rehab	253	9601 W. Montgomery Road	B
Kissito Center for Healthy Living	Riverside Houston VOA Kissito LLC	Seniors	112	6901 Bellfort Ave.	I

This Resolution of No Objection to 4% tax credits was reviewed by the Housing and Community Affairs Committee on November 17, 2015 and a public hearing was held on December 9, 2015.

Prior Council Action:

N/A

Contact Information:

Roxanne Lawson

832.394.6282

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet
HCD15-88 RCA	Signed Cover sheet
Resolution	Ordinance/Resolution/Motion

HCD15-88

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION** 15 – Res. no objection 2

SUBJECT: Approval of a state-required Resolution of No Objection enabling two entities to apply for non-competitive, 4% federal tax credits through the Texas Department of Housing and Community Affairs	**Category #**	**Page** 1 of 1	**Agenda Item #**
FROM: Neal Rackleff, Director Housing and Community Development Department	**Origination Date** 10/22/2015	**Agenda Date**	
DIRECTOR'S SIGNATURE:	**Council District affected:** B, I		
For additional information contact: Roxanne Lawson **Phone:** 832-394-6282	**Date and identification of prior authorizing Council action:** N/A		

RECOMMENDATION: Approval of a state-required Resolution of No Objection enabling two entities to apply for non-competitive, 4% federal tax credits through the Texas Department of Housing and Community Affairs

Amount of Funding:	**Finance Budget:**
None	

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

No funding required

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) recommends approval of a Resolution of No Objection for two applicants seeking 4% Housing Tax Credits (HTCs) for the multifamily developments listed below.

- The Kissito Center for Healthy Living received a similar resolution in June 2014, however the developer subsequently cancelled the project on the original site due to neighborhood resistance. A new site is under contract, and the developer is meeting with neighborhood groups to obtain their support; early indications are positive. HCDD is currently underwriting the Kissito project. Upon successful completion of the underwriting process, HCDD intends to provide gap financing in support of this development.
- The developer of the Garden City Apartments has not requested funding from HCDD; however due to the afore-mentioned statute, the developer is required to obtain a Resolution from the City in order to qualify for tax credits. This is a $29 million project, including $9 million of pure hard costs, to provide extensive exterior and interior renovations including upgraded kitchens and bathrooms, plus a complete remodel of the existing community building.

Following is information on the two applications:

Property Name	Tax Credit Applicant	Project	No. of Units	Location	Council District
Garden City Apartments	Steele Texas LIHTC LLC	Sec. 8 rehab	253	9601 W. Montgomery Road	B
Kissito Center for Healthy Living	Riverside Houston VOA Kissito LLC	Seniors	112	6901 Bellfort Ave.	I

This Resolution of No Objection to 4% tax credits was reviewed by the Housing and Community Affairs Committee on November 17, 2015 and a public hearing was held on December 9, 2015.

NR:JN:SS

cc: CSC, FIN, MYR, LGL

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date:

FIN - CUS 2016A TWDB

Agenda Item#: 35.

Summary:

ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299; providing for the issuance of the City of Houston, Texas, Combined Utility System First Lien Revenue Bonds, Series 2016A, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing a Co-Bond Counsel Agreement, authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency

Background:

SUBJECT:

Approve ordinance supplementing the City of Houston, Texas Master Ordinance authorizing the issuance of City of Houston, Texas Combined Utility System First Lien Revenue Bonds, Series 2016A.

RECOMMENDATION: (Summary)

Approve ordinance authorizing the City of Houston Combined Utility System First Lien Revenue Bonds, Series 2016A, in an aggregate amount not to exceed $64 million. These bonds will be privately placed with the Texas Water Development Board.

SPECIFIC EXPLANATION:

The Texas Water Development Board (the "TWDB") administers a program that provides below market, low-interest rate loans to applicants to assist in meeting clean water needs of communities. This program is known as the Clean Water State Revolving Fund ("CWSRF"), which is open to political subdivisions that own and operate a wastewater system. The City's Combined Utility System ("CUS") has participated in this program since the late 1980's. The City of Houston Combined Utility System First Lien Revenue Bonds, Series 2016A will be issued in an amount not to exceed $64 million.

The Finance Working Group ("FWG") recommends that the City issue the CUS Series 2016A Bonds with the proceeds to be used to fund approved projects in the City's adopted CIP, fund a reserve fund if necessary and pay costs of issuance.

The CUS Series 2016A Bonds will be privately placed with the TWDB, which eliminates the need for underwriters. The closing is expected to occur late January 2016. Norton Rose Fulbright LLP and Burney & Foreman are recommended as co-bond counsel.

This transaction was presented to the Budget and Fiscal Affairs Committee on December 8, 2015.

RECOMMENDATION:

The FWG recommends the approval of this item.

Prior Council Action:

Ordinance No. 2004-299

Amount of Funding:

N/A

Contact Information:

Jennifer Olenick **Phone:** 832-393-9112
Charisse Mosely **Phone:** 832-393-3529

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet

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

SUBJECT: Approve ordinance supplementing the City of Houston, Texas Master Ordinance authorizing the issuance of City of Houston, Texas Combined Utility System First Lien Revenue Bonds, Series 2016A.	**Category #**	**Page 1 of 1**	**Agenda Item#**

FROM (Department or other point of origin): Department of Finance and Office of the City Controller	**Origination Date:** 12/9/2015	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District Affected:** All	
For additional information contact: Jennifer Olenick **Phone:** 832-393-9112 Charisse Mosely **Phone:** 832-393-3529	**Date and identification of prior authorizing Council action:** Ordinance No. 2004-299	

RECOMMENDATION: (Summary) Approve ordinance authorizing the City of Houston Combined Utility System First Lien Revenue Bonds, Series 2016A, in an aggregate amount not to exceed $64 million. These bonds will be privately placed with the Texas Water Development Board.

Amount of Funding: **Not Applicable**	**Finance Budget:**

Source of Funding: [ ] General Fund [ ] Grant Fund [ ] Other (Specify) [X] Enterprise Fund

SPECIFIC EXPLANATION:

The Texas Water Development Board (the "TWDB") administers a program that provides below market, low-interest rate loans to applicants to assist in meeting clean water needs of communities. This program is known as the Clean Water State Revolving Fund ("CWSRF"), which is open to political subdivisions that own and operate a wastewater system. The City's Combined Utility System ("CUS") has participated in this program since the late 1980's. The City of Houston Combined Utility System First Lien Revenue Bonds, Series 2016A will be issued in an amount not to exceed $64 million.

The Finance Working Group ("FWG") recommends that the City issue the CUS Series 2016A Bonds with the proceeds to be used to fund approved projects in the City's adopted CIP, fund a reserve fund if necessary and pay costs of issuance.

The CUS Series 2016A Bonds will be privately placed with the TWDB, which eliminates the need for underwriters. The closing is expected to occur late January 2016. Norton Rose Fulbright LLP and Burney & Foreman are recommended as co-bond counsel.

This transaction was presented to the Budget and Fiscal Affairs Committee on December 8, 2015.

Recommendation:

The FWG recommends the approval of this item.

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District H
Item Creation Date: 12/8/2015

25CF21 Third Amend with Tenant Good Neighbor

Agenda Item#: 36.

Summary:

ORDINANCE approving and authorizing third amendment to Lease Agreement between the City, as landlord and **FOURTH WARD CLINIC dba GOOD NEIGHBOR HEALTHCARE CENTER**, as tenant, for the purpose of reducing lease space at the West End Multi-Service Center at 190 Heights Boulevard, Houston, Harris County, Texas - **DISTRICT H - GONZALEZ**

Background:

SPECIFIC EXPLANATION: The General Services Department recommends approval of a Third Amendment to Lease Agreement with Fourth Ward Clinic, dba Good Neighbor Healthcare Center (Tenant), a Texas nonprofit corporation, for approximately 14,914 square feet of space in the West End Multi-Service Center located at 190 Heights Boulevard. The original lease commenced on April 1, 2008, for an initial five-year term with two five-year renewal options. Good Neighbor Healthcare Center (GNHC) is in its third year of the first renewal term.

GNHC provides primary health care services, ob/gyn care, dental and optometry services, and other health services to low-income persons. Currently, GNHC occupies 15,569 square feet of space at a monthly rental of $16,684.78, of which monthly operating expense is $13,155.80. GNHC has been allowed to offset a portion of its rental amount by the value of the health services it provides.

GNHC desires to reduce its space to 14,914 square feet. The proposed Third Amendment will reduce the lease premises from 15,569 square feet to 14,914 square feet and establish a new monthly rental of $15,974.23, of which operating expense is $11,875.27, as outlined below:

—

Year	Annual / Monthly Rental	Annual / Monthly Operating Expense	Annual / Monthly Payment
3	$49,187.51 / $4,098.96	$142,503.25 / $11,875.27	$191,690.79 / $15,974.23
4	$49,187.51 / $4,098.96	$142,503.25 / $11,875.27	$191,690.79 / $15,974.23
5	$52,700.93 / $4,391.75	$142,503.25 / $11,875.27	$195,204.18 / $16,267.02

The new rental and operating expense rates will be effective the first day of the month immediately following the date the Amendment is countersigned by the City Controller.

All other terms and conditions of the amended lease remain the same.

SM:HB:JLN:CF:cf
xc: Marta Crinejo, Jacquelyn L. Nisby, Anna Russell and Claudette Manning

Prior Council Action:

Date and identification of prior authorizing Council action:
Ordinance No. 2007-1171, October 24, 2007
Ordinance No. 2010-0135, February 17, 2010
Ordinance No. 2013-0166, February 26, 2013

Amount of Funding:

NA

Contact Information:

For additional information contact:
Jacquelyn L. Nisby Phone: 832-393-8023

ATTACHMENTS:

Description	Type
Ord 2007-1171 C70671 Ls Good Neig Hts	Ordinance/Resolution/Motion
Ord 2010-0135 C70671 and RCA 1st Amdt	Ordinance/Resolution/Motion
Ord 2013-0166 C70671 3rd Amdt Good Neig Hts	Ordinance/Resolution/Motion
Third Amend Gd Neigh 12-8-15	Contract/Exhibit
RCA 3rd Amend Gd Neigh 12-8-15	Backup Material
RCA Routing Fm Gd Neigh 12-8-15	Backup Material
RCA TOC 11-5-2015	Backup Material
RCA Map 11-5-15	Backup Material
RCA Summary 3rd Amend Gd Neigh 11-5-15	Backup Material
Ordinance	Ordinance/Resolution/Motion
Ordinance - Exhibit	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 11/23/2015

25CF20 HPD Federal Credit Union Lease

Agenda Item#: 38.

Summary:

ORDINANCE approving and authorizing Lease Agreement between **HOUSTON POLICE FEDERAL CREDIT UNION**, as tenant, and the City of Houston, Texas, as landlord, for space in the Houston Police Department Headquarters Building at 1200 Travis Street, Houston, Texas - **DISTRICT I - GALLEGOS**

Background:

SPECIFIC EXPLANATION The General Services Department recommends approval of a Lease Agreement between City of Houston (Landlord) and Houston Police Federal Credit Union (HPFCU), tenant, for 1,023 square feet of space, consisting of 999 square feet of office space on the 20th floor and 24 square feet for an ATM machine on the 1st floor of the HPD Headquarters located at 1200 Travis Street. HPFCU has operated a credit union out of this lease space since 1999.

The proposed Lease Agreement provides for a five-year base term at a monthly rental of $1,278.75, with three five-year renewal options at the then current market rental rate.

The new lease term will commence on the first day of the month immediately following the date the Lease is countersigned by the City Controller.

The City is responsible for janitorial services and utilities.

SM:HB:JLN:CF:cf
xc: Marta Crinejo, Anna Russell, Jacquelyn L. Nisby

Prior Council Action:

NA

Amount of Funding:

NA

Contact Information:

For additional information contact:
Jacquelyn L. Nisby Phone: **832-393-8023**

ATTACHMENTS:

Description	Type
RCA FCU 11-23-15	Backup Material
RCA Lease Agmt FCU 11-23-15	Contract/Exhibit
RCA Routing FCU 11-23-15	Backup Material
RCA Summary FCU 11-23-15	Backup Material
RCA TOC 11-23-2015	Backup Material
RCA Map 11-23-15	Backup Material
Ordinance Package	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District C
Item Creation Date: 10/5/2015

HCD15-87 Houston Heights Tower

Agenda Item#: 39.

Summary:

ORDINANCE approving and authorizing a fourth amendment to grant agreement between the City of Houston and **HOUSTON HEIGHTS TOWERS, INC**. for the rehabilitation of a 223 unit affordable housing community for seniors and the disabled, located in the vicinity of 330 West 19th Street, Houston, Texas, to provide for an increase in the amount of the senior loan and increases in the scope of work and in the final budget **- DISTRICT C - COHEN**

Background:

On July 8, 2015, City Council approved an Ordinance consenting to a new senior loan for up to $2,000,000 that the borrower had negotiated with Community Bank of Texas, to complete the renovation of the Heights Tower property. The loan proceeds allowed the owner to add back several items of scope that had previously been eliminated from the construction budget due to cost increases, and to provide a cushion of operating funds until occupancy increases (within this eight-story building, two full floors are vacant at all times during construction – one floor under renovation and one floor housing relocated tenants). The scope items include common area flooring and finishes, energy upgrades, increase in drywall allowance, landscaping and irrigation, elevator lobby finishes, and additional contingency, general conditions and architect's fee.

Subsequent to receiving Council approval for the senior loan, the owner determined that there was $240,000 in additional expenses they wanted to include in the budget, which the senior lender agreed to fund. These include additional contingency required by the senior lender ($131,700), loan origination fee ($20,000), and several construction line item increases.

The Community Bank loan agreement includes a clause requiring City Council approval of the additional $240,000. HCDD believes that securing this senior loan is important for the continued success of the Heights Tower project.

Due to delays primarily relating to negotiations between Community Bank and the borrower, HCDD recommends extending the construction completion date from December 31, 2015 to March 31, 2016.

This item was reviewed by the Housing and Community Affairs Committee on October 20, 2015.

Prior Council Action:

1/23/13 Ord. 13-57
3/27/13 Ord. 13-256

4/30/14 Ord. 14-374
7/8/15 Ord. 15-647

Amount of Funding:

Contact Information:

Roxanne Lawson
832.394.6282

ATTACHMENTS:

Description	Type
HCD15-87 RCA	Signed Cover sheet
HCD15-87 Form A	Backup Material
HCD15-87 Form B	Backup Material
HCD15-87 Delinquent Tax Report	Backup Material
HCD15-87 Affidavit of Ownership	Backup Material
HCD15-87 Financial Backup	Financial Information
Ordinance with Contract	Ordinance/Resolution/Motion

HCD15-87

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION** **15–Heights increase senior loan**

SUBJECT: An Ordinance approving: 1) a $240,000 increase in the Houston Heights Tower senior loan, which is in a superior lien position to the Housing and Community Development Department's grant, and 2) the extension of the completion date	**Category #**	**Page** 1 of 1	**Agenda item #**

FROM: Neal Rackleff, Director Housing and Community Development Department	**Origination Date** 10/5/2015	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** District C	
For additional information contact: Roxanne Lawson **Phone:** 832-394-6282	**Date and identification of prior authorizing Council action:** 1/23/13 Ord. 13-57; 3/27/13 Ord. 13-256; 4/30/14 Ord. 14-374; & 7/8/15 Ord. 15-647	

RECOMMENDATION: Support of an Ordinance approving: 1) a $240,000 increase in the Houston Heights Tower senior loan, which is in a superior lien position to the Housing and Community Development Department's grant, and 2) the extension of the completion date

Amount of Funding: None	**Finance Budget:**

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

No funding required

SPECIFIC EXPLANATION:

On July 8, 2015, City Council approved an Ordinance consenting to a new senior loan for up to $2,000,000 that the borrower had negotiated with Community Bank of Texas, to complete the renovation of the Heights Tower property. The loan proceeds allowed the owner to add back several items of scope that had previously been eliminated from the construction budget due to cost increases, and to provide a cushion of operating funds until occupancy increases (within this eight-story building, two full floors are vacant at all times during construction – one floor under renovation and one floor housing relocated tenants). The scope items include common area flooring and finishes, energy upgrades, increase in drywall allowance, landscaping and irrigation, elevator lobby finishes, and additional contingency, general conditions and architect's fee.

Subsequent to receiving Council approval for the senior loan, the owner determined that there was $240,000 in additional expenses they wanted to include in the budget, which the senior lender agreed to fund. These include additional contingency required by the senior lender ($131,700), loan origination fee ($20,000), and several construction line item increases.

The Community Bank loan agreement includes a clause requiring City Council approval of the additional $240,000. HCDD believes that securing this senior loan is important for the continued success of the Heights Tower project.

Due to delays primarily relating to negotiations between Community Bank and the borrower, HCDD recommends extending the construction completion date from December 31, 2015 to March 31, 2016.

This item was reviewed by the Housing and Community Affairs Committee on October 20, 2015.

NR:JN:SS

cc: CSC, FIN, MYR, LGL

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date:

HPD - FY2016 Internet Crimes Against Children Task Force
- Interlocal Agreement with FT Bend Co.

Agenda Item#: 40.

Summary:

ORDINANCE approving and authorizing an Interlocal agreement with the City of Houston and **FORT BEND COUNTY** for the Internet Crimes Against Children Task Force Program

Background:

The Houston Police Department (HPD) recommends that City Council approve an Interlocal Agreement between the City of Houston and Fort Bend County. The City of Houston, through HPD, applied for and received the Internet Crimes Against Children Task Force - Houston Metropolitan Area Grant in the amount of $522,128 from the Office of the Governor's Criminal Justice Division. This grant allows HPD to continue to reduce the exploitation of children by expanding the number of affiliate law enforcement agencies and personnel dedicated to investigating and prosecuting Internet-related crimes against children. The grant period begins June 1, 2015 and ends August 31, 2016.

The target geographical area of the grant program is the Houston Metropolitan Area, which includes incorporated as well as unincorporated areas of Harris County, Texas; and all areas of Brazoria, Chambers, Fort Bend, Galveston, Liberty, Montgomery and Waller Counties. As the lead agency, HPD is entering into an Interlocal Agreement with Fort Bend County which will complete the special condition requirement of the grant for this year's funding. Pursuant to the Interlocal Agreement, the City of Houston will use $98,475 in grant funds to reimburse Fort Bend County for salaries and benefits of its investigator/detective participating in the Internet Crimes Against Children Task Force.

Amount of Funding:

State - Grant Fund (5010)

Contact Information:

Joseph A. Fenninger, CFO & Deputy Director 713-308-1770

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet
Ordinance	Ordinance/Resolution/Motion

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

SUBJECT: Ordinance approving an Interlocal Agreement in support of the Internet Crimes Against Children Task Force Program - Houston Metropolitan Area Grant	**Category** #	**Page** 1 of 1	**Agenda Item** #
FROM: (Department or other point of origin): Houston Police Department	**Origination Date** December 1, 2015		**Agenda Date**
DIRECTOR'S SIGNATURE: Charles A. McClelland, Jr., Chief of Police	**Council Districts affected:** All		
For additional information contact: Joseph A. Fenninger, CFO & Deputy Director 713-308-1770	**Date and identification of prior authorizing Council Action:**		

RECOMMENDATION: (Summary) Adopt an ordinance approving an Interlocal Agreement between Fort Bend County and the City of Houston regarding participation in the Internet Crimes Against Children Task Force Program - Houston Metropolitan Area Grant.

Amount of Funding: Internet Crimes Against Children Task Force – Houston-Metro, TX – Legislative Funding – Personnel: $98,475	**Finance Budget:**

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

Office of the Governor's Criminal Justice Division: $98,475.

SPECIFIC EXPLANATION:

The Houston Police Department (HPD) recommends that City Council approve an Interlocal Agreement between the City of Houston and Fort Bend County. The City of Houston, through HPD, applied for and received the Internet Crimes Against Children Task Force - Houston Metropolitan Area Grant in the amount of $522,128 from the Office of the Governor's Criminal Justice Division. This grant allows HPD to continue to reduce the exploitation of children by expanding the number of affiliate law enforcement agencies and personnel dedicated to investigating and prosecuting Internet-related crimes against children. The grant period begins June 1, 2015 and ends August 31, 2016.

The target geographical area of the grant program is the Houston Metropolitan Area, which includes incorporated as well as unincorporated areas of Harris County, Texas; and all areas of Brazoria, Chambers, Fort Bend, Galveston, Liberty, Montgomery and Waller Counties. As the lead agency, HPD is entering into an Interlocal Agreement with Fort Bend County which will complete the special condition requirement of the grant for this year's funding. Pursuant to the Interlocal Agreement, the City of Houston will use $98,475 in grant funds to reimburse Fort Bend County for salaries and benefits of its investigator/detective participating in the Internet Crimes Against Children Task Force.

REQUIRED AUTHORIZATION

Finance Budget:	**Other Authorization:** 12/1/15	**Other Authorization:**

F&A 011.A Rev 12/95
7530-0100403-00

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date:

HPD - FY2016 Internet Crimes Against Children Task Force
- Interlocal Agreement with Webster

Agenda Item#: 41.

Summary:

ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **CITY of WEBSTER** for the Internet Crimes Against Children Task Force Program

Background:

The Houston Police Department (HPD) recommends that City Council approve an Interlocal Agreement between the City of Houston and the City of Webster. The City of Houston, through HPD, applied for and received the Internet Crimes Against Children Task Force - Houston Metropolitan Area Grant in the amount of $522,128 from the Office of the Governor's Criminal Justice Division. This grant allows HPD to continue to reduce the exploitation of children by expanding the number of affiliate law enforcement agencies and personnel dedicated to investigating and prosecuting Internet-related crimes against children. The grant period begins June 1, 2015 and ends August 31, 2016.

The target geographical area of the grant program is the Houston Metropolitan Area, which includes incorporated as well as unincorporated areas of Harris County, Texas; and all areas of Brazoria, Chambers, Fort Bend, Galveston, Liberty, Montgomery and Waller Counties. As the lead agency, HPD is entering into an Interlocal Agreement with the City of Webster which will complete the special condition requirement of the grant for this year's funding. Pursuant to the Interlocal Agreement, the City of Houston will use $105,983 in grant funds to reimburse the City of Webster for salaries and benefits of its detective participating in the Internet Crimes Against Children Task Force.

Amount of Funding:

State - Grant Fund (5010)

Contact Information:

Joseph A. Fenninger, CFO & Deputy Director 713-308-1770

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet
ORDINANCE	Signed Cover sheet
ORDINANCE	Signed Cover sheet

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

SUBJECT: Ordinance approving an Interlocal Agreement in support of the Internet Crimes Against Children Task Force Program - Houston Metropolitan Area Grant	**Category** #	**Page** 1 of 1	**Agenda Item** #
FROM: (Department or other point of origin): Houston Police Department	**Origination Date** December 2, 2015		**Agenda Date**
DIRECTOR'S SIGNATURE: Charles A. McClelland, Jr., Chief of Police	**Council Districts affected:** All		
For additional information contact: Joseph A. Fenninger, CFO & Deputy Director 713-308-1770 12/1/15	**Date and identification of prior authorizing Council Action:**		

RECOMMENDATION: (Summary) Adopt an ordinance approving an Interlocal Agreement between the City of Webster and the City of Houston regarding participation in the Internet Crimes Against Children Task Force Program - Houston Metropolitan Area Grant.

Amount of Funding: Internet Crimes Against Children Task Force – Houston-Metro, TX – Legislative Funding – Personnel: $105,983	**Finance Budget:**

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

Office of the Governor's Criminal Justice Division: $105,983.

SPECIFIC EXPLANATION:

The Houston Police Department (HPD) recommends that City Council approve an Interlocal Agreement between the City of Houston and the City of Webster. The City of Houston, through HPD, applied for and received the Internet Crimes Against Children Task Force - Houston Metropolitan Area Grant in the amount of $522,128 from the Office of the Governor's Criminal Justice Division. This grant allows HPD to continue to reduce the exploitation of children by expanding the number of affiliate law enforcement agencies and personnel dedicated to investigating and prosecuting Internet-related crimes against children. The grant period begins June 1, 2015 and ends August 31, 2016.

The target geographical area of the grant program is the Houston Metropolitan Area, which includes incorporated as well as unincorporated areas of Harris County, Texas; and all areas of Brazoria, Chambers, Fort Bend, Galveston, Liberty, Montgomery and Waller Counties. As the lead agency, HPD is entering into an Interlocal Agreement with the City of Webster which will complete the special condition requirement of the grant for this year's funding. Pursuant to the Interlocal Agreement, the City of Houston will use $105,983 in grant funds to reimburse the City of Webster for salaries and benefits of its detective participating in the Internet Crimes Against Children Task Force.

REQUIRED AUTHORIZATION

Finance Budget:	**Other Authorization:** 12/1/15	**Other Authorization:**

F&A 011.A Rev 12/95
7530-0100403-00

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/10/2015

HR - Master Class Ord Dec2015

Agenda Item#: 42.

Summary:

ORDINANCE amending the City's Master Classification Ordinance (City of Houston Ordinance No. 90-1292, as most recently amended by City of Houston Ordinance No. 2015-1104) to change pay grades and/or titles of six classifications and add fifteen job classifications; providing a repealer

Background:

A. Change pay grade

Current Job Title	Current Pay Grade	Proposed Pay Grade
Animal Enforcement Officer Trainee	11	12
Animal Enforcement Officer	13	14
Senior Animal Enforcement Officer	16	17
Animal Enforcement Supervisor	22	23
Animal Enforcement Manager	25	27
Veterinary Technician Supervisor	21	22

B. Add Job classifications

Proposed Job Title	Proposed Pay Grade
Animal Enforcement Investigator	17
BARC Marketing and Outreach Manager	29
BARC Administration Manager	26
Deputy Assistant Director of Shelter Ops	30
BARC Shelter Manager	26
BARC Shelter Supervisor	22
BARC Administrative Specialist	20
Veterinary Clinic Manager	26
BARC Customer Service Supervisor	18
Veterinary Clinic CS Lead	16
BARC Customer Service Representative	15
Rabies Investigation Coordinator	17
BARC Outreach Supervisor	22
BARC Customer Service Rep III	16
Animal Enforcement Division Manager	29

We have undertaken a comprehensive review of the BARC organization. We are recommending several job upgrades and title changes to improve our standing versus the market. We are also adding new, specific titles to enhance our capabilities in the areas of compensation management, recruitment, operational effectiveness and

performance management.

Prior Council Action:

Rev. to Ord. 90-1292 as amended by Ord. 2015-1104

Amount of Funding:

$171,056 to be Reallocated within Department Budget

Contact Information:

Omar Reid 832-393-6056

ATTACHMENTS:

Description	Type
RCA - Master Class Ord Dec 2015	Signed Cover sheet
HR - Master Class Ord Dec2015	Ordinance/Resolution/Motion

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

SUBJECT: Revisions to the Master Classification Ordinance for City Employees	**Category** # 3	**Page** 1 of	**Agenda Item** #

FROM (Department or other point of origin): Human Resources Department	**Origination Date**	**Agenda Date**
DIRECTOR'S SIGNATURE: Omar C. Reid	**Council District affected:** ALL	
For additional information contact: Omar Reid **Phone:** (832) 393-6056	**Date and identification of prior authorizing Council action:** Rev. to Ord.90-1292 as amended by Ord. 2015-1104	

RECOMMENDATION: (Summary)
Approve the proposed revisions to the Master Classification Ordinance by changing the pay grades and/or titles of six classifications and adding fifteen job classifications.

Amount & Source of Funding: $171,056 to be Reallocated within Departmental Budget	**Budget:**

SPECIFIC EXPLANATION:
The Human Resources Department recommends the following revisions to the civilian Master Classification Listing. These revisions can be found on Exhibit A of the ordinance.

A. Change pay grade

Current Job Title	Current Pay Grade	Proposed Pay Grade
Animal Enforcement Officer Trainee	11	12
Animal Enforcement Officer	13	14
Senior Animal Enforcement Officer	16	17
Animal Enforcement Supervisor	22	23
Animal Enforcement Manager	25	27
Veterinary Technician Supervisor	21	22

B. Add job classifications

Proposed Job Title	Proposed Pay Grade
Animal Enforcement Investigator	17
BARC Marketing and Outreach Manager	29
BARC Administration Manager	26
Deputy Assistant Director of Shelter Ops	30
BARC Shelter Manager	26
BARC Shelter Supervisor	22
BARC Administrative Specialist	20
Veterinary Clinic Manager	26
BARC Customer Service Supervisor	18
Veterinary Clinic CS Lead	16
BARC Customer Service Representative	15
Rabies Investigation Coordinator	17
BARC Outreach Supervisor	22
BARC Customer Service Rep III	16
Animal Enforcement Division Manager	29

We have undertaken a comprehensive review of the BARC organization. We are recommending several job upgrades and title changes to improve our standing versus the market. We are also adding new, specific titles to enhance our capabilities in the areas of compensation management, recruitment, operational effectiveness and performance management.

REQUIRED AUTHORIZATION		
Finance Director:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/10/2015

LGL - Agreement - COH and Rogers, Morris & Grover

Agenda Item#: 43.

Summary:

ORDINANCE approving and authorizing Professional Services Agreement between the City of Houston Texas and **ROGERS, MORRIS & GROVER, L.L.P.** for Professional Services associated in litigation styled John Paul Castorena v. Zamora and the City of Houston, in the United States District Court Southern District of Texas; C.A. 4:14-CV-00495

Background:

Rogers, Morris & Grover, L.L.P. shall provide legal services related to a federal civil rights lawsuit entitled *John Paul Castorena v. Christopher Zamora and the City of Houston*, U.S.D.C. Southern District of Texas; C.A. 4:14-cv-00495. This lawsuit arises from the arrest of Plaintiff, John Castorena on or about April 29, 2013, after allegations that Mr. Castorena pointed a pistol at, and threatened to shoot, Officer Zamora. Subsequently SWAT arrived at Mr. Castorena's home, and ultimately breached Mr. Castorena's front door to affect his arrest.

Due to the complexity of the Litigation and nature of the claims raised by Plaintiffs in the Litigation, as well as, the Firm's familiarity with the facts of the case and concerns regarding continuity of service in the on-going litigation, the City elects to utilize the "Firm" as outside Counsel in the Litigation. Legal services requested by the City Attorney include; review of the documents related to Litigation, including pleadings, discovery, motions, correspondence, and other documents. Conduct necessary and reasonable pre-trial discovery; preparation and attendance at hearings and trial. The Firm is representing Sgt. Zamora, who has been sued individually, to avoid any potential conflict of interest since he is also a plaintiff in a federal lawsuit against the City of Houston entitled *Christopher M. Zamora v. City of Houston*, U.S.D.C. Southern District of Texas; C.A. 4:07-cv-4510.

Rogers, Morris, & Grover, L.L.P. demonstrated the most experience in Civil Rights related litigation. For example: Cause No. 2014-02383; *Bryon Thomas vs. Houston Organization of Public Employees, et. al.*; In the 281st District Court of Harris, County Texas.

The law firm represents governmental entities See Attached

Hourly rates are consistent with the City's attorney's maximum fee schedule for outside counsel.

The Legal Department requests authorization of a proposed fee of $80,000.00. The district court has granted motions for summary judgment in favor of both Houston and Sgt. Zamora, individually. The requested amount is intended to pay for services of the Firm in excess of the current Purchase Order, and in anticipation of an appeal of the Court's Judgment.

Prior Council Action:

N/A

Amount of Funding:

Dept. 9000; Fund 1004

Contact Information:

Donna Edmundson, City Attorney

Van Gardner, Sr. Assistant City Attorney (832) 393-6457

ATTACHMENTS:

Description	Type
RCA-Agreement for Professional Services COH & Rogers, Morris & Grover	Signed Cover sheet
ORDINANCE - ROGERS, MORRIS & GROVER	Signed Cover sheet
Funds Reservation Form	Signed Cover sheet
Goals Modification Request Form	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B
Item Creation Date: 11/23/2015

HAS - CMAR Contract with Austin-Gilbane, Joint Venture for
IAH MLIT; Project 826

Agenda Item#: 44.

Summary:

ORDINANCE appropriating $5,400,385 out of HAS Consolidated ITRP AMT Construction Fund and $72,614 out of Airports Improvement Fund and approving and authorizing contract for Construction-Manager-At-Risk Services between the City of Houston and **AUSTIN-GILBANE, JOINT VENTURE**, for the IAH Mickey Leland International Terminal (Project No. 826); providing funding for the Civic Art Program - **DISTRICT B - DAVIS**

Background:

SUBJECT: Construction-Manager-At-Risk (CMAR) Contract with Austin-Gilbane, Joint Venture, for the IAH Mickey Leland International Terminal (MLIT); Project No. 826 (WBS: A-000800-0007-3-01-01)

RECOMMENDATION: Enact an ordinance to approve a contract for Construction-Manager-At-Risk (CMAR) Services with Austin-Gilbane, Joint Venture, for the IAH Mickey Leland International Terminal (MLIT) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:
The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

The MLIT Construction-Manager-At-Risk (CMAR), designated as the "Prime Contractor" of the MLIT site, will be required to provide complete Pre-Construction Services and Construction

Services and to furnish all labor, materials, and equipment necessary and reasonable to complete the entire contemplated scope of work in accordance with City requirements and the terms of the contract. The scope of work includes permitting, supervision, testing, inspection, integration, construction, commissioning building and system components and interfacing with third party commissioning services firms, provider for integrated systems testing, information technology, systems integration and activation, regulatory requirements, project closeout, and all necessary general conditions that may be reasonably inferred, among other services.

A Request for Qualifications (RFQ) was advertised in accordance with City policy, and Statements of Qualification (SOQ) were received from five (5) firms. The Evaluation Committee, comprised of HAS functional managers and a PWE senior manager, evaluated and ranked the SOQs based on criteria contained in the RFQ. Three (3) firms were short-listed and interviewed by the Evaluation Committee, and Austin-Gilbane, Joint Venture was recommended for contract award. The selection process was observed by the City's Acting Chief Procurement Officer, representatives of United Airlines and the IAH Foreign Flag carriers, and the ITRP Executive Program Manager.

The CMAR will perform services for the MLIT under two phases. Phase 1 – Pre-Construction Services will commence shortly after award of the Contract upon issuance of a Notice to Proceed (NTP) and includes a Lump Sum for the Pre-Construction Services. The culmination of Phase 1 will result in a Guaranteed Maximum Price (GMP), which will be brought to City Council for approval. Phase 2 – Construction Services will commence upon issuance of an NTP following the establishment of a GMP and will be completed in accordance with the scope of work.

HAS will be requesting City Council's approval of additional appropriations in support of Phase 2 – Construction Services.

Funding in the amount of $72,614 Civic Art funding is included in the Contract amount for Phase 1. Additional funding in support of Civic Art will be included in the future appropriation request for Phase 2.

A portion of the spending under this contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

Project Cost: The total appropriation is as follows:

$ 5,400,385	Preconstruction Services
$ 72,614	Civic Art
$ 5,472,999	TOTAL APPROPRIATION

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) goal for the Phase 1 – Pre-Construction Services portion of this contract is 10%. Austin-Gilbane, Joint Venture proposes to exceed the 10% goal for Phase 1 through the services performed by the following firms:

Certified Firm	Type of Work	%

ChaseSource	Pre-Construction Services, Estimating, Scheduling Project Management, Building Information Modeling (BIM) Coordination	10%
Con-Real	Staffing and Construction Services in Support of the Pre-Construction and Construction Scopes of Work	5%

A separate M/WBE participation goal will be established for Phase 2 – Construction Services, and the firm's Phase 2 participation plan will be submitted to City Council for approval in conjunction with a request for appropriations in support of Phase 2.

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November 19, 2015.

Amount of Funding:

$ 5,400,385 HAS Consolidated ITRP AMT Construction Fund (8207)
$ 72,614 HAS Aprt Improvement Fund (8011)
$ 5,472,999 TOTAL

Contact Information:

Kathy Elek Phone: 281/233-1826
Robert Barker 281/233-1953

ATTACHMENTS:

Description	Type
HAS - CMAR Contract with Austin-Gilbane, Joint Venture for IAH MLIT; Project 826 - RCA	Signed Cover sheet
HAS - CMAR Contract with Austin-Gilbane, Joint Venture for IAH MLIT; Project 826 - Ordinance	Ordinance/Resolution/Motion
HAS - CMAR Contract with Austin-Gilbane, Joint Venture for IAH MLIT; Project 826 - Form A	Backup Material
HAS - CMAR Contract with Austin-Gilbane, Joint Venture for IAH MLIT; Project 826 - Form B	Backup Material
HAS - CMAR Contract with Austin-Gilbane, Joint Venture for IAH MLIT; Project 826 - Del Tax Rpt	Backup Material
HAS - CMAR Contract with Austin-Gilbane, Joint Venture for IAH MLIT; Project 826 - Aff of Ownership	Backup Material
Executive Summary	Backup Material

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

SUBJECT: Construction-Manager-At-Risk (CMAR) Contract with Austin-Gilbane, Joint Venture, for the IAH Mickey Leland International Terminal (MLIT); Project No. 826 (WBS: A-000800-0007-3-01-01)	**Category #**	**Page 1 of 3**	**Agenda Item #**

FROM (Department or other point of origin): Houston Airport System	**Origination Date** November 22, 2015	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** B	
For additional information contact: Kathy Elek **Phone:** 281/233-1826 Robert Barker 281/233-1953	**Date and identification of prior authorizing Council action:** N/A	
AMOUNT & SOURCE OF FUNDING: CIP No. A-0800.22 $ 5,400,385 HAS Consolidated ITRP AMT Construction Fund (8207) CIP No. A-0422.77 $72,614 HAS Aprt Improvement Fund (8011) $ 5,472,999 TOTAL	**Prior appropriations:** N/A	

RECOMMENDATION: (Summary) Enact an ordinance to approve a contract for Construction-Manager-At-Risk (CMAR) Services with Austin-Gilbane, Joint Venture, for the IAH Mickey Leland International Terminal (MLIT) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:

The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

The MLIT Construction-Manager-At-Risk (CMAR), designated as the "Prime Contractor" of the MLIT site, will be required to provide complete Pre-Construction Services and Construction Services and to furnish all labor, materials, and equipment necessary and reasonable to complete the entire contemplated scope of work in accordance with City requirements and the terms of the contract. The scope of work includes permitting, supervision, testing, inspection, integration, construction, commissioning building and system components and interfacing with third party commissioning services firms, provider for integrated systems testing, information technology, systems integration and

REQUIRED AUTHORIZATION		
Finance Department:	**Other Authorization:**	**Other Authorization:**

activation, regulatory requirements, project closeout, and all necessary general conditions that may be reasonably inferred, among other services.

A Request for Qualifications (RFQ) was advertised in accordance with City policy, and Statements of Qualification (SOQ) were received from five (5) firms. The Evaluation Committee, comprised of HAS functional managers and a PWE senior manager, evaluated and ranked the SOQs based on criteria contained in the RFQ. Three (3) firms were short-listed and interviewed by the Evaluation Committee, and Austin-Gilbane, Joint Venture was recommended for contract award. The selection process was observed by the City's Acting Chief Procurement Officer, representatives of United Airlines and the IAH Foreign Flag carriers, and the ITRP Executive Program Manager.

The CMAR will perform services for the MLIT under two phases. Phase 1 – Pre-Construction Services will commence shortly after award of the Contract upon issuance of a Notice to Proceed (NTP) and includes a Lump Sum for the Pre-Construction Services. The culmination of Phase 1 will result in a Guaranteed Maximum Price (GMP), which will be brought to City Council for approval. Phase 2 – Construction Services will commence upon issuance of an NTP following the establishment of a GMP and will be completed in accordance with the scope of work.

HAS will be requesting City Council's approval of additional appropriations in support of Phase 2 – Construction Services.

Funding in the amount of $72,614 Civic Art funding is included in the Contract amount for Phase 1. Additional funding in support of Civic Art will be included in the future appropriation request for Phase 2.

A portion of the spending under this contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

PROJECT COST: The total appropriation is as follows:

$ 5,400,385	Preconstruction Services
$ 72,614	Civic Art
$ 5,472,999	TOTAL APPROPRIATION

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) goal for the Phase 1 – Pre-Construction Services portion of this contract is 10%. Austin-Gilbane, Joint Venture proposes to exceed the 10% goal for Phase 1 through the services performed by the following firms:

Certified Firm	Type of Work	%

ChaseSource	Pre-Construction Services, Estimating, Scheduling Project Management, Building Information Modeling (BIM) Coordination	10%
Con-Real	Staffing and Construction Services in Support of the Pre-Construction and Construction Scopes of Work	5%

A separate M/WBE participation goal will be established for Phase 2 – Construction Services, and the firm's Phase 2 participation plan will be submitted to City Council for approval in conjunction with a request for appropriations in support of Phase 2.

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November 19, 2015.

CITY OF HOUSTON
INTER OFFICE CORRESPONDENCE

To: Mario C. Diaz
Director of Aviation

From: Justina J. Mann, CPPO
Procurement Officer
Supply Chain Management
Houston Airport System

Date: November 25, 2015

Subject: **ITRP and MLIT Executive Summation of Solicitation Projects**

Solicitation Summary

For at least two years, the Houston Airport System has been planning for the necessary rebuild of the Mickey Leland International Terminal (MLIT) and the broader International Terminal Redevelopment Program (ITRP) at Bush Intercontinental Airport. After this extensive planning, six solicitations to advance the projects were published earlier this year. Two solicitations were associated with MLIT projects, three were associated with ITRP projects and one was for an Owner Controlled Insurance Program (OCIP) encompassing both MLIT and ITRP. The Houston Airport System employed a number of delivery methods for the various projects with the goals of obtaining the best value and procuring the most qualified professionals that had demonstrated experience and could demonstrate a history of working together in a cohesive team. The teamwork approach was especially important given the very complex nature of the MLIT project, the associated high risks, and the potential for significant impact on airline operations and passenger service over the extensive project duration, which is estimated to exceed five years. The table below shows the procurement strategy/delivery method associated with each project.

Project	Procurement / Delivery Method
Architectural Engineering Design Services for IAH MLIT	RFQ
Construction Manager at Risk Services for IAH MLIT	RFQ CMAR (Texas Government Code 2269.251)
East Aircraft Parking Hardstand	RFQ Design Build (Texas Government Code 2269.301)
Owner Controlled Insurance Program	RFP
Project Management Office (PMO) Building	RFQ Design Build (Texas Government Code 2269.301)
Enabling Utilities	RFQ Design Build (Texas Government Code 2269.301)

The Houston Airport System received considerable feedback from Architectural and Engineering (A&E) firms, construction companies, and the business community in general regarding the solicitations prior to advertisement. Four Industry Days were held from March 2014 to March 2015, where the Airport System coordinated with the City of Houston's Office of

Business Opportunity to introduce upcoming opportunities for the ITRP. Industry Day events encouraged networking between prime and sub-contractors.

The Airport System's Office of Supply Chain Management worked closely with the City's Acting Chief Procurement Officer and the Executive Program Management team in the development of the budget, scope, and schedule. Each solicitation was advertised for two consecutive weekends in the Houston Chronicle and posted on the Airport's fly2houston website. Evaluation committee members for the projects attended evaluator and consensus scoring training and were issued a training manual. After evaluators were trained and executed non-disclosure agreements, they were provided hard copies of the proposals / statements of qualifications they were assigned to evaluate.

Evaluation Process

The evaluation criteria for each project can be found at the end of this memorandum as Attachment II. Proposal scoring rested solely with members of the evaluation committee for each project. As a level of oversight to the evaluation committees, stakeholder representatives from United Airlines and the foreign-flag carriers participated in monitoring the evaluation process. To assure we had expert assistance in the field of architecture, the Airport System solicited the participation of several prominent architecture experts in the City listed in Attachment I: Evaluation Summary. As a part of the A&E procurement process, non-voting observers and stakeholders helped to provide an overall assessment of the respondents and advised the evaluation committee wherever further clarification was required.

A consensus scoring approach was employed in rating all proposals. A consensus score from 1-5 was reached by all members of the evaluation committee, then weighting factors were applied in a manner consistent with the relative importance for each criterion. By way of example, if a respondent received the highest score (5) allowed for each criterion, after consideration of the weighting factors, that respondent would have received a score of 100.

For the proposals solicited as design-build, several short-listed firms were invited to advance to the second step of the evaluation process and were requested to submit their technical and price proposals. The technical proposals were evaluated using the same consensus scoring methodology. If the technical proposal scored sufficient points above all others, the proponent was selected to move forward with the recommendation to award following an oral presentation, when necessary, to assure clarity on all points made in the proposal.

The top three respondents to the procurements for Architectural Engineering Design (A&E), Construction Manager at Risk Services (CMAR) and Enabling Utilities were invited to deliver oral presentations to the evaluation committees. The oral interview process was essential in helping the evaluation committees clarify critical points made in the statement of qualifications / proposals and identify a decisive frontrunner for each solicitation. The evaluation committees drafted questions that were sent to respondents invited to oral interviews. The questions were sent in advance of the scheduled interviews to promote a productive discourse. In view of the critical need for collaboration between the A&E and the CMAR, and with the Airport System, the representatives of the three top-ranked CMAR firms were invited to observe the oral interviews

for the A&E firms. During the oral interviews for the CMAR, each respondent was asked to force rank the A&E firms with respect to their previous work experience with each, and the level of cooperation they were able to establish. The final two top-ranked A&E firms were similarly required to force rank the CMAR firms, again with respect to previous work experience with each CMAR team and the level of cooperation they were able to establish.

At the conclusion of oral interviews, the evaluation committees scored each responding firm, taking into account the new information gathered during the oral interviews. The scores from the written proposal phase were set aside, and new scores were established in compliance with the process. The oral interviews were scored using consensus scoring, consistent with the scoring method of the first level of review, and became the basis for determining the winning proposal.

In the case of the A&E solicitation, there was required a further tie-breaking step that brought into play a best-and-final offer as the basis for deciding the winning proposal. Interviews were held with the top two firms and questions posed to both, which were then submitted in writing. The responses were used to formulate the decision as to the recommended firm.

Please see Attachment I through VIII for further details:

Attachment I: Evaluation Summary
Attachment II: Evaluation Criteria by Project (ITRP/MLIT)
Attachment III: East Aircraft Parking Hardstand
Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT
Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT
Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH
Attachment VII: Project Management Office Building and Owner Controlled Insurance Program
Attachment VIII: Respondent Log—All Projects

Attachment I: Evaluation Summary

EAST AIRCRAFT PARKING HARDSTAND

Evaluation Committee (Voting Members[1]):

Airfield Operations Manager
Operations Manager
Sr. Airport Planner
Acting Assistant Director of Construction, Infrastructure
Sr. Project Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

General Manager, IAH
Chief Infrastructure Officer
Chief Technology Officer
Chief Commercial Officer
Assistant Director – Planning

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

[1] All evaluation committee members were selected based on qualifications from among the Airport System middle to upper management unless indicated otherwise.

United and Foreign Flag Airlines Representative
David Brandenburg, United Airlines
Bruce Rieser, Foreign Flag Airlines Representative

Academic and Professional Organizational Architectural Design Oversight Committee
Sarah Whiting; Dean of School of Architecture at Rice University
Patricia B. Oliver; Dean of Gerald D. Hines College of Architecture at University of Houston
Ikhlas Sabouni; Dean and Professor of Architecture at Prairie View A&M University
Linda Sylvan; Executive Director of Rice Design Alliance at Rice University
Rusty Bienvenue; Executive Director - American Institute of Architects-Houston

CMAR Evaluation Committee (*Observed A/E Oral Presentations Only*)
Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Two representatives from each of the three top-ranked CMAR Short-listed Firms (*Observed A/E Oral Presentations Only*)

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

United Airlines and Foreign Flag Airlines Representatives

David Brandenburg	United Airlines Representative
Bruce Rieser	Foreign Flag Airlines Representative

PROGRAM MANAGEMENT OFFICE BUILDING

Evaluation Committee (Voting Members):

Project Manager (IT)
Project Manager
Sr. Project Manager
Sr. Project Manager
Landside Operations Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

Evaluation Committee (Voting Members):

Division Manager - Infrastructure
Staff Analyst – IAH Operations
Deputy Assistant Director – HOU Management
Managing Engineering – Infrastructure
Project Manager – Information Technology

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

OWNER CONTROLLED INSURANCE PROGRAM (OCIP)

Evaluation Committee (Voting Members):

Assistant Director - Finance & Administration
Division Manager - Safety & Emergency Management
Airline Affairs Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Benard Hubbard	Sr. Procurement Specialist
Tina Paquet	Assistant Director, Administration and Regulatory Affairs

Office of Business Opportunity – Houston Airport System

Jason McLemore	Assistant Deputy Director, HAS OBO

Attachment II: EVALUATION CRITERIA by ITRP/MLIT PROJECT

EAST AIRCRAFT PARKING HARDSTAND

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

PROGRAM MANAGEMENT OFFICE (PMO) BUILDING

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. People/ Resources/ Capabilities
2. Representative Project Experience
3. Design Approach
4. Cost Estimating Capability
5. Quality Management Approach
6. Construction Support Capability
7. Project Controls Capability
8. Financial Capabilities
9. MWBE Compliance

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. Project Approach and CMAR Team Commitment
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities
8. MWBE Compliance

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Qualifications for Design Services
3. Qualifications for Pre-Construction and Construction Services
4. Design, Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions To Anticipated Problems
4. Ability To Meet Schedules
5. Conceptual Engineering Design/ Comments on Design Criteria Package
6. MWBE Compliance

OWNER CONTROLLED INSURANCE PROGRAM

Evaluation Criteria

1. Qualifications, Knowledge, and Experience of Key Personnel
2. Management Approach and Proposed Administration Services
3. Brokerage Service Agreement and Remuneration
4. Team Track Record and Experience Working Together
5. Resources and Capacity
6. Timeline and Approach to Provision of Service
7. MWBE Compliance
8. Financial Capabilities

Attachment III: East Aircraft Parking Hardstand

The East Aircraft Parking Hardstand was solicited under the Design Build delivery method; therefore, HAS was required to follow a two-step process. Five respondents submitted a Statement of Qualification (SOQ) in response to the Request for Qualification (RFQ) advertised July 24th and July 31st 2015. The evaluation committee convened for two days (September 24th and September 25th) to score and rank each SOQ using the evaluation criteria published in the RFQ (See Attachment II), which concluded the first step. The three firms chosen to participate in the second step and their initial scores were; James Construction Group. LLC (87), Texas Sterling – Banicki, JV LLC (78), and J.D. Abrams L.P. (77), respectively.

As a requirement of the second step, the three short-listed firms submitted their technical and price proposals. Proposals were received October 6, 2015 and were evaluated by the evaluation committee on October 12, 2015 utilizing the same consensus scoring methodology, but with a different set of evaluation criteria that was provided in the RFQ. Texas Sterling – Banicki, JV LLC received the highest score (80), followed by J.D. Abrams L.P. (68), and James Construction Group, LLC (58). The evaluation committee did not require additional information; therefore, no oral presentations were required. The evaluation committee recommended Texas Sterling – Banicki, JV LLC to move forward to the negotiation process.

The M/WBE goal for this contract is 33.51%

Texas Sterling – Banicki, JV LLC — MWBE Participation Plan 33.51%

Ferguson Consulting	Electrical, Telecommunications, Security Design	0.84%
Quadrant Consulting	Environmental and Storm Water Design	8.67%
English & Associates	Architectural Design	5.22%
Henderson & Rogers	Structural Engineering	4.14%
Gorrondona & Associates	Structural Engineering	1.65%
4b Technology	Communications	3.3%
HVJ Associates, Inc.	Geotechnical Testing	2.39%
Fronza & Francis	Construction Management	3.97%
Infrastructure Associates	MEP Design	3.33%

Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT

Nine (9) respondents submitted a Statement of Qualification on September 2, 2015 in response to the Request for Qualification advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (September 21st to September 23rd) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, three short-listed firms were invited to step two of the evaluation process; Skidmore, Owings & Merrill LLP (SOM) (86) received the highest score followed by Fentress Architects, Ltd. (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (72), respectively.

On October 1, 2015, HAS Stakeholders met with the Academic and Professional Organizational Architectural Design Oversight Committee to discuss ITRP Scope.

On October 14, 2015, the three short-listed firms appeared before the evaluation committee, industry stakeholders, and the CMAR selection committee—accompanied by two representatives of each of the three top ranked proponents—to participate in oral presentations and respond to questions provided to them in advance of step two of the evaluation process.

A Best and Final Offer (BAFO) was then requested of the top two finalists, Fentress and SOM, in order to be able to make a definite selection. In the essence of time, both firms were invited to separate meetings where the questions were discussed. Each firm received a written Request for BAFO and responses were received in the allowed time frame.

The evaluation committee reconvened immediately following the receipt of the BAFOs and, through consensus scoring, determined that Fentress Architects, Ltd. (88) was the firm it would recommend for award. The second and third-ranked respondents were Skidmore, Owings & Merrill LLP (SOM) (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (70), respectively. The Evaluation Committee recommended Fentress Architects, Ltd., to be awarded the contract and move to contract negotiation.

The M/WBE goal for this contract is 30%.

Fentress Architects, Ltd. — MWBE Participation Plan: 32.65%

STOA International Architects	Architecture, BIM/GIS Design	9%
RdlR Architects	Programming, Interior Architecture	2.5%
Smith & Company	Interiors	1.25%
Huerta & Associates Architects	Architectural Support	1.25%
Archi*Technics/3	Design Development, Construction Documents	1.25%
Bradlink	WMSBE Coordinator	0.5%
Henderson & Rogers	Structural Engineer	3%

(Continued)

Jones Engineers	Mechanical Engineer	2.7%
Hunt & Hunt Engineering	Electrical Engineer	2.7%
4b Technology	Technology Communications	4.5%
PGA Engineers	Security Systems	0.5%
Isani Consultants	Civil Engineering	1%
United Engineers	Civil Engineering	1%
OMEGA Engineers	Civil Engineering	1%
Clark Condon	Landscape Architect	0.5%

Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT

Five (5) respondents submitted a Statement of Qualification on September 4, 2015 in response to the Request for Qualification for CMAR services. This solicitation was advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (between September 28th and October 5th) to initiate the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, Skanska USA Building Inc. (77) received the highest score; the second and third-highest ranked SOQs were to Austin-Gilbane, Joint Venture (74) and Turner+Preston Banks+Koasati Joint Venture (68), respectively.

The short-listed CMAR firms were required to appear and observe the A/E interview/oral presentations. All three short-listed CMAR firms participated as observers on October 14, 2015.

On October 22, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance as it was provided for in Step Two of the evaluation process. On October 16, 2015, the three short-listed firms were requested to submit their Price Proposal to HAS by October 23, 2015.

The evaluation committee reconvened following the oral interviews and, through consensus scoring determined Austin-Gilbane, Joint Venture (78) to be the highest scoring firm. The second and third-ranked respondents were Skanska USA Building Inc. (71) and Turner+Preston Banks+Koasati Joint Venture (56), respectively. The Evaluation Committee recommended Austin-Gilbane, Joint Venture, to be awarded the contract and move to contract negotiation. The price proposal received from Austin-Gilbane was used for final negotiations.

The MWBE participation goal for Component 1 (Pre-Construction), Phase 1 of the Agreement is 10%. During the pre-construction services phase the design of the terminal will be sufficiently detailed to understand the construction components that may be undertaken by MWBE firms. Once sufficient design is completed, and before returning to Council for approval of the guaranteed maximum price, a final MWBE participation plan will be developed and submitted that we anticipate, together with the preconstruction services contribution, should approach 30%.

Austin-Gilbane, Joint Venture — MWBE Participation Plan 15%

ChaseSource	Pre-Construction Services, Estimating, Scheduling Project Management, Building Information Modeling (BIM) Coordination	10%
Con-Real	Staffing and Construction Services in Support of the Pre-Construction and Construction Scopes of Work	5%

Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH

Four (4) respondents submitted a Statement of Qualification on September 15, 2015 in response to the Request for Qualification advertised August 1, 2015 and August 7, 2015. The evaluation committee convened on October 6, 2015 to conduct the first step of the evaluation process and scored each SOQ using the consensus scoring method. At the conclusion of the first step, Hensel Phelps (80) scored the highest; the second and third-ranked SOQs were Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (76) and Clark/Horizon ITRP, A Joint Venture team (76), respectively.

On October 6, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance.

On October 9, 2015, the three short-listed firms were requested to submit their technical and price proposals as stated in Section 8.0 of the solicitation document. Proposals were received October 22, 2015, and were distributed to the evaluation committee the following day.

On October 23, 2015, the evaluation committee evaluated the technical proposal under the same consensus scoring method and with the evaluation criteria stipulated for step two (Section 8.0). After careful review of the Respondent's written and oral submittals, a discussion was held and scores were tabulated with the following results: Hensel Phelps (96), Clark/Horizon ITRP, A Joint Venture team (86) and Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (44), respectively. The Evaluation Committee recommended that the Hensel Phelps/Atkins team be awarded the contract and move to contract negotiation.

The M/WBE goal for the preconstruction services portion of this contact is 19%.

Hensel Phelps— MWBE Participation Plan 19.5%

4b Technology	Information Technology and Telecommunication	6.3%
Aviles Engineering	Geotechnical Services	3%
HT&J	Drainage Design	1%
Isani Consultants	Water Line Services	3%
Shah Smith & Associates	Lighting, Ventilation	5%
Vesta Rae & Associates	Public Outreach	1.2%

Attachment VII: Project Management Office Building and Owner Controlled Insurance Program

Project Management Office Building

Nine respondents submitted a Statement of Qualification in response to the Request for Qualification advertised July 24, 2015 and July 31, 2015. The evaluation committee convened for two days (September 30th and October 1st) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step in its evaluation process, the committee reached a shortlist of respondents. Technical proposals were requested of the short listed firms, which were evaluated by the committee as well. This solicitation was CANCELLED due to the failure of the three top-ranked respondents to supply the required MWBE participation plan specified in the technical phase of the RFQ. The solicitation will be re-issued in January 2016.

Owner Controlled Insurance Program (OCIP)

Six respondents submitted proposals to the OCIP Request For Proposal. The evaluation committee convened for one day (October 7, 2015) to conduct its initial evaluation of the proposals and scored each proposal. At the conclusion of its initial evaluation, Alliant Insurance Services, Inc. received the highest score (84); the second and third-highest ranked proposals were Willis of Texas, Inc. (82) and Marsh USA Inc. (75) respectively.

In an effort to establish a clear distinction between the three highest-ranked proposals, each proposer was given identical questions and invited to oral interviews on October 26, 2015. The evaluation committee reconvened immediately following the oral interviews and through consensus scoring, determined that Marsh USA Inc. (88) was the proposer it would recommend for award. Willis of Texas, Inc. scored (76) and Alliant Insurance Services scored (62).

The M/WBE goal for this contract is 24%.

Marsh USA Inc. — MWBE Participation Plan 31.23%

Boris Miles Insurance Agency OCIP Administration

Attachment VIII: Respondent Log--All Projects

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-MLITAE-2016-002

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT) ARCHITECT ENGINEER (A/E) DESIGN CONSULTANT SERVICES

DUE DATE: Wednesday, September 2, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Foster + Partners Group Ltd
2	Skidmore, Owings & Merrill LLP
3	Fentress Architects, Ltd.
4	LVA Luis Vidal USA, Inc.
5	Corgan Associates, Inc.
6	Hellmuth, Obata, & Kassabaum, LP (HOK)
7	Atkins and eStudio Joint Venture (A&E JV)
8	FR-EE HKS/ Page Group LLC
9	M. Arthur Gensler, Jr. & Associates, Inc. (dba Gensler)

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-PMODB-2016-006

PROGRAM MANAGEMENT OFFICE BUILDING (PMO)

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	The Ross Group Construction Corp.
2	SpawGlass Construction Corp.
3	E.E. Reed Construction, L.P.
4	CYMI Industrial, Inc.
5	Teal Construction Co.
6	Rogers-O'Brien Construction Company, Ltd.
7	Anslow Bryant Construction Ltd.
8	Horizon/Aztec/Robbins JV
9	DPR Construction, A General Partnership

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-EAPDB-2016-005

EAST AIRCRAFT PARKING HARDSTAND

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	J.D. Abrams, L.P.
2	OHL USA, Inc.
3	J. Banicki Construction, Inc.
4	Burns & McDonnell / Azteca / W.A. Robbins Team
5	James Construction Group, LLC

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37- MLITCMAR-2016-003

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT)
CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES

DUE DATE: Friday, September 4, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Houston Airport Builders
2	Austin-Gilbane, a Joint Venture
3	Gateway Constructors
4	Turner+Preston Banks+Koasati Joint Venture
5	Skanska USA Building Inc.

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-EUTLDB-2016-004

ITRP ENABLING UTILITIES – LANDSIDE PROJECT

DUE DATE: Tuesday, September 15, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Burns & McDonnell / Azteca Enterprises / W.A. Robbins
2	OHL USA, Inc. and Lockwood Andrews & Newnam, Inc. (OHL + LAN)
3	Hensel Phelps / Atkins
4	Clark / Horizon ITRP, A Joint Venture

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

PROPOSAL RECEIPT SHEET

Request for Proposal (RFP) Solicitation No. HBH-OCIP-2015-026
OWNER CONTROLLED INSURANCE PROGRAM

DUE DATE: Thursday, September 17, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: BJ Hubbard, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

PROPOSALS RECEIVED

NO.	VENDOR
1	USI/W.J. Alexander/Navarro Insurance Group/Resurgens Risk Management, Inc.
2	Willis of Texas, Inc.
3	McGriff, Seibels & Williams of Texas
4	Arthur J. Gallagher Risk Management Services, Inc.
5	Marsh USA Inc.
6	Alliant Insurance Services, Inc.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B
Item Creation Date: 11/23/2015

HAS - Professional Services Contract with Fentress Architects, Ltd. for AE Design Services for IAH MLIT; Project 826

Agenda Item#: 45.

Summary:

ORDINANCE appropriating $50,095,000 out of HAS Consolidated ITRP AMT Construction Fund and $674,239 out of Airports Improvement Fund and approving and authorizing Professional Services Contract between the City of Houston and **FENTRESS ARCHITECTS, LTD.** for Architectural and Engineering Design Services for the IAH Mickey Leland International Terminal (Project No. 826); providing funding for the Civic Art Program - **DISTRICT B - DAVIS**

Background:

SUBJECT: Professional Services Contract with Fentress Architects, Ltd. for Architect Engineer (AE) Design Services for the IAH Mickey Leland International Terminal (MLIT); Project No. 826 (WBS: A-000800-0008-3-01-01)

RECOMMENDATION: Enact an ordinance to approve a contract for professional services with Fentress Architects, Ltd. for Architect Engineer (AE) Design Services for the IAH Mickey Leland International Terminal (MLIT) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:
The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

The MLIT Architect Engineer (AE) basic design services will include services for all disciplines required to complete the design of the MLIT and construction administration. Services will include, but not be limited to: Architectural Programming and Design, Interior Design, Structural Engineering, Blast Protection/Resistance, Conveying Systems, Plumbing Engineering, Fire Protection Systems Design, Mechanical Engineering, Building Automation and Control Systems, Electrical Engineering, Lighting Design, Technology Integration Services, Technology and Communications, Security Systems, Acoustical Design, Vibration Analysis, Civil Engineering, Specialty Services including Baggage Handling Systems, Pre-Conditioned Air Systems and other systems as described within the scope of services, Traffic Design, Building Information Modeling and Geographical Information Systems (BIM/GIS), Sustainability and Energy Efficiency Design, Visual Communications including Signage, Graphics and Wayfinding, Furniture, Fixtures and Equipment (FF&E), Life Safety Code Compliance, Commissioning Coordination, Operational Readiness, Activation and Transition (ORAT) Coordination, Construction Cost Estimating and other services as mutually agreed to by the AE and HAS, among other services.

A Request for Qualifications (RFQ) was advertised in accordance with City policy, and Statements of Qualification (SOQ) were received from nine (9) firms. The Evaluation Committee, comprised of HAS senior managers, evaluated and ranked the SOQs based on criteria contained in the RFQ. Three (3) firms were short-listed and interviewed by the Evaluation Committee and Fentress Architects, Ltd. was recommended for contract award. The selection process was observed by members of a Design Committee (comprised of representatives from the American Institute of Architects (AIA), the University of Houston School of Architecture, Rice University School of Architecture, and Prairie View A&M University School of Architecture), representatives of United Airlines and a representative of the IAH Foreign Flag carriers, and the ITRP Executive Program Manager.

In additional to the basic design services, the AE will coordinate the MLIT design and recommended phasing approach with other design teams, the City, airline representatives, project stakeholders and other tenants and contractors executing concurrent capital improvement and tenant improvement projects. These projects include the United Airlines' New Terminal C North and the Landside Enabling Utilities project.

HAS may be requesting City Council's approval of additional appropriations in support of ancillary construction administration services as the MLIT design and construction phasing becomes better defined. A portion of the spending under this contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

Project Cost: The total appropriation is as follows:

$ 50,095,000	Design Services
$ 674,239	Civic Art
$ 50,769,239	TOTAL APPROPRIATION

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) goal for this contract is

30%. Fentress Architects, Ltd. proposes 32.65% M/WBE participation through the services performed by the following firms:

Certified Firm	Type of Work	%
STOA International	Architects Architecture, BIM/GIS Design	9%
RdIR Architects	Programming, Interior Architecture	2.5%
Smith & Company	Interiors	1.25%
Huerta & Associates	Architects Architectural Support	1.25%
Archi*Technics/3	Design Development, Construction Documents	1.25%
Bradlink	WMSBE Coordinator	0.5%
Henderson & Rogers	Structural Engineer	3%
Jones Engineers	Mechanical Engineer	2.7%
Hunt & Hunt Engineering	Electrical Engineer	2.7%
4b Technology	Technology Communications	4.5%
PGA Engineers	Security Systems	0.5%
Isani Consultants	Civil Engineering	1%
United Engineers	Civil Engineering	1%
OMEGA Engineers	Civil Engineering	1%
Clark Condon	Landscape Architect	0.5%

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November 19, 2015.

Amount of Funding:

$50,095,000 HAS Consolidated ITRP AMT Construction Fund (8207)
$ 674,239 HAS Aprt Improvement Fund (8011)
$50,769,239 TOTAL

Contact Information:

Kathy Elek Phone: 281/233-1826
Robert Barker 281/233-1953

ATTACHMENTS:

Description	Type
HAS - Professional Services Contract with Fentress Architects, Ltd. for AE Design Services for IAH MLIT; Project 826 - RCA	Signed Cover sheet
HAS - Professional Services Contract with Fentress Architects, Ltd. for AE Design Services for IAH MLIT; Project 826 - Ordinance	Ordinance/Resolution/Motion
HAS - Professional Services Contract with Fentress Architects, Ltd. for AE Design Services for IAH MLIT; Project 826 - Form A	Backup Material
HAS - Professional Services Contract with Fentress Architects, Ltd. for AE Design Services for IAH MLIT; Project 826 - Form B	Backup Material
HAS - Professional Services Contract with Fentress Architects, Ltd. for AE Design Services for IAH MLIT; Project 826 - Del Tax Rpt	Backup Material
HAS - Professional Services Contract with	

Fentress Architects, Ltd. for AE Design Services for IAH MLIT; Project 826 - Aff of Own	Backup Material
Executive Summary	Backup Material

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

SUBJECT: Professional Services Contract with Fentress Architects, Ltd. for Architect Engineer (AE) Design Services for the IAH Mickey Leland International Terminal (MLIT); Project No. 826 (WBS: A-000800-0008-3-01-01)	**Category #**	**Page** 1 of 3	**Agenda Item #**

FROM (Department or other point of origin): Houston Airport System	**Origination Date** November 22, 2015	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** B	
For additional information contact: Kathy Elek **Phone:** 281/233-1826 Robert Barker 281/233-1953	**Date and identification of prior authorizing Council action:** N/A	
AMOUNT & SOURCE OF FUNDING: CIP No. A-0800.51 $50,095,000 HAS Consolidated ITRP AMT Construction Fund (8207) CIP No. A-0422.76 $674,239 HAS Aprt Improvement Fund (8011) $50,769,239 TOTAL	**Prior appropriations:** N/A	

RECOMMENDATION: (Summary) Enact an ordinance to approve a contract for professional services with Fentress Architects, Ltd. for Architect Engineer (AE) Design Services for the IAH Mickey Leland International Terminal (MLIT) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:

The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

The MLIT Architect Engineer (AE) basic design services will include services for all disciplines required to complete the design of the MLIT and construction administration. Services will include, but not be limited to: Architectural Programming and Design, Interior Design, Structural Engineering, Blast Protection/Resistance, Conveying Systems, Plumbing Engineering, Fire Protection Systems Design, Mechanical Engineering, Building Automation and Control Systems, Electrical Engineering, Lighting Design, Technology Integration Services, Technology and Communications, Security Systems, Acoustical Design, Vibration Analysis, Civil Engineering, Specialty Services including Baggage

REQUIRED AUTHORIZATION		
Finance Department:	**Other Authorization:**	**Other Authorization:**

Handling Systems, Pre-Conditioned Air Systems and other systems as described within the scope of services, Traffic Design, Building Information Modeling and Geographical Information Systems (BIM/GIS), Sustainability and Energy Efficiency Design, Visual Communications including Signage, Graphics and Wayfinding, Furniture, Fixtures and Equipment (FF&E), Life Safety Code Compliance, Commissioning Coordination, Operational Readiness, Activation and Transition (ORAT) Coordination, Construction Cost Estimating and other services as mutually agreed to by the AE and HAS, among other services.

A Request for Qualifications (RFQ) was advertised in accordance with City policy, and Statements of Qualification (SOQ) were received from nine (9) firms. The Evaluation Committee, comprised of HAS senior managers, evaluated and ranked the SOQs based on criteria contained in the RFQ. Three (3) firms were short-listed and interviewed by the Evaluation Committee and Fentress Architects, Ltd. was recommended for contract award. The selection process was observed by members of a Design Committee (comprised of representatives from the American Institute of Architects (AIA), the University of Houston School of Architecture, Rice University School of Architecture, and Prairie View A&M University School of Architecture), representatives of United Airlines and a representative of the IAH Foreign Flag carriers, and the ITRP Executive Program Manager.

In additional to the basic design services, the AE will coordinate the MLIT design and recommended phasing approach with other design teams, the City, airline representatives, project stakeholders and other tenants and contractors executing concurrent capital improvement and tenant improvement projects. These projects include the United Airlines' New Terminal C North and the Landside Enabling Utilities project.

HAS may be requesting City Council's approval of additional appropriations in support of ancillary construction administration services as the MLIT design and construction phasing becomes better defined. A portion of the spending under this contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

PROJECT COST: The total appropriation is as follows:

$ 50,095,000	Design Services
$ 674,239	Civic Art
$ 50,769,239	TOTAL APPROPRIATION

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) goal for this contract is 30%. Fentress Architects, Ltd. proposes 32.65% M/WBE participation through the services performed by the following firms:

Certified Firm	Type of Work	%
STOA International Architects	Architecture, BIM/GIS Design	9%
RdlR Architects	Programming, Interior Architecture	2.5%
Smith & Company	Interiors	1.25%
Huerta & Associates Architects	Architectural Support	1.25%

Archi*Technics/3	Design Development, Construction Documents	1.25%
Bradlink	WMSBE Coordinator	0.5%
Henderson & Rogers	Structural Engineer	3%
Jones Engineers	Mechanical Engineer	2.7%
Hunt & Hunt Engineering	Electrical Engineer	2.7%
4b Technology	Technology Communications	4.5%
PGA Engineers	Security Systems	0.5%
Isani Consultants	Civil Engineering	1%
United Engineers	Civil Engineering	1%
OMEGA Engineers	Civil Engineering	1%
Clark Condon	Landscape Architect	0.5%

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November 19, 2015.

CITY OF HOUSTON
INTER OFFICE CORRESPONDENCE

To: Mario C. Diaz
Director of Aviation

From: Justina J. Mann, CPPO
Procurement Officer
Supply Chain Management
Houston Airport System

Date: November 25, 2015

Subject: **ITRP and MLIT Executive Summation of Solicitation Projects**

Solicitation Summary

For at least two years, the Houston Airport System has been planning for the necessary rebuild of the Mickey Leland International Terminal (MLIT) and the broader International Terminal Redevelopment Program (ITRP) at Bush Intercontinental Airport. After this extensive planning, six solicitations to advance the projects were published earlier this year. Two solicitations were associated with MLIT projects, three were associated with ITRP projects and one was for an Owner Controlled Insurance Program (OCIP) encompassing both MLIT and ITRP. The Houston Airport System employed a number of delivery methods for the various projects with the goals of obtaining the best value and procuring the most qualified professionals that had demonstrated experience and could demonstrate a history of working together in a cohesive team. The teamwork approach was especially important given the very complex nature of the MLIT project, the associated high risks, and the potential for significant impact on airline operations and passenger service over the extensive project duration, which is estimated to exceed five years. The table below shows the procurement strategy/delivery method associated with each project.

Project	Procurement / Delivery Method
Architectural Engineering Design Services for IAH MLIT	RFQ
Construction Manager at Risk Services for IAH MLIT	RFQ CMAR (Texas Government Code 2269.251)
East Aircraft Parking Hardstand	RFQ Design Build (Texas Government Code 2269.301)
Owner Controlled Insurance Program	RFP
Project Management Office (PMO) Building	RFQ Design Build (Texas Government Code 2269.301)
Enabling Utilities	RFQ Design Build (Texas Government Code 2269.301)

The Houston Airport System received considerable feedback from Architectural and Engineering (A&E) firms, construction companies, and the business community in general regarding the solicitations prior to advertisement. Four Industry Days were held from March 2014 to March 2015, where the Airport System coordinated with the City of Houston's Office of

Business Opportunity to introduce upcoming opportunities for the ITRP. Industry Day events encouraged networking between prime and sub-contractors.

The Airport System's Office of Supply Chain Management worked closely with the City's Acting Chief Procurement Officer and the Executive Program Management team in the development of the budget, scope, and schedule. Each solicitation was advertised for two consecutive weekends in the Houston Chronicle and posted on the Airport's fly2houston website. Evaluation committee members for the projects attended evaluator and consensus scoring training and were issued a training manual. After evaluators were trained and executed non-disclosure agreements, they were provided hard copies of the proposals / statements of qualifications they were assigned to evaluate.

Evaluation Process

The evaluation criteria for each project can be found at the end of this memorandum as Attachment II. Proposal scoring rested solely with members of the evaluation committee for each project. As a level of oversight to the evaluation committees, stakeholder representatives from United Airlines and the foreign-flag carriers participated in monitoring the evaluation process. To assure we had expert assistance in the field of architecture, the Airport System solicited the participation of several prominent architecture experts in the City listed in Attachment I: Evaluation Summary. As a part of the A&E procurement process, non-voting observers and stakeholders helped to provide an overall assessment of the respondents and advised the evaluation committee wherever further clarification was required.

A consensus scoring approach was employed in rating all proposals. A consensus score from 1-5 was reached by all members of the evaluation committee, then weighting factors were applied in a manner consistent with the relative importance for each criterion. By way of example, if a respondent received the highest score (5) allowed for each criterion, after consideration of the weighting factors, that respondent would have received a score of 100.

For the proposals solicited as design-build, several short-listed firms were invited to advance to the second step of the evaluation process and were requested to submit their technical and price proposals. The technical proposals were evaluated using the same consensus scoring methodology. If the technical proposal scored sufficient points above all others, the proponent was selected to move forward with the recommendation to award following an oral presentation, when necessary, to assure clarity on all points made in the proposal.

The top three respondents to the procurements for Architectural Engineering Design (A&E), Construction Manager at Risk Services (CMAR) and Enabling Utilities were invited to deliver oral presentations to the evaluation committees. The oral interview process was essential in helping the evaluation committees clarify critical points made in the statement of qualifications / proposals and identify a decisive frontrunner for each solicitation. The evaluation committees drafted questions that were sent to respondents invited to oral interviews. The questions were sent in advance of the scheduled interviews to promote a productive discourse. In view of the critical need for collaboration between the A&E and the CMAR, and with the Airport System, the representatives of the three top-ranked CMAR firms were invited to observe the oral interviews

for the A&E firms. During the oral interviews for the CMAR, each respondent was asked to force rank the A&E firms with respect to their previous work experience with each, and the level of cooperation they were able to establish. The final two top-ranked A&E firms were similarly required to force rank the CMAR firms, again with respect to previous work experience with each CMAR team and the level of cooperation they were able to establish.

At the conclusion of oral interviews, the evaluation committees scored each responding firm, taking into account the new information gathered during the oral interviews. The scores from the written proposal phase were set aside, and new scores were established in compliance with the process. The oral interviews were scored using consensus scoring, consistent with the scoring method of the first level of review, and became the basis for determining the winning proposal.

In the case of the A&E solicitation, there was required a further tie-breaking step that brought into play a best-and-final offer as the basis for deciding the winning proposal. Interviews were held with the top two firms and questions posed to both, which were then submitted in writing. The responses were used to formulate the decision as to the recommended firm.

Please see Attachment I through VIII for further details:

Attachment I: Evaluation Summary
Attachment II: Evaluation Criteria by Project (ITRP/MLIT)
Attachment III: East Aircraft Parking Hardstand
Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT
Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT
Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH
Attachment VII: Project Management Office Building and Owner Controlled Insurance Program
Attachment VIII: Respondent Log—All Projects

Attachment I: Evaluation Summary

EAST AIRCRAFT PARKING HARDSTAND

Evaluation Committee (Voting Members[1]):

Airfield Operations Manager
Operations Manager
Sr. Airport Planner
Acting Assistant Director of Construction, Infrastructure
Sr. Project Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

General Manager, IAH
Chief Infrastructure Officer
Chief Technology Officer
Chief Commercial Officer
Assistant Director – Planning

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

[1] All evaluation committee members were selected based on qualifications from among the Airport System middle to upper management unless indicated otherwise.

United and Foreign Flag Airlines Representative
David Brandenburg, United Airlines
Bruce Rieser, Foreign Flag Airlines Representative

Academic and Professional Organizational Architectural Design Oversight Committee
Sarah Whiting; Dean of School of Architecture at Rice University
Patricia B. Oliver; Dean of Gerald D. Hines College of Architecture at University of Houston
Ikhlas Sabouni; Dean and Professor of Architecture at Prairie View A&M University
Linda Sylvan; Executive Director of Rice Design Alliance at Rice University
Rusty Bienvenue; Executive Director - American Institute of Architects-Houston

CMAR Evaluation Committee (*Observed A/E Oral Presentations Only*)
Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Two representatives from each of the three top-ranked CMAR Short-listed Firms (*Observed A/E Oral Presentations Only*)

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

United Airlines and Foreign Flag Airlines Representatives

David Brandenburg	United Airlines Representative
Bruce Rieser	Foreign Flag Airlines Representative

PROGRAM MANAGEMENT OFFICE BUILDING

Evaluation Committee (Voting Members):

Project Manager (IT)
Project Manager
Sr. Project Manager
Sr. Project Manager
Landside Operations Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

Evaluation Committee (Voting Members):

Division Manager - Infrastructure
Staff Analyst – IAH Operations
Deputy Assistant Director – HOU Management
Managing Engineering – Infrastructure
Project Manager – Information Technology

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

OWNER CONTROLLED INSURANCE PROGRAM (OCIP)

Evaluation Committee (Voting Members):

Assistant Director - Finance & Administration
Division Manager - Safety & Emergency Management
Airline Affairs Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Benard Hubbard	Sr. Procurement Specialist
Tina Paquet	Assistant Director, Administration and Regulatory Affairs

Office of Business Opportunity – Houston Airport System

Jason McLemore	Assistant Deputy Director, HAS OBO

Attachment II: EVALUATION CRITERIA by ITRP/MLIT PROJECT

EAST AIRCRAFT PARKING HARDSTAND

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

PROGRAM MANAGEMENT OFFICE (PMO) BUILDING

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. People/ Resources/ Capabilities
2. Representative Project Experience
3. Design Approach
4. Cost Estimating Capability
5. Quality Management Approach
6. Construction Support Capability
7. Project Controls Capability
8. Financial Capabilities
9. MWBE Compliance

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. Project Approach and CMAR Team Commitment
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities
8. MWBE Compliance

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Qualifications for Design Services
3. Qualifications for Pre-Construction and Construction Services
4. Design, Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions To Anticipated Problems
4. Ability To Meet Schedules
5. Conceptual Engineering Design/ Comments on Design Criteria Package
6. MWBE Compliance

OWNER CONTROLLED INSURANCE PROGRAM

Evaluation Criteria

1. Qualifications, Knowledge, and Experience of Key Personnel
2. Management Approach and Proposed Administration Services
3. Brokerage Service Agreement and Remuneration
4. Team Track Record and Experience Working Together
5. Resources and Capacity
6. Timeline and Approach to Provision of Service
7. MWBE Compliance
8. Financial Capabilities

Attachment III: East Aircraft Parking Hardstand

The East Aircraft Parking Hardstand was solicited under the Design Build delivery method; therefore, HAS was required to follow a two-step process. Five respondents submitted a Statement of Qualification (SOQ) in response to the Request for Qualification (RFQ) advertised July 24th and July 31st 2015. The evaluation committee convened for two days (September 24th and September 25th) to score and rank each SOQ using the evaluation criteria published in the RFQ (See Attachment II), which concluded the first step. The three firms chosen to participate in the second step and their initial scores were; James Construction Group. LLC (87), Texas Sterling – Banicki, JV LLC (78), and J.D. Abrams L.P. (77), respectively.

As a requirement of the second step, the three short-listed firms submitted their technical and price proposals. Proposals were received October 6, 2015 and were evaluated by the evaluation committee on October 12, 2015 utilizing the same consensus scoring methodology, but with a different set of evaluation criteria that was provided in the RFQ. Texas Sterling – Banicki, JV LLC received the highest score (80), followed by J.D. Abrams L.P. (68), and James Construction Group, LLC (58). The evaluation committee did not require additional information; therefore, no oral presentations were required. The evaluation committee recommended Texas Sterling – Banicki, JV LLC to move forward to the negotiation process.

The M/WBE goal for this contract is 33.51%

Texas Sterling – Banicki, JV LLC — MWBE Participation Plan 33.51%

Ferguson Consulting	Electrical, Telecommunications, Security Design	0.84%
Quadrant Consulting	Environmental and Storm Water Design	8.67%
English & Associates	Architectural Design	5.22%
Henderson & Rogers	Structural Engineering	4.14%
Gorrondona & Associates	Structural Engineering	1.65%
4b Technology	Communications	3.3%
HVJ Associates, Inc.	Geotechnical Testing	2.39%
Fronza & Francis	Construction Management	3.97%
Infrastructure Associates	MEP Design	3.33%

Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT

Nine (9) respondents submitted a Statement of Qualification on September 2, 2015 in response to the Request for Qualification advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (September 21st to September 23rd) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, three short-listed firms were invited to step two of the evaluation process; Skidmore, Owings & Merrill LLP (SOM) (86) received the highest score followed by Fentress Architects, Ltd. (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (72), respectively.

On October 1, 2015, HAS Stakeholders met with the Academic and Professional Organizational Architectural Design Oversight Committee to discuss ITRP Scope.

On October 14, 2015, the three short-listed firms appeared before the evaluation committee, industry stakeholders, and the CMAR selection committee—accompanied by two representatives of each of the three top ranked proponents—to participate in oral presentations and respond to questions provided to them in advance of step two of the evaluation process.

A Best and Final Offer (BAFO) was then requested of the top two finalists, Fentress and SOM, in order to be able to make a definite selection. In the essence of time, both firms were invited to separate meetings where the questions were discussed. Each firm received a written Request for BAFO and responses were received in the allowed time frame.

The evaluation committee reconvened immediately following the receipt of the BAFOs and, through consensus scoring, determined that Fentress Architects, Ltd. (88) was the firm it would recommend for award. The second and third-ranked respondents were Skidmore, Owings & Merrill LLP (SOM) (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (70), respectively. The Evaluation Committee recommended Fentress Architects, Ltd., to be awarded the contract and move to contract negotiation.

The M/WBE goal for this contract is 30%.

Fentress Architects, Ltd. — MWBE Participation Plan: 32.65%

STOA International Architects	Architecture, BIM/GIS Design	9%
RdlR Architects	Programming, Interior Architecture	2.5%
Smith & Company	Interiors	1.25%
Huerta & Associates Architects	Architectural Support	1.25%
Archi*Technics/3	Design Development, Construction Documents	1.25%
Bradlink	WMSBE Coordinator	0.5%
Henderson & Rogers	Structural Engineer	3%

(Continued)

Jones Engineers	Mechanical Engineer	2.7%
Hunt & Hunt Engineering	Electrical Engineer	2.7%
4b Technology	Technology Communications	4.5%
PGA Engineers	Security Systems	0.5%
Isani Consultants	Civil Engineering	1%
United Engineers	Civil Engineering	1%
OMEGA Engineers	Civil Engineering	1%
Clark Condon	Landscape Architect	0.5%

Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT

Five (5) respondents submitted a Statement of Qualification on September 4, 2015 in response to the Request for Qualification for CMAR services. This solicitation was advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (between September 28th and October 5th) to initiate the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, Skanska USA Building Inc. (77) received the highest score; the second and third-highest ranked SOQs were to Austin-Gilbane, Joint Venture (74) and Turner+Preston Banks+Koasati Joint Venture (68), respectively.

The short-listed CMAR firms were required to appear and observe the A/E interview/oral presentations. All three short-listed CMAR firms participated as observers on October 14, 2015.

On October 22, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance as it was provided for in Step Two of the evaluation process. On October 16, 2015, the three short-listed firms were requested to submit their Price Proposal to HAS by October 23, 2015.

The evaluation committee reconvened following the oral interviews and, through consensus scoring determined Austin-Gilbane, Joint Venture (78) to be the highest scoring firm. The second and third-ranked respondents were Skanska USA Building Inc. (71) and Turner+Preston Banks+Koasati Joint Venture (56), respectively. The Evaluation Committee recommended Austin-Gilbane, Joint Venture, to be awarded the contract and move to contract negotiation. The price proposal received from Austin-Gilbane was used for final negotiations.

The MWBE participation goal for Component 1 (Pre-Construction), Phase 1 of the Agreement is 10%. During the pre-construction services phase the design of the terminal will be sufficiently detailed to understand the construction components that may be undertaken by MWBE firms. Once sufficient design is completed, and before returning to Council for approval of the guaranteed maximum price, a final MWBE participation plan will be developed and submitted that we anticipate, together with the preconstruction services contribution, should approach 30%.

Austin-Gilbane, Joint Venture — MWBE Participation Plan 15%

ChaseSource	Pre-Construction Services, Estimating, Scheduling Project Management, Building Information Modeling (BIM) Coordination	10%
Con-Real	Staffing and Construction Services in Support of the Pre-Construction and Construction Scopes of Work	5%

Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH

Four (4) respondents submitted a Statement of Qualification on September 15, 2015 in response to the Request for Qualification advertised August 1, 2015 and August 7, 2015. The evaluation committee convened on October 6, 2015 to conduct the first step of the evaluation process and scored each SOQ using the consensus scoring method. At the conclusion of the first step, Hensel Phelps (80) scored the highest; the second and third-ranked SOQs were Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (76) and Clark/Horizon ITRP, A Joint Venture team (76), respectively.

On October 6, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance.

On October 9, 2015, the three short-listed firms were requested to submit their technical and price proposals as stated in Section 8.0 of the solicitation document. Proposals were received October 22, 2015, and were distributed to the evaluation committee the following day.

On October 23, 2015, the evaluation committee evaluated the technical proposal under the same consensus scoring method and with the evaluation criteria stipulated for step two (Section 8.0). After careful review of the Respondent's written and oral submittals, a discussion was held and scores were tabulated with the following results: Hensel Phelps (96), Clark/Horizon ITRP, A Joint Venture team (86) and Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (44), respectively. The Evaluation Committee recommended that the Hensel Phelps/Atkins team be awarded the contract and move to contract negotiation.

The M/WBE goal for the preconstruction services portion of this contact is 19%.

Hensel Phelps— MWBE Participation Plan 19.5%

4b Technology	Information Technology and Telecommunication	6.3%
Aviles Engineering	Geotechnical Services	3%
HT&J	Drainage Design	1%
Isani Consultants	Water Line Services	3%
Shah Smith & Associates	Lighting, Ventilation	5%
Vesta Rae & Associates	Public Outreach	1.2%

Attachment VII: Project Management Office Building and Owner Controlled Insurance Program

Project Management Office Building

Nine respondents submitted a Statement of Qualification in response to the Request for Qualification advertised July 24, 2015 and July 31, 2015. The evaluation committee convened for two days (September 30th and October 1st) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step in its evaluation process, the committee reached a shortlist of respondents. Technical proposals were requested of the short listed firms, which were evaluated by the committee as well. This solicitation was CANCELLED due to the failure of the three top-ranked respondents to supply the required MWBE participation plan specified in the technical phase of the RFQ. The solicitation will be re-issued in January 2016.

Owner Controlled Insurance Program (OCIP)

Six respondents submitted proposals to the OCIP Request For Proposal. The evaluation committee convened for one day (October 7, 2015) to conduct its initial evaluation of the proposals and scored each proposal. At the conclusion of its initial evaluation, Alliant Insurance Services, Inc. received the highest score (84); the second and third-highest ranked proposals were Willis of Texas, Inc. (82) and Marsh USA Inc. (75) respectively.

In an effort to establish a clear distinction between the three highest-ranked proposals, each proposer was given identical questions and invited to oral interviews on October 26, 2015. The evaluation committee reconvened immediately following the oral interviews and through consensus scoring, determined that Marsh USA Inc. (88) was the proposer it would recommend for award. Willis of Texas, Inc. scored (76) and Alliant Insurance Services scored (62).

The M/WBE goal for this contract is 24%.

Marsh USA Inc. — MWBE Participation Plan 31.23%

Boris Miles Insurance Agency OCIP Administration

Attachment VIII: Respondent Log--All Projects

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-MLITAE-2016-002

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT) ARCHITECT ENGINEER (A/E) DESIGN CONSULTANT SERVICES

DUE DATE: Wednesday, September 2, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Foster + Partners Group Ltd
2	Skidmore, Owings & Merrill LLP
3	Fentress Architects, Ltd.
4	LVA Luis Vidal USA, Inc.
5	Corgan Associates, Inc.
6	Hellmuth, Obata, & Kassabaum, LP (HOK)
7	Atkins and eStudio Joint Venture (A&E JV)
8	FR-EE HKS/ Page Group LLC
9	M. Arthur Gensler, Jr. & Associates, Inc. (dba Gensler)

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-PMODB-2016-006

PROGRAM MANAGEMENT OFFICE BUILDING (PMO)

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	The Ross Group Construction Corp.
2	SpawGlass Construction Corp.
3	E.E. Reed Construction, L.P.
4	CYMI Industrial, Inc.
5	Teal Construction Co.
6	Rogers-O'Brien Construction Company, Ltd.
7	Anslow Bryant Construction Ltd.
8	Horizon/Aztec/Robbins JV
9	DPR Construction, A General Partnership

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-EAPDB-2016-005

EAST AIRCRAFT PARKING HARDSTAND

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	J.D. Abrams, L.P.
2	OHL USA, Inc.
3	J. Banicki Construction, Inc.
4	Burns & McDonnell / Azteca / W.A. Robbins Team
5	James Construction Group, LLC

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37- MLITCMAR-2016-003

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT)
CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES

DUE DATE: Friday, September 4, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Houston Airport Builders
2	Austin-Gilbane, a Joint Venture
3	Gateway Constructors
4	Turner+Preston Banks+Koasati Joint Venture
5	Skanska USA Building Inc.

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-EUTLDB-2016-004

ITRP ENABLING UTILITIES – LANDSIDE PROJECT

DUE DATE: Tuesday, September 15, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Burns & McDonnell / Azteca Enterprises / W.A. Robbins
2	OHL USA, Inc. and Lockwood Andrews & Newnam, Inc. (OHL + LAN)
3	Hensel Phelps / Atkins
4	Clark / Horizon ITRP, A Joint Venture

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

PROPOSAL RECEIPT SHEET

Request for Proposal (RFP) Solicitation No. HBH-OCIP-2015-026
OWNER CONTROLLED INSURANCE PROGRAM

DUE DATE: Thursday, September 17, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: BJ Hubbard, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

PROPOSALS RECEIVED

NO.	VENDOR
1	USI/W.J. Alexander/Navarro Insurance Group/Resurgens Risk Management, Inc.
2	Willis of Texas, Inc.
3	McGriff, Seibels & Williams of Texas
4	Arthur J. Gallagher Risk Management Services, Inc.
5	Marsh USA Inc.
6	Alliant Insurance Services, Inc.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B
Item Creation Date: 11/23/2015

HAS - Professional Services Contract with Marsh USA, Inc.
for OCIP for ITRP; Project 810

Agenda Item#: 46.

Summary:

ORDINANCE appropriating $5,500,000 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Professional Services Contract between the City of Houston and **MARSH USA, INC** for the Owner Controlled Insurance Program in support of the IAH Terminal Redevelopment Program (Project No. 810) - **DISTRICT B - DAVIS**

Background:

SUBJECT: Professional Services Contract with Marsh USA, Inc. for the Owner Controlled Insurance Program (OCIP) for the IAH Terminal Redevelopment Program (ITRP); Project No. 810 (WBS: A-000800-0009-3-01-01)

RECOMMENDATION: Enact an ordinance to approve a professional services contract with Marsh USA, Inc. for the Owner Controlled Insurance Program (OCIP) in support of the IAH Terminal Redevelopment Program (ITRP) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:
The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

Given the substantial amount of anticipated construction volume, there is an economic advantage

to implementing an Owner Controlled Insurance Program (OCIP) for HAS. The OCIP will apply to all HAS ITRP project elements, but does not apply to the New Terminal C North facility being constructed by United Airlines. The OCIP will include Worker's Compensation, General and Excess Liability, and Builder's Risk insurance coverages.

A Request for Proposals (RFP) for OCIP Brokerage/Administrator Services was advertised in accordance with City policy, and proposals were received from six (6) firms. The Evaluation Committee, comprised of HAS functional managers, evaluated and ranked the proposals based on criteria contained in the RFP. Three (3) firms were short-listed and interviewed by the Evaluation Committee, and Marsh USA, Inc. was recommended for contract award. The selection process was observed by the City's Administration and Regulatory Affairs Department Assistant Director for Risk Management. The in-person team interviews were observed by HAS senior management.

The OCIP Brokerage/Administrator scope of services includes providing risk management-related services such as risk analysis, underwriting, marketing/solicitation, consultation and policy maintenance services for the duration of this contract. The OCIP Brokerage/Administrator Services firm will provide services as defined in the scope of services to include proactive marketing and underwriting function, ongoing review and analyses, and identification of viable insurance markets for the OCIP. As OCIP Administrator, the firm will administer the OCIP with professional services to include policy, underwriting and insurance placements, administrative services, pre-bid activity, payroll data gathering, entering functions, and construction volume services/changes. In addition, as OCIP Administrator, the firm will provide claims administration and reporting services, safety and loss prevention services, risk assessment and benchmarking, as well as special programs contained in the contract's scope of services, to include implementing and managing a surety assistance and outreach program that will effectively address the needs of M/WBE and small, disadvantaged businesses and that will support community business needs and growth for new and emerging business owners.

A portion of the spending under this Contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) participation goal for this contract is 24%. Marsh USA, Inc. proposes to exceed the goal through the services performed by the following firm:

Certified Firm	Type of Work	%
Borris Miles Insurance Agency	OCIP Administration	31.23%

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November 19, 2015.

Amount of Funding:

$ 5,500,000 HAS-Consolidated ITRP AMT Construction Fund (8207)

Contact Information:

Kathy Elek Phone: 281/233-1826
Robert Barker 281/233-1953

ATTACHMENTS:

Description	Type
HAS - Professional Services Contract with Marsh USA, Inc. for OCIP for ITRP; Project 810 - RCA	Signed Cover sheet
HAS - Professional Services Contract with Marsh USA, Inc. for OCIP for ITRP; Project 810 - Ordinance	Ordinance/Resolution/Motion
HAS - Professional Services Contract with Marsh USA, Inc. for OCIP for ITRP; Project 810 - Form A	Backup Material
HAS - Professional Services Contract with Marsh USA, Inc. for OCIP for ITRP; Project 810 - Form B	Backup Material
HAS - Professional Services Contract with Marsh USA, Inc. for OCIP for ITRP; Project 810 - Del Tax Rpt	Backup Material
HAS - Professional Services Contract with Marsh USA, Inc. for OCIP for ITRP; Project 810 - Aff of Own	Backup Material
Executive Summary	Backup Material

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

SUBJECT: Professional Services Contract with Marsh USA, Inc. for the Owner Controlled Insurance Program (OCIP) for the IAH Terminal Redevelopment Program (ITRP); Project No. 810 (WBS: A-000800-0009-3-01-01)	**Category #**	**Page 1 of 2**	**Agenda Item #**

FROM (Department or other point of origin): Houston Airport System	**Origination Date** November 22, 2015	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** B	
For additional information contact: Kathy Elek **Phone:** 281/233-1826 Robert Barker 281/233-1953	**Date and identification of prior authorizing Council action:** N/A	
AMOUNT & SOURCE OF FUNDING: CIP No. A-0800 $ 5,500,000 HAS-Consolidated ITRP AMT Construction Fund (8207) $ 5,500,000 Total	**Prior appropriations:** N/A	

RECOMMENDATION: (Summary) Enact an ordinance to approve a professional services contract with Marsh USA, Inc. for the Owner Controlled Insurance Program (OCIP) in support of the IAH Terminal Redevelopment Program (ITRP) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:

The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

Given the substantial amount of anticipated construction volume, there is an economic advantage to implementing an Owner Controlled Insurance Program (OCIP) for HAS. The OCIP will apply to all HAS ITRP project elements, but does not apply to the New Terminal C North facility being constructed by United Airlines. The OCIP will include Worker's Compensation, General and Excess Liability, and Builder's Risk insurance coverages.

REQUIRED AUTHORIZATION		
Finance Department:	**Other Authorization:**	**Other Authorization:**

A Request for Proposals (RFP) for OCIP Brokerage/Administrator Services was advertised in accordance with City policy, and proposals were received from six (6) firms. The Evaluation Committee, comprised of HAS functional managers, evaluated and ranked the proposals based on criteria contained in the RFP. Three (3) firms were short-listed and interviewed by the Evaluation Committee, and Marsh USA, Inc. was recommended for contract award. The selection process was observed by the City's Administration and Regulatory Affairs Department Assistant Director for Risk Management. The in-person team interviews were observed by HAS senior management.

The OCIP Brokerage/Administrator scope of services includes providing risk management-related services such as risk analysis, underwriting, marketing/solicitation, consultation and policy maintenance services for the duration of this contract. The OCIP Brokerage/Administrator Services firm will provide services as defined in the scope of services to include proactive marketing and underwriting function, ongoing review and analyses, and identification of viable insurance markets for the OCIP. As OCIP Administrator, the firm will administer the OCIP with professional services to include policy, underwriting and insurance placements, administrative services, pre-bid activity, payroll data gathering, entering functions, and construction volume services/changes. In addition, as OCIP Administrator, the firm will provide claims administration and reporting services, safety and loss prevention services, risk assessment and benchmarking, as well as special programs contained in the contract's scope of services, to include implementing and managing a surety assistance and outreach program that will effectively address the needs of M/WBE and small, disadvantaged businesses and that will support community business needs and growth for new and emerging business owners.

A portion of the spending under this Contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) participation goal for this contract is 24%. Marsh USA, Inc. proposes to exceed the goal through the services performed by the following firm:

Certified Firm	Type of Work	%
Borris Miles Insurance Agency	OCIP Administration	31.23%

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November 19, 2015.

CITY OF HOUSTON
INTER OFFICE CORRESPONDENCE

To: Mario C. Diaz
Director of Aviation

From: Justina J. Mann, CPPO
Procurement Officer
Supply Chain Management
Houston Airport System

Date: November 25, 2015

Subject: **ITRP and MLIT Executive Summation of Solicitation Projects**

Solicitation Summary

For at least two years, the Houston Airport System has been planning for the necessary rebuild of the Mickey Leland International Terminal (MLIT) and the broader International Terminal Redevelopment Program (ITRP) at Bush Intercontinental Airport. After this extensive planning, six solicitations to advance the projects were published earlier this year. Two solicitations were associated with MLIT projects, three were associated with ITRP projects and one was for an Owner Controlled Insurance Program (OCIP) encompassing both MLIT and ITRP. The Houston Airport System employed a number of delivery methods for the various projects with the goals of obtaining the best value and procuring the most qualified professionals that had demonstrated experience and could demonstrate a history of working together in a cohesive team. The teamwork approach was especially important given the very complex nature of the MLIT project, the associated high risks, and the potential for significant impact on airline operations and passenger service over the extensive project duration, which is estimated to exceed five years. The table below shows the procurement strategy/delivery method associated with each project.

Project	Procurement / Delivery Method
Architectural Engineering Design Services for IAH MLIT	RFQ
Construction Manager at Risk Services for IAH MLIT	RFQ CMAR (Texas Government Code 2269.251)
East Aircraft Parking Hardstand	RFQ Design Build (Texas Government Code 2269.301)
Owner Controlled Insurance Program	RFP
Project Management Office (PMO) Building	RFQ Design Build (Texas Government Code 2269.301)
Enabling Utilities	RFQ Design Build (Texas Government Code 2269.301)

The Houston Airport System received considerable feedback from Architectural and Engineering (A&E) firms, construction companies, and the business community in general regarding the solicitations prior to advertisement. Four Industry Days were held from March 2014 to March 2015, where the Airport System coordinated with the City of Houston's Office of

Business Opportunity to introduce upcoming opportunities for the ITRP. Industry Day events encouraged networking between prime and sub-contractors.

The Airport System's Office of Supply Chain Management worked closely with the City's Acting Chief Procurement Officer and the Executive Program Management team in the development of the budget, scope, and schedule. Each solicitation was advertised for two consecutive weekends in the Houston Chronicle and posted on the Airport's fly2houston website. Evaluation committee members for the projects attended evaluator and consensus scoring training and were issued a training manual. After evaluators were trained and executed non-disclosure agreements, they were provided hard copies of the proposals / statements of qualifications they were assigned to evaluate.

Evaluation Process

The evaluation criteria for each project can be found at the end of this memorandum as Attachment II. Proposal scoring rested solely with members of the evaluation committee for each project. As a level of oversight to the evaluation committees, stakeholder representatives from United Airlines and the foreign-flag carriers participated in monitoring the evaluation process. To assure we had expert assistance in the field of architecture, the Airport System solicited the participation of several prominent architecture experts in the City listed in Attachment I: Evaluation Summary. As a part of the A&E procurement process, non-voting observers and stakeholders helped to provide an overall assessment of the respondents and advised the evaluation committee wherever further clarification was required.

A consensus scoring approach was employed in rating all proposals. A consensus score from 1-5 was reached by all members of the evaluation committee, then weighting factors were applied in a manner consistent with the relative importance for each criterion. By way of example, if a respondent received the highest score (5) allowed for each criterion, after consideration of the weighting factors, that respondent would have received a score of 100.

For the proposals solicited as design-build, several short-listed firms were invited to advance to the second step of the evaluation process and were requested to submit their technical and price proposals. The technical proposals were evaluated using the same consensus scoring methodology. If the technical proposal scored sufficient points above all others, the proponent was selected to move forward with the recommendation to award following an oral presentation, when necessary, to assure clarity on all points made in the proposal.

The top three respondents to the procurements for Architectural Engineering Design (A&E), Construction Manager at Risk Services (CMAR) and Enabling Utilities were invited to deliver oral presentations to the evaluation committees. The oral interview process was essential in helping the evaluation committees clarify critical points made in the statement of qualifications / proposals and identify a decisive frontrunner for each solicitation. The evaluation committees drafted questions that were sent to respondents invited to oral interviews. The questions were sent in advance of the scheduled interviews to promote a productive discourse. In view of the critical need for collaboration between the A&E and the CMAR, and with the Airport System, the representatives of the three top-ranked CMAR firms were invited to observe the oral interviews

for the A&E firms. During the oral interviews for the CMAR, each respondent was asked to force rank the A&E firms with respect to their previous work experience with each, and the level of cooperation they were able to establish. The final two top-ranked A&E firms were similarly required to force rank the CMAR firms, again with respect to previous work experience with each CMAR team and the level of cooperation they were able to establish.

At the conclusion of oral interviews, the evaluation committees scored each responding firm, taking into account the new information gathered during the oral interviews. The scores from the written proposal phase were set aside, and new scores were established in compliance with the process. The oral interviews were scored using consensus scoring, consistent with the scoring method of the first level of review, and became the basis for determining the winning proposal.

In the case of the A&E solicitation, there was required a further tie-breaking step that brought into play a best-and-final offer as the basis for deciding the winning proposal. Interviews were held with the top two firms and questions posed to both, which were then submitted in writing. The responses were used to formulate the decision as to the recommended firm.

Please see Attachment I through VIII for further details:

Attachment I: Evaluation Summary
Attachment II: Evaluation Criteria by Project (ITRP/MLIT)
Attachment III: East Aircraft Parking Hardstand
Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT
Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT
Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH
Attachment VII: Project Management Office Building and Owner Controlled Insurance Program
Attachment VIII: Respondent Log—All Projects

Attachment I: Evaluation Summary

EAST AIRCRAFT PARKING HARDSTAND

Evaluation Committee (Voting Members[1]):

Airfield Operations Manager
Operations Manager
Sr. Airport Planner
Acting Assistant Director of Construction, Infrastructure
Sr. Project Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

General Manager, IAH
Chief Infrastructure Officer
Chief Technology Officer
Chief Commercial Officer
Assistant Director – Planning

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

[1] All evaluation committee members were selected based on qualifications from among the Airport System middle to upper management unless indicated otherwise.

United and Foreign Flag Airlines Representative
David Brandenburg, United Airlines
Bruce Rieser, Foreign Flag Airlines Representative

Academic and Professional Organizational Architectural Design Oversight Committee
Sarah Whiting; Dean of School of Architecture at Rice University
Patricia B. Oliver; Dean of Gerald D. Hines College of Architecture at University of Houston
Ikhlas Sabouni; Dean and Professor of Architecture at Prairie View A&M University
Linda Sylvan; Executive Director of Rice Design Alliance at Rice University
Rusty Bienvenue; Executive Director - American Institute of Architects-Houston

CMAR Evaluation Committee (*Observed A/E Oral Presentations Only*)
Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Two representatives from each of the three top-ranked CMAR Short-listed Firms (*Observed A/E Oral Presentations Only*)

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

United Airlines and Foreign Flag Airlines Representatives

David Brandenburg	United Airlines Representative
Bruce Rieser	Foreign Flag Airlines Representative

PROGRAM MANAGEMENT OFFICE BUILDING

Evaluation Committee (Voting Members):

Project Manager (IT)
Project Manager
Sr. Project Manager
Sr. Project Manager
Landside Operations Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

Evaluation Committee (Voting Members):

Division Manager - Infrastructure
Staff Analyst – IAH Operations
Deputy Assistant Director – HOU Management
Managing Engineering – Infrastructure
Project Manager – Information Technology

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

OWNER CONTROLLED INSURANCE PROGRAM (OCIP)

Evaluation Committee (Voting Members):

Assistant Director - Finance & Administration
Division Manager - Safety & Emergency Management
Airline Affairs Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Benard Hubbard	Sr. Procurement Specialist
Tina Paquet	Assistant Director, Administration and Regulatory Affairs

Office of Business Opportunity – Houston Airport System

Jason McLemore	Assistant Deputy Director, HAS OBO

Attachment II: EVALUATION CRITERIA by ITRP/MLIT PROJECT

EAST AIRCRAFT PARKING HARDSTAND

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

PROGRAM MANAGEMENT OFFICE (PMO) BUILDING

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. People/ Resources/ Capabilities
2. Representative Project Experience
3. Design Approach
4. Cost Estimating Capability
5. Quality Management Approach
6. Construction Support Capability
7. Project Controls Capability
8. Financial Capabilities
9. MWBE Compliance

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. Project Approach and CMAR Team Commitment
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities
8. MWBE Compliance

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Qualifications for Design Services
3. Qualifications for Pre-Construction and Construction Services
4. Design, Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions To Anticipated Problems
4. Ability To Meet Schedules
5. Conceptual Engineering Design/ Comments on Design Criteria Package
6. MWBE Compliance

OWNER CONTROLLED INSURANCE PROGRAM

Evaluation Criteria

1. Qualifications, Knowledge, and Experience of Key Personnel
2. Management Approach and Proposed Administration Services
3. Brokerage Service Agreement and Remuneration
4. Team Track Record and Experience Working Together
5. Resources and Capacity
6. Timeline and Approach to Provision of Service
7. MWBE Compliance
8. Financial Capabilities

Attachment III: East Aircraft Parking Hardstand

The East Aircraft Parking Hardstand was solicited under the Design Build delivery method; therefore, HAS was required to follow a two-step process. Five respondents submitted a Statement of Qualification (SOQ) in response to the Request for Qualification (RFQ) advertised July 24th and July 31st 2015. The evaluation committee convened for two days (September 24th and September 25th) to score and rank each SOQ using the evaluation criteria published in the RFQ (See Attachment II), which concluded the first step. The three firms chosen to participate in the second step and their initial scores were; James Construction Group. LLC (87), Texas Sterling – Banicki, JV LLC (78), and J.D. Abrams L.P. (77), respectively.

As a requirement of the second step, the three short-listed firms submitted their technical and price proposals. Proposals were received October 6, 2015 and were evaluated by the evaluation committee on October 12, 2015 utilizing the same consensus scoring methodology, but with a different set of evaluation criteria that was provided in the RFQ. Texas Sterling – Banicki, JV LLC received the highest score (80), followed by J.D. Abrams L.P. (68), and James Construction Group, LLC (58). The evaluation committee did not require additional information; therefore, no oral presentations were required. The evaluation committee recommended Texas Sterling – Banicki, JV LLC to move forward to the negotiation process.

The M/WBE goal for this contract is 33.51%

Texas Sterling – Banicki, JV LLC — MWBE Participation Plan 33.51%

Ferguson Consulting	Electrical, Telecommunications, Security Design	0.84%
Quadrant Consulting	Environmental and Storm Water Design	8.67%
English & Associates	Architectural Design	5.22%
Henderson & Rogers	Structural Engineering	4.14%
Gorrondona & Associates	Structural Engineering	1.65%
4b Technology	Communications	3.3%
HVJ Associates, Inc.	Geotechnical Testing	2.39%
Fronza & Francis	Construction Management	3.97%
Infrastructure Associates	MEP Design	3.33%

Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT

Nine (9) respondents submitted a Statement of Qualification on September 2, 2015 in response to the Request for Qualification advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (September 21st to September 23rd) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, three short-listed firms were invited to step two of the evaluation process; Skidmore, Owings & Merrill LLP (SOM) (86) received the highest score followed by Fentress Architects, Ltd. (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (72), respectively.

On October 1, 2015, HAS Stakeholders met with the Academic and Professional Organizational Architectural Design Oversight Committee to discuss ITRP Scope.

On October 14, 2015, the three short-listed firms appeared before the evaluation committee, industry stakeholders, and the CMAR selection committee—accompanied by two representatives of each of the three top ranked proponents—to participate in oral presentations and respond to questions provided to them in advance of step two of the evaluation process.

A Best and Final Offer (BAFO) was then requested of the top two finalists, Fentress and SOM, in order to be able to make a definite selection. In the essence of time, both firms were invited to separate meetings where the questions were discussed. Each firm received a written Request for BAFO and responses were received in the allowed time frame.

The evaluation committee reconvened immediately following the receipt of the BAFOs and, through consensus scoring, determined that Fentress Architects, Ltd. (88) was the firm it would recommend for award. The second and third-ranked respondents were Skidmore, Owings & Merrill LLP (SOM) (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (70), respectively. The Evaluation Committee recommended Fentress Architects, Ltd., to be awarded the contract and move to contract negotiation.

The M/WBE goal for this contract is 30%.

Fentress Architects, Ltd. — MWBE Participation Plan: 32.65%

STOA International Architects	Architecture, BIM/GIS Design	9%
RdlR Architects	Programming, Interior Architecture	2.5%
Smith & Company	Interiors	1.25%
Huerta & Associates Architects	Architectural Support	1.25%
Archi*Technics/3	Design Development, Construction Documents	1.25%
Bradlink	WMSBE Coordinator	0.5%
Henderson & Rogers	Structural Engineer	3%

(Continued)

Jones Engineers	Mechanical Engineer	2.7%
Hunt & Hunt Engineering	Electrical Engineer	2.7%
4b Technology	Technology Communications	4.5%
PGA Engineers	Security Systems	0.5%
Isani Consultants	Civil Engineering	1%
United Engineers	Civil Engineering	1%
OMEGA Engineers	Civil Engineering	1%
Clark Condon	Landscape Architect	0.5%

Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT

Five (5) respondents submitted a Statement of Qualification on September 4, 2015 in response to the Request for Qualification for CMAR services. This solicitation was advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (between September 28th and October 5th) to initiate the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, Skanska USA Building Inc. (77) received the highest score; the second and third-highest ranked SOQs were to Austin-Gilbane, Joint Venture (74) and Turner+Preston Banks+Koasati Joint Venture (68), respectively.

The short-listed CMAR firms were required to appear and observe the A/E interview/oral presentations. All three short-listed CMAR firms participated as observers on October 14, 2015.

On October 22, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance as it was provided for in Step Two of the evaluation process. On October 16, 2015, the three short-listed firms were requested to submit their Price Proposal to HAS by October 23, 2015.

The evaluation committee reconvened following the oral interviews and, through consensus scoring determined Austin-Gilbane, Joint Venture (78) to be the highest scoring firm. The second and third-ranked respondents were Skanska USA Building Inc. (71) and Turner+Preston Banks+Koasati Joint Venture (56), respectively. The Evaluation Committee recommended Austin-Gilbane, Joint Venture, to be awarded the contract and move to contract negotiation. The price proposal received from Austin-Gilbane was used for final negotiations.

The MWBE participation goal for Component 1 (Pre-Construction), Phase 1 of the Agreement is 10%. During the pre-construction services phase the design of the terminal will be sufficiently detailed to understand the construction components that may be undertaken by MWBE firms. Once sufficient design is completed, and before returning to Council for approval of the guaranteed maximum price, a final MWBE participation plan will be developed and submitted that we anticipate, together with the preconstruction services contribution, should approach 30%.

Austin-Gilbane, Joint Venture — MWBE Participation Plan 15%

ChaseSource	Pre-Construction Services, Estimating, Scheduling Project Management, Building Information Modeling (BIM) Coordination	10%
Con-Real	Staffing and Construction Services in Support of the Pre-Construction and Construction Scopes of Work	5%

Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH

Four (4) respondents submitted a Statement of Qualification on September 15, 2015 in response to the Request for Qualification advertised August 1, 2015 and August 7, 2015. The evaluation committee convened on October 6, 2015 to conduct the first step of the evaluation process and scored each SOQ using the consensus scoring method. At the conclusion of the first step, Hensel Phelps (80) scored the highest; the second and third-ranked SOQs were Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (76) and Clark/Horizon ITRP, A Joint Venture team (76), respectively.

On October 6, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance.

On October 9, 2015, the three short-listed firms were requested to submit their technical and price proposals as stated in Section 8.0 of the solicitation document. Proposals were received October 22, 2015, and were distributed to the evaluation committee the following day.

On October 23, 2015, the evaluation committee evaluated the technical proposal under the same consensus scoring method and with the evaluation criteria stipulated for step two (Section 8.0). After careful review of the Respondent's written and oral submittals, a discussion was held and scores were tabulated with the following results: Hensel Phelps (96), Clark/Horizon ITRP, A Joint Venture team (86) and Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (44), respectively. The Evaluation Committee recommended that the Hensel Phelps/Atkins team be awarded the contract and move to contract negotiation.

The M/WBE goal for the preconstruction services portion of this contact is 19%.

Hensel Phelps— MWBE Participation Plan 19.5%

4b Technology	Information Technology and Telecommunication	6.3%
Aviles Engineering	Geotechnical Services	3%
HT&J	Drainage Design	1%
Isani Consultants	Water Line Services	3%
Shah Smith & Associates	Lighting, Ventilation	5%
Vesta Rae & Associates	Public Outreach	1.2%

Attachment VII: Project Management Office Building and Owner Controlled Insurance Program

Project Management Office Building

Nine respondents submitted a Statement of Qualification in response to the Request for Qualification advertised July 24, 2015 and July 31, 2015. The evaluation committee convened for two days (September 30th and October 1st) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step in its evaluation process, the committee reached a shortlist of respondents. Technical proposals were requested of the short listed firms, which were evaluated by the committee as well. This solicitation was CANCELLED due to the failure of the three top-ranked respondents to supply the required MWBE participation plan specified in the technical phase of the RFQ. The solicitation will be re-issued in January 2016.

Owner Controlled Insurance Program (OCIP)

Six respondents submitted proposals to the OCIP Request For Proposal. The evaluation committee convened for one day (October 7, 2015) to conduct its initial evaluation of the proposals and scored each proposal. At the conclusion of its initial evaluation, Alliant Insurance Services, Inc. received the highest score (84); the second and third-highest ranked proposals were Willis of Texas, Inc. (82) and Marsh USA Inc. (75) respectively.

In an effort to establish a clear distinction between the three highest-ranked proposals, each proposer was given identical questions and invited to oral interviews on October 26, 2015. The evaluation committee reconvened immediately following the oral interviews and through consensus scoring, determined that Marsh USA Inc. (88) was the proposer it would recommend for award. Willis of Texas, Inc. scored (76) and Alliant Insurance Services scored (62).

The M/WBE goal for this contract is 24%.

Marsh USA Inc. — MWBE Participation Plan 31.23%

Boris Miles Insurance Agency OCIP Administration

Attachment VIII: Respondent Log--All Projects

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-MLITAE-2016-002

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT) ARCHITECT ENGINEER (A/E) DESIGN CONSULTANT SERVICES

DUE DATE: Wednesday, September 2, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Foster + Partners Group Ltd
2	Skidmore, Owings & Merrill LLP
3	Fentress Architects, Ltd.
4	LVA Luis Vidal USA, Inc.
5	Corgan Associates, Inc.
6	Hellmuth, Obata, & Kassabaum, LP (HOK)
7	Atkins and eStudio Joint Venture (A&E JV)
8	FR-EE HKS/ Page Group LLC
9	M. Arthur Gensler, Jr. & Associates, Inc. (dba Gensler)

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-PMODB-2016-006

PROGRAM MANAGEMENT OFFICE BUILDING (PMO)

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	The Ross Group Construction Corp.
2	SpawGlass Construction Corp.
3	E.E. Reed Construction, L.P.
4	CYMI Industrial, Inc.
5	Teal Construction Co.
6	Rogers-O'Brien Construction Company, Ltd.
7	Anslow Bryant Construction Ltd.
8	Horizon/Aztec/Robbins JV
9	DPR Construction, A General Partnership

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-EAPDB-2016-005

EAST AIRCRAFT PARKING HARDSTAND

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	J.D. Abrams, L.P.
2	OHL USA, Inc.
3	J. Banicki Construction, Inc.
4	Burns & McDonnell / Azteca / W.A. Robbins Team
5	James Construction Group, LLC

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37- MLITCMAR-2016-003

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT)
CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES

DUE DATE: Friday, September 4, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Houston Airport Builders
2	Austin-Gilbane, a Joint Venture
3	Gateway Constructors
4	Turner+Preston Banks+Koasati Joint Venture
5	Skanska USA Building Inc.

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-EUTLDB-2016-004

ITRP ENABLING UTILITIES – LANDSIDE PROJECT

DUE DATE: Tuesday, September 15, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Burns & McDonnell / Azteca Enterprises / W.A. Robbins
2	OHL USA, Inc. and Lockwood Andrews & Newnam, Inc. (OHL + LAN)
3	Hensel Phelps / Atkins
4	Clark / Horizon ITRP, A Joint Venture

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

PROPOSAL RECEIPT SHEET

Request for Proposal (RFP) Solicitation No. HBH-OCIP-2015-026
OWNER CONTROLLED INSURANCE PROGRAM

DUE DATE: Thursday, September 17, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: BJ Hubbard, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

PROPOSALS RECEIVED

NO.	VENDOR
1	USI/W.J. Alexander/Navarro Insurance Group/Resurgens Risk Management, Inc.
2	Willis of Texas, Inc.
3	McGriff, Seibels & Williams of Texas
4	Arthur J. Gallagher Risk Management Services, Inc.
5	Marsh USA Inc.
6	Alliant Insurance Services, Inc.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B
Item Creation Date: 11/23/2015

HAS - Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for ITRP; Project 822

Agenda Item#: 47.

Summary:

ORDINANCE appropriating $4,733,000 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Design Build Agreement between the City of Houston and **HENSEL PHELPS CONSTRUCTION CO.** for Landside Enabling Utilities in support of the IAH Terminal Redevelopment Program (Project No. 822); providing funding for contingencies - **DISTRICT B - DAVIS**

Background:

SUBJECT: Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for the IAH Terminal Redevelopment Program (ITRP); Project No. 822 (WBS: A-000800-0010-3-01-01)

RECOMMENDATION: Enact an ordinance to approve a contract for Design/Build Services with Hensel Phelps for the Landside Enabling Utilities in support of the IAH Terminal Redevelopment Program (ITRP) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:
The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

The Landside Enabling Utilities Design/Build Services firm will be designated as the "Prime Contractor" of the Landside Enabling Utilities site and will be required to provide complete Design, Pre-Construction Services and Construction Services to complete the ITRP Landside Enabling

Utilities Project. The firm must furnish all labor, materials, and equipment necessary and reasonable to complete the entire contemplated scope of work in accordance with City requirements and the terms of the contract. The scope of work includes permitting, design, construction, supervision, testing, inspection, integration, construction, commissioning building and system components and interfacing with third-party commissioning services, provider for integrated systems testing, information technology, systems integration and activation, regulatory requirements, project closeout, and all necessary general conditions that may be reasonably inferred.

A Request for Qualifications (RFQ) was advertised in accordance with City policy, and Statements of Qualification (SOQ) were received from four (4) firms. The Evaluation Committee, comprised of HAS functional managers, evaluated and ranked the SOQs based on criteria contained in the RFQ. Three (3) firms were short-listed and interviewed by the Evaluation Committee, and Hensel Phelps was recommended for contract award. The selection process was observed by members of the ITRP Program Management Team.

The Landside Enabling Utilities Design/Build Services firm will perform services for the Project under two phases. Phase 1 – Design/Pre-Construction/Early Construction Services will commence shortly after award of the contract upon issuance of a Notice to Proceed (NTP). Early Construction Services, for the construction/installation of a new triturator, will be completed during Phase 1. The culmination of Phase 1 will result in a Guaranteed Maximum Price (GMP), which will be brought to City Council for approval. Phase 2 – Construction Services will commence upon issuance of an NTP following the establishment of a GMP and will be completed in accordance with the scope of work.

Phase 1 Costs:

Pre-Construction Services and Design Services	$4,370,000
Early Construction Services	$ 330,000
Contingency	$ 33,000
Total	$4,733,000

HAS will be requesting City Council's approval of additional appropriations in support of Phase 2 – Construction Services. A portion of the spending under this contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) participation goal for the Phase 1 – Pre-Construction Services portion of this contract is 19%. Hensel Phelps proposes 19.5% participation through the services performed by the following firms:

Certified Firm	Type of Work	%
4b Technology	Information Technology and Telecommunication	6.3%
Aviles Engineering	Geotechnical Services	3%
HT&J	Drainage Design	1%
Isani Consultants	Water Line Services	3%

Shah Smith & Associates	Lighting, Ventilation	5%
Vesta Rae & Associates	Public Outreach	1.2%

A separate M/WBE participation goal will be established for Phase 2 - Construction Services, and the firm's Phase 2 participation plan will be submitted to Council for approval in conjunction with a request for appropriations in support of Phase 2.

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November 19, 2015.

Amount of Funding:

$ 4,733,000 HAS-Consolidated ITRP AMT Construction Fund (8207)

Contact Information:

Kathy Elek Phone: 281/233-1826
Robert Barker 281/233-1953

ATTACHMENTS:

Description	Type
HAS - Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for ITRP; Project 822 - Ordinance	Ordinance/Resolution/Motion
HAS - Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for ITRP; Project 822 - RCA	Signed Cover sheet
HAS - Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for ITRP; Project 822 - Form A	Backup Material
HAS - Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for ITRP; Project 822 - Form B	Backup Material
HAS - Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for ITRP; Project 822 - Del Tax Rpt	Backup Material
HAS - Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for ITRP; Project 822 - Aff of Own	Backup Material
Executive Summary	Backup Material

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

SUBJECT: Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for the IAH Terminal Redevelopment Program (ITRP); Project No. 822 (WBS: A-000800-0010-3-01-01)	**Category #**	**Page 1 of 3**	**Agenda Item #**

FROM (Department or other point of origin): Houston Airport System	**Origination Date** November 22, 2015	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** B	
For additional information contact: Kathy Elek **Phone:** 281/233-1826; Robert Barker 281/233-1953	**Date and identification of prior authorizing Council action:** N/A	
AMOUNT & SOURCE OF FUNDING: CIP No. A-0800 $ 4,733,000 HAS-Consolidated ITRP AMT Construction Fund (8207); $ 4,733,000 Total	**Prior appropriations:** N/A	

RECOMMENDATION: (Summary) Enact an ordinance to approve a contract for Design/Build Services with Hensel Phelps for the Landside Enabling Utilities in support of the IAH Terminal Redevelopment Program (ITRP) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:

The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

The Landside Enabling Utilities Design/Build Services firm will be designated as the "Prime Contractor" of the Landside Enabling Utilities site and will be required to provide complete Design, Pre-Construction Services and Construction Services to complete the ITRP Landside Enabling Utilities Project. The firm must furnish all labor, materials, and equipment necessary and reasonable to complete the entire contemplated scope of work in accordance with City requirements and the terms of the contract. The scope of work includes permitting, design, construction, supervision, testing, inspection, integration, construction, commissioning building and system components and

REQUIRED AUTHORIZATION		
Finance Department:	**Other Authorization:**	**Other Authorization:**

interfacing with third-party commissioning services, provider for integrated systems testing, information technology, systems integration and activation, regulatory requirements, project closeout, and all necessary general conditions that may be reasonably inferred.

A Request for Qualifications (RFQ) was advertised in accordance with City policy, and Statements of Qualification (SOQ) were received from four (4) firms. The Evaluation Committee, comprised of HAS functional managers, evaluated and ranked the SOQs based on criteria contained in the RFQ. Three (3) firms were short-listed and interviewed by the Evaluation Committee, and Hensel Phelps was recommended for contract award. The selection process was observed by members of the ITRP Program Management Team.

The Landside Enabling Utilities Design/Build Services firm will perform services for the Project under two phases. Phase 1 – Design/Pre-Construction/Early Construction Services will commence shortly after award of the contract upon issuance of a Notice to Proceed (NTP). Early Construction Services, for the construction/installation of a new triturator, will be completed during Phase 1. The culmination of Phase 1 will result in a Guaranteed Maximum Price (GMP), which will be brought to City Council for approval. Phase 2 – Construction Services will commence upon issuance of an NTP following the establishment of a GMP and will be completed in accordance with the scope of work.

Phase 1 Costs:

Pre-Construction Services and Design Services	$4,370,000
Early Construction Services	$ 330,000
Contingency	$ 33,000
Total	$4,733,000

HAS will be requesting City Council's approval of additional appropriations in support of Phase 2 – Construction Services. A portion of the spending under this contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) participation goal for the Phase 1 – Pre-Construction Services portion of this contract is 19%. Hensel Phelps proposes 19.5% participation through the services performed by the following firms:

Certified Firm	Type of Work	%
4b Technology	Information Technology and Telecommunication	6.3%
Aviles Engineering	Geotechnical Services	3%
HT&J	Drainage Design	1%
Isani Consultants	Water Line Services	3%
Shah Smith & Associates	Lighting, Ventilation	5%

Vesta Rae & Associates	Public Outreach	1.2%

A separate M/WBE participation goal will be established for Phase 2 - Construction Services, and the firm's Phase 2 participation plan will be submitted to Council for approval in conjunction with a request for appropriations in support of Phase 2.

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November 19, 2015.

CITY OF HOUSTON
INTER OFFICE CORRESPONDENCE

To: Mario C. Diaz
Director of Aviation

From: Justina J. Mann, CPPO
Procurement Officer
Supply Chain Management
Houston Airport System

Date: November 25, 2015

Subject: **ITRP and MLIT Executive Summation of Solicitation Projects**

Solicitation Summary

For at least two years, the Houston Airport System has been planning for the necessary rebuild of the Mickey Leland International Terminal (MLIT) and the broader International Terminal Redevelopment Program (ITRP) at Bush Intercontinental Airport. After this extensive planning, six solicitations to advance the projects were published earlier this year. Two solicitations were associated with MLIT projects, three were associated with ITRP projects and one was for an Owner Controlled Insurance Program (OCIP) encompassing both MLIT and ITRP. The Houston Airport System employed a number of delivery methods for the various projects with the goals of obtaining the best value and procuring the most qualified professionals that had demonstrated experience and could demonstrate a history of working together in a cohesive team. The teamwork approach was especially important given the very complex nature of the MLIT project, the associated high risks, and the potential for significant impact on airline operations and passenger service over the extensive project duration, which is estimated to exceed five years. The table below shows the procurement strategy/delivery method associated with each project.

Project	Procurement / Delivery Method
Architectural Engineering Design Services for IAH MLIT	RFQ
Construction Manager at Risk Services for IAH MLIT	RFQ CMAR (Texas Government Code 2269.251)
East Aircraft Parking Hardstand	RFQ Design Build (Texas Government Code 2269.301)
Owner Controlled Insurance Program	RFP
Project Management Office (PMO) Building	RFQ Design Build (Texas Government Code 2269.301)
Enabling Utilities	RFQ Design Build (Texas Government Code 2269.301)

The Houston Airport System received considerable feedback from Architectural and Engineering (A&E) firms, construction companies, and the business community in general regarding the solicitations prior to advertisement. Four Industry Days were held from March 2014 to March 2015, where the Airport System coordinated with the City of Houston's Office of

Business Opportunity to introduce upcoming opportunities for the ITRP. Industry Day events encouraged networking between prime and sub-contractors.

The Airport System's Office of Supply Chain Management worked closely with the City's Acting Chief Procurement Officer and the Executive Program Management team in the development of the budget, scope, and schedule. Each solicitation was advertised for two consecutive weekends in the Houston Chronicle and posted on the Airport's fly2houston website. Evaluation committee members for the projects attended evaluator and consensus scoring training and were issued a training manual. After evaluators were trained and executed non-disclosure agreements, they were provided hard copies of the proposals / statements of qualifications they were assigned to evaluate.

Evaluation Process

The evaluation criteria for each project can be found at the end of this memorandum as Attachment II. Proposal scoring rested solely with members of the evaluation committee for each project. As a level of oversight to the evaluation committees, stakeholder representatives from United Airlines and the foreign-flag carriers participated in monitoring the evaluation process. To assure we had expert assistance in the field of architecture, the Airport System solicited the participation of several prominent architecture experts in the City listed in Attachment I: Evaluation Summary. As a part of the A&E procurement process, non-voting observers and stakeholders helped to provide an overall assessment of the respondents and advised the evaluation committee wherever further clarification was required.

A consensus scoring approach was employed in rating all proposals. A consensus score from 1-5 was reached by all members of the evaluation committee, then weighting factors were applied in a manner consistent with the relative importance for each criterion. By way of example, if a respondent received the highest score (5) allowed for each criterion, after consideration of the weighting factors, that respondent would have received a score of 100.

For the proposals solicited as design-build, several short-listed firms were invited to advance to the second step of the evaluation process and were requested to submit their technical and price proposals. The technical proposals were evaluated using the same consensus scoring methodology. If the technical proposal scored sufficient points above all others, the proponent was selected to move forward with the recommendation to award following an oral presentation, when necessary, to assure clarity on all points made in the proposal.

The top three respondents to the procurements for Architectural Engineering Design (A&E), Construction Manager at Risk Services (CMAR) and Enabling Utilities were invited to deliver oral presentations to the evaluation committees. The oral interview process was essential in helping the evaluation committees clarify critical points made in the statement of qualifications / proposals and identify a decisive frontrunner for each solicitation. The evaluation committees drafted questions that were sent to respondents invited to oral interviews. The questions were sent in advance of the scheduled interviews to promote a productive discourse. In view of the critical need for collaboration between the A&E and the CMAR, and with the Airport System, the representatives of the three top-ranked CMAR firms were invited to observe the oral interviews

for the A&E firms. During the oral interviews for the CMAR, each respondent was asked to force rank the A&E firms with respect to their previous work experience with each, and the level of cooperation they were able to establish. The final two top-ranked A&E firms were similarly required to force rank the CMAR firms, again with respect to previous work experience with each CMAR team and the level of cooperation they were able to establish.

At the conclusion of oral interviews, the evaluation committees scored each responding firm, taking into account the new information gathered during the oral interviews. The scores from the written proposal phase were set aside, and new scores were established in compliance with the process. The oral interviews were scored using consensus scoring, consistent with the scoring method of the first level of review, and became the basis for determining the winning proposal.

In the case of the A&E solicitation, there was required a further tie-breaking step that brought into play a best-and-final offer as the basis for deciding the winning proposal. Interviews were held with the top two firms and questions posed to both, which were then submitted in writing. The responses were used to formulate the decision as to the recommended firm.

Please see Attachment I through VIII for further details:

Attachment I: Evaluation Summary
Attachment II: Evaluation Criteria by Project (ITRP/MLIT)
Attachment III: East Aircraft Parking Hardstand
Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT
Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT
Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH
Attachment VII: Project Management Office Building and Owner Controlled Insurance Program
Attachment VIII: Respondent Log—All Projects

Attachment I: Evaluation Summary

EAST AIRCRAFT PARKING HARDSTAND

Evaluation Committee (Voting Members[1]):

Airfield Operations Manager
Operations Manager
Sr. Airport Planner
Acting Assistant Director of Construction, Infrastructure
Sr. Project Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

General Manager, IAH
Chief Infrastructure Officer
Chief Technology Officer
Chief Commercial Officer
Assistant Director – Planning

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

[1] All evaluation committee members were selected based on qualifications from among the Airport System middle to upper management unless indicated otherwise.

United and Foreign Flag Airlines Representative
David Brandenburg, United Airlines
Bruce Rieser, Foreign Flag Airlines Representative

Academic and Professional Organizational Architectural Design Oversight Committee
Sarah Whiting; Dean of School of Architecture at Rice University
Patricia B. Oliver; Dean of Gerald D. Hines College of Architecture at University of Houston
Ikhlas Sabouni; Dean and Professor of Architecture at Prairie View A&M University
Linda Sylvan; Executive Director of Rice Design Alliance at Rice University
Rusty Bienvenue; Executive Director - American Institute of Architects-Houston

CMAR Evaluation Committee (*Observed A/E Oral Presentations Only*)
Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Two representatives from each of the three top-ranked CMAR Short-listed Firms (*Observed A/E Oral Presentations Only*)

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

United Airlines and Foreign Flag Airlines Representatives

David Brandenburg	United Airlines Representative
Bruce Rieser	Foreign Flag Airlines Representative

PROGRAM MANAGEMENT OFFICE BUILDING

Evaluation Committee (Voting Members):

Project Manager (IT)
Project Manager
Sr. Project Manager
Sr. Project Manager
Landside Operations Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

Evaluation Committee (Voting Members):

Division Manager - Infrastructure
Staff Analyst – IAH Operations
Deputy Assistant Director – HOU Management
Managing Engineering – Infrastructure
Project Manager – Information Technology

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

OWNER CONTROLLED INSURANCE PROGRAM (OCIP)

Evaluation Committee (Voting Members):

Assistant Director - Finance & Administration
Division Manager - Safety & Emergency Management
Airline Affairs Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Benard Hubbard	Sr. Procurement Specialist
Tina Paquet	Assistant Director, Administration and Regulatory Affairs

Office of Business Opportunity – Houston Airport System

Jason McLemore	Assistant Deputy Director, HAS OBO

Attachment II: EVALUATION CRITERIA by ITRP/MLIT PROJECT

EAST AIRCRAFT PARKING HARDSTAND

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

PROGRAM MANAGEMENT OFFICE (PMO) BUILDING

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. People/ Resources/ Capabilities
2. Representative Project Experience
3. Design Approach
4. Cost Estimating Capability
5. Quality Management Approach
6. Construction Support Capability
7. Project Controls Capability
8. Financial Capabilities
9. MWBE Compliance

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. Project Approach and CMAR Team Commitment
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities
8. MWBE Compliance

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Qualifications for Design Services
3. Qualifications for Pre-Construction and Construction Services
4. Design, Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions To Anticipated Problems
4. Ability To Meet Schedules
5. Conceptual Engineering Design/ Comments on Design Criteria Package
6. MWBE Compliance

OWNER CONTROLLED INSURANCE PROGRAM

Evaluation Criteria

1. Qualifications, Knowledge, and Experience of Key Personnel
2. Management Approach and Proposed Administration Services
3. Brokerage Service Agreement and Remuneration
4. Team Track Record and Experience Working Together
5. Resources and Capacity
6. Timeline and Approach to Provision of Service
7. MWBE Compliance
8. Financial Capabilities

Attachment III: East Aircraft Parking Hardstand

The East Aircraft Parking Hardstand was solicited under the Design Build delivery method; therefore, HAS was required to follow a two-step process. Five respondents submitted a Statement of Qualification (SOQ) in response to the Request for Qualification (RFQ) advertised July 24th and July 31st 2015. The evaluation committee convened for two days (September 24th and September 25th) to score and rank each SOQ using the evaluation criteria published in the RFQ (See Attachment II), which concluded the first step. The three firms chosen to participate in the second step and their initial scores were; James Construction Group. LLC (87), Texas Sterling – Banicki, JV LLC (78), and J.D. Abrams L.P. (77), respectively.

As a requirement of the second step, the three short-listed firms submitted their technical and price proposals. Proposals were received October 6, 2015 and were evaluated by the evaluation committee on October 12, 2015 utilizing the same consensus scoring methodology, but with a different set of evaluation criteria that was provided in the RFQ. Texas Sterling – Banicki, JV LLC received the highest score (80), followed by J.D. Abrams L.P. (68), and James Construction Group, LLC (58). The evaluation committee did not require additional information; therefore, no oral presentations were required. The evaluation committee recommended Texas Sterling – Banicki, JV LLC to move forward to the negotiation process.

The M/WBE goal for this contract is 33.51%

Texas Sterling – Banicki, JV LLC — MWBE Participation Plan 33.51%

Ferguson Consulting	Electrical, Telecommunications, Security Design	0.84%
Quadrant Consulting	Environmental and Storm Water Design	8.67%
English & Associates	Architectural Design	5.22%
Henderson & Rogers	Structural Engineering	4.14%
Gorrondona & Associates	Structural Engineering	1.65%
4b Technology	Communications	3.3%
HVJ Associates, Inc.	Geotechnical Testing	2.39%
Fronza & Francis	Construction Management	3.97%
Infrastructure Associates	MEP Design	3.33%

Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT

Nine (9) respondents submitted a Statement of Qualification on September 2, 2015 in response to the Request for Qualification advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (September 21st to September 23rd) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, three short-listed firms were invited to step two of the evaluation process; Skidmore, Owings & Merrill LLP (SOM) (86) received the highest score followed by Fentress Architects, Ltd. (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (72), respectively.

On October 1, 2015, HAS Stakeholders met with the Academic and Professional Organizational Architectural Design Oversight Committee to discuss ITRP Scope.

On October 14, 2015, the three short-listed firms appeared before the evaluation committee, industry stakeholders, and the CMAR selection committee—accompanied by two representatives of each of the three top ranked proponents—to participate in oral presentations and respond to questions provided to them in advance of step two of the evaluation process.

A Best and Final Offer (BAFO) was then requested of the top two finalists, Fentress and SOM, in order to be able to make a definite selection. In the essence of time, both firms were invited to separate meetings where the questions were discussed. Each firm received a written Request for BAFO and responses were received in the allowed time frame.

The evaluation committee reconvened immediately following the receipt of the BAFOs and, through consensus scoring, determined that Fentress Architects, Ltd. (88) was the firm it would recommend for award. The second and third-ranked respondents were Skidmore, Owings & Merrill LLP (SOM) (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (70), respectively. The Evaluation Committee recommended Fentress Architects, Ltd., to be awarded the contract and move to contract negotiation.

The M/WBE goal for this contract is 30%.

Fentress Architects, Ltd. — MWBE Participation Plan: 32.65%

STOA International Architects	Architecture, BIM/GIS Design	9%
RdlR Architects	Programming, Interior Architecture	2.5%
Smith & Company	Interiors	1.25%
Huerta & Associates Architects	Architectural Support	1.25%
Archi*Technics/3	Design Development, Construction Documents	1.25%
Bradlink	WMSBE Coordinator	0.5%
Henderson & Rogers	Structural Engineer	3%

(Continued)

Jones Engineers	Mechanical Engineer	2.7%
Hunt & Hunt Engineering	Electrical Engineer	2.7%
4b Technology	Technology Communications	4.5%
PGA Engineers	Security Systems	0.5%
Isani Consultants	Civil Engineering	1%
United Engineers	Civil Engineering	1%
OMEGA Engineers	Civil Engineering	1%
Clark Condon	Landscape Architect	0.5%

Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT

Five (5) respondents submitted a Statement of Qualification on September 4, 2015 in response to the Request for Qualification for CMAR services. This solicitation was advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (between September 28th and October 5th) to initiate the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, Skanska USA Building Inc. (77) received the highest score; the second and third-highest ranked SOQs were to Austin-Gilbane, Joint Venture (74) and Turner+Preston Banks+Koasati Joint Venture (68), respectively.

The short-listed CMAR firms were required to appear and observe the A/E interview/oral presentations. All three short-listed CMAR firms participated as observers on October 14, 2015.

On October 22, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance as it was provided for in Step Two of the evaluation process. On October 16, 2015, the three short-listed firms were requested to submit their Price Proposal to HAS by October 23, 2015.

The evaluation committee reconvened following the oral interviews and, through consensus scoring determined Austin-Gilbane, Joint Venture (78) to be the highest scoring firm. The second and third-ranked respondents were Skanska USA Building Inc. (71) and Turner+Preston Banks+Koasati Joint Venture (56), respectively. The Evaluation Committee recommended Austin-Gilbane, Joint Venture, to be awarded the contract and move to contract negotiation. The price proposal received from Austin-Gilbane was used for final negotiations.

The MWBE participation goal for Component 1 (Pre-Construction), Phase 1 of the Agreement is 10%. During the pre-construction services phase the design of the terminal will be sufficiently detailed to understand the construction components that may be undertaken by MWBE firms. Once sufficient design is completed, and before returning to Council for approval of the guaranteed maximum price, a final MWBE participation plan will be developed and submitted that we anticipate, together with the preconstruction services contribution, should approach 30%.

Austin-Gilbane, Joint Venture — MWBE Participation Plan 15%

ChaseSource	Pre-Construction Services, Estimating, Scheduling Project Management, Building Information Modeling (BIM) Coordination	10%
Con-Real	Staffing and Construction Services in Support of the Pre-Construction and Construction Scopes of Work	5%

Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH

Four (4) respondents submitted a Statement of Qualification on September 15, 2015 in response to the Request for Qualification advertised August 1, 2015 and August 7, 2015. The evaluation committee convened on October 6, 2015 to conduct the first step of the evaluation process and scored each SOQ using the consensus scoring method. At the conclusion of the first step, Hensel Phelps (80) scored the highest; the second and third-ranked SOQs were Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (76) and Clark/Horizon ITRP, A Joint Venture team (76), respectively.

On October 6, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance.

On October 9, 2015, the three short-listed firms were requested to submit their technical and price proposals as stated in Section 8.0 of the solicitation document. Proposals were received October 22, 2015, and were distributed to the evaluation committee the following day.

On October 23, 2015, the evaluation committee evaluated the technical proposal under the same consensus scoring method and with the evaluation criteria stipulated for step two (Section 8.0). After careful review of the Respondent's written and oral submittals, a discussion was held and scores were tabulated with the following results: Hensel Phelps (96), Clark/Horizon ITRP, A Joint Venture team (86) and Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (44), respectively. The Evaluation Committee recommended that the Hensel Phelps/Atkins team be awarded the contract and move to contract negotiation.

The M/WBE goal for the preconstruction services portion of this contact is 19%.

Hensel Phelps— MWBE Participation Plan 19.5%

4b Technology	Information Technology and Telecommunication	6.3%
Aviles Engineering	Geotechnical Services	3%
HT&J	Drainage Design	1%
Isani Consultants	Water Line Services	3%
Shah Smith & Associates	Lighting, Ventilation	5%
Vesta Rae & Associates	Public Outreach	1.2%

Attachment VII: Project Management Office Building and Owner Controlled Insurance Program

Project Management Office Building

Nine respondents submitted a Statement of Qualification in response to the Request for Qualification advertised July 24, 2015 and July 31, 2015. The evaluation committee convened for two days (September 30th and October 1st) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step in its evaluation process, the committee reached a shortlist of respondents. Technical proposals were requested of the short listed firms, which were evaluated by the committee as well. This solicitation was CANCELLED due to the failure of the three top-ranked respondents to supply the required MWBE participation plan specified in the technical phase of the RFQ. The solicitation will be re-issued in January 2016.

Owner Controlled Insurance Program (OCIP)

Six respondents submitted proposals to the OCIP Request For Proposal. The evaluation committee convened for one day (October 7, 2015) to conduct its initial evaluation of the proposals and scored each proposal. At the conclusion of its initial evaluation, Alliant Insurance Services, Inc. received the highest score (84); the second and third-highest ranked proposals were Willis of Texas, Inc. (82) and Marsh USA Inc. (75) respectively.

In an effort to establish a clear distinction between the three highest-ranked proposals, each proposer was given identical questions and invited to oral interviews on October 26, 2015. The evaluation committee reconvened immediately following the oral interviews and through consensus scoring, determined that Marsh USA Inc. (88) was the proposer it would recommend for award. Willis of Texas, Inc. scored (76) and Alliant Insurance Services scored (62).

The M/WBE goal for this contract is 24%.

Marsh USA Inc. — MWBE Participation Plan 31.23%

Boris Miles Insurance Agency OCIP Administration

Attachment VIII: Respondent Log--All Projects

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-MLITAE-2016-002

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT) ARCHITECT ENGINEER (A/E) DESIGN CONSULTANT SERVICES

DUE DATE: Wednesday, September 2, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Foster + Partners Group Ltd
2	Skidmore, Owings & Merrill LLP
3	Fentress Architects, Ltd.
4	LVA Luis Vidal USA, Inc.
5	Corgan Associates, Inc.
6	Hellmuth, Obata, & Kassabaum, LP (HOK)
7	Atkins and eStudio Joint Venture (A&E JV)
8	FR-EE HKS/ Page Group LLC
9	M. Arthur Gensler, Jr. & Associates, Inc. (dba Gensler)

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-PMODB-2016-006

PROGRAM MANAGEMENT OFFICE BUILDING (PMO)

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	The Ross Group Construction Corp.
2	SpawGlass Construction Corp.
3	E.E. Reed Construction, L.P.
4	CYMI Industrial, Inc.
5	Teal Construction Co.
6	Rogers-O'Brien Construction Company, Ltd.
7	Anslow Bryant Construction Ltd.
8	Horizon/Aztec/Robbins JV
9	DPR Construction, A General Partnership

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-EAPDB-2016-005

EAST AIRCRAFT PARKING HARDSTAND

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	J.D. Abrams, L.P.
2	OHL USA, Inc.
3	J. Banicki Construction, Inc.
4	Burns & McDonnell / Azteca / W.A. Robbins Team
5	James Construction Group, LLC

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37- MLITCMAR-2016-003

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT)
CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES

DUE DATE: Friday, September 4, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Houston Airport Builders
2	Austin-Gilbane, a Joint Venture
3	Gateway Constructors
4	Turner+Preston Banks+Koasati Joint Venture
5	Skanska USA Building Inc.

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-EUTLDB-2016-004

ITRP ENABLING UTILITIES – LANDSIDE PROJECT

DUE DATE: Tuesday, September 15, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Burns & McDonnell / Azteca Enterprises / W.A. Robbins
2	OHL USA, Inc. and Lockwood Andrews & Newnam, Inc. (OHL + LAN)
3	Hensel Phelps / Atkins
4	Clark / Horizon ITRP, A Joint Venture

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

PROPOSAL RECEIPT SHEET

Request for Proposal (RFP) Solicitation No. HBH-OCIP-2015-026
OWNER CONTROLLED INSURANCE PROGRAM

DUE DATE: Thursday, September 17, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: BJ Hubbard, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

PROPOSALS RECEIVED

NO.	VENDOR
1	USI/W.J. Alexander/Navarro Insurance Group/Resurgens Risk Management, Inc.
2	Willis of Texas, Inc.
3	McGriff, Seibels & Williams of Texas
4	Arthur J. Gallagher Risk Management Services, Inc.
5	Marsh USA Inc.
6	Alliant Insurance Services, Inc.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B
Item Creation Date: 11/23/2015

HAS - Design/Build Contract with Texas Sterling-Banicki, JV LLC for East Aircraft Parking Hardstand for ITRP; Project 823

Agenda Item#: 48.

Summary:

ORDINANCE appropriating $2,477,693 out of HAS Consolidated ITRP AMT Construction Fund and approving and authorizing Design Build Agreement between the City of Houston and **TEXAS STERLING - BANICKI, JV LLC** for the East Aircraft Parking Hardstand Project in support of the IAH Terminal Redevelopment Program (Project No. 823) - **DISTRICT B - DAVIS**

Background:

SUBJECT: Design/Build Contract with Texas Sterling-Banicki, JV LLC for the East Aircraft Parking Hardstand for the IAH Terminal Redevelopment Program (ITRP); Project No. 823 (WBS: A-000800-0011-3-01-01)

RECOMMENDATION: Enact an ordinance to approve a contract for Design/Build Services with Texas Sterling-Banicki, JV LLC for the East Aircraft Parking Hardstand project in support of the IAH Terminal Redevelopment Program (ITRP) and appropriate the necessary funds to finance the cost of these services.

PROJECT LOCATION: George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION:

The Houston Airport System (HAS) has identified a significant need for the development of additional facilities at IAH to handle aircraft, passengers, and cargo departing to, and arriving from, domestic and international destinations on scheduled and chartered flights.

To support the airlines' growth plans in Houston, the HAS and airlines will complete a major capital improvement program, known as the IAH Terminal Redevelopment Program (ITRP), that will include constructing a new 11-gate concourse on the north side of Terminal B, becoming the "New Terminal C North" and reconstructing and integrating the existing Terminal C North and Terminal D into a new single common-use international facility (the Mickey Leland International Terminal (MLIT)). The expansion of the terminal facilities will also necessitate an enlargement of certain components of the existing Federal Inspection Services (FIS) facility. The improvement plan will also include several enabling projects to serve the newly constructed facilities as well as a new roadway system, airfield improvements, and parking structure for increased parking capacity.

The East Aircraft Parking Hardstand Design/Build Services firm will be designated as the "Prime Contractor" of the East Aircraft Parking Hardstand site and will be required to provide complete

Design, Pre-Construction Services and Construction Services to complete the ITRP East Aircraft Parking Hardstand Project. The firm must furnish all labor, materials, and equipment necessary and reasonable to complete the entire contemplated scope of work in accordance with City requirements and the terms of the contract. The scope of work includes permitting, design, construction, supervision, testing, inspection, integration, construction, commissioning building and system components and interfacing with third-party commissioning services, provider for integrated systems testing, information technology, systems integration and activation, regulatory requirements, project closeout, and all necessary general conditions that may be reasonably inferred.

A Request for Qualifications (RFQ) was advertised in accordance with City policy, and Statements of Qualification (SOQ) were received from five (5) firms. The Evaluation Committee, comprised of HAS functional managers, evaluated and ranked the SOQs based on criteria contained in the RFP. Three (3) firms were short-listed and interviewed by the Evaluation Committee, and Texas Sterling-Banicki, JV LLC was recommended for contract award. The selection process was observed by members of the ITRP Program Management Team.

The East Aircraft Parking Hardstand Design/Build Services firm will perform services for the Project under two phases. Phase 1 – Design/Pre-Construction Services will commence shortly after award of the contract upon issuance of a Notice to Proceed (NTP). The culmination of Phase 1 will result in a Guaranteed Maximum Price (GMP), which will be brought to City Council for approval. Phase 2 – Construction Services will commence upon issuance of an NTP following the establishment of a GMP and will be completed in accordance with the scope of work.

HAS will be requesting City Council's approval of additional appropriations in support of Phase 2 – Construction Services. A portion of the spending under this contract may be eligible for reimbursement under either the FAA AIP or PFC programs.

Pay or Play: The proposed contract requires compliance with the City's "Pay or Play" ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

M/WBE Participation: The Minority/Women Business Enterprise (M/WBE) participation goal for this contract is 33.51%. Texas Sterling-Banicki, JV LLC proposes to meet the 33.51% goal through the services performed by the following firms.

Certified Firms	Type of Work	%
Ferguson Consulting	Elec., Telecom, Security Design	0.84%
Quadrant Consulting	Environ. and Storm Water Design	8.67%
English & Associates	Architectural Design	5.22%
Henderson & Rogers	Structural Engineering	4.14%
Gorrondona & Associates	Structural Engineering	1.65%
4b Technology	Communications	3.3%
HVJ Associates, Inc.	Geotechnical Testing	2.39%
Fronza & Francis	Construction Management	3.97%
Infrastructure Associates	MEP Design	3.33%

The City Council Budget and Fiscal Affairs Committee was briefed on this contract on November

19, 2015.

Amount of Funding:

$ 2,477,693 HAS-Consolidated ITRP AMT Construction Fund (8207)

Contact Information:

Kathy Elek Phone: 281/233-1826
Robert Barker 281/233-1953

ATTACHMENTS:

Description	Type
HAS - Design/Build Contract with Hensel Phelps for Landside Enabling Utilities for ITRP; Project 822 - RCA	Signed Cover sheet
HAS - Design/Build Contract with Texas Sterling-Banicki, JV LLC for East Aircraft Parking Hardstand for ITRP; Project 823 - Ordinance	Ordinance/Resolution/Motion
HAS - Design/Build Contract with Texas Sterling-Banicki, JV LLC for East Aircraft Parking Hardstand for ITRP; Project 823 - Form A	Backup Material
HAS - Design/Build Contract with Texas Sterling-Banicki, JV LLC for East Aircraft Parking Hardstand for ITRP; Project 823 - Form B	Backup Material
HAS - Design/Build Contract with Texas Sterling-Banicki, JV LLC for East Aircraft Parking Hardstand for ITRP; Project 823 - Del Tax Rpt	Backup Material
HAS - Design/Build Contract with Texas Sterling-Banicki, JV LLC for East Aircraft Parking Hardstand for ITRP; Project 823 - Aff of Own	Backup Material
Executive Summary	Backup Material

CITY OF HOUSTON
INTER OFFICE CORRESPONDENCE

To: Mario C. Diaz
Director of Aviation

From: Justina J. Mann, CPPO
Procurement Officer
Supply Chain Management
Houston Airport System

Date: November 25, 2015

Subject: **ITRP and MLIT Executive Summation of Solicitation Projects**

Solicitation Summary

For at least two years, the Houston Airport System has been planning for the necessary rebuild of the Mickey Leland International Terminal (MLIT) and the broader International Terminal Redevelopment Program (ITRP) at Bush Intercontinental Airport. After this extensive planning, six solicitations to advance the projects were published earlier this year. Two solicitations were associated with MLIT projects, three were associated with ITRP projects and one was for an Owner Controlled Insurance Program (OCIP) encompassing both MLIT and ITRP. The Houston Airport System employed a number of delivery methods for the various projects with the goals of obtaining the best value and procuring the most qualified professionals that had demonstrated experience and could demonstrate a history of working together in a cohesive team. The teamwork approach was especially important given the very complex nature of the MLIT project, the associated high risks, and the potential for significant impact on airline operations and passenger service over the extensive project duration, which is estimated to exceed five years. The table below shows the procurement strategy/delivery method associated with each project.

Project	Procurement / Delivery Method
Architectural Engineering Design Services for IAH MLIT	RFQ
Construction Manager at Risk Services for IAH MLIT	RFQ CMAR (Texas Government Code 2269.251)
East Aircraft Parking Hardstand	RFQ Design Build (Texas Government Code 2269.301)
Owner Controlled Insurance Program	RFP
Project Management Office (PMO) Building	RFQ Design Build (Texas Government Code 2269.301)
Enabling Utilities	RFQ Design Build (Texas Government Code 2269.301)

The Houston Airport System received considerable feedback from Architectural and Engineering (A&E) firms, construction companies, and the business community in general regarding the solicitations prior to advertisement. Four Industry Days were held from March 2014 to March 2015, where the Airport System coordinated with the City of Houston's Office of

Business Opportunity to introduce upcoming opportunities for the ITRP. Industry Day events encouraged networking between prime and sub-contractors.

The Airport System's Office of Supply Chain Management worked closely with the City's Acting Chief Procurement Officer and the Executive Program Management team in the development of the budget, scope, and schedule. Each solicitation was advertised for two consecutive weekends in the Houston Chronicle and posted on the Airport's fly2houston website. Evaluation committee members for the projects attended evaluator and consensus scoring training and were issued a training manual. After evaluators were trained and executed non-disclosure agreements, they were provided hard copies of the proposals / statements of qualifications they were assigned to evaluate.

Evaluation Process

The evaluation criteria for each project can be found at the end of this memorandum as Attachment II. Proposal scoring rested solely with members of the evaluation committee for each project. As a level of oversight to the evaluation committees, stakeholder representatives from United Airlines and the foreign-flag carriers participated in monitoring the evaluation process. To assure we had expert assistance in the field of architecture, the Airport System solicited the participation of several prominent architecture experts in the City listed in Attachment I: Evaluation Summary. As a part of the A&E procurement process, non-voting observers and stakeholders helped to provide an overall assessment of the respondents and advised the evaluation committee wherever further clarification was required.

A consensus scoring approach was employed in rating all proposals. A consensus score from 1-5 was reached by all members of the evaluation committee, then weighting factors were applied in a manner consistent with the relative importance for each criterion. By way of example, if a respondent received the highest score (5) allowed for each criterion, after consideration of the weighting factors, that respondent would have received a score of 100.

For the proposals solicited as design-build, several short-listed firms were invited to advance to the second step of the evaluation process and were requested to submit their technical and price proposals. The technical proposals were evaluated using the same consensus scoring methodology. If the technical proposal scored sufficient points above all others, the proponent was selected to move forward with the recommendation to award following an oral presentation, when necessary, to assure clarity on all points made in the proposal.

The top three respondents to the procurements for Architectural Engineering Design (A&E), Construction Manager at Risk Services (CMAR) and Enabling Utilities were invited to deliver oral presentations to the evaluation committees. The oral interview process was essential in helping the evaluation committees clarify critical points made in the statement of qualifications / proposals and identify a decisive frontrunner for each solicitation. The evaluation committees drafted questions that were sent to respondents invited to oral interviews. The questions were sent in advance of the scheduled interviews to promote a productive discourse. In view of the critical need for collaboration between the A&E and the CMAR, and with the Airport System, the representatives of the three top-ranked CMAR firms were invited to observe the oral interviews

for the A&E firms. During the oral interviews for the CMAR, each respondent was asked to force rank the A&E firms with respect to their previous work experience with each, and the level of cooperation they were able to establish. The final two top-ranked A&E firms were similarly required to force rank the CMAR firms, again with respect to previous work experience with each CMAR team and the level of cooperation they were able to establish.

At the conclusion of oral interviews, the evaluation committees scored each responding firm, taking into account the new information gathered during the oral interviews. The scores from the written proposal phase were set aside, and new scores were established in compliance with the process. The oral interviews were scored using consensus scoring, consistent with the scoring method of the first level of review, and became the basis for determining the winning proposal.

In the case of the A&E solicitation, there was required a further tie-breaking step that brought into play a best-and-final offer as the basis for deciding the winning proposal. Interviews were held with the top two firms and questions posed to both, which were then submitted in writing. The responses were used to formulate the decision as to the recommended firm.

Please see Attachment I through VIII for further details:

Attachment I: Evaluation Summary
Attachment II: Evaluation Criteria by Project (ITRP/MLIT)
Attachment III: East Aircraft Parking Hardstand
Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT
Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT
Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH
Attachment VII: Project Management Office Building and Owner Controlled Insurance Program
Attachment VIII: Respondent Log—All Projects

Attachment I: Evaluation Summary

EAST AIRCRAFT PARKING HARDSTAND

Evaluation Committee (Voting Members[1]):

Airfield Operations Manager
Operations Manager
Sr. Airport Planner
Acting Assistant Director of Construction, Infrastructure
Sr. Project Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

General Manager, IAH
Chief Infrastructure Officer
Chief Technology Officer
Chief Commercial Officer
Assistant Director – Planning

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

[1] All evaluation committee members were selected based on qualifications from among the Airport System middle to upper management unless indicated otherwise.

United and Foreign Flag Airlines Representative
David Brandenburg, United Airlines
Bruce Rieser, Foreign Flag Airlines Representative

Academic and Professional Organizational Architectural Design Oversight Committee
Sarah Whiting; Dean of School of Architecture at Rice University
Patricia B. Oliver; Dean of Gerald D. Hines College of Architecture at University of Houston
Ikhlas Sabouni; Dean and Professor of Architecture at Prairie View A&M University
Linda Sylvan; Executive Director of Rice Design Alliance at Rice University
Rusty Bienvenue; Executive Director - American Institute of Architects-Houston

CMAR Evaluation Committee (*Observed A/E Oral Presentations Only*)
Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Two representatives from each of the three top-ranked CMAR Short-listed Firms (*Observed A/E Oral Presentations Only*)

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

Evaluation Committee (Voting Members):

Project Definition Manager
Assistant Director - Design
Assistant General Manager
Deputy Director - Planning Design Services, Public Works & Engineering
ITRP Executive Representative - Program Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

United Airlines and Foreign Flag Airlines Representatives

David Brandenburg	United Airlines Representative
Bruce Rieser	Foreign Flag Airlines Representative

PROGRAM MANAGEMENT OFFICE BUILDING

Evaluation Committee (Voting Members):

Project Manager (IT)
Project Manager
Sr. Project Manager
Sr. Project Manager
Landside Operations Manager

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Alfredo Oracion	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

Evaluation Committee (Voting Members):

Division Manager - Infrastructure
Staff Analyst – IAH Operations
Deputy Assistant Director – HOU Management
Managing Engineering – Infrastructure
Project Manager – Information Technology

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Andre' Morrow	Sr. Procurement Specialist

Executive Program Management

Steve Andersen	ITRP Executive Program Manager

Office of Business Opportunity – Houston Airport System

Jason McLemore	Deputy Assistant Director, OBO-HAS

OWNER CONTROLLED INSURANCE PROGRAM (OCIP)

Evaluation Committee (Voting Members):

Assistant Director - Finance & Administration
Division Manager - Safety & Emergency Management
Airline Affairs Management

Non-Voting Observers:

Supply Chain Management

Justina J. Mann	Procurement Officer
Benard Hubbard	Sr. Procurement Specialist
Tina Paquet	Assistant Director, Administration and Regulatory Affairs

Office of Business Opportunity – Houston Airport System

Jason McLemore	Assistant Deputy Director, HAS OBO

Attachment II: EVALUATION CRITERIA by ITRP/MLIT PROJECT

EAST AIRCRAFT PARKING HARDSTAND

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

PROGRAM MANAGEMENT OFFICE (PMO) BUILDING

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions to Anticipated Problems
4. Ability to Meet Schedules
5. Conceptual Engineering Design/Comments on Design Criteria Package
6. MWBE Compliance

ARCHITECTURAL ENGINEERING (AE) DESIGN SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. People/ Resources/ Capabilities
2. Representative Project Experience
3. Design Approach
4. Cost Estimating Capability
5. Quality Management Approach
6. Construction Support Capability
7. Project Controls Capability
8. Financial Capabilities
9. MWBE Compliance

CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR IAH MLIT

SOQ Evaluation Criteria

1. Project Approach and CMAR Team Commitment
2. Firm(s) Qualifications
3. Project Team Qualifications
4. Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities
8. MWBE Compliance

DESIGN BUILD SERVICES FOR THE ITRP ENABLING UTILITIES – LANDSIDE PROJECT AT IAH

SOQ Evaluation Criteria (Step-1)

1. Project Approach
2. Qualifications for Design Services
3. Qualifications for Pre-Construction and Construction Services
4. Design, Pre-Construction and Construction Phase Services
5. Management and Staffing Plan
6. Project Controls
7. Financial Capabilities

Technical Proposal Evaluation Criteria (Step-2)

1. Project Approach
2. Anticipated Problems
3. Proposed Solutions To Anticipated Problems
4. Ability To Meet Schedules
5. Conceptual Engineering Design/ Comments on Design Criteria Package
6. MWBE Compliance

OWNER CONTROLLED INSURANCE PROGRAM

Evaluation Criteria

1. Qualifications, Knowledge, and Experience of Key Personnel
2. Management Approach and Proposed Administration Services
3. Brokerage Service Agreement and Remuneration
4. Team Track Record and Experience Working Together
5. Resources and Capacity
6. Timeline and Approach to Provision of Service
7. MWBE Compliance
8. Financial Capabilities

Attachment III: East Aircraft Parking Hardstand

The East Aircraft Parking Hardstand was solicited under the Design Build delivery method; therefore, HAS was required to follow a two-step process. Five respondents submitted a Statement of Qualification (SOQ) in response to the Request for Qualification (RFQ) advertised July 24th and July 31st 2015. The evaluation committee convened for two days (September 24th and September 25th) to score and rank each SOQ using the evaluation criteria published in the RFQ (See Attachment II), which concluded the first step. The three firms chosen to participate in the second step and their initial scores were; James Construction Group. LLC (87), Texas Sterling – Banicki, JV LLC (78), and J.D. Abrams L.P. (77), respectively.

As a requirement of the second step, the three short-listed firms submitted their technical and price proposals. Proposals were received October 6, 2015 and were evaluated by the evaluation committee on October 12, 2015 utilizing the same consensus scoring methodology, but with a different set of evaluation criteria that was provided in the RFQ. Texas Sterling – Banicki, JV LLC received the highest score (80), followed by J.D. Abrams L.P. (68), and James Construction Group, LLC (58). The evaluation committee did not require additional information; therefore, no oral presentations were required. The evaluation committee recommended Texas Sterling – Banicki, JV LLC to move forward to the negotiation process.

The M/WBE goal for this contract is 33.51%

Texas Sterling – Banicki, JV LLC — MWBE Participation Plan 33.51%

Ferguson Consulting	Electrical, Telecommunications, Security Design	0.84%
Quadrant Consulting	Environmental and Storm Water Design	8.67%
English & Associates	Architectural Design	5.22%
Henderson & Rogers	Structural Engineering	4.14%
Gorrondona & Associates	Structural Engineering	1.65%
4b Technology	Communications	3.3%
HVJ Associates, Inc.	Geotechnical Testing	2.39%
Fronza & Francis	Construction Management	3.97%
Infrastructure Associates	MEP Design	3.33%

Attachment IV: Architectural Engineering (AE) Design Services for IAH MLIT

Nine (9) respondents submitted a Statement of Qualification on September 2, 2015 in response to the Request for Qualification advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (September 21st to September 23rd) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, three short-listed firms were invited to step two of the evaluation process; Skidmore, Owings & Merrill LLP (SOM) (86) received the highest score followed by Fentress Architects, Ltd. (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (72), respectively.

On October 1, 2015, HAS Stakeholders met with the Academic and Professional Organizational Architectural Design Oversight Committee to discuss ITRP Scope.

On October 14, 2015, the three short-listed firms appeared before the evaluation committee, industry stakeholders, and the CMAR selection committee—accompanied by two representatives of each of the three top ranked proponents—to participate in oral presentations and respond to questions provided to them in advance of step two of the evaluation process.

A Best and Final Offer (BAFO) was then requested of the top two finalists, Fentress and SOM, in order to be able to make a definite selection. In the essence of time, both firms were invited to separate meetings where the questions were discussed. Each firm received a written Request for BAFO and responses were received in the allowed time frame.

The evaluation committee reconvened immediately following the receipt of the BAFOs and, through consensus scoring, determined that Fentress Architects, Ltd. (88) was the firm it would recommend for award. The second and third-ranked respondents were Skidmore, Owings & Merrill LLP (SOM) (80) and Hellmuth, Obata, & Kassabaum, LP (HOK) (70), respectively. The Evaluation Committee recommended Fentress Architects, Ltd., to be awarded the contract and move to contract negotiation.

The M/WBE goal for this contract is 30%.

Fentress Architects, Ltd. — MWBE Participation Plan: 32.65%

STOA International Architects	Architecture, BIM/GIS Design	9%
RdlR Architects	Programming, Interior Architecture	2.5%
Smith & Company	Interiors	1.25%
Huerta & Associates Architects	Architectural Support	1.25%
Archi*Technics/3	Design Development, Construction Documents	1.25%
Bradlink	WMSBE Coordinator	0.5%
Henderson & Rogers	Structural Engineer	3%

(Continued)

Jones Engineers	Mechanical Engineer	2.7%
Hunt & Hunt Engineering	Electrical Engineer	2.7%
4b Technology	Technology Communications	4.5%
PGA Engineers	Security Systems	0.5%
Isani Consultants	Civil Engineering	1%
United Engineers	Civil Engineering	1%
OMEGA Engineers	Civil Engineering	1%
Clark Condon	Landscape Architect	0.5%

Attachment V: Construction Manager at Risk (CMAR) Services for IAH MLIT

Five (5) respondents submitted a Statement of Qualification on September 4, 2015 in response to the Request for Qualification for CMAR services. This solicitation was advertised July 17, 2015 and July 24, 2015. The evaluation committee convened for three days (between September 28th and October 5th) to initiate the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step, Skanska USA Building Inc. (77) received the highest score; the second and third-highest ranked SOQs were to Austin-Gilbane, Joint Venture (74) and Turner+Preston Banks+Koasati Joint Venture (68), respectively.

The short-listed CMAR firms were required to appear and observe the A/E interview/oral presentations. All three short-listed CMAR firms participated as observers on October 14, 2015.

On October 22, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance as it was provided for in Step Two of the evaluation process. On October 16, 2015, the three short-listed firms were requested to submit their Price Proposal to HAS by October 23, 2015.

The evaluation committee reconvened following the oral interviews and, through consensus scoring determined Austin-Gilbane, Joint Venture (78) to be the highest scoring firm. The second and third-ranked respondents were Skanska USA Building Inc. (71) and Turner+Preston Banks+Koasati Joint Venture (56), respectively. The Evaluation Committee recommended Austin-Gilbane, Joint Venture, to be awarded the contract and move to contract negotiation. The price proposal received from Austin-Gilbane was used for final negotiations.

The MWBE participation goal for Component 1 (Pre-Construction), Phase 1 of the Agreement is 10%. During the pre-construction services phase the design of the terminal will be sufficiently detailed to understand the construction components that may be undertaken by MWBE firms. Once sufficient design is completed, and before returning to Council for approval of the guaranteed maximum price, a final MWBE participation plan will be developed and submitted that we anticipate, together with the preconstruction services contribution, should approach 30%.

Austin-Gilbane, Joint Venture — MWBE Participation Plan 15%

ChaseSource	Pre-Construction Services, Estimating, Scheduling Project Management, Building Information Modeling (BIM) Coordination	10%
Con-Real	Staffing and Construction Services in Support of the Pre-Construction and Construction Scopes of Work	5%

Attachment VI: Design Build Services for the ITRP Enabling Utilities – Landside Project at IAH

Four (4) respondents submitted a Statement of Qualification on September 15, 2015 in response to the Request for Qualification advertised August 1, 2015 and August 7, 2015. The evaluation committee convened on October 6, 2015 to conduct the first step of the evaluation process and scored each SOQ using the consensus scoring method. At the conclusion of the first step, Hensel Phelps (80) scored the highest; the second and third-ranked SOQs were Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (76) and Clark/Horizon ITRP, A Joint Venture team (76), respectively.

On October 6, 2015, the three short-listed firms appeared before the evaluation committee to participate in an oral presentation and respond to questions provided to them in advance.

On October 9, 2015, the three short-listed firms were requested to submit their technical and price proposals as stated in Section 8.0 of the solicitation document. Proposals were received October 22, 2015, and were distributed to the evaluation committee the following day.

On October 23, 2015, the evaluation committee evaluated the technical proposal under the same consensus scoring method and with the evaluation criteria stipulated for step two (Section 8.0). After careful review of the Respondent's written and oral submittals, a discussion was held and scores were tabulated with the following results: Hensel Phelps (96), Clark/Horizon ITRP, A Joint Venture team (86) and Burns & McDonnell/Azteca Enterprises/W.A. Robbins team (44), respectively. The Evaluation Committee recommended that the Hensel Phelps/Atkins team be awarded the contract and move to contract negotiation.

The M/WBE goal for the preconstruction services portion of this contact is 19%.

Hensel Phelps— MWBE Participation Plan 19.5%

4b Technology	Information Technology and Telecommunication	6.3%
Aviles Engineering	Geotechnical Services	3%
HT&J	Drainage Design	1%
Isani Consultants	Water Line Services	3%
Shah Smith & Associates	Lighting, Ventilation	5%
Vesta Rae & Associates	Public Outreach	1.2%

Attachment VII: Project Management Office Building and Owner Controlled Insurance Program

Project Management Office Building

Nine respondents submitted a Statement of Qualification in response to the Request for Qualification advertised July 24, 2015 and July 31, 2015. The evaluation committee convened for two days (September 30th and October 1st) to conduct the first step of the evaluation process and scored each SOQ using the evaluation criteria published in the RFQ. At the conclusion of the first step in its evaluation process, the committee reached a shortlist of respondents. Technical proposals were requested of the short listed firms, which were evaluated by the committee as well. This solicitation was CANCELLED due to the failure of the three top-ranked respondents to supply the required MWBE participation plan specified in the technical phase of the RFQ. The solicitation will be re-issued in January 2016.

Owner Controlled Insurance Program (OCIP)

Six respondents submitted proposals to the OCIP Request For Proposal. The evaluation committee convened for one day (October 7, 2015) to conduct its initial evaluation of the proposals and scored each proposal. At the conclusion of its initial evaluation, Alliant Insurance Services, Inc. received the highest score (84); the second and third-highest ranked proposals were Willis of Texas, Inc. (82) and Marsh USA Inc. (75) respectively.

In an effort to establish a clear distinction between the three highest-ranked proposals, each proposer was given identical questions and invited to oral interviews on October 26, 2015. The evaluation committee reconvened immediately following the oral interviews and through consensus scoring, determined that Marsh USA Inc. (88) was the proposer it would recommend for award. Willis of Texas, Inc. scored (76) and Alliant Insurance Services scored (62).

The M/WBE goal for this contract is 24%.

Marsh USA Inc. — MWBE Participation Plan 31.23%

Boris Miles Insurance Agency OCIP Administration

Attachment VIII: Respondent Log--All Projects

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-MLITAE-2016-002

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT) ARCHITECT ENGINEER (A/E) DESIGN CONSULTANT SERVICES

DUE DATE: Wednesday, September 2, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Foster + Partners Group Ltd
2	Skidmore, Owings & Merrill LLP
3	Fentress Architects, Ltd.
4	LVA Luis Vidal USA, Inc.
5	Corgan Associates, Inc.
6	Hellmuth, Obata, & Kassabaum, LP (HOK)
7	Atkins and eStudio Joint Venture (A&E JV)
8	FR-EE HKS/ Page Group LLC
9	M. Arthur Gensler, Jr. & Associates, Inc. (dba Gensler)

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-PMODB-2016-006

PROGRAM MANAGEMENT OFFICE BUILDING (PMO)

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	The Ross Group Construction Corp.
2	SpawGlass Construction Corp.
3	E.E. Reed Construction, L.P.
4	CYMI Industrial, Inc.
5	Teal Construction Co.
6	Rogers-O'Brien Construction Company, Ltd.
7	Anslow Bryant Construction Ltd.
8	Horizon/Aztec/Robbins JV
9	DPR Construction, A General Partnership

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H27-EAPDB-2016-005

EAST AIRCRAFT PARKING HARDSTAND

DUE DATE: Thursday, September 3, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: Al Oracion LOCATION: SCM

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	J.D. Abrams, L.P.
2	OHL USA, Inc.
3	J. Banicki Construction, Inc.
4	Burns & McDonnell / Azteca / W.A. Robbins Team
5	James Construction Group, LLC

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37- MLITCMAR-2016-003

MICKEY LELAND INTERNATIONAL TERMINAL (MLIT)
CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES

DUE DATE: Friday, September 4, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Houston Airport Builders
2	Austin-Gilbane, a Joint Venture
3	Gateway Constructors
4	Turner+Preston Banks+Koasati Joint Venture
5	Skanska USA Building Inc.

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

STATEMENT OF QUALIFICATIONS RECEIPT LOG

Request for Qualification (RFQ) Solicitation No. H37-EUTLDB-2016-004

ITRP ENABLING UTILITIES – LANDSIDE PROJECT

DUE DATE: Tuesday, September 15, 2015 DUE BY: 11:00 A.M. CST

FACILITATOR: Andre' Morrow, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

STATEMENT OF QUALIFICATIONS RECEIVED

NO.	VENDOR
1	Burns & McDonnell / Azteca Enterprises / W.A. Robbins
2	OHL USA, Inc. and Lockwood Andrews & Newnam, Inc. (OHL + LAN)
3	Hensel Phelps / Atkins
4	Clark / Horizon ITRP, A Joint Venture

Supply Chain Management ("SCM")

HOUSTON AIRPORT SYSTEM

George Bush Intercontinental ~ William P. Hobby ~ Ellington Airport

MISSION

We exist to connect the people, the business, the cultures and the economies of the world to Houston

PROPOSAL RECEIPT SHEET

Request for Proposal (RFP) Solicitation No. HBH-OCIP-2015-026
OWNER CONTROLLED INSURANCE PROGRAM

DUE DATE: Thursday, September 17, 2015 DUE BY: 2:00 P.M. CST

FACILITATOR: BJ Hubbard, Sr. Procurement Specialist LOCATION: SCM – 18600 Lee Rd., Humble TX 77338

PROPOSALS RECEIVED

NO.	VENDOR
1	USI/W.J. Alexander/Navarro Insurance Group/Resurgens Risk Management, Inc.
2	Willis of Texas, Inc.
3	McGriff, Seibels & Williams of Texas
4	Arthur J. Gallagher Risk Management Services, Inc.
5	Marsh USA Inc.
6	Alliant Insurance Services, Inc.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District C
Item Creation Date: 12/10/2015

MYR - Buffalo Park dedication

Agenda Item#: 49.

Summary:

ORDINANCE dedicating certain property generally known as Buffalo Bayou Park (The "Park") as a public park pursuant to that certain construction, operating and management agreement among **BUFFALO BAYOU PARTNERSHIP, HARRIS COUNTY FLOOD CONTROL DISTRICT, REINVESTMENT ZONE NUMBER THREE, DOWNTOWN REDEVELOPMENT AUTHORITY**, and the City of Houston, subject to all prior usages for other public purposes, all previous dedications for use for other public purposes and all granted easements; accepting title to certain improvements within the park pursuant to the dedication

Background:

SUBJECT: An ordinance dedicating certain property generally known as Buffalo Bayou Park as a public park

RECOMMENDATION: (Summary)
City Council adopt an ordinance dedicating certain property generally known as Buffalo Bayou Park as a public park pursuant to a construction, operating and management agreement among Buffalo Bayou Partnership, Harris County Flood Control District, Reinvestment Zone Number Three, Downtown Redevelopment Authority and the City

SPECIFIC EXPLANATION:
Buffalo Bayou Park ("Park") is a public dedicated park of approximately 160 acres adjacent to and including Buffalo Bayou and generally between Memorial Drive and Glenwood Cemetery on the north, Sabine Street on the east, Allen Parkway on the south and Shepherd Drive on the west. In 2011, pursuant to a Construction, Operating and Management Agreement ("COMA"), Buffalo Bayou Partnership ("Partnership") undertook a $53 million dollar project to develop and improve the park. The COMA provides that upon substantial completion of these improvements by the Partnership, the City will formally dedicate as a public park the Park property that is subject to the COMA, and title to the improvements constructed by the Partnership on that property will transfer to the City.

The Partnership achieved substantial completion of the improvements to the Park on November 15, 2015. This ordinance formally dedicates the Park property subject to the COMA as a public park and is a formal acceptance of title to the improvements constructed by the Partnership on that

property.

Prior Council Action:

Ord. No. 2011-1166 (Dec. 14, 2011)

Contact Information:

Tom Davis Phone: (832) 393-1044

ATTACHMENTS:

Description	Type
RCA Buffalo Bayou Park Dedication	Signed Cover sheet
PCA 2011-1166	Backup Material
Buffalo Bayou Park dedications Ordinance	Ordinance/Resolution/Motion

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An ordinance dedicating certain property generally known as Buffalo Bayou Park as a public park	**Category #**	**Page** 1 of 1	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken Chief Development Officer	**Origination Date**		**Agenda Date**
CHIEF DEVELOPMENT OFFICER'S SIGNATURE:	**Council Districts affected:** C		
For additional information contact: Tom Davis **Phone:** (832) 393-1044	**Date and identification of prior authorizing Council Action:** Ord. No. 2011-1166 (Dec. 14, 2011)		

RECOMMENDATION: (Summary)
City Council adopt an ordinance dedicating certain property generally known as Buffalo Bayou Park as a public park pursuant to a construction, operating and management agreement among Buffalo Bayou Partnership, Harris County Flood Control District, Reinvestment Zone Number Three, Downtown Redevelopment Authority and the City

Amount of Funding: No Funding Required

SOURCE OF FUNDING: **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund** **[X] N/A**

SPECIFIC EXPLANATION:

Buffalo Bayou Park ("Park") is a public dedicated park of approximately 160 acres adjacent to and including Buffalo Bayou and generally between Memorial Drive and Glenwood Cemetery on the north, Sabine Street on the east, Allen Parkway on the south and Shepherd Drive on the west. In 2011, pursuant to a Construction, Operating and Management Agreement ("COMA"), Buffalo Bayou Partnership ("Partnership") undertook a $53 million dollar project to develop and improve the park. The COMA provides that upon substantial completion of these improvements by the Partnership, the City will formally dedicate as a public park the Park property that is subject to the COMA, and title to the improvements constructed by the Partnership on that property will transfer to the City.

The Partnership achieved substantial completion of the improvements to the Park on November 15, 2015. This ordinance formally dedicates the Park property subject to the COMA as a public park and is a formal acceptance of title to the improvements constructed by the Partnership on that property.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 8/27/2015

HCD15-86 LARA 7th Amendment

Agenda Item#: 50.

Summary:

ORDINANCE 1) appropriating $1,000,000.00 out of the TIRZ Affordable Housing Fund No. 2409; 2) re-allocating $987,033.00 previously allocated as restricted funds under Ordinance No. 2008-255 for placement into the Land Acquisition Account for development activities; and 3) approving and authorizing a seventh amendment to the land assembly grant agreement between the City of Houston and the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** to provide funds for certain approved costs

Background:

City Council approved a Land Assembly Grant Agreement with LARA in July 2004 which provided the initial funding for the purchase of designated tax delinquent properties in low-income neighborhoods at foreclosure auction.

Through subsequent amendments Council has allocated funding for land acquisition, marketing and activities to attract Community Development Corporations (CDC's) and builders to construct affordable single family houses in targeted inner-city low income neighborhoods.

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

- Acquired 1,210 parcels in neighborhoods with high concentrations of abandoned, severely tax delinquent vacant lots.
- 28 (parcels) lots are currently under contract with builders and CDCs for new affordable housing construction
- 322 new affordable homes have been constructed and sold to low and moderate income families: and 127 homes are under construction or are available for sale
- 429 (parcels) lots are available to CDCs and builders under LARA's Solicitation for Proposals
- 214 abandoned, severely tax-delinquent vacant lots remain in the LARA foreclosure pipeline

Through the Urban Redevelopment Interlocal Agreement, approved by City Council on December 3, 2014, LARA returned 178 properties that were deemed unsuitable for single family construction to Harris County for future public auction. LARA has restructured their approach on acquisition by only targeting vacant lots that are adjacent to or across the street from desirable lots within their inventory or near recently constructed homes. The funds will be

advance to LARA as a forgivable grant for the following purposes:

Project Delivery and Administrative Costs	10%	$100,000.00
Maintenance of Property	20%	$200,000.00
Acquisition of Additional Property	50%	$500,000.00
Assist in Disposal of Current Inventory	20%	$200,000.00

In the event the funds are not used for these intended purposes, LARA agrees to return any unused or ineligibly spent funds to the City of Houston.

The proposed ordinance also reallocates $987,033 of restrictive funds, previously appropriated by Ordinance No. 2008-0255. These funds were intended for reimbursements to builders and CDCs for Energy Star incentives, water and waste water connections and Community Development Corporation programs which haven't seen any activity since May of 2011.

The previous administration allocated $625,000 to incentivize participating builders for constructing homes to industry recognized Home Energy Rating System (HERS) "Energy Star" standards. The purpose was two-fold. First it helped to reduce the sales price of the new affordable home: and second, it helped to reduce the monthly utility costs for the new low or moderate-income owner. In 2009 Energy Star was accepted into the building code as a requirement for single family construction. Since Energy Star is now the standard there is no longer a need to reimburse builders and CDCs for this expense. Thus $277,061 is being proposed for reallocation.

The previous ordinance allocated $640,000 which allowed LARA to reimburse builders for the installation of water and sewer taps needed in connection with new housing construction. Typically this expense is passed on to the buyer, but to increase the affordability of the homes, the builder was reimbursed for this expense. With the reduction on acquisition cost from LARA this incentive program is no longer needed leaving $464,934 proposed for reallocation.

Finally, previous ordinances provided an incentive to CDC's who partnered with builders to help market the homes the builders would construct. If the homes were sold with the assistance of the CDC within 120 days of the start date the CDC would receive up to $2,500 per home. Builders and CDCs are encouraged, but no longer required to partner in selling homes so this program is no longer needed and $245,038 is being proposed for reallocation.

This proposed ordinance authorizes the reallocation of these funds into the Land Acquisition account which also includes funds for marketing, administration and special builder incentive programs such as to attract developers to historically underserved areas.

Acquisition of Additional Property	50%	$493,516.00
Marketing	20%	$197,407.00
Project Delivery and Administrative Costs	10%	$ 98,703.00
Builder Incentive Programs	20%	$197,407.00

This item was presented to the Housing and Community Affairs Committee on November 17, 2015.

Prior Council Action:

Ordinance 2004-0800: July 28, 2004
Ordinance 2005-0902: July 27, 2005
Ordinance 2005-1073: September 14, 2005
Ordinance 2006-0902: August 30, 2006
Ordinance 2008-0255: March 26, 2008
Ordinance 2009-0261: May 4, 2009
Ordinance 2009-1220: December 2, 2009

Amount of Funding:

$1,000,000.00 Appropriation; $987,033.00 Reallocation

Contact Information:

Roxanne Lawson
832.394.6282

ATTACHMENTS:

Description	Type
HCD15-86 SAP	Financial Information
HCD15-86 PNFDF	Financial Information
Ordinance with Contract	Signed Cover sheet
Signed RCA	Signed Cover sheet

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

SUBJECT: An Ordinance appropriating $1,000,000 from TIRZ Affordable Housing Fund (2409) and approving and authorizing a Seventh Amendment to a Land Assembly Grant Agreement between the City of Houston and the Land Assemblage Redevelopment Authority (LARA) and approving and authorizing the reallocation of $987,033 from various restricted accounts into the Land Acquisition account for development activities	**Category #**	**Page 1 of 2**	**Agenda Item #**
FROM: Andy Icken, Chief Development Officer Mayor's Office	**Origination Date** 8/27/15	**Agenda Date**	
DIRECTOR'S SIGNATURE:	**Council District affected:** ALL		
For additional information contact: Chris Butler Phone: 832-393-8502	**Date and identification of prior authorizing Council action:** Ordinance 2004-0800: July 28, 2004 Ordinance 2005-0902: July 27, 2005 Ordinance 2005-1073: September 14, 2005 Ordinance 2006-0902: August 30, 2006 Ordinance 2008-0255: March 26, 2008 Ordinance 2009-0261: May 4, 2009 Ordinance 2009-1220: December 2, 2009		

RECOMMENDATION: Adopt an ordinance approving the Seventh Amendment to a Land Assembly Grant Agreement between the City of Houston and the Land Assemblage Redevelopment Authority; appropriating $1,000,000 from TIRZ affordable Housing Fund to enable LARA to manage the acquisition and disposition of new and existing properties , and to reallocate $987,033 of previous funding

Amount of Funding: **$1,000,000.00 Appropriation; $987,033.00 Reallocation**	**Finance Budget:**

SOURCE OF FUNDING: [ ] General Fund [ ] Grant Fund [ ] Enterprise Fund [X] Other

TIRZ Affordable Housing Fund 2409

SPECIFIC EXPLANATION:

City Council approved a Land Assembly Grant Agreement with LARA in July 2004 which provided the initial funding for the purchase of designated tax delinquent properties in low-income neighborhoods at foreclosure auction.

Through subsequent amendments Council has allocated funding for land acquisition, marketing and activities to attract Community Development Corporations (CDC's) and builders to construct affordable single family houses in targeted inner-city low income neighborhoods.

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

- Acquired 1,210 parcels in neighborhoods with high concentrations of abandoned, severely tax delinquent vacant lots.
- 28 (parcels) lots are currently under contract with builders and CDCs for new affordable housing construction .
- 322 new affordable homes have been constructed and sold to low and moderate income families: and 127 homes are under construction or are available for sale
- 429 (parcels) lots are available to CDCs and builders under LARA's Solicitation for Proposals
- 214 abandoned, severely tax-delinquent vacant lots remain in the LARA foreclosure pipeline

Through the Urban Redevelopment Interlocal Agreement, approved by City Council on December 3, 2014, LARA returned 178 properties that were deemed unsuitable for single family construction to Harris County for future public auction. LARA's goal is to reduce its current inventory from 694 to 200 lots within select neighborhoods to provide a more comprehensive approach to neighborhood revitalization. LARA has restructured their approach on acquisition by only targeting vacant lots that are adjacent to or across the street from desirable lots within their inventory or near recently constructed homes. The funds will be advance to LARA as a forgivable grant for the following purposes:

Project Delivery and Administrative Costs	10%	$100,000.00
Maintenance of Property	20%	$200,000.00
Acquisition of Additional Property	50%	$500,000.00
Assist in Disposal of Current Inventory	20%	$200,000.00

In the event the funds are not used for these intended purposes, LARA agrees to return any unused or ineligibly spent funds to the City of Houston.

The proposed ordinance also reallocates $987,033 of restrictive funds, previously appropriated by Ordinance No. 2008-0255. These funds were intended for reimbursements to builders and CDCs for Energy Star incentives, water and waste water connections and Community Development Corporation programs which haven't seen any activity since May of 2011.

The previous administration allocated $625,000 to incentivize participating builders for constructing homes to industry recognized Home Energy Rating System (HERS) "Energy Star" standards. The purpose was two-fold. First it helped to reduce the sales price of the new affordable home: and second, it helped to reduce the monthly utility costs for the new low or moderate-income owner. In 2009 Energy Star was accepted into the building code as a requirement for single family construction. Since Energy Star is now the standard there is no longer a need to reimburse builders and CDCs for this expense. Thus $277,061 is being proposed for reallocation.

The previous ordinance allocated $640,000 which allowed LARA to reimburse builders for the installation of water and sewer taps needed in connection with new housing construction. Typically this expense is passed on to the buyer, but to increase the affordability of the homes, the builder was reimbursed for this expense. With the reduction on acquisition cost from LARA this incentive program is no longer needed leaving $464,934 proposed for reallocation.

Finally, previous ordinances provided an incentive to CDC's who partnered with builders to help market the homes the builders would construct. If the homes were sold with the assistance of the CDC within 120 days of the start date the CDC would receive up to $2,500 per home. Builders and CDCs are encouraged, but no longer required to partner in selling homes so this program is no longer needed and $245,038 is being proposed for reallocation.

This proposed ordinance authorizes the reallocation of these funds into the Land Acquisition account which also includes funds for marketing, administration and special builder incentive programs such as to attract developers to historically underserved areas.

Acquisition of Additional Property	50%	$493,516.00
Marketing	20%	$197,407.00
Project Delivery and Administrative Costs	10%	$ 98,703.00
Builder Incentive Programs	20%	$197,407.00

This item was presented to the Housing and Community Affairs Committee on November 17, 2015.

NR:CB

Cc: City Secretary
Mayor's Office
Legal
Finance

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District H
Item Creation Date: 12/9/2015

MYR - WOIH Partners Eco Dev 380

Agenda Item#: 51.

Summary:

ORDINANCE approving and authorizing Economic Development Agreement between the City of Houston, Texas, and **WOIH PARTNERS LLC** for the Development and Construction of an Indoor/Outdoor Music Venue and certain Public Works and Improvements related thereto **DISTRICT H - GONZALEZ**

Background:

SUBJECT: An Ordinance approving an economic development agreement ("Agreement") between the City of Houston ("City") and WOIH Partners LLC ("Developer") pursuant to Chapter 380, Texas Local Government Code

RECOMMENDATION: (Summary)
Adopt an Ordinance approving an economic development agreement ("Agreement") between the City of Houston ("City") and WOIH Partners LLC ("Developer") pursuant to Chapter 380, Texas Local Government Code

SPECIFIC EXPLANATION:
In 1989, the State legislature enacted Chapter 380 of the Texas Local Government Code ("Code") to create a mechanism that municipalities could use to grant or loan public funds for economic development purposes. Subsequently, by Ordinance No. 99-674, the City established the City of Houston Chapter 380 loan/grant program, pursuant to the provisions of Chapter 380 of the Code, and adopted criteria for Chapter 380 assistance to provide the City with an additional tool to encourage development in targeted areas to fulfill a critical need to attract tourism, commerce and commercial retail to an area resulting in a positive economic impact.

WOIH Partners LLC ("Developer") intends to develop a music venue at 2915 N. Main in the Near Northside area of the City that will include both an indoor performance space and an outdoor theater, a restaurant and a bar, and outdoor volleyball courts (the "Project"). As part of the Project, the Developer will construct 3 parking lots to limit the amount of on-street parking in the neighborhood. The developer will also construct public improvements including sidewalk improvements, landscaping improvements, street lighting, and an upgrade to a public sanitary sewer line.

The Administration proposes to enter into an economic development agreement with the Developer (the "Agreement") to grant a reimbursement in a maximum amount not to exceed $1,100,000 for public improvements costs to the Developer based upon the incremental increases in the City's portion of its sales tax and mixed beverage tax revenues ("Incentives") in the Project area.

The Incentives will be calculated from the base year 2015. Reimbursements to the Developer will begin upon completion of the Project and the public improvements ("Reimbursement Date"), and will terminate upon the earlier of (i) the full payment of the maximum reimbursement amount to the Developer; or (ii) 10 years from the Reimbursement Date. In consideration of the City's grant of the Incentives, the Developer will comply with performance conditions outlined in the Agreement including all of the public infrastructure improvements listed above, as well as giving the local middle and high school rehearsal space, bringing the first farmer's market to the Near Northside, and publicly available parking during non-venue hours.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Mary Buzak, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

Prior Council Action:

Ord. No. 99-674; 06/30/1999

Amount of Funding:

No funding required

Contact Information:

Gwendolyn Tillotson Phone: (832) 393-0937

ATTACHMENTS:

Description	Type
RCA WOIH Partners Eco Dev 380	Signed Cover sheet
PCA 1999-674	Backup Material
WOIH Partners Ch 380 Econ Dev Agreement	Ordinance/Resolution/Motion

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An Ordinance approving an economic development agreement ("Agreement") between the City of Houston ("City") and WOIH Partners LLC ("Developer") pursuant to Chapter 380, Texas Local Government Code	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken, Chief Development Officer	**Origination Date**		**Agenda Date**
CHIEF DEVELOPMENT OFFICER'S SIGNATURE:	**Council Districts affected:** H		
For additional information contact: Gwendolyn Tillotson **Phone:** (832) 393-0937	**Date and identification of prior authorizing Council Action:** Ord. No. 99-674; 06/30/1999		

RECOMMENDATION: (Summary)
Adopt an Ordinance approving an economic development agreement ("Agreement") between the City of Houston ("City") and WOIH Partners LLC ("Developer") pursuant to Chapter 380, Texas Local Government Code

Amount of Funding: No Funding Required

SOURCE OF FUNDING: **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund** **[X] N/A**

SPECIFIC EXPLANATION:
In 1989, the State legislature enacted Chapter 380 of the Texas Local Government Code ("Code") to create a mechanism that municipalities could use to grant or loan public funds for economic development purposes. Subsequently, by Ordinance No. 99-674, the City established the City of Houston Chapter 380 loan/grant program, pursuant to the provisions of Chapter 380 of the Code, and adopted criteria for Chapter 380 assistance to provide the City with an additional tool to encourage development in targeted areas to fulfill a critical need to attract tourism, commerce and commercial retail to an area resulting in a positive economic impact.

WOIH Partners LLC ("Developer") intends to develop a music venue at 2915 N. Main in the Near Northside area of the City that will include both an indoor performance space and an outdoor theater, a restaurant and a bar, and outdoor volleyball courts (the "Project"). As part of the Project, the Developer will construct 3 parking lots to limit the amount of on-street parking in the neighborhood. The developer will also construct public improvements including sidewalk improvements, landscaping improvements, street lighting, and an upgrade to a public sanitary sewer line.

The Administration proposes to enter into an economic development agreement with the Developer (the "Agreement") to grant a reimbursement in a maximum amount not to exceed $1,100,000 for public improvements costs to the Developer based upon the incremental increases in the City's portion of its sales tax and mixed beverage tax revenues ("Incentives") in the Project area.

The Incentives will be calculated from the base year 2015. Reimbursements to the Developer will begin upon completion of the Project and the public improvements ("Reimbursement Date"), and will terminate upon the earlier of (i) the full payment of the maximum reimbursement amount to the Developer; or (ii) 10 years from the Reimbursement Date. In consideration of the City's grant of the Incentives, the Developer will comply with performance conditions outlined in the Agreement including all of the public infrastructure improvements listed above, as well as giving the local middle and high school rehearsal space, bringing the first farmer's market to the Near Northside, and publicly available parking during non-venue hours.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Mary Buzak, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District K
Item Creation Date: 12/9/2015

MYR - HCID 12 380 Holmes Rd

Agenda Item#: 52.

Summary:

ORDINANCE approving and authorizing an amended and restated Economic Development Agreement between the City of Houston, Texas, and **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 12**

Background:

SUBJECT: An ordinance amending ordinance 2014-1139 approving an economic development agreement between the City of Houston and Harris County Improvement District No. 12 pursuant to Chapter 380 of the Texas Local Government Code for the construction of sanitary sewer line within the Holmes Road Right of Way

RECOMMENDATION: (Summary)

That the City Council approve an ordinance amending ordinance 2014-1139 approving an economic development agreement between the City of Houston and Harris County Improvement District No. 12 pursuant to Chapter 380 of the Texas Local Government Code for the construction of sanitary sewer line within the Holmes Road Right of Way

SPECIFIC EXPLANATION:

In 1989, the State legislature enacted Chapter 380 of the Local Government Code ("Chapter 380") to create a mechanism that allows municipalities to grant or loan public funds for economic development purposes by creating one or more programs to promote economic development and stimulate business and commercial development. Subsequently, by Ordinance No. 99-674, the City established the City of Houston Chapter 380 loan/grant program. The Administration now proposes to enter into the Agreement with Harris County Improvement District No. 12 for the partial payment related to the construction of a 48" sanitary sewer line within the right of way of Holmes Road between Buffalo Speedway and Knight Road.

On December 10, 2014, City Council approved Ordinance 2014-1139 allowing for the increases in the City's portion of its property tax revenues in a defined economic impact area as the source of the annual debt service payment on a bond issuance for the construction of a sanitary sewer line in the right of way of Holmes Road from Buffalo Speedway to Knight Road. The construction of the line will provide much needed waste water capacity to more than 1,700 acres within the sewer

line's service area.

The City's Public Works and Engineering Department ("PWE") will be responsible for the design and the construction of the Project. On June 18, 2014, City Council approved Ordinance No. 2014-621 for the planning and design of the Project. At the completion of the design phase, the construction phase will proceed.

The estimated cost of the project is $14.6M including construction, design, easement and right of way acquisitions. The "upfront" construction costs will derive from two sources. PWE will provide approximately $6.8M from Enterprise Fund as described in a separate agreement (the "Cooperative Development Agreement") and HCID No. 12 will provide approximately $7.8M from revenue bond proceeds issued by the district. The estimated annual debt service payments, if a single bond is issued is an average of $625,000 and will be made from the incremental revenue generated from the established economic impact area. The City's obligation will be the lesser of the annual debt service requirement or the incremental revenue but will never exceed the incremental revenue.

The proposed amendment is to allow for the District to secure third party financing as an alternate financing option to the bond debt issuance. Interest on third party financing will be limited to the lesser of the actual borrowing rate on the debt and not to exceed the maximum allowable interest rate on District bonds.

City Secretary
Mayor's Office
Legal Department
Finance Department
Marta Crinejo

Prior Council Action:

Ord. No. 2014-621; 06/18/14 Ord. No. 2014-1139; 12/10/14

Amount of Funding:

Not applicable

Contact Information:

Gwendolyn F. Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA HCID 12 380 Holmes Rd	Signed Cover sheet
PCA 2014-621	Backup Material
PCA 2014-1139	Backup Material
MYR - HCID12 380 Holmes Rd	Signed Cover sheet

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance amending ordinance 2014-1139 approving an economic development agreement between the City of Houston and Harris County Improvement District No. 12 pursuant to Chapter 380 of the Texas Local Government Code for the construction of sanitary sewer line within the Holmes Road Right of Way	**Category #**	**Page** 1 of 1	**Agenda Item #**

FROM (Department or other point of origin): Andrew F. Icken, Chief Development Officer	**Origination Date**	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** K	
For additional information contact: Gwendolyn F. Tillotson Phone: 832-393-0937	**Date and identification of prior authorizing Council action:** Ord. No. 2014-621; 06-18-14; Ord. No. 2014-1139; 12-10-14	

RECOMMENDATION: (Summary)
That the City Council approve an ordinance amending ordinance 2014-1139 approving an economic development agreement between the City of Houston and Harris County Improvement District No. 12 pursuant to Chapter 380 of the Texas Local Government Code for the construction of sanitary sewer line within the Holmes Road Right of Way

Amount of Funding:

SOURCE OF FUNDING **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund** **[X] N/A**

SPECIFIC EXPLANATION:
On December 10, 2014, City Council approved Ordinance No. 2014-1139, allowing the City's portion of its property tax revenues in a defined economic impact area to be used as the source of the annual debt service payment on a bond issuance for the construction of a sanitary sewer line in the right of way of Holmes Road from Buffalo Speedway to Knight Road. The construction of the line will provide much needed waste water capacity to more than 1,700 acres within the sewer line's service area.

The estimated cost of the project is $14.6M including construction, design, easement and right of way acquisitions. The "upfront" construction costs will derive from two sources. PWE will provide approximately $6.8M from the Enterprise Fund as described in a separate agreement (the "Cooperative Development Agreement") and Harris County Improvement District No. 12 ("HCID No. 12") will provide approximately $7.8M from financing obtained by the district or revenue bond proceeds issued by the district. The estimated annual debt service payments is $625,000.

The City's Public Works and Engineering Department ("PWE") will be responsible for the design and the construction of the Project. On June 18, 2014, City Council approved Ordinance No. 2014-621 for the planning and design of the Project. At the completion of the design phase, the construction phase will proceed.

As noted above, the Agreement approved in Ordinance No. 2014-1139 allowed bond financing, using a defined increment of property tax revenue as collateral. The amended agreement allows HCID No. 12 to obtain non-bond third party financing for its portion of the project costs. This amendment is necessary to address a change in policy of the Texas Attorney General in approving bonds secured by property tax revenue. The Economic Development Office is analyzing the impact of this policy for future projects, but this project can move forward with this amended agreement.

The proposed amendment is to allow for the District to secure third party financing as an alternate financing option to the bond debt issuance. Interest on third party financing will be limited to the lesser of the actual borrowing rate on the debt and not to exceed the maximum allowable interest rate on District bonds.

cc: City Secretary
Mayor's Office
Legal Department
Finance Department
Marta Crinejo

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District K
Item Creation Date: 12/9/2015

MYR - HCID 12 CDA Amend

Agenda Item#: 53.

Summary:

ORDINANCE approving and authorizing an amended and restated cooperative development agreement between the City of Houston and **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 12 - DISTRICT K GREEN**

Background:

SUBJECT: An ordinance amending ordinance 2015-914 approving a cooperative development agreement between the City of Houston and Harris County Improvement District No. 12 for the construction of sanitary sewer line within the Holmes Road Right of Way and terminating at the 78 inch sanitary sewer at Knight Road

RECOMMENDATION: (Summary)

That the City Council approve an ordinance amending ordinance 2015-914 approving a cooperative development agreement between the City of Houston and Harris County Improvement District No. 12 for the construction of sanitary sewer line within the Holmes Road Right of Way and terminating at the 78 inch sanitary sewer at Knight Road

SPECIFIC EXPLANATION:

On September 30, 2015, City Council adopted and passed Ordinance No. 2015-914 approving a cooperative development ("CDA") agreement for the construction of a 48" wastewater main and 42" wastewater main lines within the Holmes Road Right of Way and terminating at the 78 inch sanitary sewer at Knight Road. The agreement allowed for the City to design construct and provide partial funding of design, construction, rights-of-way, and related items, and the District to provide partial funding of design, construction, rights-of-way, and related items.

The estimated cost of the project is $12.6M to 14.6M ("Project Costs") including construction, design, easement and right of way acquisitions. The "upfront" construction costs will derive from two sources. PWE will provide up to approximately $6.8M towards the Project Costs and Harris County Improvement District No. 12 ("HCID No. 12") will provide approximately $7.8M .

The City's Public Works and Engineering Department ("PWE") will be responsible for the design and the construction of the Project. On June 18, 2014, City Council approved Ordinance No. 2014-621 for the planning and design of the Project. At the completion of the design phase, the construction phase will proceed.

The original Agreement approved in Ordinance No. 2015-914 stated that the District would issue contract revenue bonds for its proportionate share of the Project Costs and that the bond debt payments will be made in accordance to an economic development agreement between the City and the District. The amended agreement allows HCID No. 12 to obtain non-bond third party financing for its portion of the project costs. This amendment is necessary to address a change in policy of the Texas Attorney General in approving bonds secured by property tax revenue. The Economic Development Office is analyzing the impact of this policy for future projects, but this project can move forward with this amended agreement.

The proposed amendment is to allow for the District to secure third party financing as an alternate financing option to the bond debt issuance.

cc: City Secretary
Mayor's Office
Legal Department
Finance Department
Marta Crinejo

Prior Council Action:

Ord. No. 2015-914; 09-30-15

Amount of Funding:

Not applicable

Contact Information:

Gwendolyn F. Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA HCID 12 CDA Amend	Signed Cover sheet
PCA 2015-914	Backup Material
MYR - HCID 12 CDA Amend	Signed Cover sheet

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: An ordinance amending ordinance 2015-914 approving a cooperative development agreement between the City of Houston and Harris County Improvement District No. 12 for the construction of sanitary sewer line within the Holmes Road Right of Way and terminating at the 78 inch sanitary sewer at Knight Road	**Category #**	**Page** 1 of 1	**Agenda Item #**

FROM (Department or other point of origin): Andrew F. Icken, Chief Development Officer	**Origination Date**	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** K	
For additional information contact: Gwendolyn F. Tillotson Phone: 832-393-0937	**Date and identification of prior authorizing Council action:** Ord. No. 2015-914; 09-30-15	

RECOMMENDATION: (Summary)
That the City Council approve an ordinance amending ordinance 2015-914 approving a cooperative development agreement between the City of Houston and Harris County Improvement District No. 12 for the construction of sanitary sewer line within the Holmes Road Right of Way and terminating at the 78 inch sanitary sewer at Knight Road

Amount of Funding:

SOURCE OF FUNDING **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund** **[X] N/A**

SPECIFIC EXPLANATION:
On September 30, 2015, City Council adopted and passed Ordinance No. 2015-914 approving a cooperative development ("CDA") agreement for the construction of a 48" wastewater main and 42" wastewater main lines within the Holmes Road Right of Way and terminating at the 78 inch sanitary sewer at Knight Road. The agreement allowed for the City to design construct and provide partial funding of design, construction, rights-of-way, and related items, and the District to provide partial funding of design, construction, rights-of-way, and related items.

The estimated cost of the project is $12.6M to 14.6M ("Project Costs") including construction, design, easement and right of way acquisitions. The "upfront" construction costs will derive from two sources. PWE will provide up to approximately $6.8M towards the Project Costs and Harris County Improvement District No. 12 ("HCID No. 12") will provide approximately $7.8M .

The City's Public Works and Engineering Department ("PWE") will be responsible for the design and the construction of the Project. On June 18, 2014, City Council approved Ordinance No. 2014-621 for the planning and design of the Project. At the completion of the design phase, the construction phase will proceed.

The original Agreement approved in Ordinance No. 2015-914 stated that the District would issue contract revenue bonds for its proportionate share of the Project Costs and that the bond debt payments will be made in accordance to an economic development agreement between the City and the District. The amended agreement allows HCID No. 12 to obtain non-bond third party financing for its portion of the project costs. This amendment is necessary to address a change in policy of the Texas Attorney General in approving bonds secured by property tax revenue. The Economic Development Office is analyzing the impact of this policy for future projects, but this project can move forward with this amended agreement.

The proposed amendment is to allow for the District to secure third party financing as an alternate financing option to the bond debt issuance.

cc: City Secretary
Mayor's Office
Legal Department
Finance Department
Marta Crinejo

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District A, District G
Item Creation Date: 12/9/2015

MYR - Energy Corridor 380 Amendment

Agenda Item#: 54.

Summary:

ORDINANCE approving a first amendment to an Economic Development Agreement between the City of Houston, Texas, and the **ENERGY CORRIDOR MANAGEMENT DISTRICT** - **DISTRICTS A STARDIG and G PENNINGTON**

Background:

SUBJECT: An ordinance authorizing a first amendment to an economic development agreement between the City of Houston ("City") the Energy Corridor Management District

RECOMMENDATION: (Summary)
City Council adopt an ordinance authorizing a first amendment to an economic development agreement between the City of Houston ("City") and the Energy Corridor Management District

SPECIFIC EXPLANATION:
In 1989, the State legislature enacted Chapter 380 of the Texas Local Government Code ("Code") to create a mechanism that municipalities could use to grant or loan public funds for economic development purposes. Subsequently, by Ordinance No. 99-674, the City established the City of Houston Chapter 380 loan/grant program, pursuant to the provisions of Chapter 380 of the Code, and adopted criteria for Chapter 380 assistance to provide the City with an additional tool to encourage development in targeted areas to fulfill a critical need to attract tourism and commerce to an area resulting in positive economic.

On December 12, 2012, City Council passed and adopted Ordinance No. 2012-1089 to approve an economic incentive agreement ("Agreement") between the City of Houston ("City") and the Energy Corridor Management District ("District") to reimburse the District for public infrastructure to improve service capacity in a defined economic impact area, including the completion of Park Row Blvd., the construction of Central Park West Blvd, and the construction of related water, sanitary sewer (including a lift station and force main) and drainage utilities. The Agreement provided for a maximum reimbursement of $20,843,660 to the District for the costs of public infrastructure improvements, of which $17,358,159 was to be reimbursed from the incremental increases in the City's portion of its property tax revenues in the economic impact area.

The public infrastructure was scheduled to be constructed in two phases, with Phase I beginning in

the proximity of Hwy. 6 and including improvements to Park Row, Central Park West Blvd., and the lift station, and Phase II to include improvements in the extension of Park Row to Eldridge Blvd. In April 2014, the District submitted a formal request to the Chief Development Officer to consider an increase in the maximum reimbursement amount to reflect scope or project changes that were imposed by the U.S. Army Corps of Engineers, such as the construction of two driveway access from Park Row Blvd. and bike trail improvements under Park Row and required archeological mitigation and wetland permitting, which were not included in the original scope of the project. Additionally, the District requested reimbursement consideration for field and scope changes to the project imposed by the Department of Public Works and Engineering ("PWE"), including those related to the force main; CenterPoint and other utility relocations, and other costs associated with developing the project.

The Administration requests approval of this first amendment to the Agreement to increase the maximum reimbursement amount by $2,735,104 from $17,358,159 to $20,093,263 for the costs of public infrastructure improvements not included in the original scope of the project. The increased maximum reimbursement amount will not extend the term of the Agreement, which is the earlier of December 31, 2038, or the date that the District has been fully reimbursed for the public infrastructure costs subject to the Agreement.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

Prior Council Action:

Ord. No. 99-674; 6/30/99; Ord. No. 2012-1089; 12/12/12

Amount of Funding:

Not applicable

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA Energy Corridor 380 Amendment	Signed Cover sheet
PCA 1999-674	Backup Material
PCA 2012-1089	Backup Material
1st amdmt Econ Dev Agrmt Energy Mgtmt Corridor	Ordinance/Resolution/Motion

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An ordinance authorizing a first amendment to an economic development agreement between the City of Houston ("City") the Energy Corridor Management District	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken, Chief Development Officer	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** A; G		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** Ord. No. 99-674 (6/30/99); Ord. No. 2012-1089 (12/12/12)		

RECOMMENDATION: (Summary) City Council adopt an ordinance authorizing a first amendment to an economic development agreement between the City of Houston ("City") and the Energy Corridor Management District

Amount of Funding: Not Applicable **Finance Budget:**

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

SPECIFIC EXPLANATION:

In 1989, the State legislature enacted Chapter 380 of the Texas Local Government Code ("Code") to create a mechanism that municipalities could use to grant or loan public funds for economic development purposes. Subsequently, by Ordinance No. 99-674, the City established the City of Houston Chapter 380 loan/grant program, pursuant to the provisions of Chapter 380 of the Code, and adopted criteria for Chapter 380 assistance to provide the City with an additional tool to encourage development in targeted areas to fulfill a critical need to attract tourism and commerce to an area resulting in positive economic.

On December 12, 2012, City Council passed and adopted Ordinance No. 2012-1089 to approve an economic incentive agreement ("Agreement") between the City of Houston ("City") and the Energy Corridor Management District ("District") to reimburse the District for public infrastructure to improve service capacity in a defined economic impact area, including the completion of Park Row Blvd., the construction of Central Park West Blvd, and the construction of related water, sanitary sewer (including a lift station and force main) and drainage utilities. The Agreement provided for a maximum reimbursement of $20,843,660 to the District for the costs of public infrastructure improvements, of which $17,358,159 was to be reimbursed from the incremental increases in the City's portion of its property tax revenues in the economic impact area.

The public infrastructure was scheduled to be constructed in two phases, with Phase I beginning in the proximity of Hwy. 6 and including improvements to Park Row, Central Park West Blvd., and the lift station, and Phase II to include improvements in the extension of Park Row to Eldridge Blvd. In April 2014, the District submitted a formal request to the Chief Development Officer to consider an increase in the maximum reimbursement amount to reflect scope or project changes that were imposed by the U.S. Army Corps of Engineers, such as the construction of two driveway access from Park Row Blvd. and bike trail improvements under Park Row and required archeological mitigation and wetland permitting, which were not included in the original scope of the project. Additionally, the District requested reimbursement consideration for field and scope changes to the project imposed by the Department of Public Works and Engineering ("PWE"), including those related to the force main; CenterPoint and other utility relocations, and other costs associated with developing the project.

The Administration requests approval of this first amendment to the Agreement to increase the maximum reimbursement amount by $2,735,104 from $17,358,159 to $20,093,263 for the costs of public infrastructure improvements not included in the original scope of the project. The increased maximum reimbursement amount will not extend the term of the Agreement, which is the earlier of December 31, 2038, or the date that the District has been fully reimbursed for the public infrastructure costs subject to the Agreement.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 12/8/2015

MYR - Studemont Venture Economic Development

Agenda Item#: 55.

Summary:

ORDINANCE approving and authorizing Economic Development Agreement between the City of Houston, Texas, and **STUDEMONT VENTURE, L.P.** for the Development and Construction of a Public Parking Lot in the vicinity of the Olivewood Cemetery, multifamily and commercial development, and certain public works and improvements related thereto - **DISTRICT I - GALLEGOS**

Background:

SUBJECT: An Ordinance approving an economic development agreement ("Agreement") between the City of Houston ("City") and Studemont Venture L.P. ("Company") authorizing the reimbursement of certain public improvements benefitting Olivewood Cemetery ("Cemetery").

RECOMMENDATION: City Council adopts an ordinance approving an economic development agreement ("Agreement") between the City of Houston ("City") and Studemont Venture L.P. ("Developer") authorizing the reimbursement of certain public improvements benefitting Olivewood Cemetery ("Cemetery").

SPECIFIC EXPLANATION:

In 1989, the State legislature enacted Chapter 380 of the Local Government Code ("Chapter 380") to create a mechanism that allows municipalities to grant or loan public funds for economic development purposes by creating one or more programs to promote economic development and stimulate business and commercial development. Subsequently, by Ordinance No. 99-674, the City established the City of Houston Chapter 380 loan/grant program. The Administration now proposes to establish a separate Chapter 380 program to be known as the Studemont Venture L.P. Chapter 380 Program (the "Program").

Studemont Venture L.P. owns approximately 16 acres generally located at the intersection of Studemont Street and Hicks Street adjacent to the existing Olivewood Cemetery, which is an historic African American cemetery. The Developer intends to invest more than $90 million to construct improvements to redevelop an existing industrial site, to include Class A multifamily housing and/or retail, office, and commercial development, as well as public improvements and infrastructure. To serve the site, the Developer will invest about $1.8 million to construct certain public improvements consisting of road and street improvements, drainage, water and sanitary

sewer improvements and traffic and mobility improvements. The Developer will convey an approximately .15 acre site to enhance accessibility to the adjacent Cemetery and construct a public parking lot to benefit the Cemetery's visitors and workers. In consideration of the Developer's investment and to further encourage enhancements to the Cemetery, the Administration proposes to offer an economic incentive of the lesser of actual expenditures or $860,000 for those public improvements directly benefitting the Cemetery.

The incentives will be based solely on the incremental increase in the City's portion of its property tax revenue subsequent to the property tax base year of Jan. 1, 2016. Reimbursement will begin upon the Developer's verification of at least $62 million in improvements, the submission of a Certificate of Occupancy and the conveyance of the public improvements to PW&E.

The proposed economic incentive agreement was presented to the Budget and Fiscal Affairs Committee on November 5, 2015.

Prior Council Action:

Ord. No.1999-674, 6/30/99

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA ED Studemont Venture	Signed Cover sheet
PCA 1999-674	Backup Material
Studemont Venture Economic Development	Ordinance/Resolution/Motion

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An Ordinance approving an economic development agreement ("Agreement") between the City of Houston ("City") and Studemont Venture L.P. ("Company") authorizing the reimbursement of certain public improvements benefitting Olivewood Cemetery ("Cemetery").	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andy Icken, Chief Development Officer Mayor's Office	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** I		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** Ord. No.1999-674, 6/30/99		

RECOMMENDATION: City Council adopts an ordinance approving an economic development agreement ("Agreement") between the City of Houston ("City") and Studemont Venture L.P. ("Developer") authorizing the reimbursement of certain public improvements benefitting Olivewood Cemetery ("Cemetery").

Amount of Funding: Not Applicable	**Finance Budget:**

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

SPECIFIC EXPLANATION:

In 1989, the State legislature enacted Chapter 380 of the Local Government Code ("Chapter 380") to create a mechanism that allows municipalities to grant or loan public funds for economic development purposes by creating one or more programs to promote economic development and stimulate business and commercial development. Subsequently, by Ordinance No. 99-674, the City established the City of Houston Chapter 380 loan/grant program. The Administration now proposes to establish a separate Chapter 380 program to be known as the Studemont Venture L.P. Chapter 380 Program (the "Program").

Studemont Venture L.P. owns approximately 16 acres generally located at the intersection of Studemont Street and Hicks Street adjacent to the existing Olivewood Cemetery, which is an historic African American cemetery. The Developer intends to invest more than $90 million to construct improvements to redevelop an existing industrial site, to include Class A multifamily housing and/or retail, office, and commercial development, as well as public improvements and infrastructure. To serve the site, the Developer will invest about $1.8 million to construct certain public improvements consisting of road and street improvements, drainage, water and sanitary sewer improvements and traffic and mobility improvements. The Developer will convey an approximately .15 acre site to enhance accessibility to the adjacent Cemetery and construct a public parking lot to benefit the Cemetery's visitors and workers. In consideration of the Developer's investment and to further encourage enhancements to the Cemetery, the Administration proposes to offer an economic incentive of the lesser of actual expenditures or $860,000 for those public improvements directly benefitting the Cemetery.

The incentives will be based solely on the incremental increase in the City's portion of its property tax revenue subsequent to the property tax base year of Jan. 1, 2016. Reimbursement will begin upon the Developer's verification of at least $62 million in improvements, the submission of a Certificate of Occupancy and the conveyance of the public improvements to PW&E.

The proposed economic incentive agreement was presented to the Budget and Fiscal Affairs Committee on November 5, 2015.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District A
Item Creation Date: 12/8/2015

MYR - United Parcel Service Reinvestment Zone

Agenda Item#: 56.

Summary:

ORDINANCE designating the **UNITED PARCEL SERVICE, INC** and **BT-OH, LLC REINVESTMENT ZONE** for tax abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT A - STARDIG**

Background:

SUBJECT: An Ordinance designating the United Parcel Service, Inc. and BT-OH, LLC Tax Abatement Reinvestment Zone.

RECOMMENDATION: (Summary) City Council approves an Ordinance designating the United Parcel Service, Inc. and BT-OH, LLC Tax Abatement Reinvestment Zone.

SPECIFIC EXPLANATION:
Pursuant to Section 312.204 of the Tax Code, a municipality may enter into a tax abatement agreement in writing with the owner of real property that is located within a reinvestment zone. Section 312.202 of the Tax Code, defines the criteria for designating a tax abatement reinvestment zone, one of which is that the area be reasonable likely to attract major investment in the zone that would be a benefit to the land.

A public hearing on the designation of a reinvestment zone for United Parcel Service, Inc. and BT-OH, LLC was held before City Council on December 16, 2015 at 9:00 A.M., prior to council consideration to establish the reinvestment zone. The public hearing was published in the Houston Chronicle on December 8, 2015. The Office of the Mayor requests that City Council designate an approximately 68.4 acre site located at 11802 North Gessner Road, Houston, 77064, as the United Parcel Service, Inc. and BT-OH, LLC Reinvestment Zone for tax abatement purposes ("Zone"). This action will enable City Council to consider approval of a tax abatement agreement for United Parcel Service, Inc. and BT-OH, LLC to support the investment in real and personal property involved in the construction of a 400,000SF-500,000SF warehouse and parcel distribution center.

The estimated value of new abatable investment subject to the proposed ad valorem tax abatement is $131 million for the new construction of a building and equipment.

The project and the Zone met the criteria established by the City of Houston guidelines for tax

abatement adopted on March 26, 2014 by Ordinance No. 2014-0245.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

Prior Council Action:

Ord. No. 2009-0858, 9/16/09;
Ord. No. 2011-1167, 12/14/11;
Ord. No. 2014-0245, 3/26/14

Amount of Funding:

Not applicable

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA United Parcel Service Reinvestment Zone	Signed Cover sheet
PCA 2009-0858	Backup Material
PCA 2011-1167	Backup Material
PCA 2014-0245	Backup Material
Ordinance Package	Signed Cover sheet

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An Ordinance designating the United Parcel Service, Inc. and BT-OH, LLC Tax Abatement Reinvestment Zone.	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken, Chief Development Officer	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** A		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** Ord. No.2009-858, 9/16/09; Ord. No. 2011-1167, 12/14/11; Ord. No. 2014-0245, 3/26/14		

RECOMMENDATION: (Summary) City Council approves an Ordinance designating the United Parcel Service, Inc. and BT-OH, LLC Tax Abatement Reinvestment Zone.

Amount of Funding: Not Applicable	**Finance Budget:**

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

SPECIFIC EXPLANATION:

Pursuant to Section 312.204 of the Tax Code, a municipality may enter into a tax abatement agreement in writing with the owner of real property that is located within a reinvestment zone. Section 312.202 of the Tax Code, defines the criteria for designating a tax abatement reinvestment zone, one of which is that the area be reasonable likely to attract major investment in the zone that would be a benefit to the land.

A public hearing on the designation of a reinvestment zone for United Parcel Service, Inc. and BT-OH, LLC was held before City Council on December 16, 2015 at 9:00 A.M., prior to council consideration to establish the reinvestment zone. The public hearing was published in the Houston Chronicle on December 8, 2015. The Office of the Mayor requests that City Council designate an approximately 68.4 acre site located at 11802 North Gessner Road, Houston, 77064, as the United Parcel Service, Inc. and BT-OH, LLC Reinvestment Zone for tax abatement purposes ("Zone"). This action will enable City Council to consider approval of a tax abatement agreement for United Parcel Service, Inc. and BT-OH, LLC to support the investment in real and personal property involved in the construction of a 400,000SF-500,000SF warehouse and parcel distribution center.

The estimated value of new abatable investment subject to the proposed ad valorem tax abatement is $131 million for the new construction of a building and equipment.

The project and the Zone met the criteria established by the City of Houston guidelines for tax abatement adopted on March 26, 2014 by Ordinance No. 2014-0245.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District A
Item Creation Date: 12/9/2015

MYR - United Parcel Service Tax Abatement

Agenda Item#: 57.

Summary:

ORDINANCE approving and authorizing Tax Abatement Agreement between the City of Houston, Texas, and **UNITED PARCEL SERVICE, INC and BT-OH, LLC** for property located within the United Parcel Service, Inc. and BT-OH, LLC Reinvestment Zone - **DISTRICT A - STARDIG**
This item should only be considered after passage of Item 56 above

Background:

SUBJECT: Ordinance approving a tax abatement agreement among the City of Houston, United Parcel Service, Inc., and BT-OH, LLC for the construction of a new warehouse and parcel distribution center.

RECOMMENDATION: (Summary) Adopt an Ordinance approving a tax abatement agreement ("Agreement") among the City of Houston ("City"), United Parcel Service, Inc., and BT-OH, LLC (collectively, "Company") for the construction of a new warehouse and parcel distribution center.

SPECIFIC EXPLANATION:
United Parcel Service, Inc. and its wholly owned subsidiary BT-OH, LLC is a national shipping and logistic company with headquarters in Atlanta, Georgia. The proposed new 400,000-500,000 square feet distribution facility will be constructed on a 68.4 acre site. The Company submitted an application on 7/6/2015. The proposed abatement will apply to the capital investment in real property and equipment. The application states that the Company is considering multiple competitive sites to locate this project, including the cities of Conroe and Tomball, and that the economic incentive improves the feasibility of the project and therefore is a significant factor in the Company's decision. Additionally, Harris County is also evaluating an incentive for the project, to leverage the City's incentive consideration, as Harris County is competing with Montgomery County for this project.

This project involves the construction of a parcel distribution facility located at 11802 North Gessner Road. The Company plans to invest approximately $12,000,000 in land, $60,000,000 in capital improvements, and $71,000,000 in equipment. The Company will retain its current 2,535 jobs and will create 500 or more new full time equivalent jobs upon project completion.

The real property improvements subject to tax abatement are approximately $131,000,000 and

represent the incremental value above the property base value. The appraised value is estimated at approximately 80% of the investment amount, excluding the land. Based upon a 75% abatement rate, the City tax to be abated is estimated at $506,908 - $536,500 annually for a term of 10 years.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

Prior Council Action:

Ord. No. 2009-858, 9/16/09; 2011-1167, 12/14/11; 2014-0245, 3/26/14

Amount of Funding:

Not applicable

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA United Parcel Service Tax Abatement	Signed Cover sheet
PCA 2009-858	Backup Material
PCA 2011-1167	Backup Material
PCA 2014-245	Backup Material
Ordinance Package	Signed Cover sheet

REQUEST FOR COUNCIL ACTION

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

SUBJECT: Ordinance approving a tax abatement agreement among the City of Houston, United Parcel Service, Inc., and BT-OH, LLC for the construction of a new warehouse and parcel distribution center.	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken, Chief Development Officer Mayor's Office	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** A		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** Ord. No. 2009-858, 9/16/09; 2011-1167, 12/14/11; 2014-0245, 3/26/14		

RECOMMENDATION: (Summary) Adopt an Ordinance approving a tax abatement agreement ("Agreement") among the City of Houston ("City"), United Parcel Service, Inc., and BT-OH, LLC (collectively, "Company") for the construction of a new warehouse and parcel distribution center.

Amount of Funding: Not Applicable	**F&A Budget:**

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

SPECIFIC EXPLANATION:

United Parcel Service, Inc. and its wholly owned subsidiary BT-OH, LLC is a national shipping and logistic company with headquarters in Atlanta, Georgia. The proposed new 400,000-500,000 square feet distribution facility will be constructed on a 68.4 acre site. The Company submitted an application on 7/6/2015. The proposed abatement will apply to the capital investment in real property and equipment. The application states that the Company is considering multiple competitive sites to locate this project, including the cities of Conroe and Tomball, and that the economic incentive improves the feasibility of the project and therefore is a significant factor in the Company's decision. Additionally, Harris County is also evaluating an incentive for the project, to leverage the City's incentive consideration, as Harris County is competing with Montgomery County for this project.

This project involves the construction of a parcel distribution facility located at 11802 North Gessner Road. The Company plans to invest approximately $12,000,000 in land, $60,000,000 in capital improvements, and $71,000,000 in equipment. The Company will retain its current 2,535 jobs and will create 500 or more new full time equivalent jobs upon project completion.

The real property improvements subject to tax abatement are approximately $131,000,000 and represent the incremental value above the property base value. The appraised value is estimated at approximately 80% of the investment amount, excluding the land. Based upon a 75% abatement rate, the City tax to be abated is estimated at $506,908 - $536,500 annually for a term of 10 years.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 12/9/2015

MYR - Aspen Heights Reinvestment Zone Termination

Agenda Item#: 58.

Summary:

ORDINANCE terminating the **ASPEN HEIGHTS, HOUSTON REINVESTMENT ZONE** for tax abatement purposes and the tax abatement agreement for Aspen Heights between the City of Houston, Texas and **BRECKENRIDGE GROUP HOUSTON TEXAS, LP** - **DISTRICT I - GALLEGOS**

Background:

SUBJECT: An Ordinance to terminate the Aspen Heights, Houston Reinvestment Zone related to the tax abatement agreement between the City and Breckenridge Group Houston Texas, LP.

RECOMMENDATION: (Summary)
City Council adopt an Ordinance terminating the Aspen Heights, Houston Reinvestment Zone related to the tax abatement agreement between the City and Breckenridge Group Houston ("Aspen Heights") Texas, LP.

SPECIFIC EXPLANATION:
Pursuant to Section 312.204 of the Texas Tax Code, a municipality may enter into a tax abatement agreement in writing with the owner of real property that is located within a reinvestment zone. Section 312.202 of the Texas Tax Code defines the criteria for designating a tax abatement reinvestment zone, one of which is that the area be reasonable likely to attract major investment in the zone that would be a benefit to the land.

The Aspen Heights, Houston Reinvestment Zone (the "Zone") was designated by City Council on May 28, 2014 by Ordinance 2014-0478 as required by Chapter 312 of the Texas Tax Code. Subsequent to the City's approval of the designation of the Zone, Breckenridge was unable to secure the resources to finalize the land purchase and construct the project. The developer cancelled the plan to develop the site and invest in the project. Therefore, the Zone must be terminated since Aspen Heights does not own and will not own the property for which taxes were to be abated.

The Agreement and all rights and obligations of the City and Aspen Heights shall cease and terminate as of May 28,2014, the date upon which City Council approved the tax abatement agreement and designated the Zone, and Aspen Heights shall not be entitled to any tax abatement

as provided in the Agreement.

Prior Council Action:

Ord.2014-0245, 3/26/14; Ord. 2014-0478, 5/28/2014

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA Aspen Heights Reinvestment Zone Termination	Signed Cover sheet
PCA 2014-245	Backup Material
PCA 2014-478	Backup Material
Ordinance Package	Ordinance/Resolution/Motion

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An Ordinance to terminate the Aspen Heights, Houston Reinvestment Zone related to the tax abatement agreement between the City and Breckenridge Group Houston Texas, LP.	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken Chief Development Officer	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** I		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** Ord.2014-0245, 3/26/14; Ord. 2014-0478, 5/28/2014		

RECOMMENDATION: (Summary)
City Council adopt an Ordinance terminating the Aspen Heights, Houston Reinvestment Zone related to the tax abatement agreement between the City and Breckenridge Group Houston ("Aspen Heights") Texas, LP.

Amount of Funding: Not Applicable	**Finance Budget:**

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

SPECIFIC EXPLANATION:

Pursuant to Section 312.204 of the Texas Tax Code, a municipality may enter into a tax abatement agreement in writing with the owner of real property that is located within a reinvestment zone. Section 312.202 of the Texas Tax Code defines the criteria for designating a tax abatement reinvestment zone, one of which is that the area be reasonable likely to attract major investment in the zone that would be a benefit to the land.

The Aspen Heights, Houston Reinvestment Zone (the "Zone") was designated by City Council on May 28, 2014 by Ordinance 2014-0478 as required by Chapter 312 of the Texas Tax Code. Subsequent to the City's approval of the designation of the Zone, Breckenridge was unable to secure the resources to finalize the land purchase and construct the project. The developer cancelled the plan to develop the site and invest in the project. Therefore, the Zone must be terminated since Aspen Heights does not own and will not own the property for which taxes were to be abated.

The Agreement and all rights and obligations of the City and Aspen Heights shall cease and terminate as of May 28,2014, the date upon which City Council approved the tax abatement agreement and designated the Zone, and Aspen Heights shall not be entitled to any tax abatement as provided in the Agreement.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 12/2/2015

MYR - Cullen SH Apts LP Reinvestment Zone

Agenda Item#: 59.

Summary:

ORDINANCE designating the **CULLEN SH APARTMENTS, LP REINVESTMENT ZONE** for tax abatement purposes pursuant to Article IV OF Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT I - GALLEGOS**

Only to be considered after passage of Item 58 above

Background:

SUBJECT: An Ordinance designating the Cullen SH Apartments, LP Tax Abatement Reinvestment Zone

RECOMMENDATION: (Summary) City Council adopt an Ordinance designating the Cullen SH Apartments, LP Tax Abatement Reinvestment Zone

SPECIFIC EXPLANATION:

Pursuant to Section 312.204 of the Texas Tax Code, a municipality may enter into a tax abatement agreement in writing with the owner of real property that is located within a reinvestment zone. Section 312.202 of the Texas Tax Code defines the criteria for designating a tax abatement reinvestment zone, one of which is that the area be reasonably likely to attract major investment in the zone that would be a benefit to the land.

A public hearing on the designation of a reinvestment zone for Cullen SH Apartments LP. was held before City Council on December 2, 2015 at 9:00 A.M., prior to Council's consideration to designate the reinvestment zone. Notice of the public hearing was published in the Houston Chronicle on November 24, 2015. The Office of the Mayor requests that City Council designate an approximate 7.7 acre site located at 1901 Cullen and 1905 Cullen Blvd, Houston, 77023, which is in the proximity of Interstate 45 and Cullen Blvd., as the Cullen SH Apartments, LP Reinvestment Zone for tax abatement purposes (the "Zone"). This action will enable City Council to consider approval of a tax abatement agreement for Cullen SH Apartments, LP to support the investment in real and personal property involved in the construction of a new multi-story student housing developing comprising 531 beds and other on and offsite improvements.

The estimated value of new abatable investment subject to the proposed ad valorem tax abatement is $22 million for the construction of the new building.

The project and the Zone meet the criteria established by the City of Houston guidelines for tax abatement adopted on March 26, 2014 by Ordinance No. 2014-0245.

Prior Council Action:

Ord. No.2009-858, 9/16/09; Ord. No. 2011-1167, 12/14/11; Ord. No. 2014-0245 3/26/14

Contact Information:

Gwendolyn Tillotson **Phone:** 832-393-0937

ATTACHMENTS:

Description	Type
RCA RZ Cullen SH	Signed Cover sheet
PCA 2009-858	Backup Material
PCA 2011-1167	Backup Material
PCA 2014-245	Backup Material
Ordinance Package	Ordinance/Resolution/Motion

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An Ordinance designating the Cullen SH Apartments, LP Tax Abatement Reinvestment Zone	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andy Icken, Chief Development Officer Mayor's Office	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** I		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** Ord. No.2009-858, 9/16/09; Ord. No. 2011-1167, 12/14/11; Ord. No. 2014-0245 3/26/14		

RECOMMENDATION: (Summary) City Council adopt an Ordinance designating the Cullen SH Apartments, LP Tax Abatement Reinvestment Zone

Amount of Funding: Not Applicable	**Finance Budget:**

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

SPECIFIC EXPLANATION:

Pursuant to Section 312.204 of the Texas Tax Code, a municipality may enter into a tax abatement agreement in writing with the owner of real property that is located within a reinvestment zone. Section 312.202 of the Texas Tax Code defines the criteria for designating a tax abatement reinvestment zone, one of which is that the area be reasonably likely to attract major investment in the zone that would be a benefit to the land.

A public hearing on the designation of a reinvestment zone for Cullen SH Apartments LP. was held before City Council on December 2, 2015 at 9:00 A.M., prior to Council's consideration to designate the reinvestment zone. Notice of the public hearing was published in the Houston Chronicle on November 24, 2015. The Office of the Mayor requests that City Council designate an approximate 7.7 acre site located at 1901 Cullen and 1905 Cullen Blvd, Houston, 77023, which is in the proximity of Interstate 45 and Cullen Blvd., as the Cullen SH Apartments, LP Reinvestment Zone for tax abatement purposes (the "Zone"). This action will enable City Council to consider approval of a tax abatement agreement for Cullen SH Apartments, LP to support the investment in real and personal property involved in the construction of a new multi-story student housing developing comprising 531 beds and other on and offsite improvements.

The estimated value of new abatable investment subject to the proposed ad valorem tax abatement is $22 million for the construction of the new building.

The project and the Zone meet the criteria established by the City of Houston guidelines for tax abatement adopted on March 26, 2014 by Ordinance No. 2014-0245.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 12/2/2015

MYR - Cullen SH Apts LP Tax Abatement

Agenda Item#: 60.

Summary:

ORDINANCE approving and authorizing a tax abatement agreement between the City of Houston, Texas, and **CULLEN SH APARTMENTS, LP** for property located within the **CULLEN SH APARTMENTS, LP REINVESTMENT ZONE** - **DISTRICT I - GALLEGOS**
This item should only be considered after passage of Item 59 above

Background:

SUBJECT: Ordinance approving a tax abatement agreement between the City of Houston and Cullen SH Apartments LP, Houston, Texas for The Gateway at Cullen Houston.

RECOMMENDATION: (Summary) City Council adopt an Ordinance approving a tax abatement agreement "Agreement" between the City of Houston "City" and Cullen SH Apartments LP, Houston Texas "Developer" for The Gateway at Cullen Houston.

SPECIFIC EXPLANATION:
The Developer is a national student housing developer and property manager with headquarters in Dallas, Texas. The Developer has completed more than $1 billion in new student housing construction since 2000 throughout the country. The proposed building will be constructed on a 7.7 acre site in the vicinity of Interstate 45 and Cullen Blvd. within a high poverty census block group and will comprise 190 one to four bedroom units consisting of 531 beds. The Developer submitted an application for tax abatement on November 17, 2014. The proposed abatement will apply to the capital investment in real property. The Developer will also invest in personal property for furniture, fixtures, and other equipment.

This project involves the construction of a multi-story student housing facility with surface parking area located at 1901 and 1905 Cullen Blvd. near downtown Houston and within ¼ mile of University of Houston. The Developer plans to invest more than $40 million in real and personal property, with most of the investment ($22M) in the building and related structures. The Developer estimates spending approximately $475,000 in project costs towards the improvement of the Cullen public right-of-way related to both infrastructure and aesthetics, and approximately $150,000 to construct improvements in and around the underpass at Interstate 45 to enhance pedestrian safety and mobility. The proposed start date for the construction phase is January 2016, with completion targeted for August 2017, consistent with the Fall 2017 school year.

The real property improvements subject to tax abatement are approximately $22M and represent the incremental value above the property base value. The appraised value is estimated at 80% of the investment amount, excluding the land. Because the site is located within a high poverty census block group, it is designated as an Enterprise Zone and Reinvestment Zone by Texas State statutes and, as such, is eligible to receive a tax abatement up to 90%. Based upon a 90% abatement rate, the City tax to be abated is estimated at $95,000 - $125,000 annually for a term of 10 years. The abatement agreement includes a recapture provision that will allow the City to recapture taxes abated to Cullen SH Apartments LP. if the project exceeds its performance yield rate target.

Prior Council Action:

Ord. No. 2009-858 9/16/09; Ord. No. 2011-1167 12/14/11; Ord. No. 2014-0245 date 3/26/14

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA TA Cullen SH	Signed Cover sheet
PCA 2009-858	Backup Material
PCA 2011-1167	Backup Material
PCA 2014-245	Backup Material
Ordinance Package	Ordinance/Resolution/Motion

REQUEST FOR COUNCIL ACTION

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

SUBJECT: Ordinance approving a tax abatement agreement between the City of Houston and Cullen SH Apartments LP, Houston, Texas for The Gateway at Cullen Houston.	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken, Chief Development Officer Mayor's Office	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** I		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** Ord. No. 2009-858 9/16/09; Ord. No. 2011-1167 12/14/11; Ord. No. 2014-0245 date 3/26/14		

RECOMMENDATION: (Summary) City Council adopt an Ordinance approving a tax abatement agreement "Agreement" between the City of Houston "City" and Cullen SH Apartments LP, Houston Texas "Developer" for The Gateway at Cullen Houston.

Amount of Funding: Not Applicable	**F&A Budget:**

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

SPECIFIC EXPLANATION:

The Developer is a national student housing developer and property manager with headquarters in Dallas, Texas. The Developer has completed more than $1 billion in new student housing construction since 2000 throughout the country. The proposed building will be constructed on a 7.7 acre site in the vicinity of Interstate 45 and Cullen Blvd. within a high poverty census block group and will comprise 190 one to four bedroom units consisting of 531 beds. The Developer submitted an application for tax abatement on November 17, 2014. The proposed abatement will apply to the capital investment in real property. The Developer will also invest in personal property for furniture, fixtures, and other equipment.

This project involves the construction of a multi-story student housing facility with surface parking area located at 1901 and 1905 Cullen Blvd. near downtown Houston and within ¼ mile of University of Houston. The Developer plans to invest more than $40 million in real and personal property, with most of the investment ($22M) in the building and related structures. The Developer estimates spending approximately $475,000 in project costs towards the improvement of the Cullen public right-of-way related to both infrastructure and aesthetics, and approximately $150,000 to construct improvements in and around the underpass at Interstate 45 to enhance pedestrian safety and mobility. The proposed start date for the construction phase is January 2016, with completion targeted for August 2017, consistent with the Fall 2017 school year.

The real property improvements subject to tax abatement are approximately $22M and represent the incremental value above the property base value. The appraised value is estimated at 80% of the investment amount, excluding the land. Because the site is located within a high poverty census block group, it is designated as an Enterprise Zone and Reinvestment Zone by Texas State statutes and, as such, is eligible to receive a tax abatement up to 90%. Based upon a 90% abatement rate, the City tax to be abated is estimated at $95,000 - $125,000 annually for a term of 10 years. The abatement agreement includes a recapture provision that will allow the City to recapture taxes abated to Cullen SH Apartments LP. if the project exceeds its performance yield rate target.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District K
Item Creation Date: 11/23/2015

MYR - Tri-Party Agreement between City of Houston, TIRZ 25 and Hiram Clarke/Fort Bend RA

Agenda Item#: 61.

Summary:

ORDINANCE approving and authorizing agreement between the City of Houston, Texas, the **HIRAM CLARKE/FORT BEND REDEVELOPMENT AUTHORITY**, and **REINVESTMENT ZONE NUMBER TWENTY-FIVE, CITY OF HOUSTON, TEXAS - DISTRICT K - GREEN**

Background:

SUBJECT: An Ordinance approving an agreement among the City of Houston, Texas, Tax Increment Reinvestment Zone Number Twenty- Five and the Hiram Clarke/Fort Bend Redevelopment Authority.

RECOMMENDATION: (Summary)

Adopt an ordinance approving an agreement among the City of Houston, Texas, Tax Increment Reinvestment Zone Number Twenty-Five and the Hiram Clark/Fort Bend Redevelopment Authority (the "Tri-Party Agreement").

SPECIFIC EXPLANATION:

On August 7, 2013, by Ordinance 2013-0708, City Council created Tax Increment Reinvestment Zone Number Twenty-Five (Hiram Clarke/Fort Bend Zone). On June 18, 2014, by Ordinance 2014-0639, the City approved a Project Plan and Reinvestment Zone Financing Plan for the Zone. On May 13, 2015, by Resolution 2015-0019, City Council created the Hiram Clarke/Fort Bend Redevelopment Authority (the "Authority") to implement the Plans.

Approval of the proposed Tri-Party Agreement will empower the Authority to act on behalf of the City and the Zone to implement the Plans, contract with developers for projects provided in the approved plans, issue or incur obligations, and use the Tax Increment generated by the Zone to pay for such obligations.

The Tri-Party Agreement is consistent with the Tri-Party Agreements that City Council has approved for other Zones.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney

Steven Kirkland, Assistant City Attorney

Prior Council Action:

2013-0708, 08/07/2013;
2014-0629, 06/18/2014;
2015-0220, 03/25/2015;
2015-0019, 05/13/2015.

Amount of Funding:

No funding required

Contact Information:

Gwendolyn Tillotson Phone: 832-393-0937

ATTACHMENTS:

Description	Type
RCA TIRZ 25 Hiram Clarke Tri - Party	Signed Cover sheet
2013-708 Ordinance TIRZ 25 Hiram Clarke Geographic Area	Backup Material
2014-629 Ordinance TIRZ 25 Hiram Clarke Project Plan	Backup Material
2015-019 Resolution TIRZ 25 Hiram Clarke Redevelopment Authority	Backup Material
2015-220 Ordinance TIRZ 25 Hiram Clarke Inter-local Amgt	Backup Material
Ordinance Package	Signed Cover sheet

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An Ordinance approving an agreement among the City of Houston, Texas, Tax Increment Reinvestment Zone Number Twenty- Five and the Hiram Clarke/Fort Bend Redevelopment Authority.	**Category #**	**Page 1 of 1**	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken Chief Development Officer	**Origination Date**		**Agenda Date**
SIGNATURE:	**Council Districts affected:** K		
For additional information contact: Gwendolyn Tillotson **Phone:** 832-393-0937	**Date and identification of prior authorizing Council Action:** 2013-708, 08/07/2013; 2014-629, 06/18/2014; 2015-220, 03/25/2015; 2015-0019, 05/13/2015		

RECOMMENDATION: (Summary)
Adopt an ordinance approving an agreement among the City of Houston, Texas, Tax Increment Reinvestment Zone Number Twenty-Five and the Hiram Clark/Fort Bend Redevelopment Authority (the "Tri-Party Agreement").

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

SOURCE OF FUNDING: **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund**
[X] N/A

SPECIFIC EXPLANATION:

On August 7, 2013, by Ordinance 2013-0708, City Council created Tax Increment Reinvestment Zone Number Twenty-Five (Hiram Clarke/Fort Bend Zone). On June 18, 2014, by Ordinance 2014-0639, the City approved a Project Plan and Reinvestment Zone Financing Plan for the Zone. On May 13, 2015, by Resolution 2015-0019, City Council created the Hiram Clarke/Fort Bend Redevelopment Authority (the "Authority") to implement the Plans.

Approval of the proposed Tri-Party Agreement will empower the Authority to act on behalf of the City and the Zone to implement the Plans, contract with developers for projects provided in the approved plans, issue or incur obligations, and use the Tax Increment generated by the Zone to pay for such obligations.

The Tri-Party Agreement is consistent with the Tri-Party Agreements that City Council has approved for other Zones.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Steven Kirkland, Assistant City Attorney

REQUIRED AUTHORIZATION

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

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 12/15/2015
District K
Item Creation Date: 12/7/2015

25CONS286 - P^2MG, LLC

Agenda Item#: 62.

Summary:

ORDINANCE appropriating the sum of $1,070,300.00 out of the Police Consolidated Construction Fund; re-allocating the amount of $300,000.00 out of the Police Consolidated Construction Fund from the task order and job order contracting program; awarding a construction contract to **P^2MG, LLC DBA P2MG, LLC** for HPD – Parking Lot Expansion – South Gessner; 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 materials testing and contingencies relating to construction of facilities financed by Police Consolidated Construction Fund - **DISTRICT K GREEN**

Background:

SUBJECT: Award Construction Contract and Appropriate/Re-allocate Funds
P^2MG, LLC dba P2MG, LLC
HPD – Parking Lot Expansion – South Gessner
WBS No. G-000140-0001-4-02-01

RECOMMENDATION: Approve an Ordinance (i) awarding a construction contract to P^2MG, LLC dba P2MG, LLC; (ii) re-allocating $300,000 out of the Police Consolidated Construction Fund (previously appropriated by Ordinance No. 2013-1059) and appropriating the sum of $1,370,300 for construction services at South Gessner Police Station parking lot expansion for Houston Police Department.

SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to P^2MG, LLC dba P2MG, LLC on its low bid amount of $1,228,000.00 to provide construction services for the South Gessner Police Station parking lot expansion for the Houston Police Department. The apparent low bidder, IKLO Construction failed to establish Good Faith Efforts to meet the advertised M/WBE goal, as determined by the Office of Business Opportunity and was withdrawn from the process.

On November 13, 2013, Ordinance No. 2013-1059, City Council authorized the appropriation of $300,000 out of the Police Consolidated Construction Fund to the Task Order and Job Order Contracting Program for FY2014 for expansion of the South Gessner Police Station parking lot. The scope of work has increased and it is appropriate to bid the work and re-allocate the funds to this contract.

PROJECT LOCATION: 8610 West Place Drive, Houston, TX 77071 (Key Map 570B)

PROJECT DESCRIPTION: The project will construct a new fenced parking lot for the South Gessner Police Station. The scope of work includes site clearing, soil stabilization, reinforced concrete paving, drainage structures including detention pond, lighting, security cameras, fencing, landscaping and irrigation.

The contract duration for this project is 200 calendar days. Brave Architects is the design consultant.

BIDS: The following seven bids were received on Thursday, September 17, 2015:

	Bidder	Bid Amount
1.	IKLO Construction	$1,131,400.00 **(non-responsive)**
2.	**P2MG, LLC**	**$1,228,000.00**

3.	Level Intrastructure, LLC	$1,295,000.00
4.	Jerdon enterprise, L.P.	$1,385,385.00
5.	Teal Construction Company	$1,425,000.00
6.	Times Construction, Inc.	$1,522,000.00
7.	ISI Contracting, Inc.	$1,625,000.00

AWARD: It is recommended that City Council award the construction contract to P^2MG, LLC dba P2MG, LLC., and appropriate funds for the project, including an additional appropriation of $19,500.00 for engineering and materials testing services under the existing contract with All-Terra Engineering, Inc.

FUNDING SUMMARY:

$ 1,228,000.00	Construction Contract Services
$ 122,800.00	10% Contingency
$ 1,350,800.00	**Total Contract Services**
$ 19,500.00	Engineering and Materials Testing
$ 1,370,300.00	**Total Funding**

M/WBE PARTICIPATION: An 18% M/WBE goal has been established for this contract. The contractor has submitted the following certified firms to achieve the goal.

Firm	Work Description	Amount	% of Contract
Site and Field Engineering, LLC (MBE)	Concrete Paving	$ 184,200.00	15.00%
Aztec Remodeling and Landscaping Company (WBE)	Landscaping	$ 36,840.00	3.00%
TOTAL		**$ 221,040.00**	**18.00%**

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to play and pay into the Contractor Responsibility Fund in compliance with City policy.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, P^2MG, LLC dba P2MG, LLC is a designated HHF company but they were the successful awardee without application of the HHF preference.

Amount of Funding:

Appropriate:
$1,070,300.00—Police Consolidated Construction Fund (4504)

Re-Allocate:
$ 300,000.00—Police Consolidated Construction Fund (4504)
$1,370,300.00 Total Funding

Contact Information:

JACQUELYN L. NISBY
PHONE: 832-393-8023

ATTACHMENTS:

Description	Type
RCA	Backup Material
MAPS	Backup Material
Ordinance	Backup Material
TOC/JOC Project List	Backup Material
Prior Council Action	Backup Material
CIP Form A	Backup Material
Fair Campaign A	Backup Material

Fair Campaign A	Backup Material
Fair Campaign B	Backup Material
Tax Delinquent Form	Backup Material
SAP Docs	Backup Material
Formal Bid Tab	Signed Cover sheet

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

SUBJECT: Award Construction Contract and Appropriate/Re-allocate Funds P^2MG, LLC dba P2MG, LLC HPD – Parking Lot Expansion – South Gessner WBS No. G-000140-0001-4-02-01		**Page** 1 of 2	**Agenda Item**
FROM (Department or other point of origin): General Services Department	**Origination Date**	**Agenda Date**	
DIRECTOR'S SIGNATURE: Scott Minnix	**Council District affected:** K		
For additional information contact: Jacquelyn L. Nisby **Phone:** 832-393-8023	**Date and identification of prior authorizing Council action:**		

RECOMMENDATION: Approve an Ordinance (i) awarding a construction contract to P^2MG, LLC dba P2MG, LLC; (ii) re-allocating $300,000 out of the Police Consolidated Construction Fund (previously appropriated by Ordinance No. 2013-1059) and appropriating the sum of $1,370,300 for construction services for the South Gessner Police Station parking lot expansion for the Houston Police Department.

Amount and Source of Funding:	**Finance Budget:**
Appropriate: $1,070,300.00—Police Consolidated Construction Fund (4504) **Re-Allocate:** $ 300,000.00—Police Consolidated Construction Fund (4504) **$1,370,300.00 Total Funding**	

SPECIFIC EXPLANATION: The General Services Department recommends that City Council award a construction contract to P^2MG, LLC dba P2MG, LLC on its low bid amount of $1,228,000.00 to provide construction services for the South Gessner Police Station parking lot expansion for the Houston Police Department. The apparent low bidder, IKLO Construction, failed to establish Good Faith Efforts to meet the advertised M/WBE goal, as determined by the Office of Business Opportunity and was withdrawn from the process.

On November 13, 2013, Ordinance No. 2013-1059, City Council authorized the appropriation of $300,000 out of the Police Consolidated Construction Fund to the Task Order and Job Order Contracting Program for FY2014, for expansion of the South Gessner Police Station parking lot. The scope of work for the project increased; therefore it was appropriate to bid the work and re-allocate the funds to this contract.

PROJECT LOCATION: 8610 West Place Drive, Houston, TX 77071 (Key Map 570B)

PROJECT DESCRIPTION: The project will construct a new fenced parking lot for the South Gessner Police Station. The scope of work includes site clearing, soil stabilization, reinforced concrete paving, drainage structures including detention pond, lighting, security cameras, fencing, landscaping and irrigation.

The contract duration for this project is 200 calendar days. Brave Architects is the design consultant.

REQUIRED AUTHORIZATION CUIC ID # 25CONS286

General Services Department:	**Houston Police Department:**
Richard A. Vella. Chief of Design & Construction Division	Charles A. McClelland, Jr. Chief of Police

BIDS: The following seven bids were received on Thursday, September 17, 2015:

	Bidder	Bid Amount
1.	IKLO Construction	$1,131,400.00 **(non-responsive)**
2.	**P2MG, LLC**	**$1,228,000.00**
3.	Level Infrastructure, LLC	$1,295,000.00
4.	Jerdon enterprise, L.P.	$1,385,385.00
5.	Teal Construction Company	$1,425,000.00
6.	Times Construction, Inc.	$1,522,000.00
7.	ISI Contracting, Inc.	$1,625,000.00

AWARD: It is recommended that City Council award the construction contract to P^2MG, LLC dba P2MG, LLC., and appropriate funds for the project, including an additional appropriation of $19,500.00 for engineering and materials testing services under the existing contract with All-Terra Engineering, Inc.

FUNDING SUMMARY:

$ 1,228,000.00	Construction Contract Services
$ 122,800.00	10% Contingency
$ 1,350,800.00	**Total Contract Services**
$ 19,500.00	Engineering and Materials Testing
$ 1,370,300.00	**Total Funding**

M/WBE PARTICIPATION: An 18% M/WBE goal has been established for this contract. The contractor has submitted the following certified firms to achieve the goal.

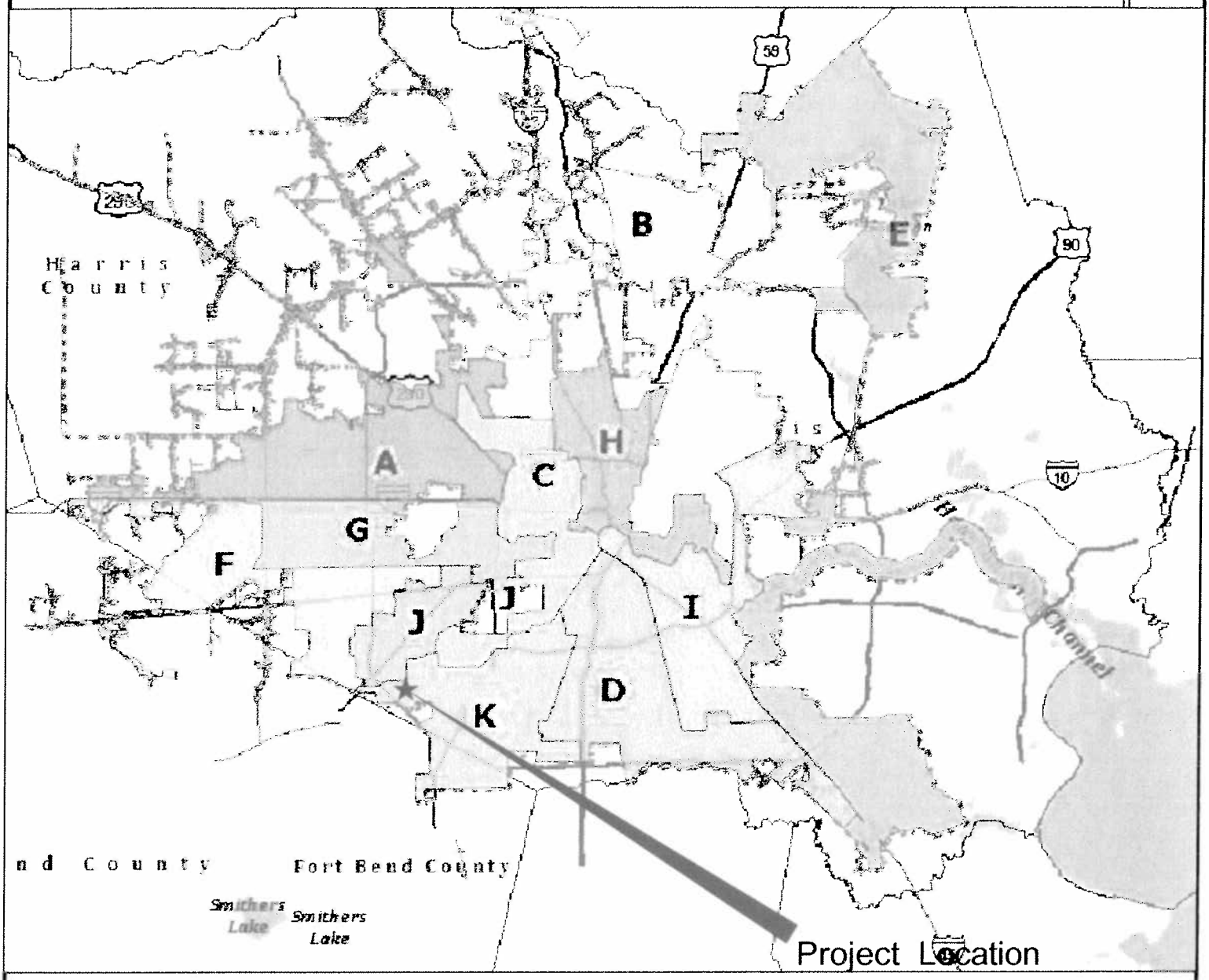
Firm	Work Description	Amount	% of Contract
Site and Field Engineering, LLC (MBE)	Concrete Paving	$ 184,200.00	15.00%
Aztec Remodeling and Landscaping Company (WBE)	Landscaping	$ 36,840.00	3.00%
TOTAL		**$ 221,040.00**	**18.00%**

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' Ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to play and pay into the Contractor Responsibility Fund in compliance with City policy.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, P^2MG, LLC dba P2MG, LLC is a designated HHF company but they were the successful awardee without application of the HHF preference.

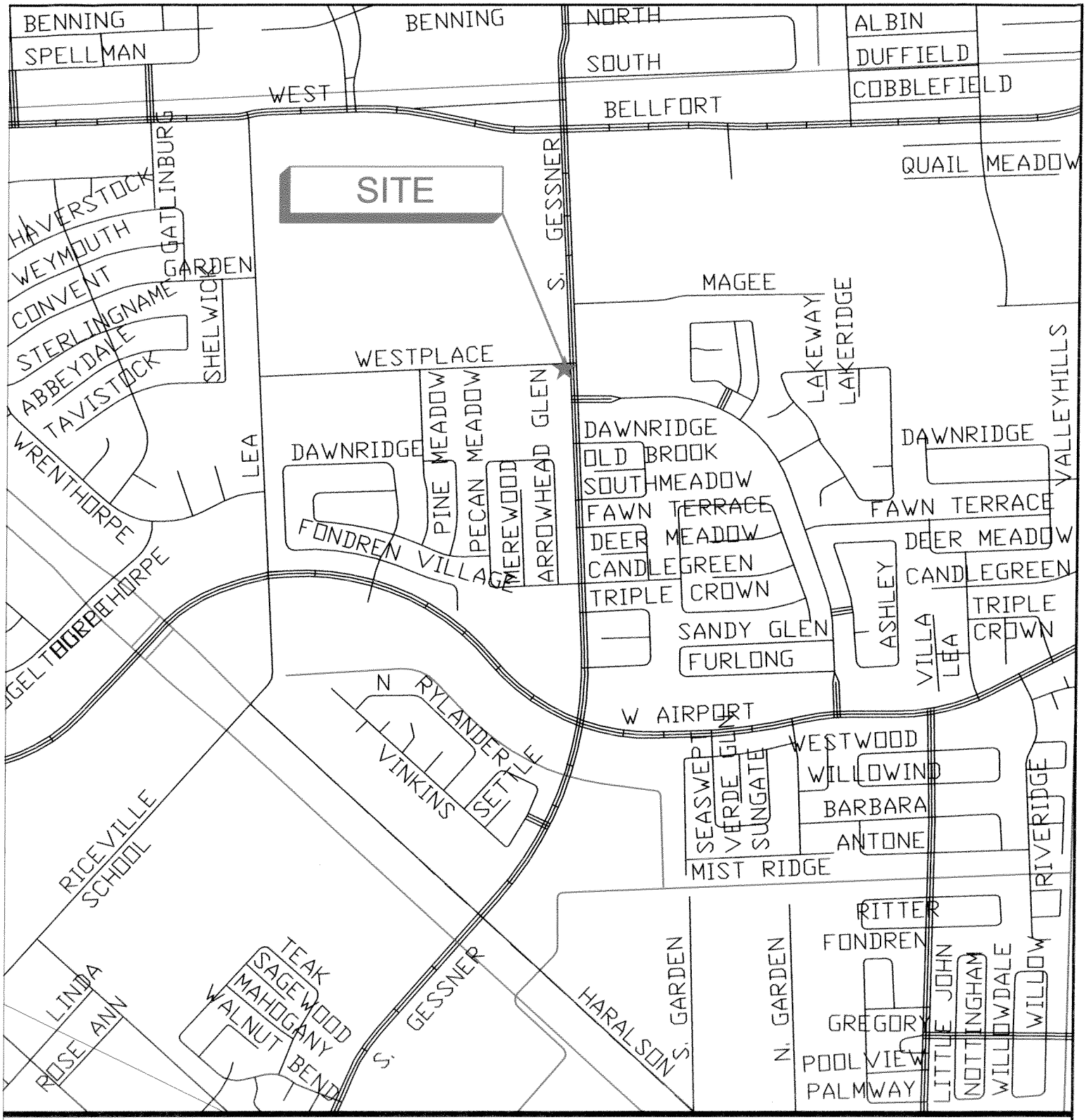
SM:RAV:JLN:CRC:ON:abc
c: Marta Crinejo, Jacquelyn L. Nisby, Veronica Lizama, Morris Scott, Stephan Hanner, Felicia Williams, Gabriel Mussio, File

CITY OF HOUSTON
HARRIS COUNTY, TEXAS



HPD - Parking Lot Expansion - South Gessner
8610 Westplace Drive
Houston, TX 77071

COUNCIL DISTRICT "K" WBS No. G-000140-0001-4 KEY MAP NO. 570B



HPD - Parking Lot Expansion - South Gessner
8610 Westplace Drive
Houston, TX 77071

COUNCIL DISTRICT "K" | WBS No. G-000140-0001-4 | KEY MAP NO. 570B

GENERAL SERVICES DEPARTMENT
DESIGN & CONSTRUCTION DIVISION

BID TABULATION

THE FOLLOWING WAS TAKEN FROM THE CITY SECRETARY'S READING OF BIDS
ON **Thursday, September 17, 2015** AT 11:00 A.M. IN THE CITY COUNCIL CHAMBERS

PROJECT: HPD - Parking Lot Expansion - South Gessner **WBS : G-000140-0001-4**

1.	IKLO Construction	$1,131,400.00
2.	P2MG, LLC	$1,228,000.00
3.	Level Infrastructure, LLC	$1,295,000.00
4.	Jerdon Enterprise, L.P.	$1,385,385.00
5.	Teal Construction Company	$1,425,000.00
6.	Times Construction, Inc.	$1,522,000.00
7.	ISI Contracting, Inc.	$1,625,000.00

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ETJ
Item Creation Date: 12/1/2015

20IPB308 Petition Addit (29.854)/Harris County MUD/No. 153

Agenda Item#: 63.

Summary:

ORDINANCE consenting to the addition of 29.854 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153,** for inclusion in its district

Background:

SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 29.854 acres to Harris County Municipal Utility District No. 153 (Key Map No. 377-G).

RECOMMENDATION: (Summary) The petition for the addition of two (2) tracts of land totaling 29.854 acres to Harris County Municipal Utility District No. 153 be approved.

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 153 has petitioned the City of Houston for consent to add 29.854 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of UPRR, Timber Forest Drive, Will Clayton Parkway and West Lake Houston Parkway. The district desires to add 29.854 acres, thus yielding a total of 1,128.863 acres. The district is served by a regional plant, the Atascocita Joint Operations Board Wastewater Treatment Plant. The other districts served by this plant are Harris County Municipal Utility District No. 46, 106, 109, 132, 151 and 152. The nearest major drainage facility for Harris County Municipal Utility District No. 153 is Lake Houston.

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

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

Amount of Funding:
None Required

Contact Information:
Carol Ellinger Haddock, P.E.
Senior Assistant Director
Phone: (832) 395-2686

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet
Consent Application	Backup Material
Petition for Consent 1	Backup Material
Petition for Consent 2	Backup Material
Petition for Consent 3	Backup Material
Map	Backup Material
20IPB308 Petition Addit (29.854)/Harris County MUD/No. 153	Signed Cover sheet

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 29.854 acres to Harris County Municipal Utility District No. 153 (Key Map No. 377-G)	Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date
DIRECTOR'S SIGNATURE Dale A. Rudick Dale A. Rudick, P.E., Director	Council District affected: "ETJ"	
For additional information contact: for Fazlerali. Carol Ellinger Haddock, P.E. Senior Assistant Director Phone: (832) 395-2686	Date and identification of prior authorizing Council action:	

RECOMMENDATION: (Summary)

The petition for the addition of two (2) tracts of land totaling 29.854 acres to Harris County Municipal Utility District No. 153 be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 153 has petitioned the City of Houston for consent to add 29.854 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of UPRR, Timber Forest Drive, Will Clayton Parkway and West Lake Houston Parkway. The district desires to add 29.854 acres, thus yielding a total of 1,128.863 acres. The district is served by a regional plant, the Atascocita Joint Operations Board Wastewater Treatment Plant. The other districts served by this plant are Harris County Municipal Utility District No. 46, 106, 109, 132, 151 and 152. The nearest major drainage facility for Harris County Municipal Utility District No. 153 is Lake Houston.

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

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

Attachments

c: Marta Crinejo
Patrick Walsh, P.E.
Jun Chang, P.E., D.WRE
Bill Zrioka
Gary Dzierlenga
Tim Lincoln, P.E.

LTS#15054 REQUIRED AUTHORIZATION CUIC:20IPB308

Finance Department	Other Authorization:	Other Authorization: Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Division

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ETJ
Item Creation Date: 12/7/2015

20IPB315 Petition Addition (5.820)/Harris County MUD/No. 418

Agenda Item#: 64.

Summary:

ORDINANCE consenting to the addition of 5.820 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 418,** for inclusion in its district

Background:

SUBJECT: Petition for the City's consent to the addition of 5.820 acres to Harris County Municipal Utility District No. 418. (Key Map No. 365 V).

RECOMMENDATION: (Summary) The petition for the addition of 5.820 acres of land to Harris County Municipal Utility District No. 418 be approved.

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 418 has petitioned the City of Houston for consent to add 5.820 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Langham Creek, Cypress Creek, State Hwy 99 (Grand Parkway), and Fry Road. This district desires to add 5.820 acres, thus yielding a total of 340.585 acres. The district is served by Harris County Municipal Utility District No. 418 Waste Water Treatment Plant No. 1. The other districts served by this plant are Harris County Municipal Utility District No. 419, 489, 490, 491, 492, 493. The nearest major drainage facility for Harris County Municipal Utility District No. 418 is Cypress Creek, and then the San Jacinto River, and finally into Lake Houston.

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

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

Amount of Funding:
None Required

Contact Information:
Carol Ellinger Haddock, P.E.
Senior Assistant Director
Phone: (832) 395-2686

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet
Consent Application	Backup Material
Petition for Addition of Land	Backup Material
Map	Backup Material
20IPB315 Petition Addition (5.820)/Harris County MUD/No. 418	Signed Cover sheet

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of 5.820 acres to Harris County Municipal Utility District No. 418. (Key Map No. 365 V)	Category #	Page 1 of 1	Agenda Item #

FROM (Department or other point of origin):	Origination Date	Agenda Date
Department of Public Works and Engineering		

DIRECTOR'S SIGNATURE	Council District affected:
Dale A. Rudick Dale A. Rudick, P.E., Director	"ETJ"

For additional information contact:	Date and identification of prior authorizing Council action:
Carol Haddock Carol Ellinger Haddock, P.E. Senior Assistant Director Phone: (832) 395-2686	

RECOMMENDATION: (Summary)

The petition for the addition of 5.820 acres of land to Harris County Municipal Utility District No. 418 be approved.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 418 has petitioned the City of Houston for consent to add 5.820 acres of land, located in the city's extraterritorial jurisdiction, to the district.

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

The district is located in the vicinity of Langham Creek, Cypress Creek, State Hwy 99 (Grand Parkway), and Fry Road. This district desires to add 5.820 acres, thus yielding a total of 340.585 acres. The district is served by Harris County Municipal Utility District No. 418 Waste Water Treatment Plant No. 1. The other districts served by this plant are Harris County Municipal Utility District No. 419, 489, 490, 491, 492, 493. The nearest major drainage facility for Harris County Municipal Utility District No. 418 is Cypress Creek, and then the San Jacinto River, and finally into Lake Houston.

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

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

Attachments

c: Marta Crinejo
Patrick Walsh, P.E.
Jun Chang, P.E., D.WRE
Bill Zrioka
Gary Dzierlenga
Tim Lincoln, P.E.

LTS# 15144	REQUIRED AUTHORIZATION	CUIC: 20IPB315
Finance Department	Other Authorization:	Other Authorization: Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District E, ETJ
Item Creation Date: 11/3/2015

20TP052 Ordinance/Street Right-of-Way/AY16-003A and AY16-003B

Agenda Item#: 65.

Summary:

ORDINANCE authorizing a declaration of street right of way and the dedication to the public of 1) an 82,601-square-foot street right-of-way out of a 17.2363 acre tract of fee-owned land, and 2) a 93,363-square-foot street right-of-way out of an 8.018 acre tract of fee-owned land, out of the Victor Blanco Five League Grant Survey, Abstract No. 2, Harris County, Texas; authorizing a declaration instrument; containing findings and provisions related to the foregoing subject

Background:

SUBJECT: Ordinance authorizing a Declaration of Street Right-of-Way and the dedication to the public of 1) an 82,601-square-foot street right-of-way out of a 17.2363 acre tract of fee-owned land, and 2) a 93,363-square-foot street right-of-way out of an 8.018 acre tract of fee-owned land, out of the Victor Blanco Five League Grant Survey Abstract 2. Parcels AY16-003A and AY16-003B.

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing a Declaration of Street Right-of-Way and the dedication to the public of 1) an 82,601-square-foot street right-of-way out of a 17.2363 acre tract of fee-owned land, and 2) a 93,363-square-foot street right-of-way out of an 8.018 acre tract of fee-owned land, out of the Victor Blanco Five League Grant Survey Abstract 2. Parcels AY16-003A and AY16-003B.

SPECIFIC EXPLANATION: Locke Braly, on behalf of Hyperion Properties (Hyperion), in partnership with the Harris Country Fresh Water Supply District No. 48 (FWSD 48), requested the dedication to the public of a 70-foot-wide road right-of-way out of a portion of the private access road to the Northeast Water Treatment Plant. In exchange for the dedication of the road right-of-way, FWSD 48 will accept maintenance of the road since the road will serve as an entry to property located within FWSD 48. The dedication to the public of the road requires a Maintenance Agreement to be executed between the City and FWSD 48. Request for approval of the Maintenance Agreement will be via a separate RCA submitted to City Council.

The City originally acquired the Northeast Water Treatment Plant property in 1983 by deed under Harris County Clerk's File number H870227. The subject property is under the jurisdiction of the Department of Public Works and Engineering – Public Utilities Division (PWE-PUD). PWE-PUD reviewed and approved this request. The Department of Public Works and Engineering– Planning and Development Services Division (PDSD) - Office of the City Engineer (OCE) reviewed and approved the plans detailing the road. Because the public road will be created from city-owned

land, monetary consideration is not part of this transaction.

Therefore, it is recommended City Council approve an ordinance authorizing a Declaration of Street Right-of-Way and the dedication to the public of 1) an 82,601-square-foot street right-of-way out of a 17.2363 acre tract of fee-owned land, and 2) a 93,363-square-foot street right-of-way out of an 8.018 acre tract of fee-owned land, out of the Victor Blanco Five League Grant Survey Abstract 2. This declaration instrument will be recorded in the real property records after FWSD 48 has executed the above referenced Maintenance Agreement.

Amount of Funding:

Not Applicable

Contact Information:

Nancy P. Collins
Phone: (832) 395-3130
Senior Assistant Director-Real Estate

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet
Maps	Backup Material
Declaration of Public Street Right-of-Way	Backup Material
Ordinance	Ordinance/Resolution/Motion
Ordinance - Exhibits	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District B, ETJ
Item Creation Date: 12/8/2015

20IPB311-1 Road Maintenance Agreement HC Fresh Water Supply District No. 48.

Agenda Item#: 66.

Summary:

ORDINANCE approving and authorizing a maintenance agreement between the City of Houston, Texas, and **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 48** for the construction, maintenance and operation of roads within the City's public right-of-way; making various findings and provisions relating to the foregoing subject

This item should only be considered after passage of item 65 above

Background:

SUBJECT: An Ordinance to approve a Road Maintenance Agreement between the City of Houston and Harris County Fresh Water Supply District No. 48.

RECOMMENDATION: (Summary) Approve an ordinance authorizing the Mayor to execute a Road Maintenance Agreement between the City of Houston and Harris County Fresh Water Supply District No. 48.

SPECIFIC EXPLANATION:

The City of Houston ("Houston"), City Council, approved the creation Harris County Fresh Water Supply District No. 48 ("the District") on September 24, 2008, Ordinance 2008-831. Under the Ordinance, HCFWSD 48 is authorized to construct, maintain, and operate roads within the established district boundaries.

Harris County Fresh Water Supply District No. 48 desires operate and maintain a paved road and all associated improvements and infrastructure ("Road") within the public road right-of-way depicted in Exhibit "A" ("Service Area"). The Road and associated public road right-of-way are adjacent to the District boundary and will provide public access to the District. The City agrees to allow the District to have access to the Service Area in accordance with the terms and conditions of this Maintenance Agreement ("Agreement").

This Agreement establishes the respective duties and obligations of the District and the City of Houston concerning ownership, operation, maintenance, repair, and replacement of these improvements.

Prior Council Action:

Ordinance 2008-0831, dated 09/24/2008

Amount of Funding:
None Required

Contact Information:
eCarol Ellinger Haddock, P.E.
Senior Assistant Director
Phone: (832) 395-2686

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet
Map	Backup Material
Public Road Maintenance Agreement 1	Backup Material
Public Road Maintenance Agreement 2	Backup Material
PCA Ordinance 2008-0831	Backup Material
Ordinance Package	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015

Item Creation Date:

HITS SAP Affordable Care Act Enhancement

Agenda Item#: 67.

Summary:

ORDINANCE appropriating $49,000.00 out of the FY 2016 Equipment Acquisition Consolidated Fund for the SAP Affordable Care Act Enhancement Project for Houston Information Technology Services

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District G
Item Creation Date: 12/4/2015

20IPB213 Ordinance-Execution/Utility Functions and Services Allocation Agreement/COH and Harris County MUD No. 529.

Agenda Item#: 68.

Summary:

ORDINANCE approving and authorizing Utility Functions and Services Allocation Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 529 DISTRICT G - PENNINGTON**

Background:

SUBJECT: An Ordinance authorizing the execution of a Utility Functions and Services Allocation Agreement between the City of Houston and Harris County Municipal District No. 529.

RECOMMENDATION: (Summary) Approve an ordinance authorizing the Mayor to execute a Utility Functions and Services Allocation Agreement between the City of Houston and Harris County Municipal Utility District No. 529.

SPECIFIC EXPLANATION:

Request that City Council approve a Utility Function and Services Allocation Agreement between the City of Houston and Harris County Municipal Utility District No. 529. The District consists of 86.092 acres of land located in the vicinity of Westheimer Road, Briar Forest and Eldridge Parkway, and is entirely within the corporate limits of the City. Development of the tract will require storm drainage and water and wastewater service, including collection, distribution, treatment and water supply facilities.

The District will construct improvements in accordance with City standards and will convey all facilities to the City as they are constructed. The agreement establishes the terms and conditions which govern services provided. The City will acquire the infrastructure of the District, and will collect taxes and wastewater and water revenues from residents of the District on the same basis as all other City customers. When applicable, the City will make annual payments to the District for that portion of the taxes collected within the boundaries of the District which represent duplicate taxes for storm water facilities charged by both the District and the City. Projected build out of the District will result in an estimated $281,000,000 in assessed value.

Prior Council Action:

Ordinance 2013-0715, dated 08/07/2013

Amount of Funding:

None Required

Contact Information:

Carol Ellinger Haddock, P.E.
Senior Assistant Director
Phone: (832)395-2686

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet
PCA Ordinance 2013-0715	Backup Material
Utility Functions Agreement 1	Backup Material
Utility Functions Agreement 2	Backup Material
Utility Functions Agreement 3	Backup Material
Utility Functions Agreement 4	Backup Material
Ordinance	Ordinance/Resolution/Motion

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance authorizing the execution of a Utility Functions and Services Allocation Agreement between the City of Houston and Harris County Municipal District No. 529.	Category #	Page 1 of 1	Agenda Item #

FROM (Department or other point of origin):	Origination Date	Agenda Date
Department of Public Works and Engineering		

DIRECTOR'S SIGNATURE
Dale A. Rudick
Dale A. Rudick, P.E., Director

Council District affected:
"G"

For additional information contact:
Carol Haddock
Carol Ellinger Haddock, P.E.
Senior Assistant Director Phone: (832)395-2686

Date and identification of prior authorizing Council action:
Ordinance 2013-715; Dated August 7, 2013

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the Mayor to execute a Utility Functions and Services Allocation Agreement between the City of Houston and Harris County Municipal Utility District No. 529.

Amount and Source of Funding:

NONE REQUIRED

SPECIFIC EXPLANATION:

Request that City Council approve a Utility Function and Services Allocation Agreement between the City of Houston and Harris County Municipal Utility District No. 529. The District consists of 86.092 acres of land located in the vicinity of Westheimer Road, Briar Forest and Eldridge Parkway, and is entirely within the corporate limits of the City. Development of the tract will require storm drainage and water and wastewater service, including collection, distribution, treatment and water supply facilities.

The District will construct improvements in accordance with City standards and will convey all facilities to the City as they are constructed. The agreement establishes the terms and conditions which govern services provided. The City will acquire the infrastructure of the District, and will collect taxes and wastewater and water revenues from residents of the District on the same basis as all other City customers. When applicable, the City will make annual payments to the District for that portion of the taxes collected within the boundaries of the District which represent duplicate taxes for storm water facilities charged by both the District and the City. Projected build out of the District will result in an estimated $281,000,000 in assessed value.

Attachments

c: Jun Chang, P.E., D.WRE
Tim Lincoln, P.E.

LTS# 14060 REQUIRED AUTHORIZATION CUIC: 20IPB213

Finance Department	Other Authorization:	Other Authorization:
		Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Div.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District D, District H
Item Creation Date: 12/1/2015

20MB143 Contract Award/Waterline Replacement-Commerce Area/Vaca Underground Utilities, Inc.

Agenda Item#: 69.

Summary:

ORDINANCE appropriating $4,414,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **VACA UNDERGROUND UTILITIES, INC** for Water Line Replacement in Commerce Area; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - BOYKINS and H - GONZALEZ**

Background:

SUBJECT: Contract Award for Water Line Replacement in Commerce Area, Vaca Underground Utilities, Inc., WBS No. S-000035-0153-4.

RECOMMENDATION: (Summary) Accept low bid, award construction contract and appropriate funds

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

DESCRIPTION/SCOPE: This project consists of the construction of approximately 31,300 linear feet of water lines consisting of 12,311 linear feet of 12-inch, 18,309 linear feet of 8-inch, 353 linear feet of 6-inch, 225 linear feet of 4-inch and 30 linear feet of 2-inch water lines including construction of service lines, fire hydrants, valves, fittings, connections, and other related appurtenances. The contract duration for this project is 320 calendar days. The Water Line Replacement project in Commerce Area was designed by Sander Engineering Corporation.

LOCATION: This project is generally bounded by:

1. Engelke Street on the north, Hawkins on the south, Palmer on the east and Franklin on the west. Area 1 is located in key map grids 493R & 494J and in Council District H.

2. Holmes Road from FM521 to SH 288. Area 2 is located in key map grid of 533S and in Council District D.

BIDS: This project was advertised for bidding on August 14, 2015. Bids were received on September 17, 2015. The four (4) bids are as follows:

	Bidder	Bid Amount
1.	Vaca Underground Utilities, Inc.	$3,851,760.00
2.	Commerce Mutual Funding Group	$4,050,891.00
3.	Resicom, Inc.	$4,806,596.00
4.	D.L. Elliott Enterprises, Inc.	$5,143,890.60

AWARD: It is recommended that this construction contract be awarded to Vaca Underground Utilities, Inc. with a low bid of $3,851,760.00 and that no Addendum be made a part of this contract.

PROJECT COST: The total cost of this project is $4,414,000.00 to be appropriated as follows:

·	Bid Amount	$3,851,760.00
·	Contingencies	$ 192,588.00
·	Engineering and Testing Services	$ 100,000.00
·	CIP Cost Recovery	$ 269,652.00

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

HIRE HOUSTON FIRST: Hire Houston First does not apply to this contract, because it involves the use of federal funds and is subject to specific contract rules of federal government. However, Vaca Underground Utilities, Inc. is registered under Hire Houston First as a Local Business.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

M/WBE PARTICIPATION: The contractor has submitted the following proposed program to satisfy the 12.94 % MBE goal, and 8.72 % WBE goal for this project.

	MBE – Name of Firms	Work Description	Amount	% of Contract
1.	Reyes Pineda Construction Inc., DBA RP Construction	Replacement of Water Lines & Fire Hydrants	$438,319.40	11.38%
		TOTAL MBE	**$438,319.40**	**11.38%**
	WBE – Name of Firms	Work Description	Amount	% of Contract
1.	Access Data Supply, Inc.	PVC Supplier	$335,807.20	8.72%
		TOTAL WBE	**$335,807.20**	**8.72%**
	SBE – Name of Firms	Work Description	Amount	% of Contract
1.	Mickie Service Company, Inc.	Hot Taps & Water Mains	$60,000.00	1.56%

		TOTAL SBE	**$60,000.00**	**1.56%**

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

Amount of Funding:

$4,414,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

This project is eligible for low interest funding through a State Revolving Fund (SRF) Equivalency loan.

Contact Information:

Ravi Kaleyatodi, P.E., CPM
Phone: (832) 395-2326
Senior Assistant Director

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet
Map	Backup Material
Ordinance	Ordinance/Resolution/Motion
SAP	Financial Information
Affidavit of Ownership	Backup Material
Delinquent Tax Report	Backup Material
Form A	Backup Material
Form B	Backup Material
OBO	Backup Material

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

SUBJECT: Contract Award for Water Line Replacement in Commerce Area. WBS No. S-000035-0153-4.	**Page 1 of 2**	**Agenda Item #**

FROM (Department or other point of origin):	**Origination Date**	**Agenda Date**
Department of Public Works and Engineering		

DIRECTOR'S SIGNATURE:	**Council District affected:**
Dale A. Rudick Dale A. Rudick, P.E., Director	D & H

For additional information contact:	**Date and identification of prior authorizing Council action:**
Ravi Kaleyatodi, P.E., CPM **Phone:** (832) 395-2826 Senior Assistant Director	

RECOMMENDATION: **(Summary)**
Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
$4,414,000.00 from Water and Sewer System Consolidated Construction Fund No. 8500. This project is eligible for low interest funding through a State Revolving Fund (SRF) Equivalency loan.

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

DESCRIPTION/SCOPE: This project consists of the construction of approximately 31,300 linear feet of water lines consisting of 12,311 linear feet of 12-inch, 18,309 linear feet of 8-inch, 353 linear feet of 6-inch, 225 linear feet of 4-inch and 30 linear feet of 2-inch water lines including construction of service lines, fire hydrants, valves, fittings, connections, and other related appurtenances. The contract duration for this project is 320 calendar days. The Water Line Replacement project in Commerce Area was designed by Sander Engineering Corporation.

LOCATION: This project is generally bounded by:

1. Engelke Street on the north, Hawkins on the south, Palmer on the east and Franklin on the west. Area 1 is located in key map grids 493R & 494J and in Council District H.

2. Holmes Road from FM521 to SH288. Area 2 is located in key map grid of 533S and in Council District D.

BIDS: This project was advertised for bidding on August 14, 2015. Bids were received on September 17, 2015. The four (4) bids are as follows:

Bidder	Bid Amount
1. Vaca Underground Utilities, Inc.	$3,851,760.00
2. Commerce Mutual Funding Group	$4,050,891.00
3. Resicom, Inc.	$4,806,596.00
4. D.L. Elliot Enterprises, Inc.	$5,143,890.60

LTS No. 14937 **CUIC ID #20MB143**

Finance Department:	**Other Authorization:**	**Other Authorization:**
	Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

REV. 3/06

AWARD: It is recommended that this construction contract be awarded to Vaca Underground Utilities, Inc. with a low bid of $3,851,760.00 and that no Addendum be made a part of this contract.

PROJECT COST: The total cost of this project is $4,414,000.00 to be appropriated as follows:

- Bid Amount $3,851,760.00
- Contingencies $192,588.00
- Engineering and Testing Services $100,000.00
- CIP Cost Recovery $269,652.00

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

HIRE HOUSTON FIRST: Hire Houston First does not apply to this contract, because it involves the use of federal funds and is subject to specific contract rules of federal government. However, Vaca Underground Utilities, Inc. is registered under Hire Houston First as a Local Business.

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's 'Pay or Play' ordinance regarding health benefits for employees of City contractors. In this case, the contractor has elected to pay into the Contractor Responsibility Fund in compliance with City policy.

M/WBE PARTICIPATION: The contractor has submitted the following proposed program to satisfy the 12.94 % MBE goal, and 8.72 % WBE goal for this project.

MBE - Name of Firms	Work Description	Amount	% of Contract
1. Reyes Pineda Construction Inc, DBA RP Construction	Replacement of Water Lines & Fire Hydrants	$438,319.40	11.38%
	TOTAL MBE	**$438,319.40**	**11.38%**

WBE - Name of Firm	Work Description	Amount	% of Contract
1. Access Data Supply, Inc.	PVC Supplier	$335,807.20	8.72%
	TOTAL WBE	**$335,807.20**	**8.72%**

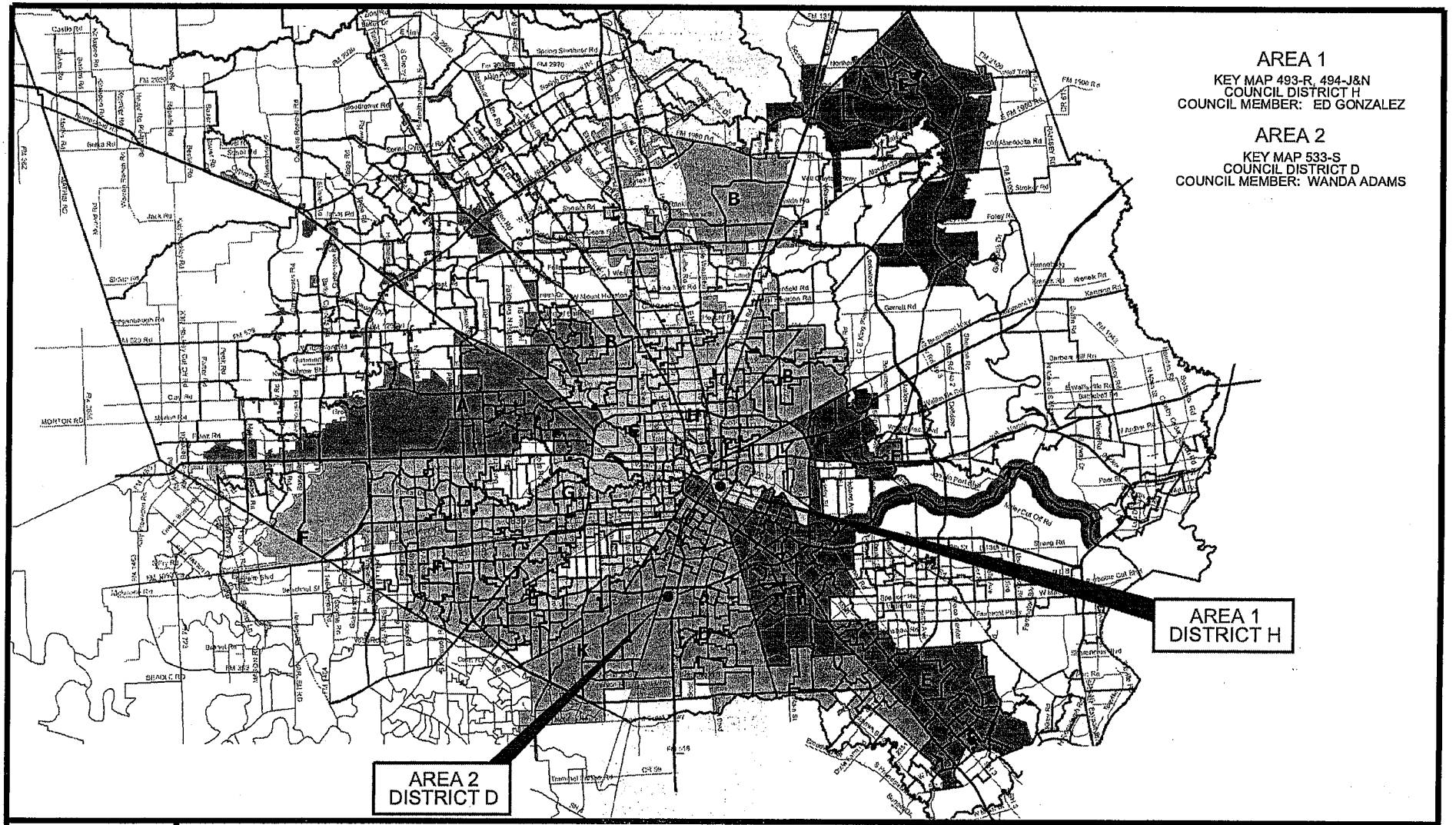
SBE - Name of Firm	Work Description	Amount	% of Contract
1. Mickie Service Company, Inc.	Hot Taps & Water Mains	$60,000.00	1.56%
	TOTAL SBE	**$60,000.00**	**1.56%**

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

DAR:DRM:RK:SD:ACM:MB:ofa

H:\design\A-WS-DIV\WPDATA\BM\35-Sander\Post Bid\Post Bid\S-000035-0153-4 RCA.doc

File: S-000035-0153-4 (3.7)

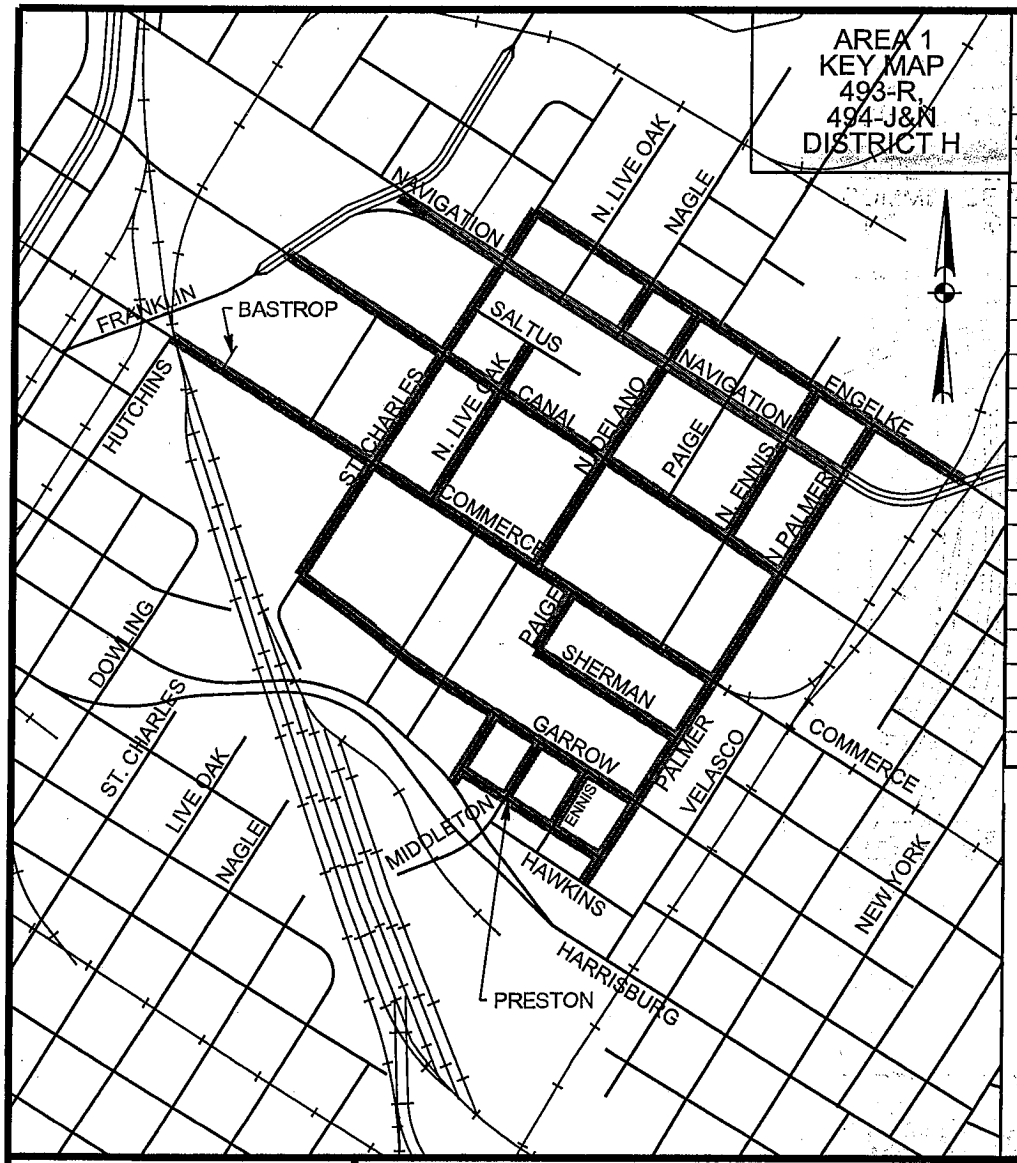


WATER LINE REPLACEMENT IN COMMERCE AREA
WBS NO. S-000035-0153-4

COUNCIL DISTRICT MAP

SANDER ENGINEERING CORPORATION
1250 W SAM HOUSTON PKWY S.
SUITE 400
HOUSTON TEXAS, 77042
(713) 784-4850
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM NO. F-517

DATE: OCTOBER 2015 | SCALE: NTS



STREET NAME	FROM	TO	SIZE (INCH)	TOTAL PROPOSED LENGTH (LF)	COUNCIL DISTRICT
AREA 1					
Navigation	N. Palmer	Jensen	12	2,300	H
Canal	N. Palmer	Navigation	12	2,660	H
Commerce	N. Palmer	Hutchins	8	3,050	H
Sherman	Palmer	Paige	8	750	H
Garrow	Palmer	St. Charles	12	1,900	H
Preston	Palmer	Paige	8	800	H
Engelke	Navigation	St. Charles	8	2,250	H
Nagle	Engelke	Navigation	8	280	H
St. Charles	Engelke	Garrow	8	2,020	H
N. Live Oak	Saltus	Commerce	8	820	H
N. Delano	Engelke	Commerce	8	1,380	H
Paige	Commerce	Sherman	8	330	H
Paige	Garrow	Harrisburg	8	400	H
Middleton	Garrow	Preston	8	340	H
Ennis	Garrow	Preston	8	340	H
N. Ennis	Engelke	Canal	8	860	H
N. Palmer	Engelke	Commerce	8	1,400	H
Palmer	Commerce	Hawkins	8	1,120	H
		TOTAL		23,000	

CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WATER LINE REPLACEMENT IN
COMMERCE AREA
WBS NO. S-000035-0153-4

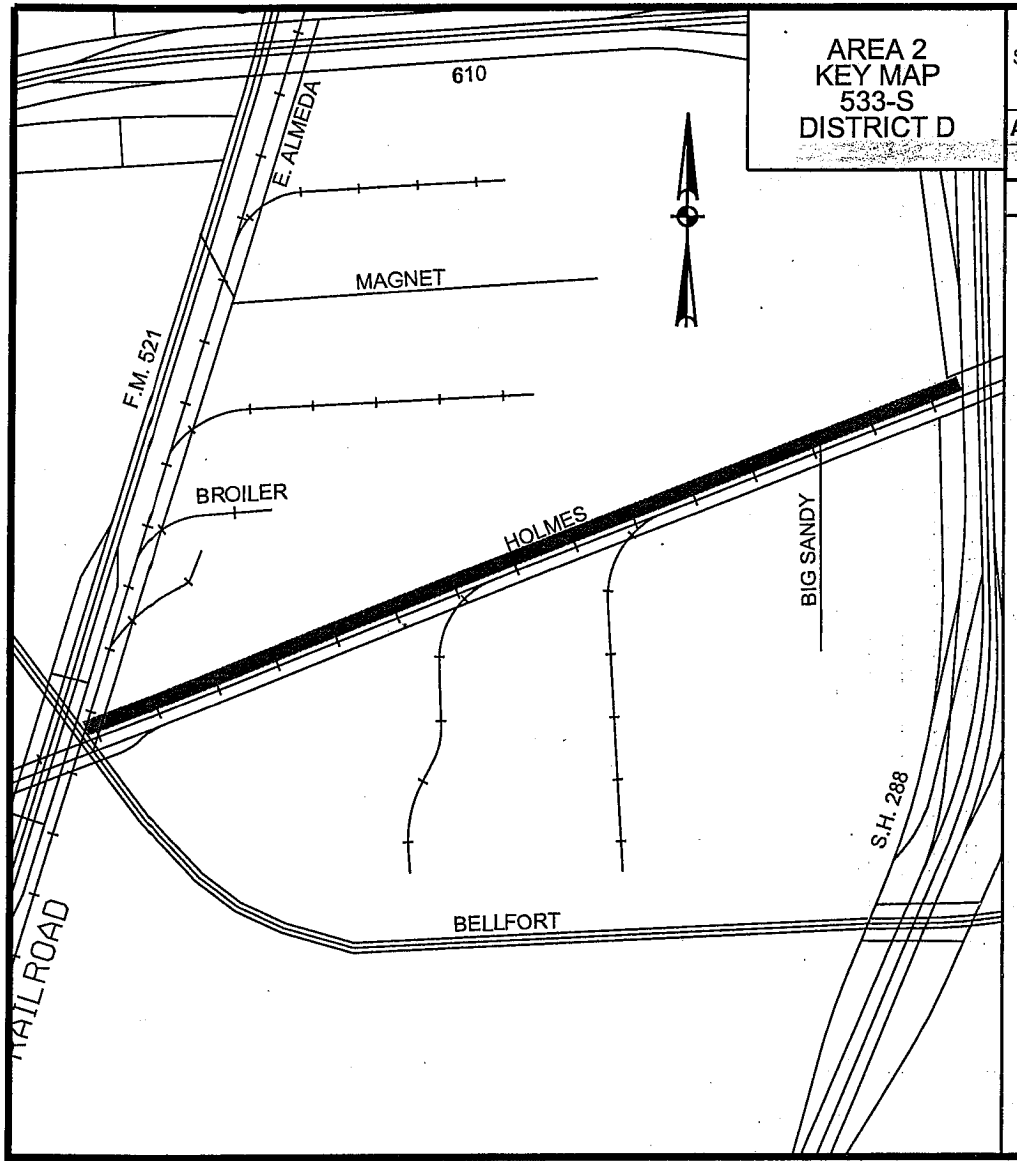
EXHIBIT B-1

COMMERCE VICINITY MAP

SANDER ENGINEERING CORPORATION
1250 W SAM HOUSTON PKWY S.
SUITE 400
HOUSTON TEXAS, 77042
(713) 784-4830
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM NO. F-517

DATE: OCTOBER, 2015 | SCALE: NTS

P:\10-054 COH-COMMERCE-WLXPER Submittal\Commerce Vicinity Map.dgn
10/18/2015



AREA 2
KEY MAP
533-S
DISTRICT D

STREET NAME	FROM	TO	SIZE (INCH)	TOTAL PROPOSED LENGTH (LF)	COUNCIL DISTRICT
AREA 2					
Holmes	West of SH-288	Almeda	12	4,600	D
			TOTAL	4,600	

CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WATER LINE REPLACEMENT IN
COMMERCE AREA
WBS NO. S-000035-0153-4

EXHIBIT B-2

HOLMES VICINITY MAP

SANDER ENGINEERING CORPORATION
1250 W SAM HOUSTON PKWY S.
SUITE 400
HOUSTON TEXAS, 77042
(713) 784-4830
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM NO. F-517

DATE: OCTOBER, 2015 | SCALE: NTS

$FILES
$DATES

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District E, District F, District G, District J
Item Creation Date: 12/8/2015

20TY21 Blastco Texas, Inc. - Contract Award/Rehab & New Water Storage Tanks @ Various Locations-Package 6

Agenda Item#: 70.

Summary:

ORDINANCE appropriating $3,182,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **BLASTCO TEXAS, INC** for Rehabilitation and new Water Storage Tanks at various locations - Package 6; 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, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS E - MARTIN; F - NGUYEN; G - PENNINGTON and J - LASTER**

Background:

SUBJECT: Contract Award for Rehabilitation and New Water Storage Tanks at Various Locations – Package 6, Blastco Texas, Inc., WBS No S-000600-0046-4.

RECOMMENDATION: (Summary) Accept low bid, award construction contract and appropriate funds.

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Storage Tank Rehabilitation and Replacement Program and is required to ensure compliance with the Texas Commission on Environmental Quality regulations.

DESCRIPTION/SCOPE: This project consists of rehabilitation of four ground storage tanks and one elevated storage tank at four pumping stations. Demolition of two ground storage tanks and construction of one new ground storage tank at one pumping station in accordance with the technical specifications, project drawings and contract documents. The contract duration for this project is 420 calendar days. This project was designed by IDS Engineering Group.

LOCATION: The project sites are as follows:

	Water Plant	Tank ID	Location	Council District
1.	Kingwood #1	GST-1 & GST-2	2310 North Park, Key Map 296V	E
2.	Forest Cove #2	GST-1, 2 & GST-3	1110 Mustang Trail, Key Map 336E	E
3.	District 218	EST-1	12705 Brantrock, Key Map 528D	F
4.	District 71	GST-1	1610 Hayes, Key Map 489P	G
5.	District 184	GST-1	10518 Beechnut, Key Map 529L	J

BIDS: This project was advertised for bidding on September 11, 2015. Bids were received on October 8, 2015. The two (2) bids are as follows:

Bidder	Bid Amount
1. Blastco Texas, Inc.	$2,770,250.00
2. N.G. Painting, LP	$3,382,350.00

AWARD: It is recommended that this construction contract be awarded to Blastco Texas, Inc., with a low bid of $2,770,250.00.

PROJECT COST: The total cost of this project is $3,182,700.00 to be appropriated as follows:

* Bid Amount	$2,770,250.00
* Contingencies	$ 138,512.50
* Engineering and Testing Services	$ 80,000.00
* CIP Cost Recovery	$ 193,937.50

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

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston business and supports job creation. In this case, Blastco Texas, Inc. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

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

MBE/WSBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 9% MBE goal and 2% WBE goal for this project.

MBE - Name of Firms	Work Description	Amount	% of Contract
1. Texas Fluid Power Products, Inc.	Plumbing Equipment and Supplies	$89,256.25	2.50%
2. Atlantic Petroleum & Mineral Resources, Inc.	Fuel Supplier	$55,405.00	2.00%
3. Gustavo's Welding & Mfg.	Welding	$69,256.25	2.50%
	MBE SUBTOTAL	$193,917.50	7.00%

WBE - Name of Firms	Work Description	Amount	% of Contract
1. Arc Light Electric, Inc.	Electrical Contractor	$55,405.00	2.00%

SBE - Name of Firms	Work Description	Amount	% of Contract
Scohil Construction Services	Concrete and Site Work	$55,405.00	2.00%
	TOTAL	$304,405.00	11.00%

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

Amount of Funding:

$3,182,700.00 - Water and Sewer System Consolidated Construction Fund No. 8500.

Contact Information:

Ravi Kaleyatodi, P.E., CPM
Phone: (832) 395-2326
Senior Assistant Director

ATTACHMENTS:

Description	Type
Signed RCA	Signed Cover sheet
Maps	Backup Material
Ordinance	Ordinance/Resolution/Motion
SAP	Financial Information
Form A	Backup Material
Form B	Backup Material
Affidavit of Ownership	Backup Material
Delinquent Tax Report	Backup Material
OBO 1	Backup Material
OBO 2	Backup Material

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

SUBJECT: Contract Award for Rehabilitation and New Water Storage Tanks at Various Locations – Package 6. WBS No S-000600-0046-4.		**Page 1 of 2**	**Agenda Item #**
FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date**	**Agenda Date**	
DIRECTOR'S SIGNATURE: Dale A. Rudick Dale A. Rudick, P.E., Director	**Council District affected:** E, F, G, J		
For additional information contact: Ravi Kaleyatodi 11/18/15 Ravi Kaleyatodi, P.E., CPM **Phone:** (832) 395-2326 Senior Assistant Director	**Date and identification of prior authorizing Council action:**		

RECOMMENDATION: **(Summary)**
Accept low bid, award construction contract and appropriate funds.

Amount and Source of Funding:
$3,182,700.00 from Water and Sewer System Consolidated Construction Fund No. 8500. M.P. 11/24/2015

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Water Storage Tank Rehabilitation and Replacement Program and is required to ensure compliance with the Texas Commission on Environmental Quality regulations.

DESCRIPTION/SCOPE: This project consists of rehabilitation of four ground storage tanks and one elevated storage tank at four pumping stations. Demolition of two ground storage tanks and construction of one new ground storage tank at one pumping station in accordance with the technical specifications, project drawings and contract documents. The contract duration for this project is 420 calendar days. This project was designed by IDS Engineering Group.

LOCATION: The project sites are as follows:

Water Plant	Tank ID	Location	Council District
1. Kingwood # 1	GST-1 & GST-2	2310 North Park, Key Map 296V.	E
2. Forest Cove # 2	GST-1, 2 & GST-3	1110 Mustang Trail, Key Map 336E.	E
3. District 218	EST-1	12705 Brantrock, Kep Map 528D.	F
4. District 71	GST-1	1610 Hayes, Key Map 489P.	G
5. District 184	GST-1	10518 Beechnut, Key Map 529L.	J

BIDS: This project was advertised for bidding on September 11, 2015. Bids were received on October 8, 2015. The two (2) bids are as follows:

Bidder	Bid Amount
1. Blastco Texas, Inc.	$2,770,250.00
2. N.G. Painting, LP.	$3,382,350.00

LTS No. 14999 **CUIC ID # 20TY21**

Finance Department:	**Other Authorization:**	**Other Authorization:**
	Jun Chang Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

REV: 3/06

Date	Subject: Contract Award for Rehabilitation and New Water Storage Tanks at Various Locations – Package 6. WBS No S-000600-0046-4.	Originator's Initials	Page 2 of 2

AWARD: It is recommended that this construction contract be awarded to Blastco Texas, Inc., with a low bid of $2,770,250.00.

PROJECT COST: The total cost of this project is $3,182,700.00 to be appropriated as follows:

• Bid Amount	$2,770,250.00
• Contingencies	$138,512.50
• Engineering and Testing Services	$80,000.00
• CIP Cost Recovery	$193,937.50

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

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston business and supports job creation. In this case, Blastco Texas, Inc. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

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

MBE/WSBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 9% MBE goal and 2% WBE goal for this project.

MBE - Name of Firms	Work Description	Amount	% of Contract
1. Texas Fluid Power Products Inc.	Plumbing Equipment and Supplies	$69,256.25	2.50%
2. Atlantic Petroleum & Mineral Resources, Inc.	Fuel Supplier	$55,405.00	2.00%
3. Gustavo's Welding & Mfg.	Welding	$69,256.25	2.50%
	MBE Subtotal	**$193,917.50**	**7.00%**

WBE - Name of Firms	Work Description	Amount	% of Contract
Arc Light Electric, Inc.	Electrical Contractor	$55,405.00	2.00%

SBE - Name of Firms	Work Description	Amount	% of Contract
Scohil Construction Services, L.L.C.	Concrete and Site Work	$55,405.00	2.00%
	TOTAL	**$304,727.50**	**11.00%**

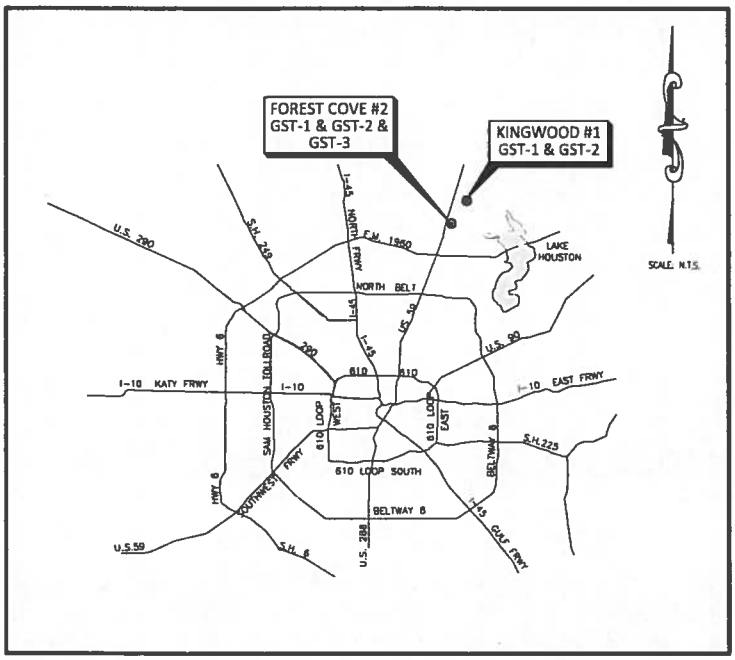
All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

DAR:DRM:RK:SD:TY:TT:tt

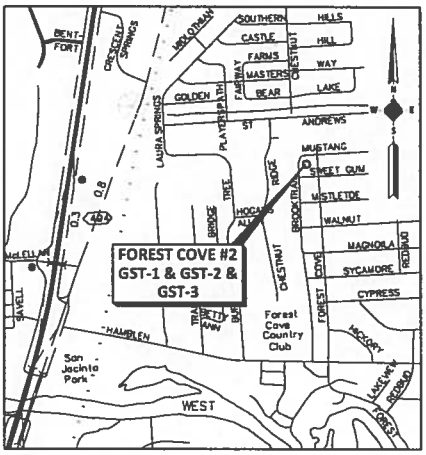
H:\design\A-WS-DIV\WPDATA\RS\S-000600-39-3\S-000600-0046\PostBid\Construction RCA_S-000600-0046-4.doc

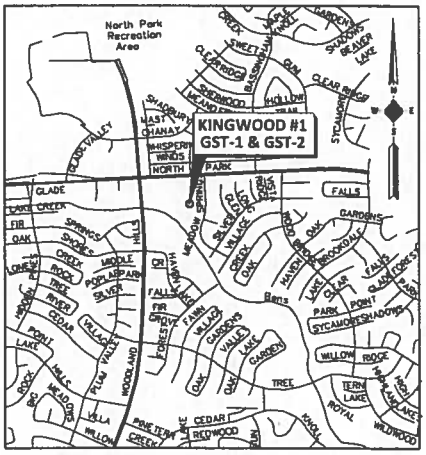
File: S-000600-0046-3 (3.7)

REV. 3/06



WATER PLANT	ADDRESS	KEY MAP NO.	DISTRICT
FOREST COVE #2	1110 MUSTANG TRAIL	336 E	E
KINGWOOD #1	2310 NORTH PARK	296 V	E





CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

VICINITY & LOCATION MAP
WBS S-000600-0046-4

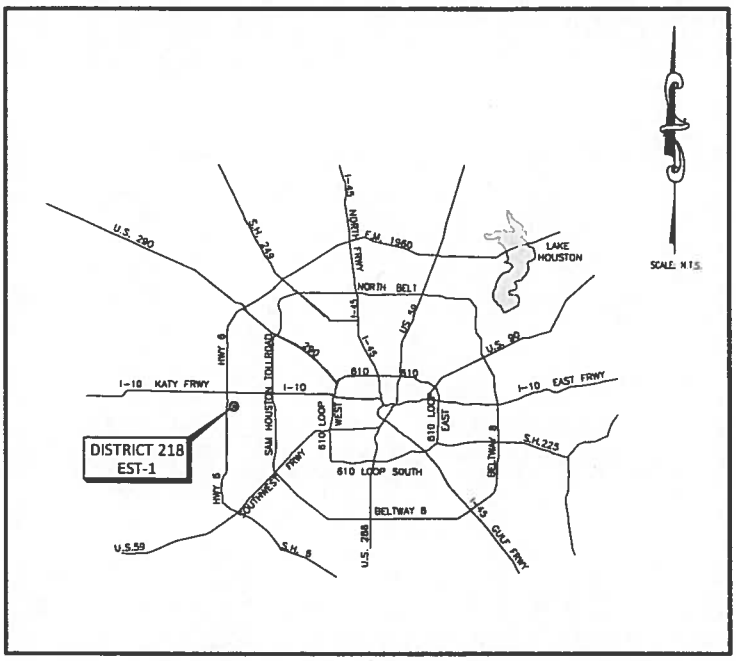
DISTRICT E

IDS Engineering Group
13333 NW. Freeway,
Suite 300
Houston, Tx. 77040
713.462.3178
TBPE F-002726
TBPLS 10119700

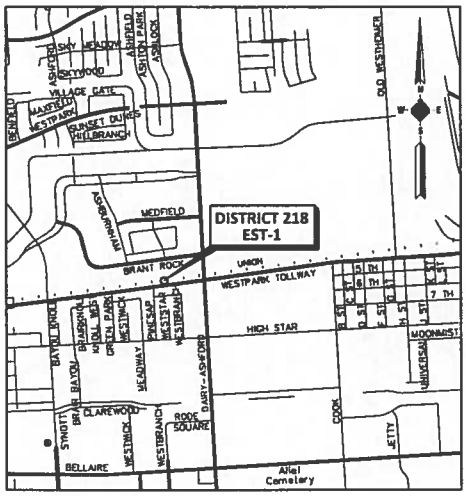
SCALE: NTS
DATE: 08/20/15
SHEET: 1 / 1

IDS PROJECT NO. 0057-068-06

X:\0000\0057068\06 COH WP Kirk Rehab 6\CAD\DWG\Exhibits\VIC-DIST-E.dwg Aug 20, 2015 - 2:49pm bavant



WATER PLANT	ADDRESS	KEY MAP NO.	DISTRICT
DISTRICT 218	12705 BRANTROCK	528 D	F



CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

VICINITY & LOCATION MAP
WBS S-000600-0046-4

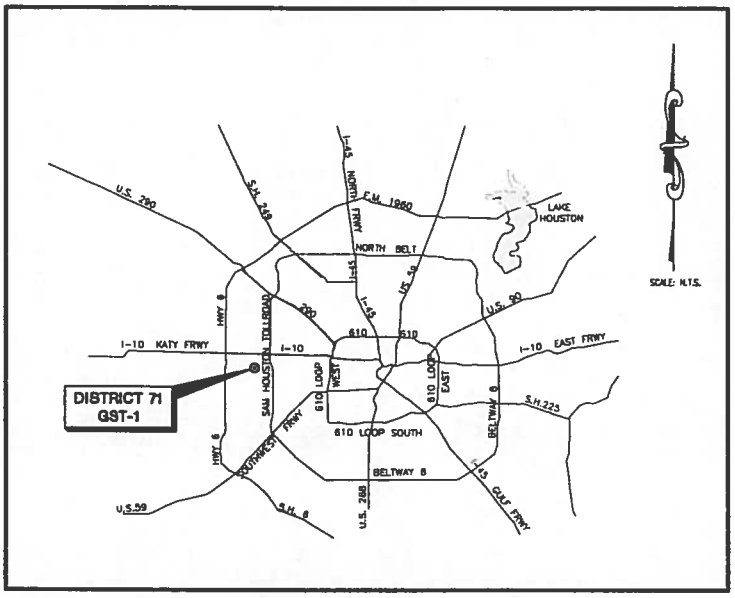
DISTRICT F

IDS Engineering Group
13333 NW. Freeway, Suite 300
Houston, Tx. 77040
713.462.3178
TBPE F-002726
TBPLS 10110700

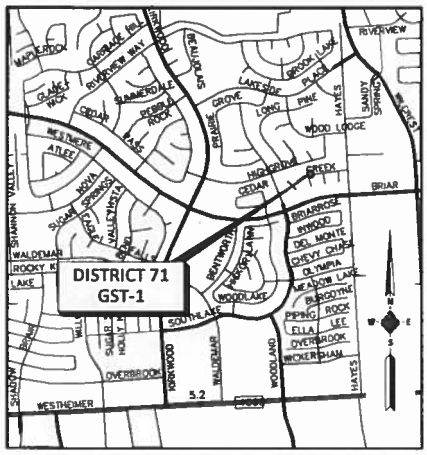
SCALE	NTS
DATE	08/20/15
SHEET	1 / 1

IDS PROJECT NO. 0057-068-06

X:\0000\005706806 COH WP Tank Rehab 6\CAD\DWG\Exhibits\VIC-DIST-F.dwg Aug 20, 2015 - 2:26pm mneumonn



WATER PLANT	ADDRESS	KEY MAP NO.	DISTRICT
DISTRICT 71	1610 HAYES	489 P	G



CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

VICINITY & LOCATION MAP
WBS S-000600-0046-4

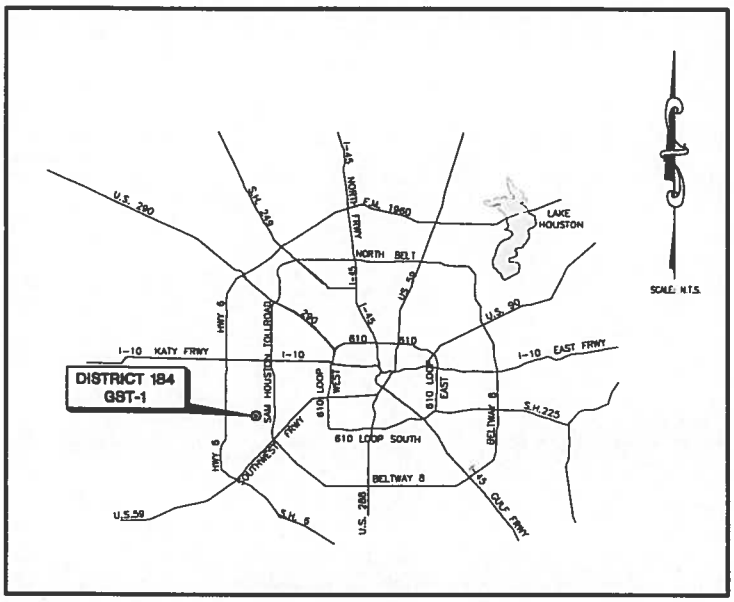
DISTRICT G

IDS Engineering Group
13333 NW. Freeway, Suite 300
Houston, Tx. 77040
713.462.3178
TBPE F-001726
TBPLS 101110700

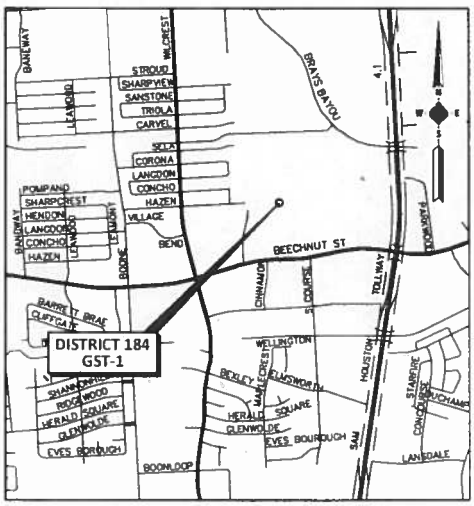
SCALE: NTS
DATE: 08/20/15
SHEET: 1 / 1

IDS PROJECT NO. 0057-068-06

X:\0000\005706806 COH WP Tank Rehab 6\CAD\DWG\Exhibits\VIC-DIST-G.dwg Aug 20, 2015 - 2:44pm bovant



WATER PLANT	ADDRESS	KEY MAP NO.	DISTRICT
DISTRICT 184	10518 BEECHNUT	529 L	J



CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

VICINITY & LOCATION MAP
WBS S-000600-0046-4

DISTRICT J

IDS Engineering Group
13333 NW. Freeway,
Suite 300
Houston, Tx. 77040
713.462.3178
TBPE F-002726
TBPLS 10110700

SCALE	NTS
DATE	08/20/15
SHEET	1 / 1

IDS PROJECT NO. 0057-068-06

X:\0000\005706806 COH WP Tank Rehab 6\CAD\DWG\Exhibits\VIC-DIST-J.dwg Aug 20, 2015-2:44pm bavonl

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District H
Item Creation Date: 12/10/2015

PR - ILA HPB SQL - Denver Harbor Park Trail

Agenda Item#: 71.

Summary:

ORDINANCE appropriating the sum of $128,661.54 out of the Reimbursement of equipment/project fund; approving and authorizing an Interlocal Agreement between the City and the **HOUSTON PARKS BOARD LGC, INC**. for the construction of improvements at Selena Quintanilla Perez - Denver Harbor Park - **DISTRICT H GONZALEZ**

Background:

The Houston Parks and Recreation Department (HPARD) recommends City Council appropriate $128,661.54 and approve an Interlocal Agreement between the City of Houston and the Houston Parks Board LGC, acting through its manager, Houston Parks Board, Inc. Funds will be used for trail improvements at Selena Quintanilla Perez – Denver Harbor Park. Fund 1850 will be reimbursed by the Council District Service Fund.

Selena Quintanilla Perez – Denver Harbor Park is located at 6402 Market St. The proposed scope of work is to overlay a 2,730 foot portion of the existing asphalt trail with fresh asphalt. The total projected cost is $128,661.54. The Houston Parks Board LGC will provide all labor, material, supervision and insurance necessary to complete the scope of work described in the Interlocal Agreement.

Prior Council Action:

Not applicable

Amount of Funding:

$128,661.54 Reimbursement of Equipment/Project Fund 1850

Contact Information:

Luci Correa 832-395-7057
luci.correa@houstontx.gov

ATTACHMENTS:

Description	Type
HPB improvement Denver Harbor Park	Ordinance/Resolution/Motion
HPB ILA improvement Denver Harbor Park	Signed Cover sheet

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Appropriate funds and approve an Interlocal Agreement between the City of Houston and the Houston Parks Board LGC for trail improvements at Selena Quintanilla Perez – Denver Harbor Park	**Category #**	**Page 1 of 1**	**Agenda Item**
FROM (Department or other point of origin): Houston Parks and Recreation Department	**Origination Date:** December 8, 2015	**Agenda Date**	
DIRECTOR'S SIGNATURE: for Joe Turner, Director	**Council District(s) affected:** H		
For additional information contact: Luci Correa 832-395-7057 luci.correa@houstontx.gov	**Date and Identification of prior authorizing Council Action:** None		

RECOMMENDATION: Appropriate funds and approve an Interlocal Agreement between the City of Houston and the Houston Parks Board LGC (HPBLGC) for trail improvements at Selena Quintanilla Perez – Denver Harbor Park.

Amount and Source of Funding: $128,661.54 Reimbursement of Equipment/Project Fund 1850	**Finance Budget:**

BACKGROUND:

The Houston Parks and Recreation Department (HPARD) recommends City Council appropriate $128,661.54 and approve an Interlocal Agreement between the City of Houston and the Houston Parks Board LGC, acting through its manager, Houston Parks Board, Inc. Funds will be used for trail improvements at Selena Quintanilla Perez – Denver Harbor Park. Fund 1850 will be reimbursed by the Council District Service Fund.

Selena Quintanilla Perez – Denver Harbor Park is located at 6402 Market St. The proposed scope of work is to overlay a 2,730 foot portion of the existing asphalt trail with fresh asphalt. The total projected cost is $128,661.54. The Houston Parks Board LGC will provide all labor, material, supervision and insurance necessary to complete the scope of work described in the Interlocal Agreement.

Council approval is recommended.

WBS # = F-COH003

Finance Director:	General Services Director:	Other Authorization:

Fund Reservation Request Form

RCA #

Outline Agreement #

Budget Document # 300018110

(If Applicable, enter SAP - FMBB document # for Capital or Non-Capital Budgets)

☑ New
☐ Amend
☐ Supplemental Allocation Letter

Fund Reservation: Header Data

Document Type: 11

Document Date: 12/10/2015

Company Code: COH1 - City of Houston

Currency/rate: USD - United States Dollars

Reference Document:

(Used only to reference an existing Fund Reservation #)

Grant Total:

Document Text (maximum of 50 characters): Selena Quintanilla - Denver Harbor Park

Fund Reservation: Detail Data

Ln	Original Amount	Text	Fund	G/L Account	Cost Center	Internal Order (Required for GRANTS)	WBS Element (Required for Capital Projects)
1	128,661.54	Selena Quintanilla - D H Park	1850	520126	3600070009		F-COH003-0001-4-01-01
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

Authorizations

Prepared by: Chris Gonzales — Date: 12/9/2015

Requested by: Luci Correa — Date: 12/9/2015

Department Authorization: Chris Gonzales — Date: 12/9/2015

Controller's Office Authorization: _____ — Date: _____

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/7/2015

LGL-Agreement for Professional Services - Bancroft PLLC

Agenda Item#: 72.

Summary:

ORDINANCE approving and authorizing an agreement for professional services between the City of Houston and **BANCROFT, PLLC** for legal services relating to an appeal entitled *City of Houston v. Christopher Zamora* in the United States Supreme Court

Background:

SPECIFIC EXPLANATION:

The firm Bancroft PLLC, and more specifically the firm's partner Paul D. Clement, shall provide legal services related to an appeal entitled City of Houston v. Christopher Zamora, in the Supreme Court of the United States, on petition for certiorari from Christopher Zamora v. City of Houston, No. 14-20125 in the United States Court of Appeals for the Fifth Circuit.

Zamora sued the City under Title VII for retaliation after he was disciplined for untruthfulness. The Legal Department feels that it is in the best interest of the City to appeal this case to the US Supreme Court because the precedent set by the Fifth Circuit Court of Appeals exposes the City to further liability in employee lawsuits that previously could not have been anticipated. There appears to be no mechanism internal to the City that could provide an adequate safeguard against such exposure. Appeals to the US Supreme Court are a highly specialized area of practice, and the involvement of an elite Supreme Court advocate increases the likelihood of success. The City Attorney considers that this exposure justifies the expense of engaging outside counsel with extensive experience and expertise in US Supreme Court practice.

The Legal Department proposes to engage Paul D. Clement of Bancroft PLLC, a Washington, DC law firm, as outside counsel in this matter. Mr. Clement is a former US Solicitor General who has argued over 75 cases in the US Supreme Court and is widely considered to be one of the top Supreme Court advocates in the country.

Legal services to be provided by Mr. Clement and his firm include the review of the record on appeal and the briefs and related documents filed in the Fifth Circuit, preparation and filing of a petition for writ of certiorari, reply in support of certiorari, briefs on the merits, coordination of amicus support, review and response to any briefing by the current solicitor general if the court calls for the views of the solicitor general, and oral argument.

The Legal Department requests authorization of a proposed initial fee of $175,000 plus $1000.00 for reimbursable travel costs at the cert petition stage. If certiorari is granted, the Legal Department

will be seeking additional funding.

M/WBE zero-percentage goal document approved by the Office of Business Opportunity.

Prior Council Action:

N/A

Amount of Funding:

$176,000 - Property & Casualty Fund 1004

Contact Information:

Donna Edmundson, City Attorney

Robert Higgason, Sr. Assistant City Attorney (832) 393-6481

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet
LGL-Agreement for Professional Services - Bancroft PLLC ORD	Ordinance/Resolution/Motion
Funds Reservation Form	Signed Cover sheet
Ordinance	Ordinance/Resolution/Motion
Goal Modification Request Form	Signed Cover sheet

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

SUBJECT: Approve an ordinance authorizing an Agreement for Professional Services between the City of Houston and Bancroft PLLC.	**Category #**	**Page 1 of 1**	**Agenda Item #**
FROM (Department or other point of origin): Donna Edmundson, City Attorney	**Origination Date** 12/11/15	**Agenda Date**	
DIRECTOR'S SIGNATURE:	**Council District affected:** All		
For additional information contact: Robert Higgason, Sr. Assistant City Attorney (832) 393-6481	**Date and identification of prior authorizing Council action:** **N/A**		

RECOMMENDATION: (Summary) That Council approve an ordinance authorizing a contract ("Agreement for Professional Services") between the City of Houston and Bancroft PLLC for Professional Services relating to a an appeal entitled *City of Houston v. Zamora*, in the Supreme Court of the United States, on appeal from *Zamora v. City of Houston*, No. 14-20125 in the United States Court of Appeals for the Fifth Circuit.

Amount and Source of Funding:
$176,000 – Property & Casualty (1004)

SPECIFIC EXPLANATION:

The firm Bancroft PLLC, and more specifically the firm's partner Paul D. Clement, shall provide legal services related to an appeal entitled *City of Houston v. Christopher Zamora,* in the Supreme Court of the United States, on petition for certiorari from *Christopher Zamora v. City of Houston*, No. 14-20125 in the United States Court of Appeals for the Fifth Circuit.

Zamora sued the City under Title VII for retaliation after he was disciplined for untruthfulness. The Legal Department feels that it is in the best interest of the City to appeal this case to the US Supreme Court because the precedent set by the Fifth Circuit Court of Appeals exposes the City to further liability in employee lawsuits that previously could not have been anticipated. There appears to be no mechanism internal to the City that could provide an adequate safeguard against such exposure. Appeals to the US Supreme Court are a highly specialized area of practice, and the involvement of an elite Supreme Court advocate increases the likelihood of success. The City Attorney considers that this exposure justifies the expense of engaging outside counsel with extensive experience and expertise in US Supreme Court practice.

The Legal Department proposes to engage Paul D. Clement of Bancroft PLLC, a Washington, DC law firm, as outside counsel in this matter. Mr. Clement is a former US Solicitor General who has argued over 75 cases in the US Supreme Court and is widely considered to be one of the top Supreme Court advocates in the country.

Legal services to be provided by Mr. Clement and his firm include the review of the record on appeal and the briefs and related documents filed in the Fifth Circuit, preparation and filing of a petition for writ of certiorari, reply in support of certiorari, briefs on the merits, coordination of amicus support, review and response to any briefing by the current solicitor general if the court calls for the views of the solicitor general, and oral argument.

The Legal Department requests authorization of a proposed initial fee of $175,000 plus $1000.00 for reimbursable travel costs at the cert petition stage. If certiorari is granted, the Legal Department will be seeking additional funding.

M/WBE zero-percentage goal document approved by the Office of Business Opportunity.

REQUIRED AUTHORIZATION		
Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 10/23/2015

H25597 - Contingent Workforce Vendor Management Service - ORDINANCE

Agenda Item#: 73.

Summary:

ORDINANCE approving, authorizing, and awarding an agreement between the City of Houston and **GENESIS NETWORKS ENTERPRISES, LLC** for Contingent Workforce Vendor Management System for the Human Resources Department; providing a maximum contract amount $650,000.00 - Central Service Revolving Fund

Background:

S17-H25597 – Approve an ordinance authorizing an agreement between the City of Houston and Genesis Networks Enterprise, LLC in the total amount not to exceed $650,000.00 for a contingent workforce vendor management cloud based service subscription for the Human Resources Department (HR).

Specific Explanation

The Director of the Human Resources Department (HR) and the City Purchasing Agent recommend that City Council approve an ordinance authorizing a **one-year agreement, with two one-year options** between the City of Houston and **Genesis Networks Enterprises, LLC** (Contractor) in the total amount not to exceed **$650,000.00** for a contingent workforce vendor management cloud based service subscription. Although the Contractor is a Texas Department of Information Resources (DIR) Go-Direct vendor, the City is entering into a City of Houston specific agreement with Genesis Networks Enterprises, LLC for products and services stated herein.

The scope of work requires the contractor to provide HR, city departments, and suppliers with 24/7 service access to Fieldglass, a cloud based vendor management system (VMS). This solution will assist HR, the managed service administrator since the early 1980s, in procuring and managing the city's contingent workforce from requisition all the way through invoice and payment. Additionally, Fieldglass will provide onsite and mobile users with the tools to source and manage 500+ contingent workforce assignments with features such as electronic timesheets, self-invoicing and access to robust and reliable reporting tools with security controls. The Fieldglass solution will allow the city to continue to utilize multiple service providers, and process 2,500+ invoices monthly. Fieldglass became a subsidiary of SAP in 2014.

The Fieldglass VMS technology solution is a replacement for an obsolete system that is not maintainable over the long run and rewriting or upgrading the system is cost and talent prohibitive. Fieldglass will provide all pre, during and post implementation support including training and system updates. The service fee is 1% of the annual temporary employee services spend plus initial implementation cost.

implementation cost.

Hire Houston First

This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Attachment: MWBE Zero-Percent Goal document approved by the Office of Business of Opportunity

ESTIMATED SPENDING AUTHORITY

Department	FY 16	Out-Years	Total Amount
Human Resources Department	$150,000.00	$500,000.00	$650,000.00

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

Maximum Contract Amount: $650,000.00 Central Service Revolving Fund (1002)

Contact Information:

Omar Reid	HR	832-393-6056
Dave Evans	SPD	832-393-8701
Martin King	SPD	832-393-8705
Murdock Smith III	SPD	832-393-8725

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet
OBO Document	Backup Material
Signed RCA	Signed Cover sheet
Form A	Backup Material
Form B	Backup Material
Deliquent Tax Report	Backup Material
Affidavit of Ownership	Backup Material
RCA#H25597- HR approval	Backup Material
Ordinance	Ordinance/Resolution/Motion

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
ALL
Item Creation Date: 10/23/2015

H25597 - Contingent Workforce Vendor Management Service - ORDINANCE

Agenda Item#:

Summary:

ORDINANCE approving, authorizing, and awarding an agreement between the City of Houston and **GENESIS NETWORKS ENTERPRISES, LLC** for Contingent Workforce Vendor Management System for the Human Resources Department; providing a maximum contract amount $650,000.00 - Central Service Revolving Fund

Background:

S17-H25597 – Approve an ordinance authorizing an agreement between the City of Houston and Genesis Networks Enterprise, LLC in the total amount not to exceed $650,000.00 for a contingent workforce vendor management cloud based service subscription for the Human Resources Department (HR).

Specific Explanation
The Director of the Human Resources Department (HR) and the City Purchasing Agent recommend that City Council approve an ordinance authorizing a **one-year agreement, with two one-year options** between the City of Houston and **Genesis Networks Enterprises, LLC** (Contractor) in the total amount not to exceed **$650,000.00** for a contingent workforce vendor management cloud based service subscription. Although the Contractor is a Texas Department of Information Resources (DIR) Go-Direct vendor, the City is entering into a City of Houston specific agreement with Genesis Networks Enterprises, LLC for products and services stated herein.

The scope of work requires the contractor to provide HR, city departments, and suppliers with 24/7 service access to Fieldglass, a cloud based vendor management system (VMS). This solution will assist HR, the managed service administrator since the early 1980s, in procuring and managing the city's contingent workforce from requisition all the way through invoice and payment. Additionally, Fieldglass will provide onsite and mobile users with the tools to source and manage 500+ contingent workforce assignments with features such as electronic timesheets, self-invoicing and access to robust and reliable reporting tools with security controls. The Fieldglass solution will allow the city to continue to utilize multiple service providers, and process 2,500+ invoices monthly. Fieldglass became a subsidiary of SAP in 2014.

The Fieldglass VMS technology solution is a replacement for an obsolete system that is not maintainable over the long run and rewriting or upgrading the system is cost and talent prohibitive. Fieldglass will provide all pre, during and post implementation support including training and system updates. The service fee is 1% of the annual temporary employee services spend plus initial implementation cost.

Hire Houston First
This procurement is exempt from the City's Hire Houston First Ordinance. Bids/proposals were not solicited because the department is utilizing an Interlocal or Cooperative Purchasing Agreement for this purchase.

Attachment: MWBE Zero-Percent Goal document approved by the Office of Business of Opportunity

ESTIMATED SPENDING AUTHORITY

Department	FY 16	Out-Years	Total Amount
Human Resources Department	$150,000.00	$500,000.00	$650,000.00

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

Amount of Funding:

Maximum Contract Amount: $650,000.00 Central Service Revolving Fund (1002)

Contact Information:

Omar Reid	HR	832-393-6056
Dave Evans	SPD	832-393-8701
Martin King	SPD	832-393-8705
Murdock Smith III	SPD	832-393-8725

ATTACHMENTS:

Description	Type
RCA#H25597-Genesis Networks	Signed Cover sheet
OBO Document	Backup Material
Form A	Backup Material
Form B	Backup Material
Deliquent Tax Report	Backup Material
Affidavit of Ownership	Backup Material
RCA#H25597- HR approval	Backup Material
Ordinance	Ordinance/Resolution/Motion

CITY OF HOUSTON
OFFICE of BUSINESS OPPORTUNITY

RECEIVED
NOV 03 2015

Goal Modification Request Form

1. Date: 10/21/2015 2. Requesting Department: Human Resources 3. Solicitation Number: N/A

4. Solicitation Name: Contingent Workforce Vendor Management 5. Estimated Dollar Amount: $650,000.00

6. Description of Solicitation (attach specifications/supporting documents):

Contingent Workforce Vendor Management System (cloud based) for the Human Resources Department used to assist in managing non-employee workforce including temporary staff.

PLEASE INDICATE WHETHER A PREVIOUS CONTRACT EXISTED FOR THIS SOLICITIATION.

A. Previous contract (if any): Yes ○ No ◉ B. Previous contract number: _____

C. Goal on last contract _____ D. Was goal met? Yes ○ No ○

E. If goal was not met, what percentage did the vendor achieve? _____%

F. Why wasn't goal achieved?

SELECT ONE TYPE OF GOAL MODIFICATION REQUEST FROM THE FOUR OPTIONS BELOW.

1. WAIVER

A. I am requesting a waiver of the MWSBE Goal: Yes ◉ No ○

B. Reason for waiver: (Check one)

- ☐ A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy
- ☐ If goods and services are specialized, technical, or unique nature as to require the City department to select its contractor without application of MWSBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants)
- ☐ MWSBE provisions impose an unwarranted economic burden or risk on the City or unduly delay acquisition of the goods or services, or is not in the best interest of the City; or
- ☐ Level of MWSBE availability would produce minimal MWSBE participation.
- ☐ Other: _____

C. Detailed explanation for Waiver Reason:

This purchase is for a cloud based off-the-shelf contingent vendor management software. The vendor Genesis Networks Enterprises, LLC is a Texas Department of Information Resources (DIR) Go-Direct vendor that uses their trained full-time employees to provide the implementation of the software and the account management services. There is no divisible work associated with this procurement, therefore there are no potential MWBDE opportunities.

2. COOPERATIVE OR INTER-LOCAL AGREEMENT

A. Is this a Cooperative/Inter-Local agreement? Yes ◉ No ○

B. If yes, please specify the name of the agreement: DIR-TSO-2247

C. Did the Department explore opportunities for using certified firms? Yes ◉ No ○

D. Please explain how the department explored opportunities for using certified firms:

The SOW was sent to the certified firms Smartbirdge LLC and Precision Task Group through the DIR Deliverable Based Information Technology process. The certified firms did not submit a response

E. Please explain why the Department did not explore opportunities for using certified firms:

CITY OF HOUSTON
OFFICE of BUSINESS OPPORTUNITY

Goal Modification Request Form

3. REDUCED GOAL *(to be completed by the department prior to advertisement)*

A. I am requesting a MWSBE contract-specific goal below the following city wide goals:
Construction (34%) Professional Services (24%) Purchasing (11%)

Yes ○ No ◉ *If yes, please complete a Contract-Specific Goal Request Form and submit with this form.*

4. GOAL REVISION AFTER ADVERTISEMENT

A. I am requesting a revision of the MWSBE Goal that has already been advertised: Yes ○ No ◉

B. Original goal: _____ C. Proposed new goal: _____ D. Advertisement date: _____

E. Will the project be re-advertised? Yes ○ No ○ F. Estimated dollar amount: $_____

G. Detailed reason for request:

Concurrence:

Requesting Department Initiator — 11/3/15 Date

Department Director or Designee — 11/3/15 Date

FOR OBO OFFICE USE ONLY:			
APPROVED:			
[signature]	11/8/15	Non-Divisible	W-467
OBO Assistant Director or Designee	Date	OBO Reason	Tracking #
DENIED:			
OBO Assistant Director or Designee	Date	OBO Reason	Tracking #

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District I
Item Creation Date: 12/1/2015

25PARK271 - Jerdon Enterprise, L.P. - Gragg Park (2)

Agenda Item#: 74.

Summary:

ORDINANCE appropriating $2,342,937.43 out of Parks Consolidated Construction Fund, and $250,000.00 out of Parks & Recreation Dedication Fund; and the sum of $30,000.00 out of Parks Special Fund; awarding construction contract to **JERDON ENTERPRISE L.P.** for Gragg Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and materials testing services, Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, the Parks and Recreation Dedication Fund, the Parks Special Revenue Fund, the Parks Special Fund and the General Fund - **DISTRICT I - GALLEGOS**

Background:

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Jerdon Enterprise, L.P. for the proposal amount of $2,804,420.20 to provide construction services for Gragg Park for the Houston Parks and Recreation Department.

PROJECT LOCATION: 2999 South Wayside Drive (534-G)

PROJECT DESCRIPTION: The scope of work consists of site clearing; site utilities, grading, and drainage; construction of a new parking lot with pavers and underground detention; visitor parking lot expansion; new concrete walkways and trails; new concrete plaza; site lighting and electrical; new sports fields with lighting; new entry signage; new pedestrian bridge; new site furnishing; installation of pavilion; installation of play equipment; landscaping and irrigation.

The contract duration of this project is 120 days from the issuance of the Notice to Proceed for construction. White Oak Studio is the design consultant for the project.

PROPOSALS: On August 14 and August 21, 2015, GSD advertised a Request for Competitive Sealed Proposals (CSP) for construction services for Gragg Park. The CSP contained selection criteria that ranked respondents on experience, references, schedule and contractor responsibility. The Statements of Qualifications were due on September 3, 2015, and six firms responded. GSD evaluated the respondents, and three of the six firms received sufficient points and were requested to submit proposals. All three selected firms submitted proposals on October 8, 2015. Jerdon Enterprise, L.P. submitted the lowest proposal and offers the best value for the City based on the advertised criteria.

The three proposers are ranked as follows:

Proposer
1. Jerdon Enterprise, L.P.
2. Millis Development & Construction, Inc.
3. Times Construction, Inc.

AWARD: It is recommended that City Council award the construction contract to Jerdon Enterprise, L.P., and appropriate funds for the project, including an additional appropriation of $23,000.00 for engineering and materials testing services under an existing contract with All-Terra Engineering, Inc.

FUNDING SUMMARY:
$ 2,804,420.20 Construction Contract
$ 140,221.01 5% Contingency
$ 2,944,641.21 Total Contract Services
$ 23,000.00 Engineering and Materials Testing Services
$ 40,296.22 Civic Art (1.75% of Fund 4502)
$ 3,007,937.43 Total Funding

M/WBE PARTICIPATION: A 19% MBE goal and 3% WBE goal have been established for this contract, of which 2.05% is being achieved through SBE participation. The contractor has submitted the following certified firms to achieve the goals:

FIRM (MBE):	**SCOPE**	**AMOUNT**	**% of CONTRACT**
TAG Electric Company, L.P.	Electrical work	$ 209,860.00	7.48 %
Canales Trucking Inc.	On-site trucking and base material	$ 103,000.00	3.67 %
S & S Masonry II, LLC	Masonry	$ 95,000.00	3.39 %
Environmental Allies GP, Inc.	Erosion Prevention	$ 17,362.00	0.62 %
Chavez Service Companies, Inc.	Concrete Foundation	$ 103,766.00	3.70 %
TOTAL		**$ 528,988.00**	**18.86 %**

FIRM (WBE):	**SCOPE**	**AMOUNT**	**% of CONTRACT**
Rebar Supply Company Ltd.	Rebar Supply	$ 50,000.00	**1.78 %**

FIRM (SBE):	**SCOPE**	**AMOUNT**	**% of CONTRACT**
Contractors Paving Supply, LLC	Paving supplier	$ 20,000.00	0.71 %
Burns and Burns, Inc. DBA Astro Fence Company	Fencing	$ 37,550.00	1.34 %
TOTAL		**$ 57,550.00**	**2.05 %**

PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, Jerdon Enterprise, L.P. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

Amount of Funding:

Amount and Source of Funding:

$ 2,342,937.43 Parks Consolidated Construction Fund (4502)
$ 250,000.00 Parks & Recreation Dedication Fund (4035)
$ 320,000.00 Parks Special Revenue Fund (2100)
$ 30,000.00 Parks Special Fund (4012)
$ 65,000.00 General Fund (1000) – Council District Service Fund
$ 3,007,937.43 Total Funding

Contact Information:

Jacquelyn L. Nisby **Phone:** 832-393-8023

ATTACHMENTS:

Description	Type
25PARK271 - Jerdon Enterprise, L.P. - Gragg Park (RCA revised)	Signed Cover sheet
Maps	Contract/Exhibit
Form A (Fair Campaign Ordinance)	Backup Material
Form B (Fair Campaign Ordinance)	Backup Material
Delinquent Tax Report	Backup Material
CIP Form A	Backup Material
SAP Documents	Financial Information
ordinance	Ordinance/Resolution/Motion

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

SUBJECT: Award Construction Contract Jerdon Enterprise, L.P. Gragg Park WBS No. F-000750-0001-4	**Page** 1 of 2	**Agenda Item**

FROM (Department or other point of origin): General Services Department	**Origination Date**	**Agenda Date**
DIRECTOR'S SIGNATURE: Scott Minnix Scott Minnix 11/24/15	**Council District affected:** I	
For additional information contact: Jacquelyn L. Nisby **Phone:** 832-393-8023	**Date and identification of prior authorizing Council action:**	

RECOMMENDATION: Award construction contract and appropriate funds for the project.

Amount and Source of Funding:

$	2,342,937.43	Parks Consolidated Construction Fund (4502)
$	250,000.00	Parks & Recreation Dedication Fund (4035)
$	320,000.00	Parks Special Revenue Fund (2100)
$	30,000.00	Parks Special Fund (4012)
$	65,000.00	General Fund (1000) – Council District Service Fund
$	**3,007,937.43**	**Total Funding**

Finance Budget:

SPECIFIC EXPLANATION: The General Services Department (GSD) recommends that City Council award a construction contract to Jerdon Enterprise, L.P. for the proposal amount of $2,804,420.20 to provide construction services for Gragg Park for the Houston Parks and Recreation Department.

PROJECT LOCATION: 2999 South Wayside Drive (534-G)

PROJECT DESCRIPTION: The scope of work consists of site clearing; site utilities, grading, and drainage; construction of a new parking lot with pavers and underground detention; visitor parking lot expansion; new concrete walkways and trails; new concrete plaza; site lighting and electrical; new sports fields with lighting; new entry signage; new pedestrian bridge; new site furnishing; installation of pavilion; installation of play equipment; landscaping and irrigation.

The contract duration of this project is 120 days from the issuance of the Notice to Proceed for construction. White Oak Studio is the design consultant for the project.

PROPOSALS: On August 14 and August 21, 2015, GSD advertised a Request for Competitive Sealed Proposals (CSP) for construction services for Gragg Park. The CSP contained selection criteria that ranked respondents on experience, references, schedule and contractor responsibility. The Statements of Qualifications were due on September 3, 2015, and six firms responded. GSD evaluated the respondents, and three of the six firms received sufficient points and were requested to submit proposals. All three selected firms submitted proposals on October 8, 2015. Jerdon Enterprise, L.P. submitted the lowest proposal and offers the best value for the City based on the advertised criteria.

The three proposers are ranked as follows:

	Proposer
1.	Jerdon Enterprise, L.P.
2.	Millis Development & Construction, Inc.
3.	Times Construction, Inc.

REQUIRED AUTHORIZATION CUIC ID # 25PARK271

General Services Department:	**Houston Parks and Recreation Department:**
Richard A. Vella Chief of Design & Construction Division	Joe Turner Director

AWARD: It is recommended that City Council award the construction contract to Jerdon Enterprise, L.P., and appropriate funds for the project, including an additional appropriation of $23,000.00 for engineering and materials testing services under an existing contract with All-Terra Engineering, Inc.

FUNDING SUMMARY:

$ 2,804,420.20	Construction Contract
$ 140,221.01	5% Contingency
$ 2,944,641.21	**Total Contract Services**
$ 23,000.00	Engineering and Materials Testing Services
$ 40,296.22	Civic Art (1.75% of Fund 4502)
$ 3,007,937.43	**Total Funding**

M/WBE PARTICIPATION: A 19% MBE goal and 3% WBE goal have been established for this contract, of which 2.05% is being achieved through SBE participation. The contractor has submitted the following certified firms to achieve the goals:

FIRM (MBE):	SCOPE	AMOUNT	% of CONTRACT
TAG Electric Company, L.P.	Electrical work	$ 209,860.00	7.48 %
Canales Trucking Inc.	On-site trucking and base material	$ 103,000.00	3.67 %
S & S Masonry II, LLC	Masonry	$ 95,000.00	3.39 %
Environmental Allies GP, Inc.	Erosion Prevention	$ 17,362.00	0.62 %
Chavez Service Companies, Inc.	Concrete Foundation	$ 103,766.00	3.70 %
TOTAL		**$ 528,988.00**	**18.86 %**

FIRM (WBE):	SCOPE	AMOUNT	% of CONTRACT
Rebar Supply Company Ltd.	Rebar Supply	$ 50,000.00	**1.78 %**

FIRM (SBE):	SCOPE	AMOUNT	% of CONTRACT
Contractors Paving Supply, LLC	Paving supplier	$ 20,000.00	0.71 %
Burns and Burns, Inc. DBA Astro Fence Company	Fencing	$ 37,550.00	1.34 %
TOTAL		**$ 57,550.00**	**2.05 %**

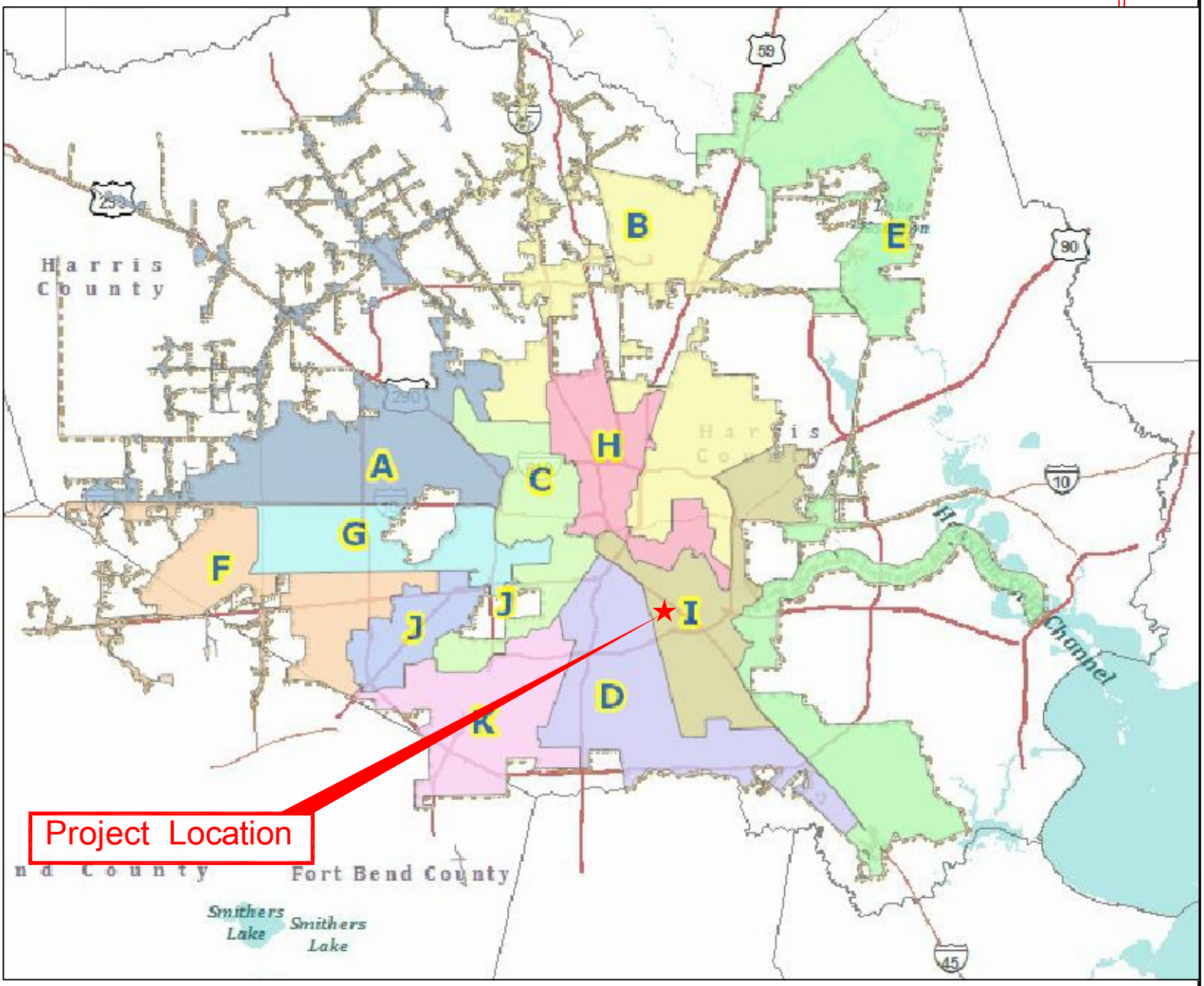
PAY OR PLAY PROGRAM: The proposed contract requires compliance with the City's "Pay or Play" Ordinance regarding health benefits for employees of City contractors. In this case, the contractor provides benefits for some employees but will pay into the Contractor Responsibility Fund for others, in compliance with City policy.

HIRE HOUSTON FIRST: The proposed contract requires compliance with the City's 'Hire Houston First' (HHF) Ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, Jerdon Enterprise, L.P. is a designated HHF company, but they were the successful awardee without application of the HHF preference.

SM:RAV:JLN:LJ:DE:de

c: Marta Crinejo, Jacquelyn L. Nisby, Mark Ross, Luci Correa, Veronica Lizama, Chris Gonzales, Carolyn Hanahan, Morris Scott, Renissa Garza-Montalvo, Rachael Die, Deborah McNulty, Maricela Kruseman, Gabriel Mussio, Felicia Williams, File 712

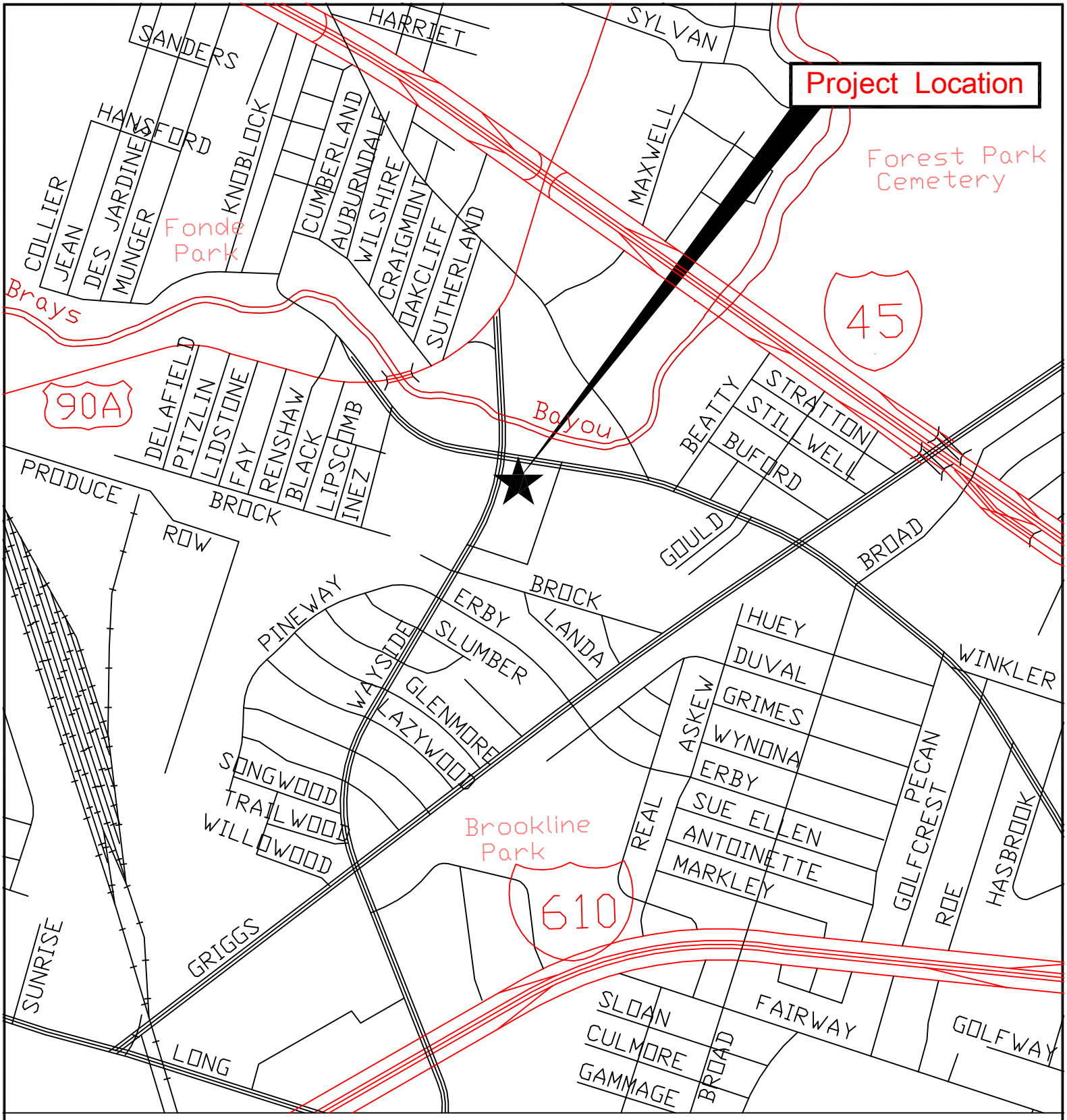
CITY OF HOUSTON
HARRIS COUNTY, TEXAS



Gragg Park

2999 South Wayside Drive
Houston, TX 77023

COUNCIL DISTRICT "I" WBS#F-000750-0001-4 KEYMAP No. 534G



Gragg Park

2999 South Wayside Drive

Houston, TX 77023

COUNCIL DISTRICT "I" **WBS#** F-000750-0001-4 **KEYMAP No. 534G**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/2/2015

ARA-Northstar Demolition and Remediation SWF

Agenda Item#: 75.

Summary:

ORDINANCE No. 2015-1237, passed first reading December 9, 2015 ORDINANCE granting to **NORTHSTAR DEMOLITION AND REMEDIATION, LP, 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 - **SECOND READING**

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Northstar Demolition and Remediation, LP. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 193 solid waste operator franchises. For FY 2015, the total solid waste franchise revenue to the City is projected to be $7,188,167.37.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:

Tina Paez, Director	**Other Authorization**
Administration & Regulatory Affairs Department	

Contact Information:

Lara Cottingham **Phone:** (832) 393- 8503
Naelah Yahya **Phone:** (832) 393- 8530

ATTACHMENTS:

Description	Type
12.2.2015 Northstar Demolition and Remediation SWF RCA	Signed Cover sheet
NorthStar Demolition Ord	Ordinance/Resolution/Motion

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 12/8/2015
ALL
Item Creation Date: 12/2/2015

ARA-Northstar Demolition and Remediation SWF

Agenda Item#: 60.

Summary:
AN ORDINANCE GRANTING TO NORTHSTAR DEMOLITION AND REMEDIATION, LP, 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.

Background:
The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance granting a commercial solid waste operator franchise to Northstar Demolition and Remediation, LP. Article VII of Chapter 39 of the City Code of Ordinances makes it unlawful for any commercial solid waste operator to collect, haul or transport solid waste or industrial waste from commercial properties located within the City without first having obtained a franchise for that purpose upon the consent of the City Council.

ARA's Franchise Administration Division collects franchise fees from commercial solid waste transporters, coordinates audits and compliance reviews and actively monitors state/federal legislation and administrative proceedings that impact these fees. The City currently has 193 solid waste operator franchises. For FY 2015, the total solid waste franchise revenue to the City is projected to be $7,188,167.37.

The proposed ordinance grants the franchisee the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each franchisee agrees to pay to the City an annual franchise fee equal to four percent of their annual gross revenue, payable quarterly. To verify franchisee compliance with the franchise, the franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term is 10 years from the effective date.

Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:
Lara Cottingham Phone: (832) 393-8503
Naelah Yahya Phone: (832) 393-8530

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 9/23/2015

S25303 - Emergency and Safety Vehicle Equipment Parts and Repair Services

Agenda Item#: 76.

Summary:

RECOMMENDATION from Purchasing Agent to adopt award to **CAP FITTERS UPFITTERS** for Emergency and Safety Vehicle Equipment Parts and Repair Services for the Fleet Management Department - 3 Years with two one-year options $14,500,000.00 - Equipment Acquisition Consolidated and Fleet Management Funds - **TAGGED BY COUNCIL MEMBER KUBOSH**
This was Item 11 on Agenda of December 9, 2015

Background:

Formal Bids Received for S40-S25303 - Approve an award to Cap Fleet Upfitters in an amount not to exceed $14,500,000.00 for emergency and safety vehicle equipment parts and repair services for the Fleet Management Department.

Specific Explanation:

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an award to **Cap Fleet Upfitters** on its low overall bid in an amount not to exceed **$14,500,000.00** for emergency and safety vehicle equipment parts and repair services for the Fleet Management Department. It is further requested that authorization be given to make purchases, as needed, for a **thirty-six month period with two (2) one year options to extend.** This award consists of thirty-one price lists for parts; which includes, but are not limited to, emergency lighting, speakers, bulbs, single unit sirens, linear tubes, strobe reflector assemblies, transport systems, rear plastic seats, control boxes, strobe lights, microphone cables, K-9 transport systems, push bumpers, radar units, spike systems and consoles to be used by the Department to outfit, repair and maintain vehicles which utilize such emergency equipment. This award also includes a $2,585,000.00 labor component for installation and repair services that cannot be performed by City maintenance personnel.

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

Four prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received as outlined below:

Company	Sample Pricing / Labor Total
1. Cap Fleet Upfitters	**$43,951.75**
2. Fleet Safety Equipment, Inc.	$46,190.31

Hire Houston First

This proposed award requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, **Cap Fleet Upfitters** is a designated HHF company, but they were the successful awardee without application of the HHF preference.

Attachment: M/WBE zero-percentage goal document approved by the Office of Business Opportunity.

_____ _____

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

ESTIMATED SPENDING AUTHORITY

DEPARTMENT	FY 2016	OUT YEARS	TOTAL
Fleet Management	$2,900,000.00	$11,600,000.00	$14,500,000.00

Amount of Funding:

$14,500,000.00 - Fleet Management Fund (1005)

Contact Information:

Vic Ayres	FMD	(832) 393-6902
Desiree Heath	SPD	(832) 393-8742
Jeff Meekins	SPD	(832) 393-8743

ATTACHMENTS:

Description	Type
RCA#S25303-Cap Fleet Upfitters	Signed Cover sheet
OBO Docs	Backup Material
Fair Campaign Cap Fleet	Backup Material

Signed cover sheet	Signed Cover sheet
Form B	Backup Material
Delinquent Tax Cap Fleet	Backup Material
Bid Tabulation	Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
ALL
Item Creation Date: 9/23/2015

S25303 - Emergency and Safety Vehicle Equipment Parts and Repair Services

Agenda Item#:

Background:
Formal Bids Received for S40-S25303 - Approve an award to Cap Fleet Upfitters in an amount not to exceed $14,500,000.00 for emergency and safety vehicle equipment parts and repair services for the Fleet Management Department.

Specific Explanation:
The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an award to **Cap Fleet Upfitters** on its low overall bid in an amount not to exceed **$14,500,000.00** for emergency and safety vehicle equipment parts and repair services for the Fleet Management Department. It is further requested that authorization be given to make purchases, as needed, for a **thirty-six month period with two (2) one year options to extend.** This award consists of thirty-one price lists for parts; which includes, but are not limited to, emergency lighting, speakers, bulbs, single unit sirens, linear tubes, strobe reflector assemblies, transport systems, rear plastic seats, control boxes, strobe lights, microphone cables, K-9 transport systems, push bumpers, radar units, spike systems and consoles to be used by the Department to outfit, repair and maintain vehicles which utilize such emergency equipment. This award also includes a $2,585,000.00 labor component for installation and repair services that cannot be performed by City maintenance personnel.

This is a price list solicitation. The best discount which determines the low bid for a price list, is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for sample pricing items does not represent the total amount to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the term of the award 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. Four prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received as outlined below:

Company	Sample Pricing / Labor Total
1. **Cap Fleet Upfitters**	**$43,951.75**
2. Fleet Safety Equipment, Inc.	$46,190.31

Hire Houston First
This proposed award requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, **Cap Fleet Upfitters** is a designated HHF company, but they were the successful awardee without application of the HHF preference.

Attachment: M/WBE zero-percentage goal document approved by the Office of Business Opportunity.

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

ESTIMATED SPENDING AUTHORITY

DEPARTMENT	FY 2016	OUT YEARS	TOTAL
Fleet Management	$2,900,000.00	$11,600,000.00	$14,500,000.00

Amount of Funding:
$14,500,000.00 - Fleet Management Fund (1005)

Contact Information:

Vic Ayres	FMD	(832) 393-6902
Desiree Heath	SPD	(832) 393-8742
Jeff Meekins	SPD	(832) 393-8743

ATTACHMENTS:

Description	Type
OBO Docs	Backup Material
Fair Campaign Cap Fleet	Backup Material
Form B	Backup Material
Delinquent Tax Cap Fleet	Backup Material
Bid Tabulation	Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date:
ALL
Item Creation Date: 9/23/2015

S25303 - Emergency and Safety Vehicle Equipment Parts and Repair Services

Agenda Item#:

Background:
Formal Bids Received for S40-S25303 - Approve an award to Cap Fleet Upfitters in an amount not to exceed $14,500,000.00 for emergency and safety vehicle equipment parts and repair services for the Fleet Management Department.

Specific Explanation:
The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an award to **Cap Fleet Upfitters** on its low overall bid in an amount not to exceed **$14,500,000.00** for emergency and safety vehicle equipment parts and repair services for the Fleet Management Department. It is further requested that authorization be given to make purchases, as needed, for a **thirty-six month period with two (2) one year options to extend.** This award consists of thirty-one price lists for parts; which includes, but are not limited to, emergency lighting, speakers, bulbs, single unit sirens, linear tubes, strobe reflector assemblies, transport systems, rear plastic seats, control boxes, strobe lights, microphone cables, K-9 transport systems, push bumpers, radar units, spike systems and consoles to be used by the Department to outfit, repair and maintain vehicles which utilize such emergency equipment. This award also includes a $2,585,000.00 labor component for installation and repair services that cannot be performed by City maintenance personnel.

This is a price list solicitation. The best discount which determines the low bid for a price list, is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for sample pricing items does not represent the total amount to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the term of the award 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. Four prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two bids were received as outlined below:

Company	Sample Pricing / Labor Total
1. **Cap Fleet Upfitters**	**$43,951.75**
2. Fleet Safety Equipment, Inc.	$46,190.31

Hire Houston First
This proposed award requires compliance with the City's 'Hire Houston First' (HHF) ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, **Cap Fleet Upfitters** is a designated HHF company, but they were the successful awardee without application of the HHF preference.

Attachment: M/WBE zero-percentage goal document approved by the Office of Business Opportunity.

Calvin D. Wells, City Purchasing Agent
Finance/Strategic Procurement Division

Department Approval Authority Signature

ESTIMATED SPENDING AUTHORITY

DEPARTMENT	FY 2016	OUT YEARS	TOTAL
Fleet Management	$2,900,000.00	$11,600,000.00	$14,500,000.00

Amount of Funding:
$14,500,000.00 - Fleet Management Fund (1005)

Contact Information:

Vic Ayres	FMD	(832) 393-6902
Desiree Heath	SPD	(832) 393-8742
Jeff Meekins	SPD	(832) 393-8743

ATTACHMENTS:

Description	Type
OBO Docs	Backup Material
Fair Campaign Cap Fleet	Backup Material
Form B	Backup Material
Delinquent Tax Cap Fleet	Backup Material
Bid Tabulation	Backup Material

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/1/2015

ARA-Houston BARC Foundation Bylaws Update

Agenda Item#: 77.

Summary:

ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, relating to the BARC Foundation; approving the amended bylaws of the BARC Foundation
TAGGED BY COUNCIL MEMBER LASTER
This was Item 19 on Agenda of December 9, 2015

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance to approve the Houston BARC Foundation's updated bylaws and requisite amendments to Chapter 6 of the City's Code Ordinances as well as confirming additional members to the Foundation's Board Directors.

The Houston BARC Foundation (Foundation) was created in 2010 as a nonprofit organization for the purpose of soliciting funds for the benefit of BARC, the ARA division responsible for the City's animal shelter, animal adoptions and enforcement of animal regulations.

To date, the Foundation has collected more than $800,000 in donations in support of BARC to support the completion of the remaining phases of BARC's new adoption center. As it is estimated that an additional $20 million is needed to complete the construction and build-out of the center, the Foundation is seeking private contributions to ensure that expansion of BARC's adoption center can continue with minimal impact on taxpayers.

Per the updated bylaws, the Foundation's Board of Directors shall consist of 25 members, to be nominated by the Mayor and confirmed by City Council, each serving two year terms. Additional board members will provide the Foundation greater opportunity to raise funding and awareness for BARC and Houston's homeless animal population throughout the community.

Additionally, the City will now maintain fidelity bonds in the amount of $10,000 per board member (at a cost of under $200 per member), consistent with the City's practice for other city nonprofit corporations (Houston Library Foundation and Houston Parks Board) charged with managing and investing significant dollar amounts.

The nominee's resumes are attached. Additional nominees and amendments to the Foundation's bylaws will be brought before City Council for confirmation as necessary.

Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory Affairs Department

Other Authorization

Contact Information:

Lara Cottingham Phone: 832-393-8503
Candice Gambrell Phone: Phone: (832)395-9021

ATTACHMENTS:

Description	Type
12.1.2015 HBF Bylaws Update RCA.pdf	Signed Cover sheet
ARA-Houston BARC Foundation Bylaws Update Redline	Backup Material
Ordinance	Ordinance/Resolution/Motion
11.20.2015 Houston BARC Foundation appt ltr.PDF	Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 12/8/2015
ALL
Item Creation Date: 12/1/2015

ARA-Houston BARC Foundation Bylaws Update

Agenda Item#: 28.

Summary:
AN ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO THE BARC FOUNDATION; APPROVING THE AMENDED BYLAWS OF THE BARC FOUNDATION; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Background:
The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance to approve the Houston BARC Foundation's updated bylaws and requisite amendments to Chapter 6 of the City's Code Ordinances as well as confirming additional members to the Foundation's Board Directors.

The Houston BARC Foundation (Foundation) was created in 2010 as a nonprofit organization for the purpose of soliciting funds for the benefit of BARC, the ARA division responsible for the City's animal shelter, animal adoptions and enforcement of animal regulations.

To date, the Foundation has collected more than $800,000 in donations in support of BARC to support the completion of the remaining phases of BARC's new adoption center. As it is estimated that an additional $20 million in private contributions is needed to complete construction and build-out of the center, the Foundation is vital to the completion of BARC's adoption center and future operations.

Per the updated bylaws, the Foundation's Board of Directors shall consist of 25 members, to be nominated by the Mayor and confirmed by City Council, each serving two year terms. Additional board members will provide the Foundation greater opportunity to raise funding and awareness for BARC and Houston's homeless animal population throughout the community.

Additionally, the City will now maintain fidelity bonds in the amount of $10,000 per board member (at a cost of under $200 per member), consistent with the City's practice for other city nonprofit corporations (Houston Library Foundation and Houston Parks Board) charged with managing and investing significant dollar amounts.

The nominee's resumes are attached. Additional nominees and amendments to the Foundation's bylaws will be brought before City Council for confirmation as necessary.

Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Lara Cottingham	Phone: (832) 393-8503
Candice Gambrell	Phone: (832) 395-9021

Chapter 6.

Animals and Fowl

Article I.

In General

*****

Division 8. BARC Foundation

Sec. 6-26. Name and Purpose.

(a) The name of this organization shall be the BARC Foundation, herein after called the "foundation."

(b) The foundation shall, among other things:

(1) Receive and maintain real or personal property, or both, and use and apply the income therefrom and the principal thereof exclusively for charitable, scientific and educational purposes related to the care and humane treatment of animals;

(2) Solicit funds, gifts, and bequests for medical and kennel supplies and equipment for use at BARC animal shelters;

(3) Promote awareness to Houston area residents on responsible pet ownership, spay/ neuter practices, pet adoption and the humane treatment of all animals; and

(4) Review and make advisory recommendations to the mayor and city council on responsible pet ownership, spay/ neuter practices, pet adoption and the humane treatment of all animals.

Sec. 6-27. Composition; appointment and terms of members; filling of vacancies; fidelity bond.

(a) The board of directors of the foundation shall, in addition to the ex officio members hereinafter provided for, consist of ~~15~~ not more than 25 members to be nominated by the mayor and confirmed by the city council. Each member shall be appointed to a specific position, Position 1 through ~~15~~ 25. ~~Twelve~~Twenty of the members of the board of directors of the foundation shall be residents of the city. The remaining ~~three~~ five members need not be residents of the city, provided they reside in one of the counties that make up the Houston-The Woodlands-Sugar Land, TX Metropolitan Statistical Area as defined by the Office of Management and Budget in the Executive Office of the President of the United States.

(b) The term for members of the board shall be two years. Odd-numbered positions shall have terms that expire December 31 of odd-numbered years. Even-numbered positions shall have terms that expire December 31 of even-numbered years.

(c) The mayor, or his designee, and the director, shall be at all times ex officio nonvoting members of the board.

(d) The board, by adoption of a resolution, may designate persons to serve as additional ex officio nonvoting members of the board or as nonvoting advisory directors of the board.

(e) In the event of the death or resignation of any member of the board prior to the expiration of such member's term of service, the mayor shall nominate and the city council shall confirm a successor who shall serve out the remaining unexpired term and enter upon the duties of a member at the next regular meeting of the foundation.

(f) Any member of the board serving in a position for which the term has expired shall continue to serve until the member's successor in that position is appointed and confirmed.

(g) Any member of the board may be removed by the mayor for any of the following causes:

(1) Four consecutive absences from the regular meetings of the foundation;

(2) Failure to abstain in votes or activities of the foundation where direct or indirect conflicts of interest are, or may be, involved; or

(3) Failure to meet any minimum requirements established by the foundation and imposed upon all members of the board.

(h) The city shall maintain a blanket fidelity bond in the amount of $10,000.00 for each member of the board. This requirement may be satisfied by amendment to the city's blanket fidelity bond for city employees so as to authorize inclusion of the board members.

Sec. 6-28. Compensation of members; conflicts of interest.

(a) Members of the board shall serve without compensation from the city or any firm, trust, donation or legacy to or on behalf of the city; provided, however, that a member of the foundation, or the firm, company or corporation with whom the member is associated, shall not be precluded from receiving compensation from the city under any contract for services rendered which have no relation to the member's duties as a member of the board.

(b) Each member of the board is a covered person for the purpose of article X of chapter 2 of this Code.

(c) Members of the board shall abstain from voting upon matters in which they have a conflict of interest, and members of the board shall not participate in any activity of the foundation in which they have a conflict of interest. The provisions of this subsection shall be cumulative of any applicable foundation bylaws, resolutions adopted by the board or other documentation ratified by the board pertaining to compensation, conflicts of interest or any other documentation addressing the conduct of members of the board.

Sec. 6-29. Organization and meetings.

(a) The foundation shall organize by electing from their membership a president, a vice president, a secretary and a treasurer, each of which officers shall hold office for one year, or until their successor shall have been elected and qualified. The foundation may adopt such administrative procedures as are necessary or convenient to accomplish the purposes set out in this article.

(b) The foundation may employ any necessary staff, including an executive director, at salaries set by the foundation. Any staff of the foundation shall not be considered employees of the city for any purposes and shall not be entitled to any of the privileges or benefits of the city's employees.

(c) Regular foundation meetings shall be held at least four times a year, at least one time each quarter. In addition, annual and special meetings may be held in accordance with such rules as the foundation may provide.

(d) A majority of the members of the board shall constitute a quorum for the transaction of business; however, in the event of a vacancy on the board, a majority of the remaining members of the board shall constitute a quorum for the transaction of business.

(e) All meetings of the foundation shall be held in accordance with the Texas Open Meetings Act.

Sec. 6-30. Additional powers.

(a) The foundation may cooperate with any trust created for a purpose similar to that of the foundation as set out in section 6-26 of this Code. In addition, the foundation may contract for financial management and investment services and may pay the reasonable fees therefor from solicited funds, gifts, bequests, and income therefrom; provided, the foundation shall exclude therefrom any solicited funds, gifts, or bequests when payment of a financial management and investment service fee would be contrary to the provisions of the grant.

(b) Whenever funds are given to the foundation for a specific purpose, the board may exercise its sole discretion on how that purpose is accomplished; provided, however, if the purchase of any services is involved, such purchases shall be executed

in accordance with any applicable local or state laws, rules or regulations, including but not limited to, the City of Houston Procurement Code.

Sec. 6-30.1. Financial records and annual financial report.

(a) The financial books and records of the board shall be open to inspection and audit during regular business hours by authorized representatives of the city, or by independent certified public accountants employed by the city, or by board members themselves. Similarly, the financial books and records of any trust created for the benefit of or to cooperate with the foundation shall be open to inspection and audit.

(b) The foundation shall file, at least annually, audited financial statements with the mayor, city council, the city controller, and the director of the department of finance.

(c) All foundation financial and accounting procedures shall be approved by the director of the department of finance and comply with the city's policies, processes, and procedures for city nonprofit and local government corporations.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/1/2015

HR - ORDINANCE AMENDING CHAPTER 14

Agenda Item#: 78.

Summary:

ORDINANCE **AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, relating to Civil Service and other employment related provisions
TAGGED BY COUNCIL MEMBER LASTER
This was Item 20 on Agenda of December 9, 2015

Background:

The Human Resources Department recommends revising Chapter 14 as proposed. Chapter 14 governs the City of Houston's Civil Service system. Prior to submission to Council, the proposed revisions were provided for consideration by the labor unions representing municipal, police, and fire employees, as well as the Civil Service Commission for municipal employees. The proposal was also submitted to the municipal Labor Management Cooperation Council, as required by the meet and confer agreement with the Houston Organization of Public Employees. If approved, amendments will become effective on December 15, 2015.

The proposed revisions are made primarily for the purpose of clarifying existing language, effecting compliance with other law, and/or to reflect the City's actual practices. While not every change is identified below, the following represent the types of changes generally reflected in the proposal:

Definitions have been reviewed and revised to eliminate redundant terms, replace outdated terms with modern language, and to define terms commonly used within the Chapter.

Additional changes reflect the actual designation of certain duties in the modern hiring and payroll process. Many duties currently delegated to the Civil Service Commission, but which traditionally have been a Human Resources function, have been formally delegated to the Human Resources Director.

Similarly, changes have been made to formally reflect long-standing City practices. For instance, where the code treats an employee's extended absence without notice as a resignation (14-155), in actuality these are typically processed as job abandonment. Also, during periods of disaster council has historically authorized compensatory time for exempt employees through pay grade 29, although the code only provides authority through pay grade 26 (14-168(f)(2)). Finally, the City's practices regarding military leave have already departed from the code in order to treat employees more generously in compliance with the federally mandated Uniformed Service Employment and Reemployment Rights Act (14-251 and 14-253).

Departures from existing code language are also reflected in sections affecting classification challenges (14.55.1), temporary employees (14-113), employees seeking public elective office (14-156), holidays while on leave without pay (14-172(b)), authorization for outside employment (14-173), and categories of weapons prohibited to be in possession

by city employees (14-184).

Contact Information:

Omar Reid, Human Resources Director 832-393-6056
Alisa Franklin-Brocks, HR Staff Analyst 832-393-6174
Natalie DeLuca, Sr. Assistant City Attorney 832-393-6272

ATTACHMENTS:

Description	Type
RCA - ORDINANCE AMENDING CHAPTER 14	Signed Cover sheet
RED LINE CHAPTER 14	Backup Material
CHAPTER 14 ORDINANCE	Ordinance/Resolution/Motion

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

SUBJECT: AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO CIVIL SERVICE AND OTHER EMPLOYMENT RELATED PROVISIONS	Category #	Page 1 of 2	Agenda Item #
FROM (Department or other point of origin): Human Resources Department	**Origination Date** 12/01/15	**Agenda Date**	
DIRECTOR'S SIGNATURE: Omar C Reid Omar Reid, Human Resources Director (832) 393-6056	**Council District affected:** All		
For additional information contact: Alisa Franklin-Brocks, HR Staff Analyst, (832) 393-6174 Natalie DeLuca, Sr. Assistant City Attorney, (832) 393-6272	**Date and identification of prior authorizing Council action:**		

RECOMMENDATION: (Summary) Approve the proposed revisions to Chapter 14 relating to Civil Service Provisions.

Amount and Source of Funding:

SPECIFIC EXPLANATION:

The Human Resources Department recommends revising Chapter 14 as proposed. Chapter 14 governs the City of Houston's Civil Service system. Prior to submission to Council, the proposed revisions were provided for consideration by the labor unions representing municipal, police, and fire employees, as well as the Civil Service Commission for municipal employees. The proposal was also submitted to the municipal Labor Management Cooperation Council, as required by the meet and confer agreement with the Houston Organization of Public Employees. If approved, amendments will become effective on December 15, 2015.

The proposed revisions are made primarily for the purpose of clarifying existing language, effecting compliance with other law, and/or to reflect the City's actual practices. While not every change is identified below, the following represent the types of changes generally reflected in the proposal:

Definitions have been reviewed and revised to eliminate redundant terms, replace outdated terms with modern language, and to define terms commonly used within the Chapter.

Additional changes reflect the actual designation of certain duties in the modern hiring and payroll process. Many duties currently delegated to the Civil Service Commission, but which traditionally have been a Human Resources function, have been formally delegated to the Human Resources Director.

Similarly, changes have been made to formally reflect long-standing City practices. For instance, where the code treats an employee's extended absence without notice as a resignation (14-155), in actuality these are typically processed as job abandonment. Also, during periods of disaster council has historically authorized compensatory time for exempt employees through pay grade 29, although the code only provides authority through pay grade 26 (14-168(f)(2)). Finally, the City's practices regarding military leave have already departed from the code in order to treat employees more generously in compliance with the federally mandated Uniformed Service Employment and Reemployment Rights Act (14-251 and 14-253).

Departures from existing code language are also reflected in sections affecting classification challenges (14.55.1), temporary employees (14-113), employees seeking public elective office (14-156), holidays while on leave without pay (14-172(b)), authorization for outside employment (14-173), and categories of weapons prohibited to be in possession by city employees (14-184).

REQUIRED AUTHORIZATION

Other Authorization:	Other Authorization:	Other Authorization:

REDLINE

Chapter 14
CIVIL SERVICE

ARTICLE I. IN GENERAL

Sec. 14-1. Commission members; appointments, terms, vacancies; organization; officers.

(a) There are hereby re-established three civil service commission positions. Such positions shall be separately designated as "Position One," "Position Two," and "Position Three."

(1) The mayor, when making an appointment to the civil service commission, and the city council, when confirming such appointment, shall specify the position for which such appointment or confirmation is made.

(2) The initial term of each position as hereby re-established shall commence on June 15, 1983. The initial term of Position One shall expire on June 14, 1986; the initial term of Position Two shall expire on June 14, 1985; and the initial term of Position Three shall expire on June 14, 1984.

(3) Following the aforesaid initial terms, the term of office for each position on the civil service commission shall be three years, to commence on June 15 and to expire on June 14.

(4) Any appointment to a vacancy on the commission caused by death, resignation or otherwise, or caused by the failure of an appointee to qualify within ten days after appointment, shall be for the unexpired term of the deceased or retiring member or of the appointee failing to qualify.

(b) No sooner than June 15, and no later than June 30 of each year, the members of the commission shall meet to organize for the transaction of business. At such organizational meeting, the members shall take the constitutional oath of office and shall elect one member as chairman, and one member as vice-chairman.

(1) It shall be the duty of the chairman to preside at all meetings of the commission; it shall be the duty of the vice-chairman to preside at such meetings in the absence of the chairman.

(2) The chairman and vice-chairman each shall be elected for a period of one year or until a successor is elected.

(3) The numerical positions established in subsection (a) of this section are for identification purposes only, and shall bear no relation whatsoever to the chairmanship or vice-chairmanship of the commission.

(c) The mayor, subject to confirmation by city council, may appoint an alternate for each designated position on the civil service commission. Each alternate shall serve only when the regular member of the civil service commission in his position is absent and unable to attend meetings and perform commission duties for any reason. Alternates must have the same qualifications as regular members of the civil service commission and shall have all the powers and duties of a regular member but only when acting in the regular member's absence. An alternate shall be empowered to act as a regular member whenever the regular member notifies the secretary of the commission that the regular member is unable to attend a meeting of the commission or when the secretary of the commission is unable to secure the attendance of the regular member. The period of time during which an alternate may serve on the civil service commission shall expire at the end of the term of office of the regular member for which he serves as an alternate. An alternate shall not serve in any proceeding under Chapter 143 of the Local Government Code.

Sec. 14-1.1. Human resources department—Established.

The human resources department, formerly known as the department of personnel and originally established as and formerly known as the department of civil service, is hereby continued. To the extent that this Code or any other ordinance or any motion, resolution, contract or other document devolves duties upon the former department of personnel or department of civil service or upon the employees or director thereof, then such references shall be construed to mean the human resources department or the employees or director thereof, respectively.

Sec. 14-2. Same—Director.

(a) The office of human resources director, formerly known as the director of the department of personnel and originally established as and formerly known as the director of civil service, is hereby continued. The director shall be appointed by the mayor, with the approval of the city council, shall be over 21 years of age, and shall receive such salary as the city council may allow. Before entering upon the discharge of the duties of his office, the director shall take the constitutional oath of office~~, and, if the mayor and council deem it advisable, he may be required to give bond in such sum and with such sureties and such conditions as the mayor may direct.~~

(b) It shall be the responsibility of the director to keep the minutes of the meetings and proceedings and all the books, records, etc., of the civil service commission. Such director shall be the secretary and the chief examiner for such commission, and as such shall perform the duties provided in the rules and regulations of such commission. He shall perform all such other duties as are now or may be hereafter imposed upon him by the civil service commission or the mayor and council.

(c) It shall be the responsibility of the director to supervise and administer the city's employee benefit programs, including but not limited to the city's pension programs (excluding those duties required by state law to be performed~~ by state law~~ by

the city treasurer), health benefits, long term disability, life insurance, sick leave, ~~and~~ vacation leave, and deferred compensation, and to serve as the administrator of the city's "125 Plan."

Sec. 14-3. Duty of commission to prepare and submit rules and regulations.

It shall be the duty of the civil service commission to prepare, adopt and submit, as needed, to the city council for its approval such rules and regulations for the proper conduct of its business in carrying out the purpose of the Charter, and thereafter such amendments, alterations and changes of such rules and regulations as it may find necessary and expedient.

Sec. 14-4. Classification of offices and positions.

It shall be the duty of the civil service commission to classify all of the offices of, and places or positions of employment in the service of the city with reference to the examinations provided for in the Charter, in this chapter and in the rules and regulations of the civil service commission, except those exempt from civil service under the Charter. The offices, places and positions so classified shall constitute the classified civil service of the city, and no appointment, employment, promotion, reappointment or reinstatement to any position, office or place shall be made except in accordance with the Charter, this chapter and the rules and regulations of the civil service commission.

Sec. 14-5. Examination and minimum age of applicants; exclusion of applicants likely to impair service.

(a) It shall be the duty of the civil service commission to provide that all applicants for offices, places or positions in such classified civil service shall be subject to examination, either written, or oral ~~or unassembled~~, which shall be ~~public,~~open, competitive and free to ~~the~~ those authorized to work ~~citizens of~~ in the United States of America~~, with specified limitations as to residence, age, health, habits and moral character;~~ provided, however, that the minimum age of applicants for original employment in such classified civil service shall be 18 years ~~and provided, further, that any applicant whose presence in the public service would likely create friction among the employees thereof and thereby impair such service shall be excluded therefrom.~~ Such examinations shall be practical in their nature and character and shall relate to those matters which will fairly test the relative capacity of the person examined to discharge the duties of the office, position or place to which he seeks to be appointed. No question in any examination shall relate to political or religious opinions or affiliations. The commission shall have direct charge and control of all examinations of whatsoever character.

(b) No applicant shall be entitled to take any examination hereinabove provided for unless the applicant shall have filed with the human resources director his application prior to the date of examination.

Sec. 14-6. Appointments, promotions, etc., to be made in accordance with Charter, chapter and rules and regulations of commission.

Appointments, employments, promotions, reappointments and reinstatements in the classified civil service of the city shall be made only in accordance with the provisions of the Charter, this chapter and the rules and regulations of the civil service commission, and no officer or employee of the city having the power of appointment, employment, promotion, reappointment or reinstatement of persons to offices, places or positions in such classified civil service shall appoint, employ, promote, reappoint or reinstate any person to or in any office, employment, position or place in such service except in accordance with the Charter, this chapter and the rules and regulations of the civil service commission.

Sec. 14-7. Procedure when vacancy exists; suspension of employees.

When any office, employment, place or position in the classified service is vacant, which is desired to be filled, following the conclusion of an open, competitive and free examination, the director shall certify to the commission a list of eligibles for appointment to the office, employment, place or position in the classified service ~~the mayor or the director of the department shall notify the civil service commission that a certification is requested, and the human resources director shall certify to the department director concerned the names of the three persons standing highest on the eligible list or register for the class and grade to which such office, employment, place or position belongs,~~ and the department director concerned ~~shall~~ shall select an individual from a list of eligibles for appointment to the office, employment, place or position in the classified service.~~one of the three persons certified.~~ Such appointment ~~or employment from eligible lists derived from the original entrance examinations~~ shall be on probation as provided by the Charter and rules and regulations of the commission, and such appointees shall not be removed or dismissed except as provided therein; provided, that nothing herein shall prevent the director of any department or office from temporarily suspending officers or employees for disciplinary purposes~~,~~ for reasonable periods~~,~~ not exceeding 15 work days. It shall be the duty of the mayor to indefinitely suspend employees upon the recommendation of the respective department director. The commission shall be notified of any such suspension immediately and may, at its discretion or upon request of the mayor, investigate same and determine whether just cause therefor exists.

Sec. 14-8. Transfers from one department to another.

The civil service commission shall have the power to so amend its rules that any employee in the classified service in the city may be transferred by such commission from one department to another~~,~~ for the good of the service, provided such transfer is satisfactory to the director of the department to which the employee is transferred~~,~~ and to the director of the department from which he is transferred.

Sec. 14-9. Duty of city officers and employees to assist commission.

It shall be the duty of all officers and employees of the city to aid and assist the civil service commission, and the members and officers and employees thereof, in all proper ways in carrying out the Charter provisions, this chapter and the rules and regulations of the commission, and it shall be an offense for any such officer or employee to willfully fail or refuse so to aid and assist, or to willfully hinder, obstruct or delay the civil service commission, or the members, officers or employees thereof, in any manner in carrying out such Charter provisions, this chapter and such rules and regulations.

Sec. 14-10. Suspension of provisions requiring competition.

When an office, employment, place or position in the classified service, in which peculiar and exceptional qualifications of a scientific, professional or educational character are required, is vacant, upon satisfactory evidence that, for special reasons, competition in such special case is impracticable, and that the position, etc., can be best filled by the selection of some designated person of high and recognized attainments in such qualities, the commission may suspend all provisions requiring competition in such case, but no such suspension shall be general in its application to such place.

Sec. 14-11. Offenses in regard to examinations.

No person or officer or employee shall willfully or corruptly, by himself or in cooperation with one or more other persons, defeat, deceive or obstruct any person in respect to his right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, or aid in so doing, or willfully or corruptly make any false representation concerning the same or concerning the person examined, or willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, being appointed, employed, promoted, reappointed or reinstated.

Sec. 14-12. Hearings and investigations by commission.

The civil service commission may hold hearings concerning all matters touching the enforcement and effect of the Charter provisions for civil service, this chapter and the rules and regulations of such commission concerning the action of any officer or employee of the city in respect to the execution of such Charter provision, this chapter or the rules and regulations of the commission; and in all cases of investigation under the preceding provision, or of an appeal of an officer or employee in the classified service from the action of any officer, department director ~~of department~~ or employee of the city removing, discharging or ~~finally~~ suspending him from his office or employment, the commission, for the purpose of holding such hearing, investigation or inquiry, shall have the power to take testimony, administer oaths and affirmations, subpoena and require the attendance of witnesses and the production of books and papers pertinent

thereto, and to examine such witnesses, books and papers, and it shall be the duty of all persons to obey such subpoenas, produce such books, records and papers, and to submit to examination and give their testimony, in all cases where such testimony, evidence, etc., could be required in a court of competent jurisdiction.

Sec. 14-13. Compiling, checking, certifying and correcting payrolls.

(a) It shall be the duty of every department director to complete ~~compile~~ all payrolls as promptly as possible, and to deliver same to the administration and regulatory affairs department ~~to the office of the civil service commission~~ in good order, properly signed and ready for the city controller. ~~It shall also be the duty of each department to furnish one employee to deliver such payrolls, which employee shall assist the civil service commission in the checking of that department's payroll at the time same is delivered.~~ It shall be the duty of each supervising authority to review and approve time cards, electronically, of direct reports prior to the pay period close.

(b) It shall be the duty of ~~the civil service commission to check all payrolls to determine the legality of employment. Each item shall conform to the civil service records.~~ the director to maintain the active payroll status of all employees.

(c) Payrolls checked under this section shall comply with personnel actions certified by the director. ~~be certified in writing by the human resources director and, when checked by another employee of the commission, shall bear the initials of the employee checking the same.~~

(d) After payrolls have been checked and certified by the administration and regulatory affairs department ~~commission~~, they shall be delivered immediately to the city controller.

~~(e) When items on any payroll are found to be incorrect and are red-lined, the same shall be corrected by the department responsible before the payroll is certified by the commission. No payroll shall be honored by the city controller which has not been first checked and found correct by the commission.~~

(~~f~~e) It shall be the duty of the ~~civil service commission~~ administration and regulatory affairs department director to notify the department director ~~of any city department~~ if any irregularity, mistake or error is found in the names or in the amount of compensation on any payroll~~,~~ and to refuse to certify to the correctness of such payroll until the mistake or error is rectified. All ~~directors of departments~~ department directors, when notified of such irregularity or error, ~~by telephone or otherwise,~~ shall at once ~~rectify same~~ correct the error~~, in order to facilitate the work of certifying to the correctness of any such payrolls~~.

Sec. 14-14. Salaries and wages not to be approved or paid for improper employment.

(a) The city controller shall not approve the payment of, or be in any manner concerned in paying, any salary or wages to any person for services as an officer or employee of the city unless such person is occupying an office or place of employment according to the provisions of the Charter and ordinances of the city and is entitled to payment therefor.

(b) No ~~paymaster, treasurer, director of administration and regulatory affairs, or other~~ officer or agent of the city shall willfully pay, or be in any manner concerned in paying, any person any salary or wages for services as an officer or employee of the city, unless such person is occupying an office or place of employment according to the provisions of the Charter and ordinances of the city and is entitled to payment therefor.

Sec. 14-15. Responsibility for irregularities or mistakes in payrolls.

It is the object of this article to hold responsible the directors of departments furnishing the payrolls for all irregularities, mistakes and incorrectness ~~appearing in the amount of compensation set opposite each name on each payroll~~.

Sec. 14-16. Violation of Charter, this chapter or rules and regulations.

(a) Whenever any person~~,~~ or any officer or employee of the city has any positive duty imposed upon him, or any person or any officer or employee of the city is prohibited from the doing of any act by the Charter provisions for civil service, by this chapter or by the rules and regulations of the civil service commission, now or hereafter adopted and approved by the city council~~,~~ and filed in the office of the city secretary, a willful failure, refusal or neglect to perform such duty, or the willful doing of any act prohibited, shall constitute an offense, and the officer or employee or person convicted thereof shall be punished as provided by section 1-6 of this Code.

(b) If any person~~,~~ or any officer or employee of the city shall be convicted under subsection (a) above, any office, place or position which he may hold with the city shall, by force of such conviction, be rendered vacant, and such person, officer or employee shall be incapable of holding any appointive office, or any office, place or position in the classified service of the city.

Sec. 14-17. Soliciting compensation or offering compensation to hasten an employee's retirement or resignation.

(a) A city employee commits an offense if the city employee pays or offers to pay anything of value to another city employee with the intent to hasten the retirement or resignation of the other city employee in order to gain a promotion in rank, classification or salary or an opportunity therefor.

(b) A city employee commits an offense if the city employee solicits or accepts anything of value from another city employee upon the representation that such payment will hasten the retirement or resignation of the city employee making the solicitation or accepting the payment in order to gain a promotion in rank, classification or salary for the city employee solicited or making the payment or an opportunity therefor.

(c) The term ~~"~~*city employee*~~"~~ as used in this section includes any person employed by the city at the time of the offense whether holding a position that is classified under the Municipal Civil Service System created pursuant to Article Va of the City Charter, a position that is classified under the Firemen's and Policemen's Civil Service System created pursuant to~~ Article 1269m, Tex. Rev. Civ. Stat.~~ Chapter 143 of the Texas Local Government Code or a position that is not classified.

(d) Any person who violates this section shall, upon conviction, be punished by a fine of exactly $500.00.

Sec. 14-18. Creation of § 401(a) plan authorized.

(a) This section applies to any employee of the city, other than a police officer or fire fighter classified under Chapter 143 of the Texas Local Government Code, who upon termination of city employment is entitled to a combined gross benefit amount exceeding $5,000.00 under section 14-170 ~~and/~~or article III of this chapter for accumulated but unused vacation leave and sick leave benefits. This section shall not be applicable if the termination results from the death of an active city employee.

(b) City council hereby authorizes the establishment of a retirement savings plan under 26 U.S.C. § 401(a) and other applicable provisions of federal income tax laws and regulations. The plan shall be as established and amended from time to time by ordinance of the city, and it shall be administered by a third party administrator retained from time to time by contract with the city, as authorized by ordinance.

(c) Notwithstanding any provision of section 14-170 or article III of this chapter to the contrary, any terminating employee to whom this section applies shall forfeit his right to ordinary cash compensation for a portion of the combined gross termination benefit amount otherwise payable under section 14-170 and/or article III of this chapter that is equal to the lesser of: (1) the combined gross termination benefit amount, or (2) the amount of any applicable contribution limit for the plan as established by federal income tax laws and regulations. The amount so forfeited shall be allocated to an account in the name of the employee within the plan established under subsection (b) of this section.

Secs. 14-19—14-26. Reserved.

DIVISION 1. RULE 1. DEFINITIONS

Sec. 14-27. ~~Enumeration~~ Definitions and rules of construction.

The following words, terms and phrases, when ~~they appear~~ used in article I of this chapter and these rules and regulations shall have the~~se~~ meanings assigned to them in this section, unless otherwise clearly indicated in the text:

Accumulated (in reference to time or leave). Days and fractions thereof which are credited to an employee's vacation or sick allowance and gained through length of service with the city.

~~*Active duty.* The actual performance of work or duties prescribed by ordinance, or the actual performance of work or duties assigned by the supervisor or department director.~~

Allocate (*allocation*). Official determination of the class and pay level in which a position in the classified service is deemed to exist.

Appeal. A request in writing by an employee of the city addressed to and filed with the civil service commission, in the manner and within the time provided by the Charter and these rules, seeking an investigation, review or hearing of facts therein represented to constitute a deprivation or impairment of rights vested in such employee as a member of the classified service.

Appointee. An employee of the city who is not an elected official nor one working on a contract basis.

Appointing authority. The mayor.

Appointment. The designation of ~~a person~~ an individual by the appointing authority to become appointed to ~~an employee in~~ a position.

Article Va. Article Va of the City Charter ~~of the city~~, which creates civil service.

Budgetary reasons. Generally assigned in connection with releases, suspensions, or terminations~~,~~ that occur when available funds for a department, division or section, or project are depleted, withdrawn by the proper authorities, or when ~~expected~~ necessary revenues fail to materialize.

Certification. A written statement which advises of confirmation of conditions, individuals or positions by the constituted authority or authorities.

Charter. City Charter ~~of the city~~.

Chief examiner. ~~The director of the department of civil service~~The human resources department director.

Civil service or civil service employee. All city employees, other than probationary employees, embraced within the classifications recognized by the commission and not otherwise ~~exempted~~ excepted from civil service by the Charter.

Civil service staff. The employees in the offices of the commission.

Class. A group of positions which, having common characteristics or similar educational and general qualification requirements or encompassing positions sufficiently alike as to character of duties and responsibilities, warrant for the group essentially the same treatment for all civil service purposes; as, "the engineering class," "the skilled labor class," etc.

Classification. The title of an individual position in the classified service; also the title of an individual employee in the service.

Classification plan. Orderly arrangement of positions into separate and distinct classes so that each class will contain those positions which involve similar duties, responsibilities, and qualification requirements.

Classified (position—service). All positions and their titles which have been created by council and are under civil service.

Commission. The civil service commission of the city.

Compensation plan. Schedule of salaries or salary ranges established by ordinance for the several classes of positions in the service of the city; the provisions whereby all positions of a given classification will be paid either the same salary or within the same salary range.

Council. The city council ~~of the city~~.

Demotion (demote). A change in (or change to) the employment status of an ~~civil service~~ employee to a position of ~~less responsibility or~~ lower classification or lower pay grade ~~salary range~~.

Department. Each department, division of a department, office, or division of an office of the city that is listed on Exhibit A at the end of Division 11, without regard to whether it constitutes a department of the city government.

Department director. Each person appointed as a department director by the mayor and confirmed by the council to assume the administrative duties of the various departments of the city. For the purposes of administering this article only, each person appointed by the mayor as the director or head of the division

for each division of the mayor's office shall be considered a "department director." For purposes of mayor and councilmember offices, the mayor shall be considered the department director.

~~Demotion. A change in the employment status of a civil service employee to a position of less responsibility or lower classification or salary range.~~

Director. The human resources department director.

Discharge. Act of removing an employee from the roster of the city ~~dispensing with, terminating the services of, or dismissing an employee~~.

~~*Disciplinary (action measure).* A penalty imposed upon a civil service employee by the legally constituted authority.~~

Eligible (eligibility). One whose name is placed upon an employment, reemployment, reappointment or promotional list for a given class or classification after fulfilling the requirements therefor; attainment by an applicant, after passing the prescribed tests and fulfilling the qualifications, of the right to be certified as a prospective incumbent of a position.

~~*Employment list (same as an eligibility list).* Names arranged in order of merit, of persons who have passed suitable tests and possess the necessary qualifications and who are entitled to be certified for original appointment under the provisions of article Va and these rules.~~

Examination. A standard means by which an individual's or group's knowledge, skill, and/or ability in a particular area is evaluated, but which is not an employee performance rating. Examinations must be open, competitive, and free in accordance with the charter.

Full-time (employees, employment, position). ~~Those~~ Refers (or relates) to employees who are scheduled to work 80 hours per pay period ~~full days or full shifts regularly week after week~~ throughout the year.

~~*He (she).* Use of the masculine noun or pronoun shall be held to include the feminine; use of the singular shall be held to include the plural and conversely~~.

Hearing. A commission session ~~of the commission~~, following notice to the interested party or parties, held for the purpose of receiving evidence and thereafter reaching a decision with respect to matters or controversies appropriately submitted to it for determination.

List of applicants. Those persons who have completed and submitted an application for employment, grouped according to merit, qualifications or pass/fail grade.

List of eligibles. A final list of applicants who have passed suitable examinations and/or possess the necessary qualification and who are eligible to be certified for an original appointment or reappointment under the provisions of Article Va and these rules.

Noncivil service employees. ~~Those~~ An employee not under civil service as ~~elsewhere~~ defined by the charter.

Number. Use of the singular shall be held to include the plural, and use of the plural shall be held to include the singular.

Original appointment. Authorization for an eligible to begin work at a stated time and with a specific title and salary; such eligible shall not have previously worked for the city.

Part-time (employees, employment, position). ~~Employees~~ Refers (or relates) to employees of the city who ~~normally~~ are scheduled to work less than 80 hours per pay period.~~an eight hour day or a 40-hour week.~~

Pay grade. A designated level in a compensation plan with an assigned salary range to be used for any classifications determined to have that relative value.

Performance rating. The prescribed methods for determining the varying degrees of efficiency, production, capacity and the general contribution of a civil service employee.

~~*Regular Permanent (position, employee, employment).* A position requiring full-time regular employment which has reasonable expectancy of continuing indefinitely; an employee occupying such a position and who has fulfilled the required probationary period of one year in a civil service position; appointment to such a position of an eligible who has reasonable expectancy of continuance permanence even though his probationary period may not have ended, this as distinguished from temporary employment, emergency employment, etc., where in the latter cases a limited term of employment was contemplated when either the position was created or the appointment was made.~~

Probationary employee. An employee who has not completed his first year of employment~~,~~ after original appointment or reappointment~~,~~ in a civil service position~~, or who has not completed the necessary six months if in a position to which he has been promoted~~.

~~*Probationary period.* Length of time during which an employee is on trial and is expected to prove his complete fitness for his position.~~

Promotion. A change in the employment status of an ~~civil service~~ employee to a position of ~~more responsibility or~~ higher classification or ~~salary~~ pay grade.

Promotional examination. Examination of employees as a selection procedure for awarding promotions on the basis of merit. ~~All tests of fitness, separately or taken together, and restricted to classified employees, for determining the eligibility of applicants for promotion.~~

Promotional probationary employee. An employee who has completed his probationary period after original appointment or reappointment in a civil service position, but has not completed the necessary six months in a position to which he has been promoted.

Reappointment. Authorization for a former employee to resume city employment, usually the position he last held but also any ~~similar~~ position, which appointment of itself (without the approval of the commission then given) does not restore seniority formerly held by such appointee.

Reassignment of duties. Result of changing by a supervisor, section head, division head or department director of an employee's duties or responsibilities, ~~either~~ whether gradually or suddenly, whereby the~~se~~ duties or responsibilities then vary substantially from those in the job description and/or most recent employee performance plan ~~statement of duties~~ last given for that position.

Reclassification. Change in title of a position; also change in title of an employee either through promotion, demotion or transfer.

~~*Reemployment.* (See reappointment).~~

Reemployment list. Names of persons, arranged in the order prescribed by these rules, who formerly occupied classified positions in the classified service and are entitled to certification to the appointing authority for reappointment after a layoff.

Regular ~~Permanent (position, employee, employment).~~ ~~A~~ In reference to a position, one requiring full-time ~~regular~~ employment which has reasonable expectancy of continuing indefinitely; in reference to an employee, one who occupies ~~occupying~~ such a position and ~~who~~ has fulfilled the required probationary period of one year in a civil service position; and in reference to employment, appointment to such a position of an eligible who has reasonable expectancy of continuance ~~permanence~~ even though his probationary period may not have ended, ~~this~~ as distinguished from temporary employment, emergency employment, etc., where in the latter cases a limited term of employment was contemplated when either the position was created or the appointment was made.

Reinstatement. The commission's return of an employee to regular employment of the city with or without back pay and/or seniority.

Salary range. The amounts from minimum to maximum ~~and minimum amounts~~ for a pay grade ~~fixed by the council~~ within which ~~an employee's~~ a specific salary may be determined.

~~*Service ratings.* The prescribed methods for determining the varying degrees of efficiency, production, capacity and the general worth of a civil service employee.~~

Supervising authority. An employee who is charged with the responsibility of overseeing the work of one or more other employees, usually a department director but may also be a division head, section head~~, foreman~~ or other designated employee.

Suspension. Period of time during which an employee, through disciplinary action ~~of a superior~~, is forbidden to work and is denied salary ~~during such period~~.

Termination. The cessation of employment with the city.

~~*Test of fitness.* Means or measures, which may include separately or collectively written or oral examinations and medical examinations as performed by designated examining physicians.~~

Title. The designation given to a position; also the designation of an incumbent of a position in the classified service.

Sec. 14-28. Task system employees.

(a) Upon the request of the department director of the department in which they are employed, ~~permanent~~ regular, full-time employees of the city may be designated by order of the commission as "task system employees." Requests to the commission for such designations shall be made by the department director who shall demonstrate to the commission each of the following:

(1) The identity of classifications or positions of employment requested to be designated for task system employees.

(2) That the work performed within those positions or classifications is not temporary in nature, that the work is of a kind which varies in a predictable manner by season or otherwise so that more work is required to be performed in some workweeks than in other workweeks, and that the annually adjusted regular workweek of the employees therein requires the actual performance of an average of 40 hours of work per week.

(3) That the department director has developed a means of equitably assigning the employees involved so that each will be required to perform a specifically assigned task or tasks as his weeks' work, which task or tasks will, on an annually adjusted basis, require the actual performance of an average of 40 hours of work per week.

(4) That it is impracticable to assign the employees involved to a regular and uniform 40-hour workweek.

(b) The task system employee designation may be removed by the commission at any time upon its own motion or upon request of the department director and a finding that the conditions justifying its establishment as defined in subsection (a), above, no longer exist.

(c) Task system employees shall be considered to be full-time employees, and those task system employees who are not otherwise exempt from civil service classification under section 2 of article Va~~, section 2 of the Charter~~ shall be entitled to civil service classification.

(d) The tasks to be performed as a regular workweek by each task system employee shall be as assigned from time to time by the department director. Such tasks shall be allocated so that they will require the actual performance of an average 40 hours of work per week on an annually adjusted basis. The department director shall maintain, by use of time clocks, a record of the hours actually worked by each task system employee by name and classification and shall furnish an annual report thereof for each calendar year to the commission by the thirty-first day of January of the next year so that the commission may properly review its designation pursuant to subsection (b) above. Any task system employee who is aggrieved by his or her task assignments shall be entitled to the recourse provided by the grievance procedure established in section 14-50 of this Code.

(e) Notwithstanding the requirements of subsections (a) and (d), above, the~~ civil service~~ commission may, by order, find that an average of a lesser number of hours of productive effort is equivalent to an average of 40 hours per week on an annually adjusted basis for any classifications or positions of employees authorized for task system assignment, if their department director demonstrates to the commission each of the following:

(1) That the employees are required by virtue of the nature of their work to perform strenuous and continuing physical labor without an opportunity for the rest periods which are usually afforded to employees in other classifications;

(2) That no practicable means exist to restructure the employees' work assignments to provide such rest periods; and

(3) That the work tasks assigned to the employees will require a productive effort which is equivalent to not less than 40 hours of work as performed by other city employees who are assigned to labor under the normal working conditions associated with city employment.

Employees who are authorized to perform a reduced workweek pursuant to this section shall, nevertheless, not be subject to overtime benefits in any workweek unless and until all of the requirements of section 14-168 of ~~the City~~ this Code, specifically including the requirements of subsection (e) thereof have been met. The designation of any position or classification of task system employees as equivalent workweek employees shall not impair their right to civil service classification under subsection (c) above. Consistent with the nature of the work to be performed, the commission shall establish minimum time in attendance work hour requirements, which shall in no event be less than 32 hours per week, for payroll reporting purposes as to each position or classification of task system employment which is authorized to perform an equivalent workweek under this subsection.

Secs. 14-29—14-32. Reserved.

Sec. 14-33. Appointment of commission.

There shall be a civil service commission duly installed and authorized to operate under the provisions of section 1~~,~~ of ~~a~~Article Va ~~of the City Charter~~.

Sec. 14-34. Purposes of rules.

These rules ~~are adopted to conform with provisions of article Article Va of the City Charter and~~ shall be known as the civil service rules for employees of the city (other than fire fighters and police officers ~~firemen and policemen~~)~~,~~ and are adopted to conform with provisions of Article Va for the purpose of establishing procedures for handling those matters which are the responsibility of the civil service commission in such a way as to ~~insure~~ ensure:

(1) That all appointments and promotions to, and separations from, positions in the classified service shall be made on the sole basis of merit and fitness, which, so far as is practicable, shall be ascertained by means of competitive examinations. ~~which may be either written, oral or unassembled.~~

(2) That a plan of classification and fair compensation for positions therein shall be adopted which will conform with the principle of like pay for like work.

(3) That employment in the service of the city shall be made attractive as a career.

(4) That each civil service employee shall be encouraged to render his best service in compliance with all of the provisions of his employment.

(5) That a modern, comprehensive ~~efficiency~~ performance rating system shall be provided whereby economy and effectiveness in personal services may be promoted to the mutual benefit of the employees and the taxpayers.

Sec. 14-35. Application of rules.

These rules shall apply to all positions in the classified service, except those as otherwise provided for in section 2 of ~~article~~ Article Va.

Sec. 14-36. Adoption and publication of rules.

Civil service rules, when adopted by the commission and approved by the council, shall be effective but shall also be published publically through the use of any media most likely to reach citizens of the city, employees and applicants, including electronic media. ~~in some newspaper in the city (section 4, article Va). Insertion of such notice in a single issue of a Houston newspaper of general circulation shall be treated as being in compliance with this requirement.~~

Sec. 14-37. General powers and duties of the commission.

(a) In accordance with the provisions of sections 2 and 4 of ~~article~~ Article Va, the commission shall have the power to amend, repeal or supplement these rules at any time and adopt new rules which shall become effective upon approval thereof~~,~~ by the ~~city~~ council.

(b) The commission shall, in cooperation with the mayor and ~~city~~ council, develop job descriptions and qualifications~~,~~ and recommend to the council a compensation plan of properly related scales of pay for all classes of positions.

(c) The commission shall, in cooperation with the mayor and ~~city~~ council, develop regulations covering vacations, sick leaves, leaves without pay, injury leaves, and other leaves, which will take effect when approved by the council.

(d) The commission shall develop a system of ~~efficiency~~ performance ratings and administer same for employees in the classified service.

(e) The commission shall develop and enforce a code of rules and regulations which, being based upon merit, efficiency, production, character and conduct, will provide for:

(1~~.~~) ~~a~~Appointments and employment in all positions of the classified service; ~~for~~

(2~~.~~) ~~r~~Reduction in forces; ~~for~~

(3.) tThe order in which employees shall be laid off and reinstated;, and for

(4.) aAppeals from dismissals, demotions and suspensions.

(f) The commission shall direct the administration and enforcement of the civil service rules and regulations and ordinances which affect the civil service commission. Should the civil service commission have reason to believe any officer, board, commissioner or person concerned with appointment, layoff, demotion, suspension, indefinite suspension, discharge or promotion, has abused such power by executing or recommending any action in violation of the civil service rules and regulations or ordinances or Charter provisions covering civil service, it shall be the duty of the commission to make an investigation and, if violation of the provision or spirit and intent of the law or rules and regulations is found, the commission shall make a report thereof to the mayor and city council and recommend appropriate action.

(g) The commission shall order reinstatement without loss of pay for any employee who has been discharged, demoted, indefinitely suspended, reduced in rank or compensation, suspended or transferred for religious, racial or political reasons.

(h) The commission shall order reinstatement without loss of pay for any employee in the classified service who has been discharged, demoted, indefinitely suspended, reduced in rank or compensation in any instance where, following a hearing, the commission finds as a fact that such discharge, demotion, indefinite suspension, reduction in rank or compensation was not affected in a manner consistent with these rules and regulations.

Sec. 14-38. Duties of director.

The duties of the director shall be:

(1) To recommend for action by the civil service commission rules and regulations for the proper administration and development of the merit system for employees of all departments.

(2) To recommend for action by the civil service commission rules and regulations for the establishment of a classification plan for all positions affected herein, based upon similarity of duties and responsibility.

(3) To recommend for action by the civil service commission rules and regulations for the establishment of a compensation plan for all positions affected herein, in conjunction with the directors of the departments.

(4) To recommend for action by the civil service commission rules and regulations for the establishment of open, competitive and free examinations.

(5) To recommend for action by the ~~civil service~~ commission reasonable provisions for preference for service of persons who:

a. ~~h~~Have been members of the armed forces of the United States covered by the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended;~~,~~ and

b. ~~w~~Who are able to produce evidence of an honorable discharge.

(6) To recommend for action by the ~~civil service~~ commission such other rules and regulations, including but not limited to matters pertaining to attendance of witnesses, filling of vacancies, promotions, demotions, probationary periods, layoffs, discharges, reductions and suspensions, and appeals from actions taken therewith; to make recommendations tending to establish and maintain harmony between the commission and the various city departments; to improve selection methods; to reduce excessive turnover of personnel in the departments; to forestall excessive increases in personnel; to make available to the various departments the best personnel practices; to develop an adequate and comprehensive system of personnel records; and, generally, to perform at the direction of the commission any other work necessary or proper for making effective the provisions of ~~article~~Article Va ~~of the Charter~~ and the rules and regulations and the ordinances pertaining thereto.

(7) To hold examinations, pass upon qualifications of applicants, establish lists of eligible~~s lists~~ as needed, and to certify ~~names~~ lists of eligibles to department directors for filling vacancies in the city's service.

(8) To serve as executive head of the civil service staff, to direct and supervise all of its administrative and technical activities, and with the approval of the commission, and under the budgetary procedure of the city, to direct and control the expenditures from appropriations for the ~~civil service~~ commission.

(9) To serve as secretary of the commission, to keep the minutes and records thereof, and in all other proper ways to facilitate the actions and proceedings of the commission.

(10) To examine and qualify for appointment all employees of the commission except the director and the members of the commission, and to plan, direct and supervise their work.

(11) To establish and maintain a ~~roster~~ record of all city employees, showing as to each the classification, position held, the salary or wages, the address, and any other necessary data, and ~~record~~ all changes ~~thereof~~ thereto.

(12) With the approval of the commission, to allocate each position in the classified service to its appropriate class and pay level in the classification plan and reallocate positions as conditions warrant.

(13) To recommend to the commission for its adoption amendments to ~~of classes in~~ the classification plan.

(14) To make such investigations as he may deem desirable with respect to the enforcement and effect of the civil service provisions of the Charter, the ordinances, and the rules over which the commission has jurisdiction, and to make such other investigations as the commission or the mayor may request, and to make special reports thereon.

(15) To aid the mayor and department directors in handling matters over which the commission has jurisdiction.

Secs. 14-39—14-43~~44~~. Reserved.

DIVISION 3. RULE 3. OFFICERS, MEETINGS, ETC., OF COMMISSION

~~**Sec. 14-44. Reserved.**~~

Sec. 14-45. Meetings generally.

All meetings of the commission shall be held in ~~the city hall~~ an appropriate public meeting place, shall be open to the public, and shall be held on the days and hours that the commission from time to time may designate. Special meetings may be held on the call of the chairman or the director.

Sec. 14-46. Rules of order, evidence or procedure.

The commission shall not be bound by any rules of order, evidence, or procedures in its meetings, hearings, or investigations, except such rules as it may establish.

Sec. 14-47. Quorum.

Two members of the commission shall constitute a quorum for the transaction of business. A meeting shall be adjourned in the absence of a quorum.

Sec. 14-48. Power to take action.

Neither the commission nor any member shall have power to take action except by authority of majority vote in the meeting assembled.

Sec. 14-49. Duty of director to attend meetings; minutes of meetings.

The director~~,~~ or ~~in case of his absence or disability, the one acting for him,~~ his designee shall attend all meetings of the commission; shall act as its secretary and have recorded its official actions in the minutes; and shall have recorded a commissioner's dissent with his reasons therefor when such there be. The director or chairperson may ~~shall~~ cause the minutes to be transcribed and ~~shall~~ presented ~~them~~ for approval or ~~amendment~~ amendment.~~at the next meeting.~~ The official copy of the minutes and any amendments thereto~~, or a true copy thereof,~~ shall be ~~certified by the chairman or vice-chairman, and attested by the director, and be~~ kept in the office of the ~~civil service~~ commission.

Sec. 14-50. Grievable issues.

Any civil service protected employee who feels aggrieved due to:

(1~~.~~) Nonselection for a promotion to a referred position; and/or

(2~~.~~) Hazardous working conditions not intrinsic to the job; and/or

(3~~.~~) Employee performance ~~evaluations~~ ratings with an overall rating of less than acceptable or effective or the equivalent; and/or

(4~~.~~) Failure to receive a performance ~~evaluation~~ rating if delayed more than six months; and/or

(5~~.~~) Failure to be paid overtime or compensatory time, if eligible, appropriate, and worked; and/or

(6~~.~~) Written reprimand~~;~~

may file a grievance and pursue it through as many of the grievance steps provided by this chapter as desired ~~and provided by this chapter~~.

Sec. 14-51. Grievances generally.

At each step in ~~these~~ the grievance proceedings, the following shall apply:

(1) At all times, the department will give the grievant at least four calendar days notice of any step meeting unless a shorter period is mutually agreed upon. At each step in the process the participants shall appear in person and fully, candidly and openly discuss the grievance in an effort to mutually resolve the disputed issues.

(2) The grievant must submit the grievance on the appropriate forms provided by the director with the grievant's original signature. The grievance form may not be signed by a representative, or faxed, e-mailed, or otherwise

transmitted by electronic means to the grievance coordinator or the commission.

(3) The grievant and department management are required to mutually disclose non-privileged information, names of witnesses/persons with relevant knowledge, and provide documents to be used in the step meetings. Failure by either party to disclose known witnesses/persons with relevant knowledge, documents or information may be grounds for exclusion/inclusion of such evidence, where appropriate. Failure by the department to disclose known witnesses/persons with relevant knowledge, documents or information shall subject the person responsible to discipline.

(4) With the approval of a grievance examiner, a grievance may be discontinued at any step in the process for the grievant's unexcused failure to disclose witnesses/persons with relevant knowledge, documents or information, or failure to cooperate or respond. Such decisions may be reviewed by the commission.

(5) The dates required herein for scheduling meetings/hearings may not be extended except where an investigation for criminal misconduct is pending, where the failure to meet a date is the result of an authorized leave of absence or excused illness of the grievant, or the parties mutually and voluntarily agree in writing to extend the deadlines. Any extension granted must be reasonable and not unduly or unnecessarily delay the grievance process.

(6) Upon mutual agreement, grievances by more than one grievant arising out of the same or similar fact situations may be consolidated and heard concurrently at the discretion of the department.

(7) Grievances by the same grievant may be consolidated and heard concurrently at the discretion of the grievance examiner at step III.

(8) The grievant and the department shall be allowed to have a representative present at any meeting or hearing authorized herein, though each shall be conducted so that the grievant may represent himself if he so chooses. No representative need be a licensed attorney. Any representative must be in compliance with section 14-183(a)(10) of this Code.

(9) No electronic or other technological mode of recording may be used at step I or II proceedings by any participant.

(10) Grievance forms and related documents shall not be filed in a grievant's personnel file. Every reasonable effort shall be made to keep grievances

and the documents related thereto from disclosure to persons without a need to know, except as required by state, federal or local law.

(11) Neither step I or II meetings nor step III hearings shall be open to the public.

(12) In each step of the grievance process, the grievant shall be allowed a reasonable time off from his regular duties to file his grievance and to attend step I or II meetings or a step III hearing thereon, and such time off shall not be charged against the grievant. Such allowed time does not include time for preparation, meetings with witnesses or representatives, drafting responses or gathering evidence, etc. At its discretion, the department may provide an alternative work schedule or overtime as needed to accommodate the grievant's attendance at step meetings or hearings.

(13) Subpoenas may be issued only for step III hearings and will be limited to a maximum of five fact witnesses per grievance. Upon presentation of the subpoena, city employees will be allowed reasonable time for travel and participation at step III hearings and~~, if city employees,~~ will be compensated (regular or overtime hours, as appropriate) by the department.

(14) If a grievant resigns his position with the city or is indefinitely suspended while a grievance is pending at any step proceeding, the grievance shall become moot and all further processing shall be discontinued.

Sec. 14-52. Grievance filing period.

Grievances shall be in writing and received by the designated departmental grievance coordinator within 30 calendar days (including weekends and official city holidays) after the occurrence of the action or inaction or the date on which the grievant knew or should have known through the exercise of reasonable diligence of the action or inaction for which the civil service protected employee feels himself aggrieved. This time period shall be mandatory and jurisdictional.

Sec. 14-53. Compliance oversight.

The director shall recommend to the commission for approval a procedure~~s~~ for the handling of grievances. It shall be the responsibility of the director to monitor, coordinate and facilitate the processes of this grievance procedure. The director may designate one or more persons who shall assist the designated departmental grievance coordinators to resolve any questionable or challenged grievances, schedule and coordinate step III hearings, give timely and proper notice to all parties of step III hearings, and shall take such other and further action as shall be required to assure that

this grievance procedure operates timely, correctly and effectively in compliance with these rules.

Sec. 14-54. Grievability challenges.

If there is any doubt as to whether an issue is grievable under section 14-50 above, a written request may be directed to the director to have the grievance referred to a grievance examiner for a determination of grievability. Either the grievant's department, the director or the grievant may challenge grievability at any point in the grievance process and submit written arguments on the issue of grievability.

(1) At the request of either the grievant or the department, the grievance examiner's determination of grievability may be referred to the commission for review without hearing or testimony. Written arguments may be submitted to the commission; however, no other issues or new evidence on the issue of grievability may be submitted to the commission by either party at any time.

(2) When a request for a determination of grievability is filed with the director or the commission, all subsequent time frames in the grievance step process shall be suspended during the period of referral and review by the grievance examiner and/or the commission.

Sec. 14-55. Grievance process.

The grievance process shall consist of four steps.

(1) Step I:

a. The step I grievance form may be obtained from the departmental grievance coordinator. The completed form must be received by the grievance coordinator on or before the deadline. The date the grievance is filed shall be documented on the grievance form by the grievance coordinator. Thereafter, the grievance coordinator must arrange a meeting between the grievant and the immediate supervisor or another supervisor in the chain of command who might better resolve the grievance at this step, and/or other appropriate party~~(~~ies~~)~~ to be concluded no later than 30 calendar days after the date on which the grievance was received. If the meeting is not concluded within 30 calendar days, the grievance shall proceed automatically to step II.

~~(~~i~~)~~[1] No later than 24 hours before the meeting, the parties shall mutually exchange all documents reasonably related and relevant to the grieved issue.

~~(ii)~~[2] If the grievance may not be resolved by the immediate supervisor because of a lack of authority to resolve the issue, steps I and II may be combined.

~~(iii)~~[3] If the grievant's immediate supervisor is the department director, steps I and II are automatically combined and considered concurrently. In such case, the department director shall meet with the grievant and shall not appoint a designee.

~~(iv)~~[4] When a performance rating of less than effective ~~EPE evaluation~~ is grieved, at the option of the grievant, steps I and II may be combined and the grievance may proceed directly to a step II meeting. If steps I and II are combined, all time frames shall ~~remain~~ be the same as at step II.

b. Regardless of the outcome of the step I meeting, the immediate supervisor or appropriate party shall respond in writing not later than ten calendar days after the date on which the meeting was concluded. The response must include the supervisor's evaluation of the grievance and proposed resolution~~(s)~~, if any. Any proposed resolution must be within the authority of the supervisor or approved by the department director.

~~(i)~~[1] The supervisor or appropriate party shall submit the completed written response to the grievance coordinator. The grievance coordinator shall forward the supervisor's response to the grievant with a copy to the director. The response shall be either personally delivered by the grievance coordinator to the grievant or be served by certified mail, return receipt requested, to the last address of record provided by the grievant on the step I grievance form.

~~(ii)~~[2] If no written response is submitted by the supervisor or appropriate parties within the ten calendar days following the conclusion of the step I meeting, the grievance coordinator shall have an additional ten calendar days to automatically schedule a step II meeting. Notice shall be given to the grievant, the department director/designee and the supervisor. A supervisor or appropriate party who fails to comply with the requirements of this section or to do so timely~~,~~ may be disciplined.

~~(iii)~~[3] An untimely filed response may be accepted at the discretion of the grievant, but will not avoid the automatic referral to

step II unless the grievant requests that the grievance be withdrawn.

c. Proposed resolution~~(s)~~ for each grievance by a supervisor or appropriate party must be accepted by the grievant entirely or not at all. If the proposed resolution is rejected, the grievant may file a step II grievance form with the department grievance coordinator. If the grievant fails to timely file a step II grievance form, the grievance process is terminated. If the grievant accepts the proposed resolution~~(s)~~, the department must implement the proffered resolution~~(s)~~.

(2) Step II:

a. To continue the grievance, the grievant must reject all of the proposed step I resolution~~(s)~~, specifying reasons for the rejection on the step II grievance form. The completed step II grievance form must be received by the department grievance coordinator no later than the tenth calendar day after the date on which the grievant was served with the supervisor's response. If certified mail is used to give the step I response to the grievant, the step II grievance form still must be received no later than the tenth calendar day after the date the step I response ~~is~~ was mailed.

b. The grievance coordinator shall arrange a step II meeting between the grievant, the immediate supervisor and/or the appropriate party~~(ies)~~ at step I and the department director or a designee of at least an assistant director level or the equivalent selected by the department director.

~~(i)~~[1] Where steps I and II are combined, and the grievant's immediate supervisor is not the department director, the department director or a designee of at least assistant director or the equivalent shall hear the grievance. If the grievant's immediate supervisor is the department director, the combined step I and II meeting shall be with the department director and may not be held with a designee from any level.

~~(ii)~~[2] The step II meeting must be concluded no later than 45 calendar days after the date on which the step II grievance form was received by the department's grievance coordinator. If the meeting is not concluded within 45 calendar days, the grievant has ten calendar days to request that a grievance examiner order the grievance to proceed to step III without a step II meeting. Such a request must be

filed with the civil service coordinator at the human resources department in accordance with procedures recommended by the director and approved by the commission.

~~(iii)~~[3] No later than 24 hours before the scheduled step II meeting, both parties must mutually exchange through the grievance coordinator~~,~~ any additional non-privileged documents not previously disclosed or discovered through the exercise of reasonable diligence or provided at step I which are related to the grievant and reasonably related to his grievance or the grieved issue. Documents or information indirectly related to the grievant or his issue or related to other employees may be disclosed at the discretion of the department and the grievant respectively.

c. Within ten calendar days after the date the step II meeting concludes, the department director or the designee who conducted the step II meeting shall provide a written response to the grievance issues together with proposed resolution~~(s)~~ to the grievance coordinator who shall be responsible for service of the response on the grievant in person or by certified mail, return receipt requested, to the last address of record provided by the grievant on the step II grievance form.

~~(i)~~[1] Any proposed resolutions must be within the authority of the department director or designee.

~~(ii)~~[2] If no written response is submitted by the department director or the designee within the ten calendar days following the conclusion of the step II meeting, the grievance coordinator shall have an additional ten calendar days to refer the grievance to the civil service coordinator of the human resources department to automatically set the grievance for a step III hearing. Notice shall be given to the grievant, the department director or the designee and the supervisor that the matter was automatically referred to step III.

~~(iii)~~[3] An untimely filed response may be accepted at the discretion of the grievant, but will not avoid the automatic referral to step III unless the grievant requests that the grievance be withdrawn.

d. Proposed step II resolution~~(s)~~ must be accepted by the grievant entirely or not at all. If the grievant accepts the proposed resolution~~(s)~~, the department must implement the resolution~~(s)~~.

(3) Alternative mediated Step II proceeding for written reprimands or a performance ~~evaluations~~ rating of less than effective: At the time of filing of a step II proceeding only for a grievance of a written reprimand or an employee performance ~~evaluation (EPE) rating of that is~~ less than effective, the grievant may elect to proceed to a step II meeting with a department director or designee or to proceed to request a mediated step II in accordance with the procedures set forth below.

a. The director shall be authorized to establish a mediation program and to develop procedures for its implementation. Prior to implementation, the commission shall approve rules and procedures for step II mediations, which shall be in writing and made available to all parties. A mediation program for this purpose shall have certified mediators who shall not be city employees. A mediation program established under this section shall have the following features:

~~(i)~~[1] At step II, instead of a meeting with the department director or a designee, the parties may mutually agree to mediate ~~either~~ the grievable issue (written reprimand or less than effective ~~EPE~~ performance rating). A mediated step II must be accomplished within the same time frames as a nonmediated step II proceeding.

~~(ii)~~[2] If a settlement is reached and reduced to writing and signed by all parties at the mediated step II, no further appeal is allowed.

~~(iii)~~[3] If a settlement is not reached through mediation, a grievant who wishes to continue the grievance shall file a step III request for grievance hearing with the director on or before the tenth calendar day following the conclusion of the mediated step II meeting.

b. No mediator may be called to testify at the commission or at a step III hearing.

(4) Step III: The director or his designee shall coordinate all proceedings at steps III and IV.

Grievance examiner

a. The completed step III request for grievance hearing form obtained from the human resources department must be received by the director on or before the tenth calendar day following service of the written step II department response or the conclusion of the mediation, as applicable. If the grievant fails timely to file a step III request, the grievance process is terminated. The request for grievance hearing must specify the reasons for the rejection. The director or his designee shall notify the department grievance coordinator when a step III request is filed and serve notice of the scheduled hearing date and time on the grievant and the department director/designee at least ten calendar days before the hearing.

b. The grievance examiner shall conclude an evidentiary hearing within 60 calendar days after the date of receipt by the director of the step III request for grievance hearing. If the grievant fails to appear at the hearing, the grievance examiner shall dismiss the grievance.

c. Step III grievance hearings shall be limited to the issues articulated at step I and shall be conducted as informal administrative proceedings. The presumption in favor of the departmental action mandated by the Charter is rebuttable. The burden shall be on the grievant to support the grievance by a preponderance of the evidence.

d. At each hearing, the grievance examiner shall:

(i)[1] Review the current status of the grievance;

(ii)[2] Determine whether jurisdiction is proper;

(iii)[3] Determine the issues to be addressed and the extent to which evidence will be allowed;

(iv)[4] Determine who will be allowed to testify and what documentary and other evidence will be admitted; and

(v)[5] Hear the evidence and ensure that the proceedings follow due process and these rules.

d. Written rules of evidence, order and procedure shall be adopted by the commission with copies provided to the parties at the time of filing. All rules adopted by the commission for step III hearings shall be enforced by grievance examiners. A record shall be made of the hearing. The hearing shall be transcribed.

e. The parties to a hearing before the grievance examiner shall be the grievant, his representative, ~~and~~ the department, by and through a departmental representative designated by the department director, and the department's attorney. Other persons who may attend include fact witnesses, appropriate supervisory personnel, and any other persons necessary for a fair determination of the grievance.

f. The director, on behalf of the commission, ~~Grievance examiners~~ may issue subpoenas to require the attendance of witnesses and/or the production of books, documents, records or other tangible evidence relevant to any factual dispute. At the time of hearing, the grievance examiner will determine which witnesses will be allowed to testify. Alternative forms of allowable testimony (video, telephonic, deposition, affidavit, etc.) may be accepted in addition to or in lieu of live testimony if, in the opinion of the grievance examiner, such alternative testimony is credible, relevant, authentic, and reliable.

g. All witnesses shall be examined under oath in relation to any matters relevant to the grievance issues. No general references or character evidence or testimony shall be allowed in any form, including character affidavits, declarations or statements. Persons to be called as witnesses may be excluded from the hearing room during the taking of testimony upon the request of either party.

h. Grievance examiners may impose a reasonable time limit on the time allowed the parties to present evidence or examine witnesses, limit the number of witnesses to be heard in accordance with commission rules, and ~~may~~ restrict presentation of the issues or the proceedings.

i. After the close of evidence and the arguments of the parties, if any, ~~are allowed,~~ the grievance examiner may rule immediately into the record or take the matter under advisement. In either case, the grievance examiner shall file a written determination within 15 calendar days after the date the hearing concludes. The determination shall consist of findings of fact and conclusions of law based upon the grievance issues, evidence, legal principles and arguments presented, and recommendations for resolution of the grievance. The authority and powers of the grievance examiner are limited to those of the commission as reflected by the commission's rules, the Charter and ordinances. A grievance examiner may not exceed ~~his/~~her jurisdiction or authority or recommend relief that is not otherwise authorized by this chapter or these rules.

j. The grievance examiner's determination shall be served on the grievant on or before the fifth calendar day following receipt by the director with a copy to the commission and the department director.

k. If the grievance examiner's determination is improper due to lack of jurisdiction, authority, due process or sufficiency of the evidence to sustain the examiner's findings or recommendations, either party may file a step IV request for review on a form provided by the director. If both the grievant and the department director fail to timely file a request for review, the grievance examiner's determination is deemed affirmed by the commission and the grievance process terminated.

(5) Step IV:

a. The completed step IV request for review form must be received by the commission on or before the tenth calendar day following service of the grievance examiner's determination.

b. The step IV request for review form provided by the director must include all of the reasons for the request, all agreed facts and issues through step III and may include a statement in support of the issues and/or a proposed resolution together with all supporting documentation and justification for the request. A copy shall be served upon the opposing party. No reply statement is allowed by the filing party.

c. The opposing party may file a response in support of the determination and/or a proposed resolution together with any agreed issues and/or facts and all supporting documentation and justification to be served upon the commission and all opposing parties at least seven calendar days before the scheduled commission review. The burden of proof remains on the grievant.

d. If both parties file a step IV request for review, each may prepare and file a response to the opposing party's request and statement.

e. Review by the commission shall be limited to the evidence before the grievance examiner<u>, including the transcript from the Step III hearing</u>. No new evidence may be submitted or introduced for the first time at step IV.

f. The commission may affirm, reverse, or modify the grievance examiner's determination and issue an order which shall be served upon the parties with a copy to the grievance coordinator and the

grievance examiner. The commission's order is final for all administrative purposes.

Sec. 14-55.1. Grievance coordinators.

(a) Each department director or designee shall appoint from among the employees in that department one or more grievance coordinator~~(s)~~ who shall perform without additional compensation the ministerial, administrative and clerical duties required to coordinate this grievance procedure within the department. The title "grievance coordinator" is a functional designation of ~~the~~ each person~~(s)~~ selected by the department to be the focal point for the initiation, facilitation and completion of the mechanics and logistics of the grievance process~~,~~ and confers no official status, position, authority, or power upon the person~~(s)~~ so appointed. The department director or designee may assign additional duties to ~~the~~ grievance coordinator(s) relating to any employee concerns review programs adopted by the department.

(b) The grievance coordinator~~(s)~~ shall:

(1) Be responsible for implementing the requirements of this procedure and ensuring timely and correct compliance with these rules within the department.

(2) Provide all civil service protected employees with appropriate forms for filing grievances, upon request, along with written instructions or guidelines, but shall not assist or fill out the forms for the grievant.

(3) Before accepting the grievance, receive and review the grievance form to ensure that it is:

a. Grievable as set forth hereinabove;~~,~~

b. Complete in sufficient detail to inform the department of the factual basis;~~,~~

c. Timely filed;~~,~~ and

d. Executed by a civil service protected employee.

(4) Refer any questionable grievances in compliance with these rules.

(5) Arrange and coordinate all meetings and proceedings required herein, notify all participants of scheduled meetings/proceedings, and may only facilitate scheduling of, but not conduct, meetings.

(6) Coordinate the exchange between the parties of documents, forms, and other materials associated with each grievance.

(7) Provide responses or information regarding policies and procedures when requested.

(8) Receive the results of the step proceedings from the departmental representatives and forward them to the appropriate participants.

(9) Keep a permanent record of all grievances filed and maintain all grievance matters and related documents in segregated, confidential files. Subject to federal, state and local law, all information contained in such files may be disclosed on a need to know basis only. Any employee who otherwise discloses such confidential information without the grievant's authorization, may be subject to disciplinary action.

(c) Grievance coordinator~~(s)~~ shall not:

(1) Encourage or discourage grievances, nor represent or advocate for or against the grievant or the department at any time, at meetings or otherwise.

(2) Participate in the decision making.

(d) ~~Copies of all~~ Original grievance forms and related documents filed with the grievance coordinator at each step of these proceedings shall be forwarded to the director.

Sec. 14-55.2. Grievance examiners.

The commission shall appoint qualified persons, independent of all city departments and experienced in employment related issues, to preside over and conduct step III grievance hearings. Each appointment shall be for a term of one year. Reappointment to successive one year terms shall be at the discretion of the commission. The grievance examiner shall be responsible only to the commission.

(1) A grievance examiner shall not be a city employee nor shall such examiner be considered an employee by such service to the commission.

(2) An examiner may be removed from an appointment by a majority vote of the commission. Removal may be by resignation or for cause including, but not limited to, a violation of an ordinance or criminal law~~s~~ whether misdemeanor~~s~~ or ~~felonies~~ felony including moral turpitude, continued failure to be available to hear grievances, negligence, or failure to perform the duties of an examiner timely, to follow the rules of the commission, or to provide due process.

(3) For participation in the hearing and providing a written determination, each examiner shall be paid a fee set by the commission. A separate budget account shall be set up for this purpose by the director.

(4) The director shall provide each grievance examiner with a suitable location to hold hearings and sufficient clerical support to perform his duties.

(5) Anyone who has a complaint against a grievance examiner~~,~~ may file such complaint in writing with the director. Any such complaints will be set on the next agenda of the commission for review, whereupon the commission will determine the appropriate action to be taken (e.g. investigation, notice, opportunity to respond, etc.) with regard to such complaint~~(s)~~.

Sec. 14-55.3. Retaliation prohibited.

It shall be a violation of the civil service rules and regulations for any supervisor to take any retaliatory action against any grievant for utilizing or participating in any of the grievance procedures established by this section. It shall also be a violation for a grievant to retaliate against a supervisor or another employee for participating in a grievance. If retaliation is alleged to have occurred, ~~it~~ that allegation shall be incorporated into the next succeeding step proceeding through step III.

Sec. 14-55.4. Notice of these procedures.

The director shall provide a suitable notice explaining this grievance procedure and the grievant's rights thereunder and furnish an adequate number of copies to each city department. The department director shall cause to be posted in a prominent place at least one copy of such notice in each division within the department.

Sec. 14-55.5. Assistance by legal and human resources departments.

When requested to do so by the commission, the director, or the department director of the grievant who has filed a grievance under this procedure, the legal and/or the human resources departments shall assist in the representation or resolution of a grievance.

Sec. 14-55.6. Record keeping requirements.

The director shall be the official custodian of all records involving grievances after each grievance has been resolved. A repository of closed grievances shall be maintained ~~in~~ by the civil service coordinator of the human resources department.

Sec. 14-55.7. Nongrievable issues.

Unless specifically authorized in section 14-50 above, other issues that concern employees shall be handled as set forth below:

(1) *Employee concerns review programs.* All departments shall establish and implement programs with written procedures to address employee concerns which do not allege discrimination or are not expressly made

grievable herein. The director shall establish guidelines for such programs which shall be approved by the ~~civil service~~ commission prior to the development of any departmental program. Regardless of the form or manner, programs such as peer review, employee representative councils, mediation or any other alternative dispute resolution mechanism, or any combination of programs may be implemented to address such issues.

a. Each department's employee concerns review programs must be accessible to all of its employees regardless of civil service protection (e.g. probationary,~~ part time~~ part-time, appointed, executive, etc.).

b. Departments may reasonably limit concerns which can be addressed through this process. All programs and procedures and any amendments or subsequent changes must be approved by the commission prior to implementation.

c. There is no appeal to or review by the commission of decisions made by departments in any employee concerns review program.

(2) *Nonreferral complaints.* The director shall establish procedures for addressing complaints regarding nonreferral of applicants to posted vacant positions.

(3) *Classification challenge.* Any civil service protected employee who feels that he is performing duties outside the course and scope of his classification as defined by the position job description and/or the performance plan~~ EPE plan,~~ may request a review of his actual duties performed to ensure conformity and consistency in that classification and the classification system.

a. The request must be made in writing and filed with the employee's department grievance coordinator who shall be responsible for immediately providing a copy of the request to the department director or his designee.

b. The department director or his designee shall review~~s~~ the request and no later than ten calendar days after the request was provided by the grievance coordinator shall ~~to~~ determine whether the request has merit and ~~may~~ should be resolved internally without formal review by the director. The department director or designee may elect to:

~~(i)~~[1] Make no change in the employee's duties; or

~~(ii)~~[2] Eliminate any duties alleged to be outside the job description of the employee's classification and/or ~~EPE Plan~~ the employee's performance plan; or ~~of the employee's classification;~~

~~(iii)~~[3] Assign and/or substitute other duties that conform with the current job description of the employee's classification and/or reflect duties on the employee's performance plan; or ~~to the employee within the current job description and EPE plan; or~~

~~(iv)~~[4] Join the employee's request for a job audit and determination. ~~Request an analysis and recommendation from the director.~~ The department director shall immediately forward a request to ~~notify~~ the director ~~of the request~~ for review.

c. If the department director or designee fails to take any action within ten calendar days after the employee's initial request, the grievance coordinator shall forward the employee's request to the director requesting a formal job audit.

d. The director shall process the request as expeditiously as possible and issue a determination as to the propriety of the duties the employee is being asked to perform and whether they are within the existing classification. The final determination of the director shall be forwarded to the department grievance coordinator, the employee and the department director or designee.

e~~c~~. ~~If the department requests an analysis, u~~Upon receiving the director's determination, the department director shall have ~~has~~ ten calendar days to elect to change ~~the employee's duties~~ those duties that are non-conforming with the employee's job description and performance plan and set forth in writing the proposed actions, if any, to be taken with respect to the employee's duties and/or classification.~~, keep the same duties, or eliminate any additional duties not previously assigned to the employee alleged to be outside the employee's job description and EPE plan.~~ The department director or designee shall respond in writing to the director within ten calendar days of receipt of the director's determination, setting forth the proposed action(s), if any, to be made with respect to the employee's duties and/or classification. The director will send a copy of the determination and the department director's response and proposed action to the requesting employee.

~~(i)~~[1] If the department director's proposed action implements the director's ~~recommendation(s)~~ determination, ~~the employee must accept the department's proposed action(s) within ten calendar days of notice of the department's response provided by the director. If the employee fails to accept timely,~~ the offer is presumed ~~rejected~~ accepted and the request may not be pursued further. There is no appeal to or review by the commission.

~~(ii)~~[2] If the department's proposed action~~(s)~~ is inconsistent with the director's determination, the employee may request a review by the commission.

~~d~~f. When an employee is authorized to request a review by the commission above, the employee must request a review by the commission in writing on a form provided by the director within ten calendar days ~~of~~ after the employee's receipt of the department's response provided by the director. The request must be filed with the director, who shall log the request, monitor its progress and place the request on the agenda of the commission at the next possible regularly scheduled meeting. At least ten calendar days' notice of the date of the commission review shall be served on all parties.

~~(i)~~[1] The parties may submit written arguments and relevant documents in support of their respective positions. The director shall supply a copy of his determination to the commission at least five calendar days before the matter is scheduled for commission review. Unless the commission specifically requests, there will be no oral presentation, testimony or arguments to the commission.

~~(ii)~~[2] The commission shall review the director's determination, the department's response and proposed action, and the written arguments and documents of the parties and shall issue its order at the earliest practical time after the scheduled meeting of the commission affirming, rejecting, or modifying the determination of the director and/or proposed action of the department director with regard to the employee's duties and/or classification. The order of the commission shall be final and shall be implemented immediately. There shall be no further appeal or review.

(4) *Discrimination complaints.* Any complaint which alleges discrimination in whole or in part, based on race, color, religion, sex, national origin, age 40 years and over, ~~Vietnam Era~~ veteran status, disability, genetic information,

sexual orientation, gender identity, Family Medical Leave Act status, workers' compensation status, or retaliation for filing a charge/claim of discrimination (discrimination factors) or for whistleblowing is not grievable through the grievance process. All such claims will be referred by the grievance coordinator to the office of the inspector general for investigation and/or to the director for a determination of severability, if necessary. All or any portion of the complaint which is not based upon a discrimination factor and which may be segregated and severed, may proceed through the grievance process if it is otherwise grievable herein even if the grievant has concurrently or subsequently filed a complaint on the nongrievable (discrimination based) aspects of the complaint with the office of inspector general and/or the Equal Employment Opportunity Commission (EEOC), or the ~~Texas Commission on Human Rights (TCHR)~~ Texas Workforce Commission (TWC).

a. If at any point in the grievance process, a grievant alleges discrimination in either the grievance forms, at step proceedings, or in documentary materials, all such discrimination based issues, documents or testimony will be excluded from consideration.

b. If the grievable issues cannot be separated from the discrimination based issues which are not grievable, further processing of the grievance will be suspended, and the grievance will be referred to the office of inspector general for an investigation of the discrimination complaint. If an allegation of discrimination is sustained, the office of inspector general will inform the department who will attempt to resolve the issues in accordance with the applicable law. If any nondiscrimination issues remain to be resolved after the office of inspector general issues its findings, any previously intertwined grievable issues will be referred back to the department (if referred at steps I or II) or to the director (if referred at step III) for completion of grievance processing of the remaining unresolved grievable (nondiscrimination) issues.

c. A civil service protected employee who files a grievance must affirm in writing on a form provided by the director, that the grievance is not based upon a discrimination factor in whole or in part. If the grievant indicates a discrimination factor on the form, the grievant will be referred to the office of inspector general and the grievance handled as indicated above.

d. Notices regarding the filing of federal and state law complaints of discrimination shall be posted in prominent places in compliance with state and federal laws. A charge of discrimination filed with the EEOC or the ~~TCHR~~ TWC will not affect a valid grievance based on the same facts, even if concurrently or subsequently filed with the

processing of the grievance, so long as the grievance is processed in accordance with the rules set forth above and limited to the nondiscrimination based facts. EEOC and/or ~~TCHR~~ TWC determinations will not ~~effect~~ affect any grievance.

(5) *City appeals to state court.* In cases of exceptional importance, legal precedence, or challenge~~s~~ to jurisdiction or legal authority, the city/department may seek a declaratory judgment from a state district court of Harris County construing the commission's order~~(s)~~. The appeal must be filed within thirty days ~~of~~ after the date of the commission's order and ~~is~~ be based upon substantial evidence. The commission need not be joined as a necessary party.

DIVISION 4. RULE 4. CLASSIFICATION PLAN

Sec. 14-56. Generally.

The commission shall, in cooperation with the mayor and ~~city~~ council, have a classification plan which shall provide for the use of standard titles for all classes of positions in the classified service~~,~~ and a written ~~definition~~ job description for each classification which will describe duties and responsibilities and set forth minimum requirements necessary for the successful performance of the task involved in each classification.

Sec. 14-57. Adding or revising classifications.

The commission may, at any meeting, add new classifications or revise existing classifications whenever it is deemed advisable, always subject to the approval of the mayor and ~~city~~ council. There shall be no new classification proposed for council approval until the proposal, with full details of the duties involved, has been submitted to the commission for its recommendation.

Sec. 14-58. Interpretation of specifications.

The specifications of the various positions in the classification plan are hereby declared to have the following force and effect:

(1) The use of a particular expression or illustration as to duties, qualifications, or other attributes, shall not be held to exclude others not mentioned, provided such others are similar in kind or quality; nor to limit the power of the supervising authority to alter the detailed tasks involved in the duties of a position. But when a substantial change of duties is made, except for limited, temporary periods, such change shall be reported to the commission with a view to a possible reclassification of the position.

(2) In determining where a given position is to be allocated, the specifications shall be considered as a whole. Consideration shall be given to the ~~general duties~~ job purpose, the specific responsibilities, duties, tasks, ~~responsibilities,~~ and qualification requirements, and to the relation of the position to other classifications as all together affording a picture of the kind of employment the classification is intended to embrace.

(3) The commission shall prescribe minimum and maximum age requirements of applicants for appointment to particular positions. The minimum age for employment in the classified service of the city shall be 18 years. ~~And for~~

(4) For all classes, qualifications such as ~~citizenship~~ legal authority to work, honesty, ~~sobriety,~~ and industry~~, and good physical condition,~~ shall be deemed to be required even though they may not be specifically mentioned in the definitions of the positions.

(4~~5~~) The statement of necessary special qualifications in the specifications of a position, comprising an enumeration of license, registration, or other legal qualifications required for the performance of the duties of the position, shall constitute a basis and source of authority for acceptance or rejection of applications for examination for the position and also for the evaluation of the qualifications of an applicant. When such qualifications exist in state laws or city ordinances, they shall be required even though they are not specifically stated in the specifications.

Sec. 14-59. Allocation of positions to classes.

The commission shall allocate each position in the classified service to its appropriate class under the classification plan by placing in each class those positions substantially similar in nature, degree of difficulty, responsibility, and character of work which require generally the same kind and amount of training and experience for proper performance and which merit approximately equal pay. In making such allocations, provisions shall be made for the uniform application of the classification plan to positions in the various departments of the city.

Sec. 14-60. Status of incumbents of positions when allocated.

Should a position in the original allocation process be allocated or reallocated to a different class in order to correct an error in its original allocation, the employee in such position shall be entitled to continue therein, provided he legally occupies that position by regular appointment thereto.

Sec. 14-61. Allocation of new positions and reallocation.

(a) Whenever a new position is created by the mayor and ~~city~~ council, the commission shall allocate the position to its proper class in the classification plan, or if

no suitable class exists, one shall be established as provided in these rules~~,~~ and the position allocated thereto.

(b) Whenever the duties of a position are so changed as to justify its allocation to a different class, the commission shall make that reallocation and shall decide whether the change represents a promotion or a demotion for the incumbent of the position. Should it be a promotion, the incumbent must qualify therefor, provided he has not previously done so.

Sec. 14-62. Protesting allocations.

If an employee believes that his position has been improperly allocated, he may protest by presenting his reasons therefor upon such forms or documents as the director may prescribe. The claim shall be investigated ~~by the director, then referred to the commission for its decision which shall be final~~ consistent with the rules under a classification challenge under section 14-55.7(3) of this Code.

Sec. 14-63. Use of position titles.

The commission-approved title of each position shall be its official title for all purposes having to do with the position as such and shall be used to the exclusion of all other titles on all payrolls, budget estimates, official records and reports and personnel forms.

Sec. 14-64. Effect of classification on payments of salaries.

No employee shall be appointed, employed, or paid under any title other than that of the class to which the position occupied by him is allocated.

Sec. 14-65. Right to make investigations.

The commission shall have the right to initiate and conduct investigations of positions in the classified service at any time and to propose changes in the classifications of positions when the facts warrant such action. The commission, through the director, may secure from the employee or his supervisor a new statement of the duties and responsibilities of the position under consideration. Should a change to the classification be proposed, the ~~The~~ employee and/or the ~~supervising authority~~ department director shall have an opportunity to be heard by the commission before the revised classification shall become effective.

Secs. 14-66—14-70. Reserved.

DIVISION 5. RULE 5. COMPENSATION PLAN

Sec. 14-71. Preparation, approval and revision.

The commission, in cooperation with the mayor and ~~city~~ council, shall prepare or cause to be prepared a compensation plan for the classified service and from time to time propose such revision as may be deemed advisable so as to provide for uniform scales of pay for all classes of positions. No such plan shall become effective until it has been approved by the mayor and ~~city~~ council.

Sec. 14-72. Adjustment of wages when plan made effective.

When the compensation plan is made effective under these rules by ordinance, the employees within a certain classification who are receiving a salary or wage lower than the minimum for that classification shall have their salary or wage increased to an amount equal to the minimum for that classification. The salaries or wages which are in excess of the maximum for that classification shall be considered individually by the commission, ~~and they~~ which in turn shall make recommendations to the mayor and ~~city~~ council for their action.

Sec. 14-73. Longevity pay.

(a) Effective January 1, 1975, in addition to his base salary, each full-time ~~permanent~~ regular employee shall be paid longevity pay in the sum of $2.00 per bi-weekly pay period for each one year period of actual service with the city. The maximum longevity to which any employee shall be entitled under this section shall not exceed $50.00 per bi-weekly pay period.

(b) Longevity pay for employees of the city shall be computed on a bi-weekly basis being effective on the first day of the first pay period following the employee's anniversary date of employment with the city. In computing actual service, time spent on authorized absence on military leave for service with the armed forces of the United States shall be included, but any other period of time in which an employee is out of the service of the city, or absent on leave without pay in excess of 90 days ~~in any 36-month period~~, shall not be counted, provided, however, that in the case of extended leave without pay only the period in excess of 90 days shall not be counted.

Sec. 14-74. Shift pay differential for certain city employees.

(a) For the purposes of this section, the following phrases shall have the meanings hereby ascribed to them:

~~(1)~~ *Day shift.* Any regularly scheduled work shift which begins between the hours of 5:00 a.m. and 12:00 noon.

~~(2)~~ *Second shift.* Any regularly scheduled work shift which begins between the hours of 12:00 noon and 6:00 p.m.

~~(3)~~ *Third shift.* Any regularly scheduled work shift which begins between the hours of 6:00 p.m. and 5:00 a.m.

(b) All ~~permanent,~~ full-time regular employees of the city, other than fire fighters and police officers ~~firemen and policemen~~, who are assigned to the second shift shall be paid, in addition to their base pay, shift differential in the amount of $0.25 per hour.

(c) All ~~permanent,~~ full-time regular employees of the city, other than fire fighters and police officers ~~firemen and policemen~~, who are assigned to the third shift shall be paid, in addition to their base pay, shift differential in the amount of $0.35 per hour.

Secs. 14-75—14-78. Reserved.

DIVISION 6. RULE 6. EXAMINATION

Sec. 14-79. Requirements for ~~tests~~ examinations.

The director shall, whenever vacancies exist within the ~~classified~~ civil service or even in advance of such vacancies, prepare, view and rate necessary ~~tests~~ examinations, or direct this work, which ~~tests~~ examinations shall determine the ~~fitness~~ suitability of applicants for ~~classified~~ civil service positions. No person shall be appointed to a position in the ~~classified~~ civil service, except as otherwise provided for by law, until he shall have signed a completed application on the forms prescribed by the commission, ~~has~~ qualified by passing the required examination, and ~~has~~ been certified for appointment in accordance with these rules.

Sec. 14-80. Notice required; exceptions.

~~The commission shall give public~~ Public notice of competitive group examinations shall be given at least ~~ten~~ seven calendar days prior to such examinations by posting notices in the office of the commission~~,~~ or upon any public bulletin boards available in the city hall~~, and~~ or elsewhere as the director may decide. Such examinations may be further publicized through the use of any other media most likely to reach qualified applicants for the position in question. This requirement may be waived by the commission in cases of special examinations for positions for which there is substantial difficulty in obtaining qualified applicants.

Sec. 14-81. Contents of notice.

Each official notice of an examination ~~or test~~ shall state the title, duties and pay of the position for which the ~~test~~ examination is to be held, the qualifications required, the time and place for making application, the time and place of examination ~~or test~~, and any other information which is deemed to be pertinent and useful.

Sec. 14-82. Open application period.

Should the commission find that there is a shortage of qualified candidates for positions or classes of positions which urgently need to be filled, it may announce that no time limit has been established for receiving applications, and applications may be filed during such period of time as may be necessary to establish a satisfactory employment list. When a satisfactory employment list has been established, public notice shall then be given that no further applications will be accepted.

Sec. 14-83. Types of examinations.

(a) All examinations shall be ~~impartial, fair, and practical~~ open, competitive, and free in character and designed to measure fairly the applicant's ~~qualifications for and fitness to discharge~~ suitability to perform the duties of the position which he seeks to fill.

(b) An examination may be written~~,~~ or oral ~~or unassembled~~ and may include physical tests, demonstrations of skill, evaluation of training and experience of applicants as recorded in their applications, or any combination thereof.

Sec. 14-84. ~~Admission to examinations~~ Applications and examination admission.

(a) All applications shall be made on forms prescribed by the director who may require such information as he deems pertinent, but no questions in the application, or in any other portion of the examination, shall be so framed as to elicit information concerning the political, fraternal or religious opinion or affiliation of the applicant.

(b) Any person may apply for any examination unless the public notice of same shall disqualify such person based upon a bona fide occupational qualification.

(c) The commission or director may reject the application of any person for admission to an examination ~~or test of fitness~~, or refuse to ~~test~~ examine any applicant, who is found to lack any of the qualifications prescribed in the public notice, or who is physically or mentally ~~unfit~~ unqualified to perform ~~effectively~~ the duties of the class, ~~or who is addicted to the habitual use of alcoholic beverages to excess or to the use of drugs, or who has been adjudged guilty of a crime involving moral turpitude or infamous or disgraceful conduct,~~ or who has been dismissed from the public service for delinquency or misconduct, or who has made false statements of any material fact, or has practiced or attempted to practice deception or fraud in his application or in his examination ~~or test~~. In every such case, the commission may reject the application and likewise may cancel the eligibility of the applicant if he has already been admitted to an examination and has attained a place on ~~an eligible list~~ a list of eligibles, and take action for his removal from the service in case he has already received appointment when such finding is made.

(d) The director may exclude from any further participation in any examination any applicant who does not make a passing grade on any part of an examination where

the examination is in more than one part ~~and consists of tests of skill, physical tests, and medical examinations~~. Failure in any portion of ~~this type of test~~ the examination ~~will~~ shall be sufficient grounds for exclusion in any other part of the examination, or, if all portions of the examination have been completed, the director may declare such applicant as failing in the entire examination.

(e) When applications are received from qualified applicants who are living in another city and it is not practical for such applicants to present themselves in the city for the examination, the director may make arrangements with ~~the civil service office in that city or, in lieu thereof, with the high school principal or~~ any other person in that city who is acceptable to the commission to administer the examination.

Sec. 14-85. Conduct of examinations ~~and tests~~.

(a) The examinations ~~and tests~~ shall be conducted by the director, or by persons designated by him, ~~at the time and place stated in the notices or advertisements of examinations or tests and~~ according to the procedure established by the director. Safeguards shall be devised which, insofar as possible and practicable, shall~~, except in oral examinations,~~ conceal the identity of candidates from examiners or other persons engaged in scoring, marking, or otherwise rating the candidates.

(b) The director shall arrange for suitable persons in the service of the city, with the consent of the supervising authorities under whom such persons work, to assist in examinations. When there is an insufficient number of such persons available, the director may arrange to employ temporarily such other persons as might be needed and shall provide for their pay.

(c) It shall be the duty of all city employees having such authority to allow the reasonable use of public buildings and other facilities as conditions might require for holding such examinations and tests.

Sec. 14-86. Passing grade.

The commission shall have the power to place the passing grade at any figure or percentage deemed equitable in each test but, unless a definite figure is set, the passing grade shall be 70, based upon a total weight of 100 for the entire examination ~~or test~~.

Sec. 14-87. Eligibility for examinations ~~and tests~~.

(a) ~~Tests of fitness~~ Examinations for ~~original entrance~~ appointment shall be open to persons who meet the requirements for admission to the ~~tests~~ examinations as established in the public notices therefor or as specified in these rules. Such requirements may relate only to qualifications, characteristics, skills and abilities related to the actual performance of the duties of the job for which the examination is being held.

(b) No additional applicant shall be admitted to the examination room after any candidate has permanently absented himself from the place of examination.

Sec. 14-88. Reexaminations; correcting; amending, etc., records.

The commission shall have the power, whenever in its judgment the interests of the public service require it, to order a reexamination of applicants for any position, and shall have the power to correct, amend, or revoke any schedule, list or other papers or records when it appears that an error or injustice has been done; and when any person whose name appears on the ~~eligible list~~ list of eligibles has, for any reason, become incapacitated for appointment in the public service, the commission may strike such name from said ~~register~~ list of eligibles. The reason for such action shall be recorded in full in the minutes of the commission.

Sec. 14-89. Original papers.

All original papers, applications, examination papers and questions, certificates, and all other papers pertaining to the application and examination are the property of the ~~commission~~ human resources department and must be filed ~~in the office of the commission~~with the human resources department and shall be kept ~~not less than one year~~for a minimum of three years or longer if circumstances require.~~; exceptions are the examination papers of those failing to pass which may be destroyed after 60 days.~~

Sec. 14-90. Notice of results.

Each person competing in an examination ~~or test~~ shall be given a written notice of ~~his final earned rating and, if he has passed, of his relative standing on the list~~ the examination results. Those who fail to attain a place on the list of eligibles shall be notified of that fact.

Sec. 14-91. Review of results.

Each person competing in ~~a test or~~ an examination may, within five business days after the ~~date of mailing of~~ notice of the results, and only after such person has requested in writing to the director, be permitted to inspect his rating and examination ~~or test~~ papers at the ~~office of the civil service commission~~ appropriate human resources department location, during business hours, and may secure any necessary explanations of the methods by which the ratings were determined. However, no examinee will be permitted to review the questions used in a written examination but may be allowed to review his answer sheet only.

Sec. 14-92. Appeals.

An examinee may file his appeal with the director for correction of his rating at any time during the five days immediately following notice of the ~~determination of~~ examination results; such appeals must be made in writing and must set forth the grounds for such appeal. The commission shall review such appeal within a reasonable

time and shall notify the examinee of its decision, and the decision of the commission shall be final.

Sec. 14-93. Correction of results.

If, after examination of the appeal filed by a candidate, the director finds that any manifest error existed in the rating, scoring, or computing of the results, he shall, upon approval by the commission, make the required correction and place the name of that person in its true position on the list as the correction warrants. Such correction, however, shall not invalidate any appointment previously made from such list.

Secs. 14-94—14-98. Reserved.

DIVISION 7. RULE 7. ~~ELIGIBLE LISTS~~LIST OF ELIGIBLES

Sec. 14-99. Preparation; contents.

(a) The director may prepare a~~n eligible list~~ list of eligibles, when needed, from the results of each ~~original appointment~~ examination. The list shall contain the names of only those persons who have met the minimum requirements for eligibility. Names shall be listed in a descending scale order starting with the one receiving the highest rating.

(b) When two or more candidates have equal final weighted ratings, their names shall be arranged on the list~~ in the order of their performance in the written test; but when this arrangement fails to resolve the tie, the order on the list shall be determined~~ by the order in which the application was~~ accepted~~ submitted.

(c) When a list of eligibles is being prepared in the course of an open application or examination period, as provided for by~~ rule~~ Rule 6, section 14-84 of this Code, names of eligibles shall be added to the list as rapidly as the necessary examinations are completed and rated, and in the order to which their final earned ratings entitle them. However, names certified prior to receipt of later eligibles shall not instantly be affected even though later eligibles may have higher earned final ratings, the prior certified names being affected only when these certified are returned to the eligible list at which time the names of eligibles who earned higher, though later, ratings shall be placed above them on the list to await another certification.

Sec. 14-100. Duration of lists of eligibles.

All~~ eligibility~~ lists of eligibles shall remain in existence for one year unless sooner exhausted, and at the end of one year they shall expire and new examinations shall be given as the need requires.

Sec. 14-101. Promotional lists.

After each promotional examination, the commission, through the director, shall prepare and keep available a promotional~~ employment list~~ list of eligible~~ of persons~~

~~successfully passing the examination, arranged in descending scale order of final weighted ratings~~. When two or more persons have equal final weighted ratings, their names shall be placed in the following manner: The one with the higher ~~service~~ performance rating shall be placed above the other; but if there should still be a tie, the one of greater seniority shall be placed above the other one.

Sec. 14-102. Reemployment lists and reappointment.

(a) The name of any ~~Any~~ employee who has held a ~~permanent~~ regular position in the ~~classified~~ civil service and has been laid off for reasons not to his discredit or whose position has been abolished under reduction of forces shall ~~have his name~~ be placed upon the reemployment list according to the date laid off, and shall remain thereon for a period of one year.

(b) Any person who voluntarily resigns from a position in the ~~classified~~ civil service and who leaves the service shall forfeit any rights which he might have had under civil service and may be ~~reemployed~~ reappointed in the ~~classified~~ civil service only in the manner prescribed by the rule governing original appointment. Nothing herein contained shall affect adversely the rights of any employee who enters the uniformed military forces as provided under rules governing military leaves.

Sec. 14-103. Removal of names.

Names of eligibles may be removed from ~~an employment list~~ a list of eligible for any of the following reasons:

(1) Failure to report for an interview~~ within three days (weekends and holidays excepted) after notification by the commission.~~

(2) Declining an appointment~~ without reasons satisfactory to the commission.~~

(3) Inability ~~of the postal authorities~~ to be located ~~him~~.

~~(4) Having been appointed previously to fill a permanent position.~~

(~~5~~4) Continued unavailability after expiration of a stated limited period of time during which, at the eligible's request, the director has not certified him.

(~~6~~5) Failure to ~~promptly~~ report to work after appointment.

(~~7~~6) Death of eligible.

(~~8~~7) ~~Loss of citizenship~~ Loss of legal authority to work.

(~~9~~8) ~~When, at any time after the creation of an eligible list, the~~ The commission has reason to believe that ~~one whose name appears on the list~~ the individual is unqualified for appointment because of:

~~i.~~[1] Incapacity~~;~~ ~~developed subsequent to his examination, or~~

~~ii.~~[2] ~~because of errors disclosed~~ Errors discovered in computing his examination score~~;~~ ~~, or because of~~

~~iii.~~[3] ~~false~~ False statements made in his application~~;~~ ~~,~~ or

~~iv.~~[4] ~~for other~~ Other similar reasons.

Sec. 14-104. Offenses relative to examinations, applications, etc.

No person shall willfully~~wilfully~~, by himself or in cooperation with any others, defeat, deceive, or obstruct any person in respect to his rights to any ~~test~~ examination ~~of fitness~~ or appointment to any position under the provisions of ~~article~~ Article Va and any rules or ordinances adopted thereunder; nor shall anyone willfully~~wilfully~~ and falsely mark, grade, estimate or report upon, the ~~tests of fitness~~ examination, the standing of any person ~~tested~~ examined or certified, or the ~~service~~ performance ratings of any employee; nor shall anyone aid in so doing; nor shall anyone willfully~~wilfully~~ make any false representation concerning any person ~~tested~~ examined, or willfully~~wilfully~~ furnish to any person any special or secret information for the purpose of either improving or injuring that person~~s~~'s prospects or chances in connection with any examination ~~or test~~ or appointment; nor shall anyone impersonate any other person or permit or aid in any manner any other person to impersonate him in connection with any examination ~~or test~~ or appointment or application or request to be examined. Violation of this rule by a city employee shall be grounds ~~for prompt and permanent dismissal~~ immediate indefinite suspension of the offending employee or employees as provided for by ~~rule~~ Rule 15. Violation of this rule by an applicant shall cancel all present ~~and future~~ rights of that applicant or candidate for consideration as an appointee to the city's service. Violation of this rule by a noncivil service employee shall be grounds for the immediate discharge or termination of the noncivil service employee. In all cases, violation of this rule may result in removal of the offending employee or candidate from all lists of eligibles.

Secs. 14-105—14-109. Reserved.

DIVISION 8. RULE 8. CERTIFICATION AND APPOINTMENT; TRANSFERS

Sec. 14-110. Requests for certification.

Whenever it is desired to fill a vacant classified position, written notification and such information as might be necessary for an ~~intelligent~~ informed certification shall be submitted to the commission on a form prescribed by the director. Insofar as is practicable, each vacancy shall be anticipated sufficiently in advance by the department in order to permit the director to determine who may be available for appointment and, if necessary, to prepare a class specification and to establish a list of eligibles.

Sec. 14-111. Certification of eligibles.

(a) Upon receipt of written request for certification, the director shall certify to the department director ~~under the direction of the mayor from the eligible list~~the list of eligibles, ~~or the list most nearly appropriate, the names, addresses, and examination grades of,~~ and any other ~~desirable~~ applicable data.

(b) If any of the number so certified shall not be ~~then not~~ available for appointment, the director shall certify the succeeding name or names from such ~~eligible list~~list of eligibles until a sufficient number of eligibles ~~to conform with the above formula is~~are certified.

~~(c) No name shall be certified more than three times to the same department director for the same or similar position except upon written request of that department.~~

(~~d~~) ~~The department director may specify sex only where such restriction is based upon a bona fide occupational qualification.~~

~~(e) An eligible who has declined an appointment on the grounds of insufficient salary shall not thereafter be certified for a position at the same or any less salary except upon written request of the eligible.~~

(~~f~~c) Vacancies in the classified service shall be filled by promotion, except when the commission deems that the interests of the city may be served better thereby, such vacancies may be filled by the demotion, transfer, reemployment or original employment when applicable.

(~~g~~d) The eligibles to be certified, subject to the limitations of the preceding section, shall be the highest ranking ones willing to accept employment chosen in this order:

(1) Former regular employees on a reemployment list whose services terminated only because of budgetary or force-reduction reasons.

(2) Regular employees on the appropriate promotion list, if any.

(3) Those approved for reappointment;~~on a reemployment list~~, if any.

(4) Those on an original employment list.

All names on one of such lists shall be exhausted before names from another list may be certified, but names certified may be those taken from two or more lists, if necessary, to provide the necessary number ~~to conform with the formula~~ prescribed in subsection (a) of this section.

(~~h~~e) If the appropriate lists do not contain a sufficient number of eligibles ~~to conform with the formula~~ prescribed in subsection (a) of this section, the maximum

number of available eligible persons willing to accept appointment shall then be certified. Under such circumstances, ~~the mayor shall not be required to make an appointment from such lists and~~ the director shall then prepare an examination in order to create a new ~~eligible~~ list of eligibles from which certification shall be made.

~~(i) The department director shall forward to the director, with due notice of appointments, copies of all correspondence to and from those persons interviewed.~~

(~~i~~f) When, upon request for certification, there are no eligibles on an appropriate list, certification may be made at the discretion of the director, and the director may appoint any qualified person available to fill the position.

Sec. 14-112. Report and effective date of appointments.

An appointment shall be reported immediately to the human resources department on the form prescribed by the commission. The director, after certification of conformity with the rules, shall forward one copy of the form to the department concerned, the payroll section, and the civil service personnel files. An appointment shall become effective as of the date on which the appointee enters upon duty.

Sec. 14-113. Temporary and emergency appointments.

(a) Whenever a department requires temporary assistance because of a special project, a temporary increase in the work load, or absence of a regular employee, appointments may be made from an appropriate ~~eligible list~~ list of eligibles for the duration of such unusual work. Each such employee shall have the prefix ~~TEMPORARY~~ temporary ~~as part of his title~~ in the official records.

(b) The acceptance or rejection by an eligible of temporary appointment shall not affect his standing on the ~~eligible list~~ list of eligibles, but the temporary service ~~may~~ shall not be counted as a part of his ~~probationary period only~~ probation in case of immediately subsequent, ~~permanent~~ regular employment in the same position in the same department.

(c) No temporary appointment shall be made for a period of more than ~~three~~ six months, but may be extended by the commission for a longer period. No temporary employment shall become ~~permanent~~ regular unless the employee, at the time of original, temporary placement, came from ~~an eligible list~~a list of eligibles for that position. In case it is desired to convert a temporary appointment into a ~~permanent~~ regular one, such appointee shall fulfill the requirements covering candidates for original entrance into the service and must be certified by the commission before he may become a regular appointee.

(d) In the event of an emergency which may result in loss of public property or in serious inconvenience to the public, the mayor may direct the ~~commission~~ director to select and appoint a person or persons without regard to the rules governing other appointments, but in no case shall such emergency placements be employed for longer

than the duration of the emergency and each such employee shall have the prefix ~~EMERGENCY~~ emergency ~~as part of his title.~~in the official records.

(e) Successive or consecutive emergency appointments shall be made only with express approval by the commission with a view of limiting a person to a total of 90 working days of such employment.

(f) Emergency appointments shall be reported promptly to the commission with reasons therefor; the commission ~~reserving~~ reserves the right to inquire into the nature of the emergency.

Sec. 14-114. Approval of appointments.

(a) Approval by the commission of regular appointments made in conformity with civil service rules and from ~~lists of certifications~~lists of eligibles shall not be required~~, as certification of eligibles shall be deemed as having fulfilled civil service requirements.~~

(b) Approval by the commission of temporary appointments shall be required before the ~~civil service commission~~administration and regulatory department director may certify to the legality of the payrolls upon which such names appear. ~~Such approval should be had before employment of temporary employees begins.~~

(c) Approval by the commission before employment begins shall not be required in the case of an emergency placement, but each such appointment shall be reported to the ~~civil service~~ commission immediately.

(d) When there is a vacancy in a scientific, managerial, professional, or educational class and there is a shortage of applicants in that class, the commission may approve the appointment of an applicant recommended by the mayor upon satisfactory evidence that the applicant meets the requirements for the class and is qualified otherwise; however, the commission may require the applicant to pass ~~either~~ an ~~assembled or an unassembled~~ examination~~, or both, to qualify.~~

Sec. 14-115. Transfers.

(a) A department director, with the approval of the mayor, may request the ~~civil service~~ commission to ~~transfer or~~ reclassify within his department any classified employee under his jurisdiction ~~from one position to another position in the same class~~ with the same maximum salary. ~~Transfer or r~~Reclassification shall not be allowed until prior approval by the ~~civil service~~ commission.

(b) Transfer of a classified employee from a position under the jurisdiction of one department director to a position under the jurisdiction of another department director may be made only upon approval of the ~~civil service~~ commission and both department directors concerned.

(c) Any transfer of an employee from a position in a lower class to a position in a class carrying a higher maximum salary shall be deemed a promotion; while any transfer from a position in a higher class to a position in a class carrying a lower maximum salary shall be deemed a demotion and neither may be accomplished except in the manner provided in these rules for making a promotion and for making a demotion.

(d) A city employee in a noncivil service position shall not be ~~neither~~ transferred, appointed, nor promoted to a civil service position without first having been qualified by the ~~civil service~~ commission.

(e) When the best interests of the city may be served thereby, the commission may approve transfers, to vacancies, of employees who are about to be displaced for reasons not reflecting upon the efficiency, character, conduct or capacity of those employees.

Sec. 14-116. Procedure.

The director shall institute procedures and designate forms for carrying on all of the activities involved in such transactions coming under the jurisdiction of the commission.

Secs. 14-117—14-121. Reserved.

DIVISION 9. RULE 9. PROBATION

Sec. 14-122. Duration.

(a) Each ~~original~~ appointment ~~or reappointment~~ to a position in the ~~classified service~~civil service shall be for a probationary period of 12 consecutive months. Each employee so appointed shall complete the 12 months probationary period, which is to be regarded as a working ~~test~~ evaluation period, before being considered a ~~classified~~ civil service employee.

(b) Each promotion in the ~~classified~~ civil service shall ~~be for~~require an additional probationary period of six months, which is also to be regarded as a working ~~test~~ evaluation period.

Sec. 14-123. Service ~~ratings~~ during probation.

During a probationary period the department director shall observe ~~carefully~~ the performance and conduct of the employee and, if ~~the conduct of the employee is~~such is not satisfactory, then the circumstances ~~pertaining to the unsatisfactory performance~~ shall be ~~reported~~ filed in writing with the ~~to the civil service~~ commission.

Sec. 14-124. Effect of nonpaid absences or transfers during probation.

(a) If an employee is absent without pay for any reason from his work for a period of over 30 calendar days, during the probationary period, the time he is absent shall not count as a part of the period of probation and the employee will be required to serve that additional time as part of his probationary period.

(b) If an employee is transferred during the period of probation from a position in one department to a position in another department, the employee so transferred shall be required to start a new probationary period at the time of his transfer.

Sec. 14-125. Removals during probation.

(a) In case the department director deems a probationary employee unable or unwilling to render satisfactory service, or for other sufficient cause, the director of the department~~, with the approval of the civil service commission,~~ may remove such employee upon written notice to the commission. When any employee is removed for any cause during probationary period, he shall not be entitled to a review or hearing before the~~ civil service~~ commission.

(b) If a civil service employee is removed during probation, from a position to which he has been promoted, he shall be restored to his former classification in the department in which the employee is presently assigned, unless the employee consents to other placement.

Sec. 14-126. Credit for prior service.

The provisions of this section shall be available in any instance in which a position which was not theretofore subject to civil service ~~classification~~ protections is revised or redesignated by action of the ~~city~~ council or the commission so that it becomes a ~~classified~~ civil service position and the incumbent thereof qualifies for and continues to hold such position without a break in service after its revision or redesignation. Under such circumstances, the commission may, upon recommendation of the department director and the director and a finding that the duties and responsibilities of the position have not substantially changed, grant credit to the incumbent for all or a portion of his prior service time or none towards the appointment probation period established pursuant to section 14-122 of this Code.

Secs. 14-127—14-130. Reserved.

DIVISION 10. RULE 10. PROMOTIONS

Sec. 14-131. General requirements.

Vacancies in the classified service shall be filled only at the discretion of the department director and, insofar as is practicable, by the promotion of employees within the department in the classified service. Only the~~The commission~~ director shall, in each

case, ~~determine~~ certify the qualifications of the employees recommended ~~by~~ to the department director~~. and the civil service commission shall determine which employee is entitled to the promotion.~~ Promotions shall involve a definite change in duties or an increase in responsibilities and an increase in pay grade and shall not be made merely for the purpose of effecting an increase in compensation.

Sec. 14-132. Promotional examinations generally.

Promotional examinations shall be ~~open only~~limited to only employees in the classified service who, at the time of the examination, are serving in other ~~civil service~~classified positions and have served for such a period as may be prescribed by the ~~commission.~~director. A promotional examination may include employees with specific classifications in all departments or only in the department for which the ~~eligible list~~list of eligibles is being established, as determined by the ~~commission~~ director in each instance. Certification shall be made in the same manner as that prescribed for original appointment. Promotional examinations may, at the direction of the director, consist of one or more of the following parts: Written, oral, ~~mental~~psychological, and practical performance tests, a special rating by each candidate's department director and, in some cases, a medical examination as an additional requirement.

Sec. 14-133. Notice of promotional examinations.

Whenever ~~the commission orders a written~~a promotional examination is to be held, notice of such examination shall be posted~~. in the department or departments in which eligibles are employed.~~ It shall be the duty of the ~~department~~ director ~~concerned~~ to determine where such notices shall be posted and the duty of the department director to see that each such notice is properly posted~~. at least one week prior to the examination date.~~

Sec. 14-134. Temporary promotions.

An interim or temporary promotion to a higher position, made necessary by reasons of sickness, disability, vacancy, or other absence of another employee, may be authorized by the commission upon the written request of the department director concerned who shall set forth full information regarding such request. All such temporary promotions, where practical, shall be filled from a promotional list if there is one in effect for the particular class, and shall continue only during such period of sickness, disability or other absence. Any such temporary promotion may or may not include a temporary increase in compensation at the discretion of the department director.

Secs. 14-135—14-139. Reserved.

DIVISION 11. RULE 11. LAYOFFS

Sec. 14-140. Notice.

When it is necessary to reduce the number of employees within any department due to reorganization of the department, reduction in funding, reduction in services provided, or for any other reason, each employee whose position is to be eliminated shall be so notified, and at the stated time his salary and work shall cease. This shall constitute a layoff. The department director shall notify the employee in writing at least 45 calendar days in advance of the layoff. A copy of the layoff notice shall be forwarded promptly to the director. A suspension, dismissal, discharge or discontinuance of temporary, part-time or seasonal employment shall not necessarily constitute a layoff and vice versa.

Sec. 14-141. Who shall be laid off.

When it becomes necessary to lay off one employee or more in the same classification in a department, the one or ones to be laid off shall be determined by the department director on the basis of this section. While there is no guarantee of reemployment for any laid-off employee, the names of all those laid off, who have received performance ratings reflecting acceptable performance or higher, shall be placed on a reemployment list for a period of one year. No employee in a ~~permanent~~ regular position shall be laid-off while any probationary, temporary, part-time, seasonal, or emergency employee is performing comparable duties in the same department unless the department director determines that the continued use of such employees is necessary due to unpredictable work loads, seasonal or temporary work requirements, or related factors that make the use of ~~permanent~~ regular full-time employees for the work impracticable or inefficient or would impair the quality of service of the department. Employees will be laid off by a combination of merit rating and seniority as provided in this ordinance.

Sec. 14-141.1. Rules of construction and definitions.

In the construction of this division, the following rules shall be observed and the following definitions shall apply, unless the context clearly indicates otherwise:

Classification means the actual employment category to which each employee is assigned at the city.

Combined merit rating means the total point score of overall appraisal ratings received during the past three years' annual ~~Employee Performance Evaluations (EPEs).~~performance ratings. Combined merit rating will be based on the overall ~~appraisal~~ performance ratings from the subject employee's annual ~~employee performance review(s)~~performance ratings given upon forms promulgated by the director and approved by the commission, during the

calendar year in which the implementation date occurs and for each of the two calendar years preceding the year in which the implementation date occurs. For each of those three years' performance reviews, the employee shall receive points on a basis that corresponds to the employee's overall ~~appraisal~~ performance rating numerical score~~. on the EPE.~~ If the numerical scoring systems differ between types of ~~EPE~~ performance review forms, those ratings shall be adjusted to obtain corresponding scoring systems according to standards set by the director.

If an employee received more than one performance ~~review~~ rating during any such calendar year, then the results of each ~~review~~ performance rating for that year shall be averaged on the basis of the number of performance ~~reviews~~ ratings that the employee received during that calendar year. For any year in which an employee did not receive a performance ~~review~~ rating for any reason including, but not limited to, not being employed by the city, then for that year the average of the scores the employee received in the remaining year(s) in the combined merit rating period shall be used. If an employee in a classification tier that is targeted for layoff has not received any performance reviews during employment with the city, then the department shall perform an unscheduled performance review before the implementation date, and the score on that review shall be multiplied by three to give that employee's combined merit rating. If ~~an EPE~~a performance rating is on appeal through ~~the city's~~a grievance process, the appropriate hearing officer will be notified and requested to render a decision before the implementation date. If the appeal is still pending on the implementation date then the average of the scores the employee received in the remaining year(s) in the combined merit rating period shall be used instead of the score on the performance ~~review~~ rating which is pending on appeal. Combined merit ratings shall be computed for all employees within the department and classification in which a layoff is to be implemented.

Department means each department, division of a department, office, or division of an office of the city that is listed on the Exhibit A at the end of this division, regardless of whether it actually constitutes a department of the city government, or not.

Implementation date means the date established in writing by the mayor for the implementation of a layoff within a department. All computations regarding the layoff shall be based upon the implementation date, and the delay of the actual implementation of the layoff for any reason shall not affect the use of the established implementation date for such computations, unless the mayor elects to establish a new implementation date.

Layoff tier. Each employee within a department and classification in which a layoff is to be implemented will be assigned to a layoff tier as determined by the employee's combined merit rating. Employees within a layoff tier will be laid off on the basis of their seniority with the employees having the least amount of

seniority being laid off first. The most senior person within a layoff tier will be retained, barring any exemptions.

Managerial tier means a separate tier which consists of employees who occupy positions within classifications assigned to a pay grade greater than or equal to pay grade 23, as designated in the Officials and Administrators EEOC (Equal Employment Opportunity Commission) job category A, and which are designated as a mid-level manager or above on the class description. Managerial tier shall not include employees excepted from eligibility to civil service classification under ~~Article~~Article Va, Section 2~~ of the City Charter~~. When a classification in the managerial tier is targeted for layoff within a department, all employees holding positions within that classification in the department shall constitute one tier for the purposes of computing the combined merit rating.

Total continuous employment shall be computed from the date of an employee's initially reporting to work with the city as an employee in a ~~permanent~~ regular position. Total continuous service in the current job classification shall be computed from the date of an employee's certification to the current job classification. If the employee has had a break in employment, then the total continuous employment or the total continuous service in the current job classification shall be computed from the date of the employee's return reporting to work with the city as an employee in a ~~permanent~~ regular position. A break in employment shall consist of any instance in which the person ceased to be a ~~permanent~~ regular employee of the city under these civil service rules, except for a military leave authorized under state or federal law or a prior layoff and reemployment under Civil Service Rule 11.

Sec. 14-141.2. Layoff procedure including sequence of layoffs.

(a) With the exception of employees in classifications in the managerial tier, employees within the same classification in a department where the layoff is to be implemented shall be laid off on a lowest numbered layoff tier-first out basis. In the event that there are two or more employees within a given classification and layoff tier and the number of persons to be laid off is such that one or more of the employees within that classification and layoff tier need be laid off and one or more need not be laid off, then the person or persons with the least seniority, based on total continuous employment, shall be laid off first.

(b) For each job classification affected by the layoff, probationary, temporary, part-time, seasonal and emergency employees shall be laid off first and, exclusive of exemptions, comprise Layoff Tier Number One of the layoff scheme. Layoff Tier Number Two shall, exclusive of exemptions, be comprised of all employees having a combined merit rating falling below standard (i.e. below 9). Layoff Tier Number 3 shall, exclusive of exemptions, be comprised of all employees having a combined merit rating greater than or equal to 9 and less than or equal to 11.07. Layoff Tier Number 4 shall be comprised of all employees with a combined merit rating greater than 11.07.

(c) The employee or employees to be laid off will be determined by their layoff tier and seniority, based on total continuous employment, on a lowest tier number-first out basis. Within a layoff tier, the employee or employees having the least seniority (exemptions excluded) will be the first laid off. After all employees within a layoff tier (exemptions excluded) have been laid off, the employees in the next numbered layoff tier will be laid off in order of seniority, and layoffs will continue through layoff tiers sequentially until the layoff has been completed.

(d) If a tie exists between two or more employees after use of the procedure outlined in (c) of this section, then among those employees with the tie score, the following steps will be utilized in the following numbered sequence until the tie is broken, with use of a succeeding step only in the event a tie still exists among two or more employees:

(1) Employees will be laid off on the basis of the commencement of their total continuous service in the current job classification on a last in-first out basis, with the last commenced to be the first laid off.

(2) Employees will be laid off on the basis of their most recent job performance review score on a lowest score-first out basis, with the employee receiving the lowest score to be the first laid off.

(3) Employees will be laid off on the basis of the commencement of their total continuous employment on a last in-first out basis, with the last commenced to be the first laid off.

(4) Employees will be laid off on the basis of the date an employee filed an application for current continuous employment with the human resources department on a last in-first out basis, with the last applicant to be the first laid off.

(5) Employees will be laid off on the basis of total city service, which shall include all periods of permanent employment with the city, on at least total service-first out basis, with employee(s) with the least amount of total city service to be the first laid off.

(6) Employees will be laid off on the basis of their names selected on a random basis by the human resources director, or his or her designee, on a first selected-first out basis, with the first name(s) selected to be laid off first.

Sec. 14-141.3. Exemptions and directors' discretion.

The department director may exempt one or more employees from the operation of the layoff, if the department director makes a specific written finding that:

(1) The exempted employee(s) have specifically enumerated educational qualifications or specialized technical training, professional licenses or qualities relevant to their work functions that are not possessed by the employee or employees who would otherwise replace them; or

(2) The retraining of the employee or employees who would otherwise replace the exempted employee(s) would cause a deterioration of service delivery or service quality by the department or the exempted employee has specifically enumerated skills, the loss of which would adversely impact the department's service delivery or quality.

~~Not less than ten city working~~At least ten calendar days prior to the date that the laid off employees are formally notified in writing of their layoff under this rule, the department director implementing such layoff shall provide the city attorney with written exemptions, if any, for review and approval.

Except as to employees who are exempted in accordance with this subsection, the layoff shall be accomplished in the manner otherwise provided in this rule.

Sec. 14-141.4. Grant-funded positions.

In any instance in which a department has some positions that are funded in whole or in part by virtue of funding received from one or more state or federal grant contracts and other positions that are funded in whole by virtue of funds derived from other general sources of city revenue and a layoff is required due to a reduction or elimination of the funding, then the layoff shall be accomplished in accordance with this rule, but in such a manner as to affect only those employees whose positions are funded in whole or in part through the source of funding that has been reduced or eliminated. It shall be the duty of the department director to ensure that each employee hired, transferred, promoted, demoted or otherwise assigned into a position that is funded in whole or in part by any state or federal contract or grant in aid notified prior to such assignment that the position will not be wholly funded by general city revenues and that the employee's continued employment will be subject to the city's continued receipt of funds for the position under the applicable state or federal contract funding the position.

A position shall be considered to be funded by a state or federal grant contract for purposes of the administration of this subsection regardless of whether the grant contract provides for the receipt of the funds in advance of their expenditure by the city, or provides for the expenditure of city funds from other city sources with their subsequent reimbursement pursuant to the terms of the grant contract, or provides for any combination of advance funding and reimbursement funding.

Sec. 14-142. Reemployment list; ~~reemployment;~~ reappointment; restoration of sick leave and vacation accruals.

The names of persons officially filling ~~permanent~~ regular civil service positions at the time such positions are abolished and who have ~~EPE scores~~performance rating scores of acceptable or higher shall be placed on a reemployment list and shall remain on this list for a period of one year. When vacancies occur in positions with the same classification or any other classification which is determined by the director to require equivalent job skills within the same or any other department, except as provided below the last one or ones laid off shall be the first ~~reemployed~~reappointed, and no other names shall be certified for those classifications until the one or ones laid off have been given a reasonable opportunity to accept reemployment with the city. Nothing herein shall be construed as a guarantee of reemployment.

(1) ~~In~~ For any instance in which there exists a reemployment list for a classification, and if an employee has been or will be voluntarily or involuntarily demoted to that classification within the department or if a qualified employee with a disability must be transferred to a vacant position in that classification as an accommodation of last resort, the department director may request and the commission may approve the certification of the ~~demoted~~ employee to a position within that classification and thereby reject ~~employees~~ placement of those on the reemployment list.

(2) In any instance in which the reemployment list for a given classification contains employees who before the layoff did not work within the department in which they would be reemployed, the department director may request and the commission may approve the certification of only those employees on that reemployment list who worked in that department at the time they were laid off, and thereby reject all employees on the reemployment list who were not employed in that department at the time they were laid off. If vacancies that the department seeks to fill still exist after certification of all those employees who worked in the department at the time they were laid off, then for those remaining vacancies the last employees laid-off in that classification within any other department shall be the first reemployed.

(3) In any instance in which the duties assigned to a classification within a department will require the performance of different work functions, which vary as to tasks performed, equipment operated, or in any other manner that affects the transferability of persons between the functions, and any one or more employees on the reemployment list were, before the layoff, either:

a. Selected for employment or promotion to the same or similar work functions on the basis of different formal education qualifications, professional licenses, or specialized technical training, or

b. Given specialized training, whether of a formal or on-the-job nature, while employed by the city that substantially meets the needs of the work functions to be performed in the department where reemployment of employees based strictly on their numerical position on the reemployment list would, in the opinion of the department director, require the retraining, licensing, or additional education of any one or more employees on the reemployment list to effectively staff those activities of the department that will be performed, then the department director may request that the commission reject one or more employees on the reemployment list. The commission may reject the employee(s) based on the director's opinion:

[1] The employee(s) who will be rejected does not have educational or training skills or licenses relevant to the work functions required for the department that are possessed by the employee(s) who the department requests be employed, or

[2] The retraining, licensing or additional education of the employee(s) who will be rejected would cause a deterioration of service delivery or service quality by the department.

(4) Restoration of sick leave accruals. An employee laid off under the Rule 11 provisions and placed on a reemployment list who returns to ~~full time~~regular employment with the city within one year of the layoff effective date~~on April 12, 2011, or any subsequent layoff~~, shall be immediately reinstated to the Compensable sick leave or Modified sick leave plan which the employee participated in at the time of layoff. Upon reemployment, the employee shall have restored all unused sick leave hours accrued by the employee as of the time of layoff under the Compensable sick leave plan, not to exceed 1,040 hours. Any unused sick leave hours accrued by the employee under the Compensable sick leave plan as of the time of layoff in excess of 1,040 hours and for which the employee has been compensated, shall not be restored. Upon reemployment, any sick leave hours that had been accrued by the employee under the Modified sick leave plan and for which the employee was compensated subsequent to the layoff, shall not be restored to the employee.

(5) Restoration of vacation accruals. An employee laid off under the Rule 11 provisions and placed on a reemployment list who returns to ~~full time~~regular employment with the city within one year of the layoff effective date~~on April 12, 2011, or any subsequent layoff~~, shall be reinstated to the vacation accrual program the employee participated in at the time of the layoff as provided under section 14-170 of this Code. All vacation hours the employee had accrued in excess of the vacation cap applicable to the employee at the time of layoff, shall also be restored to the employee. Any vacation hours accrued by an employee at the time of layoff, for which the employee was compensated subsequent to the layoff, shall not be restored to the employee.

Sec. 14-143. Transfer or demotion in lieu of layoff.

An employee who is determined to be in line for layoff may be transferred, before the effective date of such layoff, to a position in the same classification in a different department or to a position in any other classification for which the employee is qualified in the same department, in lieu of being laid off, such transfer to be governed by conditions or procedures prescribed in these civil service rules and the availability of suitable positions that the department directors desire to fill. If a ~~permanent~~ regular employee is in line for layoff from a position to which he was promoted within the preceding 12 months, he may be demoted to his previous classification, provided that there is a vacant position available in such classification that the department director desires to fill and further provided that the employee is willing to accept a pay reduction to the rate applicable for the classification to which the employee will be demoted.

Sec. 14-144. Filing of plan; appeal.

(a) ~~Not less than five city working~~At least seven calendar days prior to the date that the laid off employees are formally notified in writing of their layoff under this rule, the department director implementing such layoff shall file a written plan reflecting such layoff with the human resources director as secretary to the commission for review of compliance with non-discrimination obligations. Such plan shall set forth:

(1) Reason for the layoff and the source of funding which was reduced, if applicable;

(2) An organizational plan or diagram for the department affected by the layoff as it appeared prior to the layoff;

(3) The names and the current home addresses and telephone numbers and classifications of the employees who are to be laid off;

(4) For each classification and final layoff tier in the department in which employees are to be laid off along with the computation of each

employees' (whether laid off or not) combined merit rating score and layoff tier pursuant to section 14-141 of this Code; and

(5) A copy of any exemption designations made pursuant to section 14-141 of this Code.

(b) Each layoff process accomplished under this rule that causes the layoff of any permanent employee shall be subject to review by the commission upon the request of any laid off permanent employee filed in writing with the director within ten calendar days after the date that the employee is given written notice of the layoff. If the tenth day falls on a Saturday, Sunday, or holiday, the time for filing the request for review shall be extended to the next working day. In this paragraph "permanent employee" shall mean a full-time regular employee who is serving in a classified civil service position who has completed the one-year probationary period applicable to new and rehired civil service employees but shall not be construed to mean any employee ~~accepted~~ excepted from civil service classification pursuant to Article Va, Section 2 ~~of the City Charter~~.. Such request shall specify the reason that the laid off employee believes that the layoff process was not properly accomplished in accordance with this rule. Any request which lacks such specificity may be rejected by the commission. The appeal shall not raise prior acts of the department or delve into past incidents. It shall focus solely on the process of the layoff and whether it was done correctly and in accordance with this rule. The chairman, in consultation with the other members and the director, shall determine the type of review to be conducted, establish a date and determine the names of those persons who would be affected by the appeal if meritorious. The director shall cause a written notice of the review proceeding to be mailed to each person who may be designated by the commission, at the address furnished in the layoff plan, by certified U.S. mail, return receipt requested. Any of the persons so designated may intervene in the review by filing a written statement of position on the matter with the director by the day prior to its setting. To the extent practicable, only one review shall be conducted for each layoff process. The commission shall limit its inquiry to the issue of whether the layoff process was accomplished as to all employees involved, whether laid off not, in accordance with this rule, and it shall not at any time substitute its judgment or opinion for that of the department director as to any decision made within the legitimate discretion of the department director. The commission shall enter a written decision as soon as practicable after the conclusion of the review which shall be done by written documentation only (no testimony or oral argument) but not later than the twentieth day next following the date that the review is concluded. The commission may uphold the layoff as presented, uphold it in part and change it in part or take any other action necessary in order to conform the layoff to this rule. In accordance with its determination the commission may order the reinstatement of any laid off employee with back pay and the layoff of any other employee in lieu thereof. The filing of an appeal hereunder shall not defer the implementation of the layoff. However, the mayor may defer the implementation of the layoff process, in whole or in part, upon written recommendation of the director and the commission chairman that it be deferred due to an apparent

violation of this rule. Layoffs reviewed and sustained by the commission shall be final and shall not be subject to any other administrative recourse, review, or appeal process.

(c) To the extent an employee association has been duly recognized by the city as the sole and exclusive bargaining agent for municipal employees under Chapter 146 of the Local Government Code, the city and bargaining agent shall, through meet and confer, arrive at an alternate expedited process by which an exemption afforded under that section 14-141.3 of this Code may be challenged by the employee association on the grounds that it does not meet the criteria under that section, and whereby a laid off employee with at least eight years of service may challenge a combined merit rating of 9 received by the employee on the grounds that such rating does not accurately represent the employee's performance for the covered period.

Sec. 14-145. Review by human resources department for nondiscrimination obligations.

The mayor shall cause any plan for the implementation of a layoff to be reviewed by the human resources department to ensure that no employee is denied any benefit of employment or granted any preference on the basis of race, color, creed, sex, religion, national origin, age, gender, handicap or political of fraternal affiliation in the implementation of the layoff. If the commission finds that a denial of benefits or preference was undertaken for any of the foregoing reasons, then it shall order the reinstatement of the wronged employee(s) with back pay and the layoff of other employee(s) in lieu thereof. In order to facilitate such review the department director shall file a document reflecting the racial and sexual makeup of the department, including the employees to be laid off, with the documents provided to the ~~civil service~~ commission.

EXHIBIT A
CITY DEPARTMENTS

Administration and Regulatory Affairs

City Controller

City Council

City Secretary

Convention and Entertainment Facilities

Finance

Fire

Fleet Management

General Services

Housing and Community Development

Houston Airport System

Houston Health Department

Houston Information Technology Services

Houston Public Library System

Human Resources

Legal

Mayor's Office—Administration

Mayor's Office—Houston Emergency Center

Municipal Courts

Neighborhoods

Office of Business Opportunity

Parks and Recreation

Planning and Development

Police

Public Works and Engineering

Solid Waste Management

Secs. 14-146—14-149. Reserved.

DIVISION 12. RULE 12. RESIGNATIONS

Sec. 14-150. Written resignation to be requested with copy forwarded to director.

An employee in good standing who decides to leave ~~the service~~ city employment for any reason shall be asked by his supervisor or department director for a formal resignation in writing and a copy of same shall be forwarded to the director.

Sec. 14-151. Investigation; treatment of forced resignation as removal.

The commission is authorized to make such investigation of ~~the~~ any resignation as it may think advisable. If it develops that a separation reported as a resignation did not result from the voluntary act of the employee, the commission shall notify the mayor and may treat the separation as a removal and the provisions of these rules relating to removals shall then apply.

Sec. 14-152. Forfeiture of rights; reemployment.

Any employee in the classified service who voluntarily resigns his position shall forfeit all rights which he might have had under civil service. He can be reemployed ~~in the classified service~~with the city only in the manner prescribed by the rules governing original appointment, except that the commission may decide, after considering the recommendation of the department director, that his name may be returned to the original ~~eligible list~~list of eligibles, if still in existence, or to a new ~~eligible list~~list of eligibles for that classification. However, such eligibility for reemployment shall not take precedence over the rights of those who were laid off for budgetary or force-reduction reasons and are on a reemployment register.

Sec. 14-153. Withdrawal of resignation.

An employee, upon his written request before the effective date thereof and with the written approval of the department director, may be allowed to withdraw his resignation.

Sec. 14-154. Reinstatement of retired employees.

No employee in the classified service who ~~has been~~is retired on pension for service retirement shall be eligible for ~~reinstatement to active duty~~reappointment to regular employment that includes eligibility for the same pension. Employees retired for disability shall file with the commission a letter requesting reinstatement, together with a physician's statement stating that the pension employee is now physically fit to resume his duties in the position from which he was retired. The commission shall transmit the letter and physician's certificate to the municipal employees pension board for its consideration. The pension board, after due investigation and satisfactory physical examination of the pensioned employee, shall notify the ~~civil service~~ commission that the pensioned employee is physically qualified to have his name placed on an eligibility register for his former position or a lower position in the department from which he was pensioned.

Sec. 14-155. Absence from work without notice considered ~~as resignation~~job abandonment.

Any employee who is absent for three consecutive working days, without having notified his immediate superior, shall be considered to have ~~resigned~~ abandoned his position from the employment of the city. The department director or designee shall take

reasonable affirmative steps to ascertain the whereabouts of the employee before effectuating this rule.

Sec. 14-156. Candidacy for and holding of elective office.

(a) Any employee in the classified or unclassified service of the city, except appointed or elected officers, who is a candidate for any public elective office, whether the same be federal, state, county or city, either paid or nonpaid, shall immediately, in writing make such candidacy known to the director. It shall be the duty of the director to determine if the candidacy poses a conflict of interest with the employee's city employment. If any such conflict is found, the director shall provide the employee's department director with a full report of his findings together with any recommendation that he may have. If the department director concurs that there is a conflict of interest, he shall forthwith report such findings to the mayor together with any recommendation he may have. ~~regarding disciplinary action.~~ The mayor shall finally determine whether a conflict of interest with the employee's city job exists. ~~and whether disciplinary action is appropriate. Disciplinary action shall then be handled consistent with the City Charter and these rules.~~

(b) In the event that the director determines that the employee's candidacy results in no conflict of interest, and the employee is elected to the office sought, the same procedures as outlined above where candidacy presents a conflict shall be followed to determine if the holding of the office presents a conflict of interest and if ~~disciplinary~~ termination from employment~~action~~ is appropriate.

(c) Failure to make such candidacy known shall be a violation of this rule. Disciplinary action shall then be handled consistent with the City Charter and these rules.

Secs. 14-157—14-161. Reserved.

DIVISION 13. RULE 13. ~~SERVICE~~ PERFORMANCE RATINGS

Sec. 14-162. System.

The commission will assume that all employees are performing their assigned duties in a satisfactory manner unless and until the department director notifies the commission to the contrary.

Secs. 14-163—14-167. Reserved.

DIVISION 14. RULE 14. LEAVES OF ABSENCE AND OUTSIDE EMPLOYMENT

Sec. 14-168. Attendance; workweek; overtime compensation, etc.

(a) Definitions. Unless otherwise indicated, the following words shall, for purposes of this section, have the following meanings:

~~(1)~~ *Compensatory time or compensatory time off.* Hours during which eligible employees are not working but which are counted as hours worked during the applicable workweek for purposes of overtime compensation and for which the employee is compensated at the employee's regular rate of pay.

~~(2)~~ *Eligible employee.* All employees of the City of Houston other than exempt and noncovered employees as defined in this subsection and those employees classified pursuant to ~~subject to article 1269m, Texas Revised Civil Statutes,~~ Chapter 143 of the Texas Local Government Code~~and classified as fire protection or law enforcement personnel~~.

~~(3)~~ *Exempt employees.* All ~~executive, professional, administrative and seasonal recreation~~ employees of the City of Houston who are exempted from the overtime compensation requirements of the Fair Labor Standards Act of 1938, as amended and the pertinent regulations and opinions interpreting that act and who have been designated as such by the human resources director and the ~~civil service~~ commission.

~~(4)~~ *Non-covered employees.* All employees of the City of Houston who:

~~a.~~(1) Are excluded from coverage under the Fair Labor Standards Act of 1938, as amended, and the regulations and administrative opinions interpreting that act; and

~~b.~~(2) Are designated as such by the human resources director and the ~~civil service~~ commission. In reaching the determinations required by this subsection or subsection (a)(3) above, the director and the ~~civil service~~ commission shall be guided by the various criteria which are applied to determine whether overtime must be paid under the wage and hour provisions of the Fair Labor Standards Act of 1938, as amended.

~~(5)~~ *Overtime.* Time actually worked in excess of 40 hours in a workweek.

~~(6)~~ *Regular rate of pay.* Regular rate of pay shall include:

(1)~~a.~~ Base pay;

(2)~~b.~~ Longevity pay; and

(3)~~c.~~ Shift differential pay.

(4) Assignment Pay

The term "regular rate of pay" shall not include compensation excluded under Section 7(e) of the Fair Labor Standards Act of 1938, as amended or the

interpretative regulations and administrative or judicial opinions construing that section.

~~(7)~~ *Workweek.* The workweek shall consist of 40 hours of actual work within the consecutive 168 hour period beginning with the day shift on Saturday.

~~(8)~~ *Time actually worked* or *actual work.* The time the employee is actually on duty or on a council declared holiday, on authorized sick leave, vacation leave, compensatory time off, death in the family leave or any other authorized leave. However for clarification, if the holiday falls on an eligible employee's day off, and the employee does not work on the holiday, the employee will receive holiday compensation, but those hours will not count towards the overtime calculation for that week.

(b) All departments of the city shall maintain accurate~~,~~ and complete ~~and permanent~~ records of all employee attendance and time actually worked during each work week. Each department director or designee shall certify the correctness of submitted time and attendance records in a manner prescribed by the director. ~~make such reports of attendance and time actually worked as may be prescribed by the civil service commission. Department directors or designees shall certify the correctness of the reports. The reports shall be forwarded to the human resources department on a weekly basis.~~

(c) All eligible employees of the City of Houston shall be compensated for working overtime beyond their regularly scheduled workweek by the payment of either monetary compensation at the rate of 1½ times their regular rate of pay or compensatory time at the rate of 1½ hours for each overtime hour worked. The following shall apply to the payment of overtime compensation:

(1) The department director or designee of the department in which the employee works shall verify that the overtime is needed to complete a required city service or operation.

(2) The department director or designee may determine whether overtime shall be paid in cash or compensatory time. Where overtime is paid in cash it shall be paid in the pay period in which it is earned or as soon thereafter as is possible, taking into consideration both the workweek and the payroll system used.

(3) Where the employee is granted compensatory time the following shall apply:

a. The number of hours of compensatory time that may be accumulated shall not exceed 240.

b. Accrued compensatory time must be used within 120 calendar days from the date accrued, provided that it does not unduly disrupt departmental operations.

c. Eligible employees shall be paid for accrued compensatory time not taken within 120 days from the date of accrual. Such payment shall be in cash at the greater of:

[1]. The employee's average regular rate of pay over the employee's last three years of employment by the city preceding the date of payment; or

[2]. The employee's regular rate of pay for the pay period immediately preceding the date of payment.

Such payment shall be made in the first full pay period following expiration of the 120-day period.

d. Each department shall maintain detailed records of the accumulation and use of compensatory time ~~on~~ in a form prescribed by ~~the human resources~~ director.

e. Accumulated compensatory time shall be used in accordance with the first-in-first-out (FIFO) accounting principle.

f. Any compensatory time accrued prior to April 15, 1986 and not used shall be carried on the records of the department until such time as it is used by the employee. The employee shall not be entitled to monetary compensation for any compensatory time accrued prior to April 15, 1986.

(d) A department director or designee may, subject to the operational requirements and needs of the department, require an eligible employee to work on a ~~city~~ council declared holiday.

(1) Definitions. In this subsection only, the following definitions will apply:

Actual hours worked. The time an employee is working on duty performing assigned work required and authorized by the department director for the holiday starting with the actual time the work begins on the holiday and ending with the actual time the employee completes the required work or stops for the day on the holiday.

Eligible employee. For purposes of holiday compensation, holiday premium pay, and short notice premium pay, all permanent, full-time employees of the City of Houston other than those employees who are: (i) subject to Chapter 143 of the Texas Local Government Code, (ii)

classified as fire protection or law enforcement personnel or (iii) subject to other civil service systems and/or other meet and confer or collective bargaining agreements under Chapter 143 or 174 of the Texas Local Government Code.

Holiday. A date that the ~~city~~ council has declared as a holiday on which city offices will be closed.

Holiday compensation. The payment an eligible employee is to receive for the observance of a holiday, to be paid at one times the regular rate of pay, for the appropriate number of hours as indicated below.

Holiday hours. The hours accrued in lieu of payment for holiday premium pay.

Holiday premium pay. The payment or accrual an eligible employee is to receive in addition to base pay and any other additional pay not provided by this subsection, for the appropriate number of actual hours worked on the holiday as indicated below. It is to be paid at one times the regular rate of pay times the appropriate number of actual hours worked on the holiday as indicated below, or accrued at one times the appropriate number of actual hours worked on the holiday as indicated below.

Regular or scheduled hours. The time an employee is usually and regularly scheduled to work on a day on which a holiday falls. The term excludes scheduled overtime hours.

Short notice call to duty. The director or designee determines that extraordinary circumstances or a true emergency exists that requires an employee to report to work or return to work on a holiday. Extraordinary circumstances or a true emergency occurs when the employee is provided less than 24 hours notice in advance of the starting time of the shift or hours to be worked on the holiday. It does not apply to those, scheduled or not, who know 24 hours or more in advance that they are required to work on the holiday.

Short notice premium pay. The payment or accrual an eligible employee is to receive in addition to base pay and any other additional pay not provided by this subsection, for the appropriate number of actual hours worked on the holiday as a result of Short Notice Call to Duty, regardless of the employee's regular work schedule. It will be paid at one and one-half times the regular rate of pay times the appropriate number of actual hours worked on the holiday as indicated below, or accrued at one and one-half times the appropriate number of actual hours worked on the holiday as indicated below.

(2) If an eligible employee's regular or scheduled hours to work fall on a holiday, but the employee is not required to and does not work on the holiday, the employee will be paid only holiday compensation at one times the regular rate of pay for the number of hours the employee is regularly scheduled to work on that day. Hours may not be accrued in lieu of payment.

(3) Where an employee's regularly scheduled day off falls on a holiday, the employee may be given a day off in lieu of the holiday or the employee may receive straight-time payment equal in value to the employee's regularly scheduled workday at the employee's regular rate of pay. The department director shall determine whether the employee shall be paid for the holiday or be given a day off at a later date. For purposes of computing overtime, cash payment granted will not be considered payment for hours worked. If a day off in lieu of the holiday is granted, it must be granted and taken within 180 calendar days of the holiday or be paid.

(4) If an eligible employee's regular or scheduled hours to work fall on a holiday and the employee is required to work on the holiday, but the employee does not work on the holiday because the employee has an excused absence or authorized leave for the date of the holiday, the employee will be paid only holiday compensation at one times the regular rate of pay for the number of hours the employee is regularly scheduled to work on that day; and no leave balance will be debited for that day. Hours may not be accrued in lieu of payment.

(5) If an eligible employee's regular or scheduled hours to work fall on a holiday, and the employee is required to work on the holiday, but does not work, resulting in an unexcused absence, the employee will be paid only holiday compensation at one times the regular rate of pay for the number of hours the employee is regularly scheduled to work on that day. In addition, disciplinary action may be taken, the same as if the employee did not work on any scheduled non-holiday work day.

(6) The department director or designee has discretion to determine whether holiday premium pay or short notice premium pay will be paid or hours accrued under the circumstances set out in items (7) and (8) below. The number of hours will be the same whether they are paid or accrued.

(7) If an eligible employee is required by the department director or designee to work, and does work, on a holiday (regardless of whether regularly scheduled, or called to report to work more than 24 hours in advance of the starting of the shift), the employee will be paid or will accrue hours for the hours actually worked on the holiday for which the employee had 24 hours or more notice ("full notice hours") as follows:

a. Except as provided in (b) below, if the employee works on a holiday, the employee will be paid at one times the regular rate of pay for all actual full notice hours worked on the holiday, and additionally will receive holiday premium pay for the number of actual full notice hours worked on the holiday (For illustration purposes only: Total = 1 × regular rate of pay × number of actual full notice hours worked on the holiday, plus either 1 × regular rate of pay × number of actual full notice hours worked on the holiday or accrual of 1 × number of actual full notice hours worked on the holiday).

b. If the employee works fewer than the number of hours in his regular or scheduled hours on the holiday, or if not regularly scheduled to work on the holiday, fewer than the number of hours in the most frequently occurring daily schedule in the employee's work schedule the employee will be paid at one times the regular rate of pay for all actual full notice hours worked on the holiday, and additionally will receive holiday premium pay for the number of actual full notice hours worked on the holiday, plus holiday compensation only for the remaining hours of the regular or scheduled hours not worked on the holiday or if not regularly scheduled to work on the holiday, the remaining hours of the most frequently occurring daily schedule in the employee's work schedule. (For illustration purposes only: Total = 1 × regular rate of pay × number of actual full notice hours worked on the holiday, plus either 1 × regular rate of pay × number of actual full notice hours worked on the holiday or accrual of 1 × number of actual full notice hours worked on the holiday, and also paid additionally 1 × regular rate of pay × number of remaining regular or scheduled hours not worked on the holiday, or if not regularly scheduled, the remaining hours in the most frequently occurring daily schedule in the employee's work schedule not worked on the holiday.)

(8) If an eligible employee was not previously scheduled to work on a holiday but is then required by the department director or designee to report to work or stay at work with less than 24 hours notice before the time required to report to work, the employee will be paid or will accrue hours for the hours actually worked on the holiday for which the employee had less than 24 hours notice ("short notice hours") as follows:

a. The employee will be paid at one times the regular rate of pay for all actual short notice hours worked on the holiday, and additionally will receive short notice premium pay for the number of actual short notice hours worked on the holiday. Such payment will be made without regard to the employee's usual shift or regular scheduled hours. (For illustration purposes only: Total = 1 × regular rate of pay

× number of actual short notice hours worked on the holiday, plus either 1.5 × regular rate of pay × number of actual short notice hours worked on the holiday or accrual of 1.5 × number of actual short notice hours worked on the holiday.)

b. An employee required or called in to work on short notice call to duty should work only the hours necessary to do the required work and should not be required to work an entire shift or be held over unless operationally necessary.

(9) Holiday hours accrued must be used as follows:

a. If accrued, the accrued holiday hours must be used on or before the 180th day after the date of the holiday for which they were accrued or they shall be paid in the first full pay period immediately following the expiration of the 180 days.

b. Eligible employees who accrue holiday hours must make a good faith effort to use the accrued hours before the 180 day period expires. These hours shall be used before other forms of leave except Family and Medical leave or injury on duty leave.

c. If an eligible employee has failed to submit a request for accrued holiday leave on or before the thirtieth day before the relevant period expires, the department may, upon notice to the employee, convert a request for vacation or sick leave to accrued holiday leave in order to avoid the conversion of the accrued holiday leave to pay. Departments also may direct employees with accrued holiday leave hours that are within 30 days of conversion to pay to take such leave before it expires and becomes payable.

d. All accrued holiday hours of police and firefighter trainees not used on or before the date the trainee is scheduled to become a sworn classified officer or firefighter will be paid at one times the regular rate of pay with an effective date on the final day prior to the date on which the trainee is scheduled to become a sworn classified officer or firefighter.

e. All remaining accrued holiday hours not used on or before the date an eligible employee separates from city employment are forfeited and will not be paid.

(10) Holiday compensation paid in lieu of base pay for a holiday observed is to be included in pay reported for pension purposes so as not to reduce base pay or service for pension purposes. Holiday premium pay is not to be included in pay or service reported for pension purposes.

(11) An eligible employee who is scheduled to work, but does not work and is not paid for the last scheduled workday (unless the day is an authorized furlough day) before the holiday or is scheduled to work but does not work and is not paid for the first scheduled workday (unless the day is an authorized furlough day) after the holiday will not be paid holiday compensation, holiday premium pay, short notice premium pay, or accrue holiday hours for the holiday.

(12) If a holiday falls on a day that an eligible employee is on approved work-related injury leave or on transitional duty, the holiday will be compensated under Executive Order 1-33 and other applicable policies, but not under this section.

(e) Any employee who is exempt and, as a result, not eligible for overtime pay as prescribed in this section, may, notwithstanding and other provisions of this section to the contrary, be eligible for compensatory time ~~and~~ on a straight time (hour-for-hour) basis, upon the recommendation ~~or their~~of his department director and the approval of the ~~human resources~~ director, subject to the following criteria:

(1) The employee is in a classification assigned to pay grades ~~24~~26 and below.

(2) The overtime work must be performed under unusual circumstances, which shall mean additional hours not ordinarily required to perform the employee's regularly assigned tasks including, but not limited to, unscheduled work hours on a council declared holiday or work performed over a confined period of time due to a special project assignment or a condition of emergency.

(3) An employee may not receive more than 40 hours of compensatory time hereunder in any calendar year quarter.

(4) Compensatory time granted under this subsection and its use shall be reported to the human resources director in accordance with subsection (c)(3)d., above.

(5) Any compensatory time granted must be used within 120 calendar days following the payroll period in which it was earned, and the employee's department director shall afford the employee a reasonable opportunity to use the time within that period. Compensatory time that is not used within the 120-day period is forfeited.

(6) Compensatory time granted hereunder may not be converted to any other form of leave benefit or be paid as a cash benefit under any circumstances, including the death, resignation or termination of the employee.

(7) The ~~human resources~~ director may, subject to the review and approval ~~if~~ of the mayor, issue administrative guidelines to the department directors for the granting and reporting of such compensatory time.

(f) Under certain extraordinary circumstances, the mayor may extend, amend and augment the above requirements in the following manner:

(1) The mayor will declare that an extraordinary and/or catastrophic condition exists and will order the human resources director, in consultation with the appropriate department directors, to issue an event-specific procedure to provide ~~compensation~~ compensatory time to certain exempt employees.

(2) The procedure will extend eligibility for compensatory time to exempt employees in specified pay grades required to address the extraordinary condition, but shall in no case, specify pay grades beyond pay grade ~~26~~29.

(3) Maximum hours accumulated in a calendar year quarter may be increased, but shall in no case exceed 60 hours.

(4) The time period for using the compensatory time accumulated under this special subsection may be increased, but shall in no case extend beyond 365 calendar days from the pay period in which the compensatory time was granted.

(g) Notwithstanding the provisions of subsection 14-168(e) of this section, full-time exempt employees may be eligible to be compensated in cash in the form of special assignment pay for time worked in excess of 40 hours in one week, subject to the following limiting criteria:

(1) The work performed must be at a city-operated health clinic facility that is open to the public and provides a service to the public;

(2) The work performed by the full-time, exempt employee must directly involve providing critical service to the public ~~as~~ at such a facility;

(3) The hours worked must be in addition to the normal 40 hours of the work week; and

(4) The employees must be employed by ~~be~~ the city in a licensed medical professional capacity.

Special assignment pay is subject to approval by ~~the human resources~~ director and requires conclusive justification by the director of the department requesting the special assignment pay. Authorized special assignment pay will be reviewed on an annual basis by the ~~human resources~~ director in conjunction with the requesting department. When authorized, the amount of assignment pay will be established on an individual

basis for each affected classification by the ~~human resources~~ director but may not be payable at more than 1½ times the employee's regular hourly rate of pay. Authorized assignment pay will be funded by the requesting department's personnel budget.

Sec. 14-169. Reserved.

Sec. 14-170. Vacations.

(a) ~~Permanent~~ Full-time employees, excluding temporary employees in the classified and unclassified service ~~who regularly work the prescribed work week for their department~~ shall be allowed vacation with pay in accordance with the employee's service time and the following schedule:

Years 1 through 4	80 hours
Year 5	120 hours
Years 6 and 7	128 hours
Years 8 and 9	136 hours
Years 10 and 11	144 hours
Year 12	152 hours
Year 13	160 hours
Year 14	168 hours
Year 15	176 hours
Year 16	184 hours
Year 17	192 hours
Year 18 and beyond	200 hours

Service time for purposes of the foregoing accrual rates shall be based upon the employee's total eligible length of service with the city, and for a rehired employee credit shall be afforded for prior service time. Accruals shall be allocated on a fractional basis

per pay period, with applicable service time adjustments commencing on the first pay period following the employee's service time anniversary date. Accruals during the first six months of service shall be subject to subsection (c) below.

Accruals of vacation time shall be limited as follows:

(1) Except as provided in item (2) below, accruals of vacation time shall be limited to a maximum of 360 unused hours.

(2) Persons who are actually employed by the city on October 1, 2003, and who have a commencement date for vacation benefits purposes that is prior to January 1, 2000, shall be subject to an accrual limit of 720 unused hours for so long as they remain continuously employed by the city without a gap in service.

Once the applicable maximum limit is reached, accruals shall be suspended and shall not recommence until the employee reduces the balance by use of benefits.

(b) When vacation absence is requested and approved by the ~~commission~~department director or designee, the absence during that period shall not be converted to any other type of authorized absence, such as absence with pay, without pay, or sick or injury leave, without approval of the ~~civil service~~ commission.

(c) No employee will accumulate any vacation leave until he has been in the city's service for a period of six months. If he continues in the city's service beyond said six months' period, such employee will be allowed such vacation leave as would have accrued during such six months' period of time.

(d) Vacation leave may be accumulated to a total of 360 or 720 working hours, as applicable, subject to the following:

(1) Each employee of the city shall, upon termination of employment, receive in a lump sum payment, the full amount of his salary for his unused accrued vacation leave. If the termination results from the death of the employee, then the amount shall be payable to the beneficiaries of the employee.

(2) Each employee, upon leaving the employment of the city, shall be paid accumulated vacation in the amount to be determined by taking the average of the hourly base pay of the employee, plus the longevity rate he has attained and has received or been entitled to receive during his last 60 calendar days of employment; provided, however, that the employee has received, for at least another 60 calendar day period of time, a higher base pay than that which he was paid during his last 60 calendar days of employment, then the amount of such payment shall be determined by taking the average of the hourly base pay of the employee for the 60-day calendar period for which he was paid a greater hourly base pay, plus the

longevity rate he has attained. The computation of the "hourly base rate of pay" shall be based upon the hourly equivalent for 80 hours of scheduled work (excluding overtime) per biweekly pay period, regardless of the actual work hours scheduled per day. For a rehired employee, all computations shall be based upon the employee's then current term of service.

(ef) Employees who take an extended leave of absence without pay for personal reasons, consisting of 80 or more hours of absence, shall not accumulate vacation allowances during such absences.

(fg) The provisions of this section are inapplicable to police officers and fire fighters serving in positions that are classified under Chapter 143 of the Texas Local Government Code. Vacation leave benefits for employees so classified shall be as provided by applicable provisions of Chapter 34 of this Code, the aforesaid Chapter 143, and any applicable agreements established between the city and employee bargaining groups under Chapter 143.

Sec. 14-171. Leave with pay.

(a) Attendance of permanent employees at conventions, conferences and meetings of like nature is not to be considered a leave from duty but shall be noted on the payroll and such attendance must be authorized by the mayordepartment director or designee..

(b) In the case of death in the immediate family, the department director may excuse an employee for as many as three calendar days. Immediate family shall include father, mother, sister, brother, husband, wife, child, grandparents, and other relatives if, in the opinion of the department director, such employee's presence due to his individual relationship and the circumstances of the case, would be required. Such absences and the reasons therefore must be reported in a manner prescribed by the director. to the human resources director on forms prescribed by his office.

(c) Absence of full-time employees during due to religious holidays may be charged tocovered by the employee's accrued leave, except sick and wellness leave; however, vacation time, or debited to overtime the employee may have accumulated; but such absences must be approved by the department director or designee. and reported promptly to the human resources director.

(d) Permanent eEmployees who leave to serve as members of the uniformed military forces of the United States are to be given pay for whatever time they may have accumulated as vacation time prior to their leaving but shall not accumulate leaves with pay during absences which extend for periods of longer than one month unless otherwise provided by law.

Sec. 14-172. Leave without pay; voluntary leave without pay program.

(a) Department directors may grant, upon good reason, leaves of absence without pay for as many as 14 consecutive calendar days for ~~permanent~~ full-time employees in the classified or unclassified service. All leaves in excess of 14 calendar days shall be reported promptly to the ~~civil service~~ commission on forms prescribed by the commission. C~~ivil service c~~ommission approval of leaves without pay extending for more than ~~ten working days~~14 calendar days shall be required before such leaves shall be authorized. The commission, with the exception of those leaves known as military leave, shall not approve of more than 90 consecutive calendar days of leave at any one time, but the ~~civil service~~ commission may subsequently approve extensions of a leave as long as a total of 180 calendar days of leave without pay in one 12-month period is not exceeded. Leaves without pay extending for more than 180 calendar days shall be authorized only after the request for the same is approved by the ~~city~~ council. A leave for less than 180 days and more than 14 calendar days may be cancelled by the ~~civil service~~ commission upon reasonable notice to the employee.

(b) Employees who begin a leave on Monday shall be paid for the preceding Saturday and Sunday. Employees who begin a leave on Tuesday or other weekday~~week day~~ which immediately follows a council-approved holiday, or who return from a leave on the day immediately following such a holiday, shall not be paid for that holiday. Saturdays, Sundays, off-days and holidays which come during a leave without pay shall be without pay, as also shall Saturdays, Sundays and off-days which terminate a leave.

(c) If an employee returns to work before his leave expires, the employee's department director shall notify promptly the human resources department in writing, and, furthermore, the employee's department director will notify the human resources department in writing if an employee fails to return on the working day next following the end of this leave. Failure to return within three days from a leave shall be taken as evidence of ~~a resignation without notice~~job abandonment.

(d) In time of war or emergency, an employee who serves in the uniformed military forces of the United States shall be granted a military leave without pay but shall be eligible for reinstatement to his former position and all other entitlements consistent with the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended. ~~only if he is able to present to the civil service commission a certificate of honorable discharge within 90 days after his discharge, is physically and mentally qualified for reinstatement, and if his services with the military forces began at or about the time he left the city's service therefor. If and when he is reinstated, he shall receive full seniority credit for the time he was absent for military service. Physical or mental incapacity to perform his former duties shall not make him ineligible for placement in some other work provided he is qualified therefor.~~

(e) When budgetary constraints require a reduction in expenditures, the mayor is authorized to implement, as needed, a program of voluntary and/or involuntary leaves of

absence without pay (furloughs) whereby employees will not come to work and will not be paid on a regular work day. The mayor must designate and approve the parameters of such a program (the Furlough Plan) in advance. The Furlough Plan must specify: (1) whether furloughs will be voluntary, involuntary, or both, (2) the limited duration of time either or both shall be in effect, (3) whether furloughs will be citywide or department specific, (4) the date(s) either or both programs will be activated and implemented, (5) the civil service systems and respective employee groups, pay grades or classifications affected, (6) the minimum and maximum number of days or hours to be taken as furlough, and (7) the time period during which furloughs must be taken. Furloughs must affect all designated employee group members consistently (i.e. all employees in each affected group will be treated the same as all other members of that group) and (8) all Federal and State laws concerning labor standards and pay will be followed.

(f) At the direction of the mayor, the director will promulgate procedures for each type of furlough authorized consistent with sections 14-172(a) through 14-172(e) of this Code and the parameters specified in the Furlough Plan. During the course of a furlough, whether voluntary or involuntary, the mayor may alter or revise specific components of the program to respond to changes in the city's financial condition and the director will modify procedures accordingly. Any furlough taken will be appropriately noted on each affected employee's attendance records and will in no way be regarded as an unauthorized absence, a permanent reduction in pay, a reduction in force or contribute toward disciplinary action. A furlough shall not affect the employee's accrual of sick and vacation leave or eligibility for health insurance or other benefits, subject, however, to any relevant provisions in an applicable pension agreement.

Sec. 14-173. Outside employment of employees.

~~The commission will not permit any member of any department to~~No employee shall contract for, or be engaged in, any work of any kind after regular working hours for compensation or non-monetary compensation, unless specifically authorized, in writing, to do so by his department director or designee. An employee shall submit a new outside work authorization form annually and/or for each new work ~~, and under no circumstances will the~~assignment. The department director or designee shall not approve a request permitting a member of his department to hold a full-time or part-time position which would deprive another from regular employment by the city. The department director or designee will be required to maintain in his office a permanent record of all outside employment– authorization forms for which approval has been sought.~~has been authorized~~. Such records shall be maintained for a minimum period of three years.

Secs. 14-174—14-181. Reserved.

Sec. 14-182. Removal; demotion; suspension.

(a) A department director may terminate the employment of, demote, reduce in pay or temporarily suspend for any period of time any ~~non-civil~~ noncivil service

employee in his department (or division), which action shall not be subject to appeal or review by the commission.

(b) A department director may, for just cause, indefinitely suspend the employment of, demote, or reduce in pay, any civil service employee in his department (or division) which action shall be subject to appeal and review by the commission pursuant to the authority vested in it by the Charter and these rules.

(c) A department director may temporarily suspend without pay any civil service employee in his/her department (or division) for any period of time not to exceed 90 days. An employee temporarily suspended for up to 15 calendar days, shall not have a right of appeal before the commission, but civil service employees may request a ~~review and~~ hearing which may be granted at the discretion of the commission. An employee temporarily suspended for 16 to 90 calendar days shall have a right of appeal before the commission pursuant to the authority vested in it by the Charter and these rules.

(d) No indefinite suspension, demotion or reduction in pay of any civil service employee shall become effective until the employee has been given an opportunity by his/her department director to explain the conditions or actions which prompted consideration of one or more of these disciplinary actions. The department director shall give to the employee written notice of the indefinite suspension, demotion or reduction in pay, the effective date thereof, and the reasons or grounds for such action with a copy of the notice to the commission. The disciplinary action shall then become effective immediately, but the employee shall retain the right of appeal to the commission as prescribed in these rules. After hearing the appeal, the commission shall either sustain the action, ~~lessen the penalty, increase~~ modify the penalty, or reject the action of the department director and if applicable, reinstate the employee to the employment roster. The decision of the commission shall be final.

Sec. 14-183. Violation of certain standards of conduct to result in disciplinary action.

(a) Any civil service employee~~, either full- or part-time~~, may be disciplined under the provisions of subsections 14-182(a) and (b), for violating any of the standards of conduct enumerated and listed herein below. Any noncivil service employee, ~~either full- or part-time,~~ may be disciplined at the discretion of the employee's department director and the mayor for violating any of the following standards of conduct:

~~(a)~~ An employee shall not:

(1) Accept or solicit any money, property, service or other thing of value by way of gift, favor, loan or otherwise which the employee knows or should know is being offered or given with the intent to influence said employee in the discharge of official duties.

(2) Accept or solicit any money, property, service or other thing of value from a private person or group of people in return for having exercised, performed or failed to perform official duties. Excepted from this prohibition are regularly scheduled wages and other employee benefits paid or given to an employee of a private person or company while such employee is working for the city as a loaned executive.

(3) Engage in any business or professional activity which might tend to impair independence of judgment in the discharge of official duties.

(4) Engage in any outside employment without first securing approval, in writing, from the department director.

(5) Invest or hold any investment or interest directly or indirectly in any financial, business, commercial or other transaction, which creates or might reasonably tend to create a conflict between the public trust held as an employee of the city and the employee's private interests.

(6) Disclose confidential information concerning the property, operations, policies or affairs of the city, nor use such confidential information to advance the personal interests, financial or otherwise, of said employee or others.

(7) Use one's official position or the city's facilities, equipment or supplies, nor use or attempt to use one's official position to secure special advantage, privilege or exemption for the employee or others.

(8) Negotiate for or accept future employment with any person, firm, association or corporation which has a substantial interest in any proposed ordinance or decision within such person's area of responsibility and upon which the employee may or must act or make a recommendation.

(9) Represent, directly or indirectly, any private person, group or interest before any agency of the city, except in matters of purely civic or public concern and when doing so without compensation or remuneration.

(10) Represent directly or indirectly, any private person, group or interest in any action or proceeding against the interests of the city, or in any litigation in which the city or any agency thereof is a party. However, this provision shall not prohibit representation by a group, firm or organization the employee is associated with if such employee does not participate in the action proceeding or litigation in any manner.

(11) Represent, directly or indirectly, any private person, group or interest in any action or proceeding in the municipal courts of the city which was instituted by a city officer or employee in the course of official duties.

(12) Violate any provision or set of provisions of a departmental code of ethical conduct promulgated pursuant to subsection (f) herein below for the city department of which the employee is a member.

(b) If an employee has a personal interest, direct or indirect, financial or otherwise, in any decision pending before such employee or a body or group of which the employee is a member, the employee shall not participate in the consideration of the matter. If such employee is in attendance at such meeting, he or she shall publicly disclose a conflict of interest to the body or group prior to any determination of the matter.

(c) ~~Reserved.~~

~~(d)~~ Certain classifications of employee may be required by a department director to report all gifts received from any person, business entity or organization. An employee in a classification so designated by a department director shall report all gifts, including the estimated amount of the gift and the source, on April 30 of each year, for the preceding calendar year. The department director shall file with the city secretary a list of the job classifications required to make this report. Excluded from the requirement are gifts received from relatives within the second degree of consanguinity or affinity, and food and beverages of trivial benefit.

(d~~e~~) Department directors may require certain classifications of employees to report a list of all real property held legally or beneficially by them. An employee in a classification so designated by a department director shall report all such real property held legally or beneficially by him on April 30 of each year for the preceding calendar year. The department director shall file with the city secretary a list of the job classifications required to make this report.

(e~~f~~) Department directors shall, in consonance with the foregoing standards, establish by administrative rules or regulations additional requirements for the ethical conduct of salaried municipal employees, or classifications of such employees, within their respective departments. Such administrative rules or regulations shall be approved by the mayor and placed on file with the city secretary and the applicable department director.

(f~~g~~) The term "salaried municipal employee," as used in this section, shall include civil service employees and ~~non-civil~~ noncivil service employees.

Sec. 14-184. Carrying of dangerous weapons while on duty or on city property.

(a) All employees, except those who are required to do so in the performance of their official duties, are prohibited from ~~carrying~~possessing dangerous weapons while on duty, in a city vehicle, or while on city property. This prohibition does not extend to off-duty possession by a handgun license holder in a public area as authorized by state law.~~Possession alone is "carrying" for the purpose of this rule, no transporting of the~~

~~weapon is necessary. Further, possession~~ Possession includes all enumerated weapons within the employee's actual care, custody, control, or management, except for a firearm or ammunition transported or stored in a locked, privately owned motor vehicle in accordance with state law. ~~either on his or her person or in his or her vehicle.~~ Those weapons which are specifically prohibited include:

(1) Any instrument that is specially designed, made, or adapted for the purpose ~~readily capable~~ of inflicting serious bodily injury by striking a person with the instrument, including but not limited to:

a. Blackjack.

b. Nightstick.

c. Mace.

d. Tomahawk.

e. Other instruments which are readily capable of but not specifically designed to cause serious bodily injury.

(2) Any explosive or incendiary bomb, grenade, rocket, or mine that is designed, made, or adapted for the purpose ~~which is capable~~ of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon.

(3) Any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an exploding or burning substance, by compressed air or gases or by any device readily convertible to that use, including but not limited to:

a. Rifles.

b. Shotguns.

c. Handguns.

d. Machine gun.

e. Short-barrel firearm.

f. Hunting guns.

g. Antique guns.

h. Zip gun.

(4) Any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument, including but not limited to:

a. Any jackknife with a blade over three inches.

b. Throw-blade knife or hand instrument designed to cut or stab another by being thrown.

c. Dagger, including dirk, stiletto, poniard, etc.

d. Bowie knife.

e. Sword.

f. Spear.

g. Switchblade knife.

(5) Any conducted-energy device that is used or intended to be used as either an offensive or defensive weapon, which is capable of temporarily immobilizing a person by inflicting an electrical charge, including but not limited to:

a. Stun gun.

b. Taser.

(6) Any chemical dispensing device that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being.

(7) Any device that reasonably appears to be an explosive or incendiary device or by its design causes alarm or reaction of any type by an official of a public safety agency or a volunteer agency organized to deal with emergencies.

(8) Any bladed hand instrument that consists of finger rings or guards made of a hard substance and that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

(b) Violation of this rule will subject the employee to disciplinary action up to and including indefinite suspension.

~~Sec. 14-185. Removal because of medical impairment.~~

~~(a) This section provides the exclusive procedure for determining whether an employee who is not subject to chapter 143 of the Local Government Code is sufficiently physically or mentally fit to continue the employee's duties or assignment.~~

~~(b) As used in this section, the terms "reasonable accommodation" and "undue hardship" shall have the same meaning as those terms appearing in the Americans with Disability Act of 1990 (42 U.S.C. section 1210 et seq.) enacted by Congress on July 29, 1990 and as defined by regulations issued under it by the United States Equal Employment Opportunity Commission.~~

~~(c) Whenever an employee has a known disability, the department director shall be responsible for restructuring the employee's duties and responsibilities as a reasonable accommodation so long as the employee can perform the essential job functions of his or her position. Whenever a question exists whether the employee is sufficiently physically or mentally fit to continue the employee's essential job functions, whether or not the employee is on leave of absence, upon receiving a written order by the department director, the employee shall submit to the civil service commission a report from the employee's personal physician, psychiatrist, or psychologist, as appropriate. If the report by the employee's personal physician, psychiatrist, or psychologist establishes that the employee is unable to perform the essential job functions of the employee's position, the department director shall attempt to make a reasonable accommodation by transferring the employee to another vacant position in the department that the employee can perform. If reasonable accommodation cannot be made within the department, then the department director shall notify the human resources director, who shall institute a city-wide search for available positions. The human resources director shall make a report and recommendation to the civil service commission, and the commission shall hold a hearing to determine whether a reasonable accommodation for the employee's disability can be made either in the employee's current position or by transfer to another available position. If the commission determines that a reasonable accommodation can be made, it shall enter an order changing the duties of the employee's current position, reclassifying the employee's position, or transferring the employee to another available position. The commission shall not transfer the employee to another department if there is a vacancy in the employee's department that the employee is capable of performing with reasonable accommodation. If the commission determines that no reasonable accommodation can be made and that the employee will not be able to resume his or her essential job functions within a reasonable period of time, the commission shall enter an order removing the employee from active employment with the city; however, such order shall not prejudice the employee's ability to seek re-employment with the city in the future, should there be a change in the employee's medical condition.~~

~~(d) If the commission, the department director, or the employee questions the report, the commission may appoint a physician, psychiatrist, or psychologist, as~~

~~appropriate, to examine the employee and to submit a report to the commission, the department director, and the employee.~~

~~(e) If the report of the appointed physician, psychiatrist, or psychologist, as appropriate, disagrees with the report of the personal physician, psychiatrist, or psychologist, as appropriate, the commission may appoint an independent three-member board composed of a physician, a psychiatrist, and a psychologist or any combination, as appropriate, to examine the employee. The board shall submit to the commission a written report of its finding regarding whether employee is sufficiently physically or mentally fit to continue the person's essential job function. The commission, at its next regularly scheduled meeting after the date it receives the report of the board, shall determine whether the employee is sufficiently physically or mentally fit to continue the assignment. The commission shall hold a hearing to make the determination of fitness and reasonable accommodation as is provided in subsection (b) above and enter an order accordingly.~~

~~(f) The employee shall be responsible for paying the cost of the services of the employee's personal physician, psychiatrist, or psychologist, as appropriate. The city shall pay all other costs.~~

Secs. 14-185~~14-186, —~~14-187. Reserved.

DIVISION 16. RULE 16. APPEALS, HEARINGS AND INVESTIGATIONS

Sec. 14-188. Right of appeal; correction of improper disciplinary action.

(a) Any regular~~, permanent~~ employee in the classified service who believes he has been unjustly indefinitely suspended, retired, demoted, transferred, or reduced in any pay may file an appeal with the commission in the same manner as prescribed in section 3 of ~~article~~ Article Va ~~of the City Charter~~ pertaining to an appeal and hearing.

(b) No disciplinary action shall be taken by the commission, the mayor, a supervisor, or department director against an employee because of membership in any political, religious, or fraternal labor organizations. ~~And if~~If the commission finds a disciplinary action has been taken for these reasons, the employee shall be reinstated immediately ~~in his position~~to the employment roster and may be reimbursed for any loss of pay occasioned by such action.

Sec. 14-189. Investigations generally.

If, at any time, there is brought to the attention of the commission a condition whereby it appears that an injustice has been done an employee in the classified service with respect to his position or duties in the service of the city, the commission is vested with authority to investigate the facts, and if it finds the employee is entitled to relief, it shall make such appropriate order, after review, as will grant the relief to which the employee is entitled, and its finding thereon shall be final; provided, however, that in any instance herein mentioned the commission shall first direct, in writing, the attention

of the mayor to the purported injustice and take no action thereon for a period of ten days following delivery of such notice, and only then in the event it finds that the injustice as to such employee has not been corrected by the mayor.

Sec. 14-190. Right to counsel at hearings.

Any person appearing at a hearing as a party to the cause being heard shall be entitled to legal counsel, but this fact shall not be construed to mean that such representation is necessary.

Sec. 14-191. Power to administer oaths and require attendance of witnesses and production of records.

In the course of any hearing, investigation, or tests of fitness conducted under the provisions of these rules and regulations, the commission and any other person authorized by it as its representative for such purposes shall have the power to administer oaths, to subpoena, and to require the attendance of witnesses within the ~~county~~ legal limits and the production by them of books and papers pertinent to any matter of inquiry, and to examine such witnesses under oath, in relation to any matters properly involved in such proceedings.

Sec. 14-192. Refusal to testify.

If any officer or employee ~~in the classified service~~ shall willfully~~wilfully~~ refuse on any grounds to testify or to answer any question relative to the matter being heard by the commission, such refusal shall constitute sufficient grounds for either suspension or ~~discharge~~termination, and the commission may recommend to the mayor the suspension or discharge if, in its judgment, such disciplinary measure is advisable. Any employee indefinitely suspended for refusing to testify before the ~~civil service~~ commission shall have no right of appeal.

Sec. 14-193. Investigations on commission's own initiative.

The commission may, upon its own initiative, make such inquiries and investigations as it may deem to be warranted regarding the administration and effect of the provisions of ~~article~~Article Va and of ordinances and rules adopted in accordance therewith and to make such recommendations to the mayor, or take such other action as in its judgment is warranted in the premises.

Sec. 14-194. Hearings to conform to Charter.

All hearings shall be held in conformity with Charter provisions covering civil service hearings.

Secs. 14-195—14-199. Reserved.

DIVISION 17. RULE 17. RECORDS, REPORTS, ETC.

Sec. 14-200. Official roster.

The director shall ~~provide and~~ maintain a complete official record of employees, showing for each employee his name, address, classification, rate of pay, changes in any of these, and such other information as he may deem desirable. The form and manner in which such information shall be maintained shall be determined by the ~~commission~~director.

Sec. 14-201. Report of change in employee's status; personnel actions.

Every temporary or permanent change in the status of employees in the classified service shall be reported to the director at such time and in such form, together with such supporting or pertinent information, as the ~~commission~~ director may prescribe.

Sec. 14-202. Personnel files generally.

There will be only one official personnel file maintained on each employee of the city and that file shall be maintained in the custody of the director. Any action designated by the director ~~of any nature~~ pertaining to any employee shall be forwarded to the director for proper filing.

Sec. 14-203. Review of employee files.

(a) Any department director or his designated supervisor of the city may, upon request, review any file of any employee in his respective department, but shall not be allowed to review the official personnel file of an employee of another department, unless consideration is being given to the transfer of that employee from one department to another department. All ~~employee~~ official personnel files shall be reviewed under the supervision of an employee of the human resources department, and no files shall be allowed to be taken from the human resources department. Information from any file of any employee of the city may be released to persons not employees of the city only at the discretion and under the supervision of the director.

(b) The names of special investigators or special employees who may be temporarily employed by the city and whose usefulness would be impaired were their identity disclosed, and the confidential reports on any applicant, eligible, or employee are to be held as confidential data and are to be guarded accordingly.

Sec. 14-204. Preservation of records.

Official employee records, minutes of the commission meetings, and lists of eligibles shall be kept for a period of three years, or longer as may be required by the City's official retention policy. Employment related records of employees shall be made a part of the personnel files of individuals who become employees of the city; otherwise,

they shall be kept by the commission for a period of three years after the establishment of the list of eligibles. Roster cards or records, payroll records, minutes of the commission meetings, lists of eligibles, and records pertaining to any examination, including correspondence, applications, and examination papers of persons who scored non-passing grades shall not be removed from the possession of the commission.

Employment related records,~~Roster cards or records, payroll records,~~ minutes of the commission meetings, and eligible records shall be kept ~~permanently~~as required by the city's retention policy. All such ~~R~~records pertaining to any ~~examination, including~~ correspondence, applications, and ~~examination~~ papers with passing grades, shall be preserved for at least ~~two~~ three years after the establishment of the ~~eligible list~~list of eligibles, after which period of time they may be destroyed if deemed by the commission to be of no further value. Such papers shall be made a part of the ~~permanent~~ official files of individuals who become employees of the city in the interim. The papers and records of those who do not make a passing grade may be destroyed after ~~60 days~~three years, computing from the date the ~~eligible list~~list of eligibles is created, but in no event shall these cards, papers, or records be removed meanwhile from the possession of the ~~commission~~human resources department.

Secs. 14-205—14-209. Reserved.

DIVISION 18. RULE 18. PAYROLL PROCEDURE

Sec. 14-210. Automated payroll system.

(a) The administration and regulatory affairs department, central payroll division, has authority for maintaining the automated payroll system and for maintaining the integrity of data therein. However, no payroll transaction that is made necessary by the hiring, ~~terminating~~discharge, or change in the rate of pay for an employee, when such transaction is used to generate payroll warrants for employees of the city shall be entered into the payroll data base unless and until the transaction has been audited by the controller and delivered to the administration and regulatory affairs department, central payroll division, signifying that such audit has been conducted.

(b) The administration and regulatory affairs department, central payroll division, has authority for preparing all necessary payroll system reports, including payroll warrants. However, the city controller and the director of administration and regulatory affairs shall not issue any warrant or order in payment of any salary or compensation to any person for filing or holding a classified position unless either the payroll, warrant, or check for that work bears the certification of the ~~commission,~~director, that the persons named thereon are correctly named and titled, at the legal rate of pay, and were appointed or employed in accordance with the provisions of these rules and regulations. Subsequent to such certification and upon receipt of the payroll warrants, the city controller has exclusive authority for verifying, signing, and distributing the warrants. ~~to department directors and their designees.~~

Sec. 14-211. Notice to the controller.

The director shall be responsible for ~~sending~~ making available to the controller ~~a copy of~~ all forms, reports, and certificates affecting the status and rates and amounts of salary and compensation of all employees.

Secs. 14-212—14-216. Reserved.

DIVISION 19. RULE 19. VALIDITY OF RULES

Sec. 14-217. Effect of invalidity of part.

If any part of these rules and regulations is held by competent authority to be invalid, each and all of the other part or parts thereof not so held shall continue in full force and effect as though such invalid part had not been included herein.

~~**Sec. 14-218. "Officer" defined.**~~

~~For the purposes of division 20, the term "officer" shall mean those employees who are employed and classified as city marshals in the municipal courts department, or any successor to such department or airport police officers in the aviation department.~~

~~**Sec. 14-218.1. Indefinite suspensions of city marshals and airport police officers.**~~

~~(a) Whenever the mayor, pursuant to section 14-182, indefinitely suspends an officer who is entitled to civil service protection under Texas Revised Civil Statutes Annotated, article 1269m, the mayor shall, within 120 hours thereafter, file a written statement with the commission, giving the reasons for such suspension, and immediately shall furnish a copy thereof to the officer affected by such act, said copy to be delivered in person to such suspended officer by said department director or his representative. Said order of suspension shall inform the officer that he has ten days after receipt of a copy thereof within which to file a written appeal with the commission. The commission shall hold a hearing and render a decision in writing within 30 days after it receives said notice of appeal. Said decision shall state whether or not the suspended officer shall be permanently or temporarily dismissed from his department or be restored to his former position or status in the classified service in the department. In the event that such suspended officer is restored to the position or class of service from which he was suspended, such officer shall receive full compensation at the rate of pay provided for the position or class of service from which he was suspended for the actual time lost as a result of such suspension, it being further provided that the commission may assess a temporary suspension or other discipline in lieu of an indefinite suspension.~~

~~(b) The written statement provided above to be filed by the mayor with the commission shall not only point out the civil service rule alleged to have been violated by the suspended officer, but shall contain the alleged acts of the officer that the mayor contends are in violation of the civil service rules. It shall not be sufficient for the mayor~~

merely to refer to the provisions of the rules alleged to have been violated, and in case the mayor does not specifically point out the act or acts complained of on the part of such officer, it shall be the duty of the commission promptly to reinstate such officer. In any civil service hearing hereunder, the mayor is hereby restricted to the original written statement and charges, which shall not be amended, and no act or acts may be complained of by said mayor which did not happen or occur within six months immediately preceding the date of suspension by the mayor. No officer shall be suspended or dismissed by the commission except for violation of the civil service rules, and except upon a finding by the commission of the truth of the specific charges against such officer.

(c) In the event the commission orders that such suspended officer be restored to his position as above provided, it shall be the duty of the department director immediately to reinstate him as ordered, and in the event the department director fails to do so, the officer shall be entitled to his salary just as though he had been regularly reinstated.

(d) In the event such department director willfully refuses to obey the orders of reinstatement of the commission, and such refusal persists for a period of ten days, it shall be the duty of the mayor to discharge such department director from his employment with the city.

Sec. 14-218.2. Disciplinary suspensions of city marshals and airport police officers.

The head of either the municipal courts department or the aviation department shall have the power to suspend any officer under his jurisdiction or supervision for disciplinary purposes for reasonable periods, not to exceed 15 days; provided that in every such case, the department director shall file with the commission within 120 hours, a written statement of action, and the commission shall have the power to investigate and to determine whether just cause exists therefor. In the event the department director fails to file said statement with the commission within 120 hours, the suspension shall be void and the officer shall be entitled to his full salary. The commission shall have the power to reverse the decision of the department director and to instruct him immediately to restore such officer to his position. In the event such department director refuses to obey the order of the commission, then the provisions with reference to salaries of the officers and to the discharge of the department director as well as other provisions of section 14-218.1 pertaining to such refusal of the department director shall apply.

Sec. 14-218.3. Appeal by city marshals and airport police officers.

(a) An officer may appeal an indefinite suspension, a suspension, a promotional passover, or a recommended demotion to the commission or an independent third party hearing examiner.

~~(b) In order for an officer to appeal, it shall only be necessary for him to file, within ten days with the secretary of the commission, a written statement denying the truth of the charges as made, a statement taking exception to the legal sufficiency of such charges, or a statement alleging that the recommended action does not fit the offense or alleged offense and in addition, asking for a hearing by the commission. The officer shall also include in the statement whether he is requesting a hearing before the commission or an independent third party hearing examiner. In hearing an appeal under this section, an independent third party hearing examiner shall act in the same capacity as the commission.~~

~~Sec. 14-218.4. Appeal to district court.~~

~~In the event any officer is dissatisfied with the decision of the commission, he may, pursuant to article 1269m, Texas Revised Civil Statutes Annotated, and within ten days after the rendition of such final decision, file a petition in the district court, asking that his order of suspension or dismissal be set aside, and that he be reinstated in the department. Such cases shall be advanced on the docket of the district court and shall be given preferential setting over all other cases. An officer who elects to appeal to an independent hearing examiner waives all rights of appeal to district court except as provided by section 16c(f) to article 1269m.~~

~~Sec. 14-218.5. Causes of dismissals and suspensions.~~

~~No officer shall engage in, or be involved in, any one of the following acts or conduct and the same shall constitute cause for the removal from service or the suspension of an officer:~~

~~(1) That the officer has been convicted of a criminal offense or of a misdemeanor involving moral turpitude.~~

~~(2) That the officer has been guilty of an immoral or criminal act.~~

~~(3) That the officer has willfully, wantonly, or through culpable negligence been guilty of brutality or cruelty to an inmate or prisoner of the city institution or to a person in custody, provided the act committed was not necessarily or lawfully done in self-defense, or to protect the lives of others, or to prevent the escape of a person lawfully in custody.~~

~~(4) That the officer has violated any of the provisions of the Charter of the City of Houston or has violated any of the provisions of the civil service rules and regulations for municipal employees, or the rules or orders of the municipal courts or aviation departments.~~

~~(5) That the officer has been guilty of an act that amounts to an act of insubordination, or to disgraceful conduct, whether such act was committed while on duty or off duty.~~

~~(6) That the officer has been guilty of incompetency or inefficiency in the performance of the duties of his position.~~

~~(7) That the officer has been guilty of drinking intoxicants or the use of intoxicants while on duty, or being intoxicated while off duty.~~

~~(8) That the officer has been absent from duty without leave contrary to the rules of the commission, or has failed to report after leave of absence has expired, after such leave of absence has been disapproved or revoked and cancelled by the director of the department and the commission; provided, however, that if such absence or failure to report is excusable, the commission or the mayor may revoke such discharge.~~

~~(9) That the officer has failed to pay or make reasonable provisions for future payment of his just debts due or owing by him, causing thereby annoyance to his superior officer or scandal to the service.~~

~~(10) That the officer has been wantonly offensive in conduct or language towards the public or toward city officials or officers or employees, or shows discourtesy to the public or to fellow employees while said officer is in line of duty.~~

~~(11) That the officer has been guilty of any conduct unbecoming to an officer of the City of Houston.~~

~~(12) That the officer has willfully shown lack of good moral character.~~

~~(13) That the officer has violated any lawful and reasonable direction made and given by his superior officer, where such violation or failure to obey amounts to an act of insubordination or a breach of proper discipline, or resulted or reasonably might be expected to result in loss or injury to the City of Houston, to the public, or to the prisoners or wards of the City of Houston.~~

~~(14) That the officer has been guilty of neglect of duty.~~

~~(15) That the officer has been guilty of conduct which was prejudicial to good order of the Municipal Courts or Aviation Departments of the City of Houston.~~

~~(16) That the officer has been guilty of shirking duty or has shown cowardice while in the line of duty.~~

~~(17) That the officer has been habitually tardy in reporting for duty or absent frequently from duty during regular working hours, or has refused to perform a reasonable amount of emergency work after working hours when directed to do so by his superior officer or department director.~~

(18) That the officer has been wantonly careless or negligent in the care and handling of the property and equipment of the City of Houston.

(19) That the officer has been induced or has attempted to induce an officer or employee in the service of the city to commit an unlawful act or to act in violation of any lawful and reasonable departmental or official regulation or order; or has taken any fee, gift, or other valuable thing in the course of his work or in conjunction with it, for his personal use from any citizen, when such fee, gift, or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens.

(20) That the officer has solicited, accepted, or has agreed to accept any money, service or other thing of value from any person in exchange for the officer's retirement.

(21) That the officer has directly or indirectly given, delivered or paid, or offered or promised to give, deliver or pay any money, service, or other valuable thing to any person for or on account of, or in connection with his promotion.

Sec. 14-218.6. Demotion of city marshals and airport police officers.

(a) By his initiative pursuant to the City Charter and section 14-182, or upon the recommendation of the head of the municipal courts department or aviation department, the mayor may recommend in writing to the commission that an officer be demoted to a lower rank, giving the reasons therefor, and requesting that the commission make such order of demotion.

(b) A true copy of such recommendation shall be immediately provided, in person, to the officer to be affected by such demotion. If an officer desires to exercise his right to have the recommended demotion heard by a third party hearing examiner as provided by section 14-218.3., he shall so inform the commission, in writing, within ten days after his receipt of the copy of such recommendation.

(c) Said commission shall have authority to refuse to grant said request for demotion. If, however the commission feels that probable cause exists for said demotion, it shall give such officer ten days' advance written notice to appear before the commission at a time and place specified in said written notice to the officer, and said officer shall have the right to a full and complete public hearing upon such proposed demotion. If the officer has elected to have the recommended demotion heard by a third party hearing examiner, the commission shall refer such recommendation along with the officer's request to the secretary of the commission. The secretary shall immediately institute the proceedings established for such hearings as provided in section 16c of article 1269m, Texas Revised Civil Statutes Annotated.

~~(d) No officer shall be demoted without such hearing, unless the officer has accepted, in writing, the terms of the demotion.~~

Secs. 14-218, 219. Reserved.

ARTICLE III. SICK LEAVE AND INJURY

DIVISION 1. GENERALLY

Sec. 14-220. Definitions.

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

*Actively at work*status means that the employee is following an approved schedule, ~~actually~~ performing all the regular duties of his employment at a regularly established business location of the city or another location to which he may be required to travel to perform the regular duties of his employment. ~~Although not actively at work as defined hereinabove, an employee, for purposes of this provision,~~ An employee shall be deemed to ~~be~~ remain on active~~ly at work~~ status for compensable sick leave plan or modified sick leave plan benefits purposes on each day of leave compensated as a city benefit, such as each day of a regular paid vacation or holiday, on authorized paid sick or injury leave, on a scheduled nonworking off day (exempt employees only), on relief of duty with pay, or on an unpaid absence of 80 consecutive work hours or less. An employee on an unpaid absence in excess of 80 consecutive work hours for any reason will not be considered to be on active~~ly at work~~ status for sick leave benefits purposes under either plan while on such unpaid absence. Employees serving temporary disciplinary suspensions of 15 calendar days or less shall be considered to be on active~~ly at work~~ status, but employees serving longer term temporary disciplinary suspensions shall not be considered to be on active~~ly at work~~ status for sick leave benefits purposes under either plan.

Base pay means the employee's current ~~base biweekly~~approved salary rate of pay stated in hourly, biweekly or other appropriate rate of pay ~~for his classification~~, excluding overtime, assignment pay, higher classification pay, shift differential, allowances, incentives or any additional compensation based upon his normal working hours.

Benefit or *benefits* means compensation in the form of continuation of salary.

Benefit year means a plan year commencing on September 1 of each calendar year and ending on August 31 of the next calendar year.

Break in service means any termination of employment of any duration for any reason. The term "break in service" shall not include an authorized leave of absence (paid or unpaid) or a temporary disciplinary suspension of any duration.

Compensable sick leave means a benefit payable to an employee only when the employee has available sick leave hours and has been authorized sick leave by the department director because he cannot discharge his regular duties due to a bona fide illness, disease or off duty injury of the employee, or in order to care for a family member due to the family member's bona fide illness, disease or injury, or because the employee requires time off to consult with or receive testing or treatment from a health care provider for the diagnosis or treatment of his bona fide illness, disease or off duty injury.

Compensable sick leave plan means the program of benefits created in division 2 of this article.

Department director means the director of the department to which an employee is assigned or the department director's designee.

Director means the human resources director of the city.

Employee means any permanent or temporary full-time employee of the city in the classified or unclassified service, including firefighters and police officers who are classified under chapter 143 of the Texas Local Government Code.

Family member means the spouse, child or step-child, or parent or step-parent of the employee.

Frozen days means unused accumulated benefit days that an employee who was employed prior to September 1, 1985, had accrued as of August 31, 1985, through the city's former sick leave plan as provided under former section 14-169 of the City Code which was repealed effective September 1, 1985.

Full-time means regularly assigned to work not less than 40 hours per week.

Modified sick leave plan means the program of benefits created in division 3 of this article.

Part-time means regularly assigned to work less than 40 hours per week.

Sick leave means time off authorized at the discretion of an employee's department director for an employee's own bona fide illness, disease, or off duty injury, or because the employee requires time off to consult with or receive testing or treatment from a health care provider for the diagnosis or treatment of the bona fide illness, disease or off duty injury. Sick leave may also mean time off

authorized at the discretion of an employee's department director in order to care for a family member due to the family member's bona fide illness, disease, or injury. Sick leave may be authorized as uncompensated if the employee has no compensable sick leave plan or modified sick leave plan hours available.

Sec. 14-221. Application.

The provisions of this division shall apply to employees who are covered by either the compensable sick leave plan or the modified sick leave plan. No employee may be covered by both plans. Sick leave benefits will not be provided for persons who are employed by the city on a part-time basis or to emergency employees.

Sec. 14-222. Outside employment.

No employee shall engage in any outside employment on any day for which the employee has requested or received compensable or uncompensated sick leave, whether or not related to family medical leave, or workers' compensation benefits with or without salary continuation. Approval of outside employment pursuant to applicable civil service regulations and department policies shall not be construed as authorizing an exception to the foregoing prohibition. A violation of this section shall be grounds for appropriate disciplinary action, including indefinite suspension or termination.

Sec. 14-223. Off days, holidays.

Benefits may only be utilized and will only be charged for days and hours upon which an employee is regularly scheduled to work. Benefits will not be provided for any extra work days or work hours to which an employee may have been assigned to work on an overtime basis.

Sec. 14-224. Benefit amount.

When sick leave is utilized by an active employee, compensable sick leave plan or modified sick leave plan, benefits will be computed for payment purposes on the basis of the employee's then current base pay plus any permanent pay components, such as longevity pay, assignment pay or bilingual pay to which the employee is regularly entitled, regardless of whether charged to available sick leave time allowances or charged to frozen days (in the case of employees whose service commenced prior to September 1, 1985, who may have frozen days available).

Sec. 14-225. Coverage, transitional provisions.

(a) The modified sick leave plan is a closed enrollment plan that is available only to those employees who have been employed by the city since on or before August 31, 1985, without a break in service and who did not elect to convert to the city's former income protection plan as authorized by law in 1985. Other employees eligible for sick leave benefits, including members of the former income protection plan and persons

hired or rehired following a break in service on or after September 1, 1985, shall be members of the compensable sick leave plan.

(b) Employees who are rehired following a break in service shall be members of the compensable sick leave plan and shall be treated in all respects as new employees thereunder, unless entitled to restoration of modified sick leave plan membership or restoration of other benefits following a layoff or a military leave as provided by law or by civil service regulations.

(c) The modified sick leave plan shall remain unaffected by the creation of the compensable sick leave plan. An employee who is a member of the modified sick leave plan shall continue to accrue benefits as set forth in division 3 of this article for so long as he remains continuously employed by the city without a break in service. The value of frozen days for a modified sick leave plan member determined as of August 31, 1985, under former section 14-225(a) of the City of Houston Code of Ordinances shall apply to his payment upon termination pursuant to section 14-233 or 14-244 of this Code, as applicable; however, frozen days shall be payable as provided in section 14-224 of this Code when utilized by an active employee for authorized compensable sick leave.

Sec. 14-226. Injury in course and scope of employment, workers' compensation benefits and salary continuation.

(a) In a circumstance in which an employee is injured in the course and scope of performing his duties on behalf of the city, the employee's department director may grant the injured employee an injury leave of absence not to exceed 12 months' duration. An employee who qualifies for workers' compensation income benefits under state law shall be paid in accordance with applicable state law for supplemental income or other benefits for which the injured employee may be eligible. In addition to statutory workers' compensation benefits, an injured employee may be paid supplemental salary continuation in an amount not to exceed in the aggregate the maximum of his base salary plus any permanent pay components, such as longevity pay, assignment pay or bilingual pay, to which the employee is regularly entitled. Salary continuation may only be paid in accordance with rules and terms promulgated by the mayor as required elsewhere herein.

(b) Salary continuation benefits provided under this section shall not be charged to the available compensable sick leave plan time allowances or to the modified sick leave plan balance otherwise authorized in these provisions for compensable sick leave.

(c) If, at the end of the first 12-month period of injury leave, the employee is still not able to return to full-time employment but medical prognosis indicates that the employee will be able to resume full-time employment following an additional period of treatment and/or convalescence, the city council may, upon the request of the department director with the concurrence of the director and the mayor, grant additional

leaves of absence at full or reduced pay for a period not to exceed an additional 12 months, to be granted in increments of three months.

Sec. 14-227. Sick leave regulations.

The mayor may, upon recommendation of the director, establish regulations for the accounting of sick leave use and benefits under either plan, for the verification of bona fide illness, disease, off duty injury or medical or other treatment by a health care provider, and for discipline of employees who have excessive absences. Any such regulations shall be consistent with this article and other applicable laws and shall be written so as to ensure that benefits and their use are properly accounted for and that sick leave benefits are limited to eligible uses. The director shall submit accounting regulations to the city controller for approval prior to recommending them to the mayor. With the exception of any provisions that relate to employees who work shifts of unusual duration, the foregoing regulations shall provide, as a qualification for sick leave hereunder, that each absence for an eligible reason after 64 hours within a benefit year, regardless of the duration of the absence, whether taken cumulatively or in a single event, must be verified by an attending health care provider's statement on a form promulgated by the director. No assessment by telephone will be accepted as a verification required herein. Verification may be required prior to the use of 64 hours of sick leave in any instance of potential abuse of sick leave.

Sec. 14-228. Coordination.

All payments for sick leave benefits under this article (whether paid pursuant to the modified sick leave plan, the compensable sick leave plan or as salary continuation under section 14-226 of this Code) shall be subject to coordination with:

(1) Payments to which an employee is entitled by virtue of any policy or ~~self funded~~self-funded plan of disability insurance benefits provided in whole or in part at the expense of the city; and

(2) Payments to which an employee is entitled by virtue of any state or federally provided or mandated benefit program including, but not limited to, state workers' compensation benefits and federal social security benefits.

The coordination shall extend to payments made thereunder for the purpose of compensating an employee for lost wages or lost capacity to earn wages, but it shall not extend to payments expressly made thereunder for the reimbursement of actual medical expenses incurred by an employee. In any instance where such other payments as described in section 14-228(2) are available, then the sick leave compensation benefits under this ~~article~~Article shall be reduced by an amount equal to the other benefits that are available to the employee, so that the employee shall not receive more than an amount equal to his base salary plus any other permanent pay components.

Sec. 14-229. Removal because of medical impairment.

(a) This section provides the exclusive procedure for determining whether an employee, whether full-time or part-time, who is not subject to chapter 143 of the Local Government Code is sufficiently physically or mentally fit to continue the employee's duties or assignment.

(b) As used in this section, the terms "reasonable accommodation" and "undue hardship" shall have the same meaning as those terms appearing in the Americans with Disability Act of 1990, as amended, (42 U.S.C. section 1210 et seq.) enacted by Congress on July 29, 1990 and in regulations issued under that Act by the United States Equal Employment Opportunity Commission.

(c) The department director shall be responsible for restructuring the employee's duties and responsibilities as a reasonable accommodation so long as the employee can perform the essential job functions of his or her position. Whenever a question exists whether the employee is sufficiently physically or mentally fit to continue the employee's essential job functions, whether or not the employee is on leave of absence, upon receiving a written order by the department director, the employee shall submit to the department a report from the employee's personal physician, psychiatrist, or psychologist, as appropriate. If the report by the employee's personal physician, psychiatrist, or psychologist establishes that the employee is unable to perform the essential job functions of the employee's position, the department director shall attempt to make a reasonable accommodation. If reasonable accommodation cannot be made within the department, then the department director shall notify the director, who shall institute a city-wide search for available positions. The director shall make a report and recommendation to the civil service commission, and the commission shall hold a hearing to determine whether a reasonable accommodation for the employee's disability can be made either in the employee's current position or by transfer to another available position. If the commission determines that a reasonable accommodation can be made, it shall enter an order of accommodation and/or if applicable, reclassifying the employee's position or transferring the employee to another available position, in consultation with the department director or designee. The commission shall not transfer the employee to another department if there is a vacancy in the employee's department that the employee is qualified to perform with or without reasonable accommodation. If the commission determines that no reasonable accommodation can be made and that the employee will not be able to resume his or her essential job functions with or without a reasonable accommodation within a reasonable period of time, the commission shall enter an order removing the employee from the city’s employment roster; however, such order shall not prejudice the employee's ability to seek reappointment with the city in the future, should there be a change in the employee's medical condition.

(d) If the commission, the department director, or the employee questions the report, the commission may appoint a physician, psychiatrist, or psychologist, as

appropriate, to examine the employee and to submit a report to the commission, the department director, and the employee.

(e) If the report of the appointed physician, psychiatrist, or psychologist, as appropriate, disagrees with the report of the personal physician, psychiatrist, or psychologist, as appropriate, the commission may appoint an independent three-member board composed of a physician, a psychiatrist, and a psychologist or any combination, as appropriate, to examine the employee. The board shall submit to the commission a written report of its finding regarding whether employee is sufficiently physically or mentally fit to continue the person's essential job function. The commission, at its next regularly scheduled meeting after the date it receives the report of the board, shall determine whether the employee is sufficiently physically or mentally fit to continue the assignment. The commission shall hold a hearing to make the determination of fitness and reasonable accommodation as is provided in subsection (b) above and enter an order accordingly.

(f) The employee shall be responsible for paying the cost of the services of the employee's personal physician, psychiatrist, or psychologist, as appropriate. The city shall pay all other costs.

DIVISION 2. COMPENSABLE SICK LEAVE PLAN

Sec. 14-230. Application.

The compensation benefits provided in this division shall constitute the compensable sick leave plan and shall be available only to those employees who are entitled to coverage hereunder.

Sec. 14-231. Compensable sick leave.

(a) The compensable sick leave plan is created effective September 1, 1996. A member of the city's former income protection plan, which is replaced by the compensable sick leave plan, may be entitled to an initial sick leave time allowance hereunder as provided by section 6 of Ordinance No. 96-1088 and regulations promulgated thereunder. The initial sick leave time allowance, if any, shall be in addition to the biweekly sick leave time allowances received under subsection (b).

(b) A compensable sick leave plan member who is actively at work shall receive a biweekly sick leave time allowance of 2.5 hours per biweekly payroll period up to a maximum of 65 hours per benefit year.

(c) Sick leave may not be compensated unless sufficient unused sick leave time allowances are currently available to the employee at the time of the absence. If sick leave time allowances are not available, any authorized sick leave shall be uncompensated unless the employee elects to use other available benefits, such as vacation, to supplement any deficiency in sick leave time allowances.

(d) In his first full biweekly payroll period that commences in October, each member of the compensable sick leave plan who has used fewer sick leave time allowance hours than he received during the previous benefit year shall be given additional sick leave time allowance hours in an amount equal to the difference between the number of hours received and the number of hours used. However, no additional sick leave time allowance hours shall be given that would cause the employee's available sick leave time allowance hours to exceed 1,040 hours. Once an employee has 1,040 hours of unused sick leave time allowances, the annualized addition for unused hours shall not be provided. The annual addition authorized in this subsection for unused sick leave time allowance hours shall not apply to initial sick leave time allowances provided under subsection (a).

(e) Upon ~~termination~~ discharge of employment, all unused sick leave time allowances in excess of 1,040 hours shall be payable to the employee or to the employee's beneficiaries, as applicable, at the employee's rate of base pay, plus longevity, at the time of termination. The first 1,040 hours of unused sick leave time allowances shall have no value, except when used for compensable sick leave benefits and may not be converted to any other use or benefit, nor shall they be payable upon ~~termination~~ discharge or death of the employee under any circumstances.

Sec. 14-232. Personal leave hours.

(a) Compensable sick leave plan members are eligible to receive personal leave hours in accordance with the following schedule:

Hours of Benefits Used in Preceding Benefit Year	**Personal Leave Hours Earned**
None	24
From one minute to eight hours	16
From eight hours and one minute to 16 hours	8
More than 16 hours	None

In order to qualify, an employee must have been employed without a break in service during the preceding full benefit year.

(b) Personal leave hours granted for each benefit year will be awarded as of the first full pay period in October of each succeeding benefit year. Personal leave hours may not be accumulated past August 31 of each benefit year and may only be used during the benefit year in which they are awarded. No compensation of any sort will be

granted for personal leave hours that are not timely used during the benefit year awarded.

(c) Personal leave hours may be used in the same manner as vacation and may be taken separately or in conjunction with regular vacation or other authorized leave. Department directors may impose internal regulations, including reasonable advance notice requirements for taking personal leave hours, in order to ensure that working schedules are maintained. However, no department director shall unreasonably continually or arbitrarily deny an employee the right to use earned personal leave hours.

Sec. 14-233. Frozen days.

(a) Those compensable sick leave plan members who were employed by the city before September 1, 1985, and who have frozen days may utilize them as supplemental compensation in the event of illness or injury and exhaustion of sick leave time allowances available under the compensable sick leave plan. Frozen days may not be utilized for sick leave benefits while compensable sick leave plan time allowances remain available. Also, frozen days may not be utilized to supplement the benefits received through any long term disability policy that may be provided by the city as an adjunct benefit to the compensable sick leave plan.

(b) The value of an employee's remaining frozen days that have not been used as supplemental benefits under subsection (a), above, shall be payable to the employee upon termination of employment with the city, or to the employee's beneficiaries in the event of the death of the employee. Payment under this subsection will be limited to the value of the employee's remaining frozen days that were not used as supplemental benefits; the payment value therefor shall be as calculated as of August 31, 1985, under former section 14-225(a) of the City of Houston Code of Ordinances, regardless of whether the employee is earning a lesser or greater amount at the time of termination.

Sec. 14-234. Long-term disability.

The city may, if it so elects, provide an insurance policy or a ~~self-funded~~self-funded plan of long term disability coverage for members of the compensable sick leave plan who meet certain eligibility criteria therefor in such form and upon such terms as the city council may, from time to time, elect to offer.

Sec. 14-235. Wellness leave.

(a) During each benefit year, a compensable sick leave plan member may take up to eight hours of wellness leave to go to health care providers for examinations and physicals, annual check ups and prospective health screening/testing of any kind in order to ensure that the employee continues to stay in good health or for the purpose of encouraging early detection of potentially debilitating or life threatening illness or diseases that might otherwise be ignored.

(b) ~~Department~~ The directors may impose internal regulations, including reasonable advance notice requirements for taking any of such hours, in order to ensure that working schedules are maintained. No department director shall unreasonably refuse to allow such leave, but shall ensure that the time is taken when mutually beneficial or convenient for both the employee and the department.

(c) Wellness leave taken by compensable sick leave plan members will be payable in the same manner as sick leave, but shall not be regarded as use of sick leave time allowances, nor shall it be regarded as a use of sick leave for other purposes, such as attendance awards.

(d) Unused wellness leave hours may not be carried from one benefit year to the next; remaining unused hours will be canceled on August 31 of each benefit year. No compensation of any sort will be paid or granted for wellness leave that is not timely used.

Secs. 14-236—14-239. Reserved.

DIVISION 3. MODIFIED SICK LEAVE PLAN

Sec. 14-240. Application.

The benefits provided in this division 3 shall constitute the modified sick leave plan and shall be available only to those employees who are covered by the modified sick leave plan. The meaning of the word "employee" as used in this division shall be so restricted.

Sec. 14-241. Benefit days—Accrual.

(a) Employees shall receive benefit sick days at the rate of 1¼ eight-hour working days for each full month of employment so that they shall be eligible to receive 15 eight-hour benefit days per benefit year.

(b) Benefit days may be accumulated without limitation.

Sec. 14-242. Same—Days charged.

When an employee utilizes an accumulated benefit day for sick or injury leave purposes, it will be charged to his or her accumulated benefit days on a first-in-first-out accounting basis so that days used during any benefit year will be charged:

(1) First to frozen days, if any;

(2) Then to unused days accumulated, if any, from the earliest benefit year and then to unused days accumulated, if any, from each succeeding benefit year until all days earned through the expiration of the last preceding benefit year have been exhausted; and

(3) Finally to unused days accumulated, if any, during the then-current benefit year.

No further benefits will be paid when all unused accumulated benefit days have been exhausted.

Sec. 14-243. Same—Annual valuation.

After the conclusion of each benefit year, the director shall determine the number of benefit days accrued during the benefit year that were not utilized during the benefit year, if any, by each employee and the per day value thereof. Such per day value shall be based upon the employee's average daily rate of base pay plus longevity during the benefit year, and it shall be computed by adding an amount equal to the employee's daily rate of base pay plus longevity as applicable for each biweekly city payroll cycle that commenced during the benefit year and dividing that sum by the number of city biweekly payroll cycles that commenced during the benefit year. To the extent that the city may have two or more different biweekly payroll cycles in effect, then the computation for each employee shall be based upon the payroll cycle applicable to that employee. The per day value of the days so determined shall apply to their payment upon ~~termination~~ discharge pursuant to section 14-244 of this Code; however, they shall be payable as provided in section 14-224 of this Code when utilized by an active employee for compensable sick leave plan benefits.

Sec. 14-244. Same—~~Termination~~ Discharge benefit.

The combined value of any unused accumulated benefit days will be payable to the employee, or to the employee's beneficiaries in the event of the death of the employee, upon the ~~termination~~ discharge or death of the employee, in the following manner:

(1) Remaining frozen days, if any, will be payable at their per day value calculated as of August 31, 1985, as established under former section 14-225(a) of the City of Houston Code of Ordinances.

(2) Remaining days, if any, from each benefit year elapsed since the inception of this plan (September 1, 1985), will be paid at their per day value as established pursuant to section 14-243 of this Code.

(3) Remaining days, if any, from the benefit year in which the employee's employment with the city is ~~terminated~~ discharged will be paid at the employee's daily average rate of base pay plus longevity during the benefit year of ~~termination~~discharge, to be computed through the biweekly payroll period in which the ~~termination~~ discharge occurs in the same manner provided in section 14-243 of this Code.

Sec. 14-245. Wellness.

Members of the modified sick leave plan may utilize up to eight hours per benefit year of their accrued benefit days for wellness leave to go to health care providers for examinations and physicals, annual ~~check ups~~checkups and prospective health screening/testing of any kind in order to ensure that the employee continues to stay in good health or for the purpose of encouraging early detection of potentially debilitating or life threatening illness or diseases that might otherwise be ignored. Even though the wellness time used will be charged to their available benefit balance, it shall not be regarded as a use of sick leave for other purposes, such as attendance awards.

Secs. 14-246—14-250. Reserved.

ARTICLE IV. MILITARY LEAVES

Sec. 14-251. 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:

Armed forces means the state military forces of Texas and the reserve components of the United States armed forces and national guard.

Called to duty means ordered on proper authority to assume active duty status as a full-time member of the military forces during a time of war or a state of emergency for service relating to the war or emergency.

City salary means the employee's regular rate of base ~~pay~~ from the city inclusive of longevity ~~allowances; however, it shall not include any other allowances~~, incentives, differentials or other compensation ordinarily received by the employee for service to the city. The regular rate of pay shall not include clothing or equipment allowances.

Director means the human resources director of the city.

Employee means a member of armed forces who is a full-time employee of the city.

Military salary means base pay plus any incentive pay, duty pay or other compensation payable to the employee by the military for full-time service while called up, exclusive of allowances for travel, uniforms and other personal expenses of the employee.

Sec. 14-252. Rights cumulative.

The provisions of this ~~article~~Article shall not be construed to abridge any right of compensation or benefits arising under state or federal law or regulations, including those benefits arising under section 431.005 of the Texas Government Code.

Sec. 14-253. Military leave.

(a) An employee who is called to duty shall be entitled to be placed on military leave upon written application to the director. Each application shall be accompanied by duly authenticated copies of state or federal military orders, and any other documentation reasonably required by the director to establish the employee's right to leave status under this article. Upon receipt of an application and related documents establishing the right to leave status under this article, the director shall place the employee on military leave status.

(b) An employee on active military duty can be authorized to use up to eighty (80) hours of accrued leave per pay period.

(~~a~~c) Accrued hours include, but are not limited to, floating holiday or deferred holiday, personal leave hours, compensatory time, vacation hours, or Paid Time Off (PTO) under the Houston Police Department Paid Time Off Program. Sick leave hours and no-value PTO hours may not be used. Value of leave used will be computed using bi-weekly base pay plus longevity rates of pay, and shall include any other pay to which the employee would be entitled to if the employee was using time for a reason other than military leave including, but not limited to, all allowances, assignment pays and certification pays to which the employee was entitled prior to being placed in a military leave status.

Sec. 14-254. Compensation.

(a) A~~n~~ full-time employee who is granted military leave under this article and whose military salary is less than his city salary shall be entitled to compensation for the difference. Such compensation shall not apply to any period prior to the reporting of the employee for the military call up or following the employee's discharge from the call up. In those instances in which an employee is eligible for compensation at full pay under section 431.005 of the Texas Government Code, the compensation hereunder shall not be payable for any period during which the employee is entitled to compensation thereunder.

(b) The compensation payable under this section shall be paid from time to time in accordance with administrative regulations established by the director with the consent of the city controller. Without limitation, such regulations may require that the employee regularly submit proof that he remains on active duty status with the military and the amount of the military salary that is payable.

Sec. 14-255. Status for other purposes.

The military leave provided under this ~~article~~Article shall not be construed to make any employee of the city who is on military leave an active employee of the city during his period of service in the armed forces while called up. For all other purposes the employee shall be regarded as being on leave without pay status entitled to those rights of restoration of employment and benefits that are provided by applicable state and federal law.

Sec. 14-256. Time limitation.

The compensation to any employee under section 14-254 of this Code shall be limited to a period of 90 calendar days from the date that the employee is called up, unless the city council determines, based upon the nature of the war or emergency, the number of city employees involved and the potential costs to the city, that the benefits should be extended.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/10/2015

MCD-Amenment Regarding Term Limits for Municipal Court Judges

Agenda Item#: 79.

Summary:

MOTION by Council Member Bradford/Seconded by Council Member Laster that Item 80, proposed ordinance amending Section 16-3 of the Code of Ordinances relating to term limits for Municipal Court Judges be amended as follows:

Section 2 Letter 3, the last sentence be modified to read as follows:
"if an office becomes vacant during a term, then a qualified person shall be appointed and confirm to the completion of the unexpired term.

TAGGED BY COUNCIL MEMBER KUBOSH

Background:

The Municipal Courts Department recommends that the terms for the full-time judges, who are appointed by the Mayor and approved by City Council, be increased to four years to assist in the retention of experienced and knowledgeable judges that benefit the efficient operation of the municipal courts.

Each full-time municipal judge shall be appointed by the Mayor and confirmed by the City Council for a term of four years, which term shall begin as of the date the appointment is confirmed by the City Council. Each substitute judge 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. A municipal judge 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 municipal judge. If any office becomes vacant during a term, then a qualified person shall be appointed and confirmed for a new four year term beginning on the date of appointment.

_____

Barbara Hartle, Judge
City of Houston
Municipal Court

Prior Council Action:

Ord. No. 00-325, § 1, 4-26-00; Ord. No. 05-340, § 2, 4-6-05; Ord. No. 09-510, § 3, 6-10-09

Amount of Funding:
N/A

Contact Information:
Nelly Santos, Deputy Director
Municipal Courts Department
713-247-8407
nelly.santos@houstontx.gov

ATTACHMENTS:

Description	Type
Ordinance and Redline	Ordinance/Resolution/Motion

City of Houston, Texas, Ordinance No. 20__-_____

AN ORDINANCE AMENDING SECTION 16-3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO TERM LIMITS FOR MUNICIPAL COURT JUDGES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, Section 30.00006 of the Texas Government Code provides that the City Council shall provide by ordinance for the term of office of its municipal judges, for a definite term of two or four years; and

WHEREAS, retention of experienced and knowledgeable judges benefits the efficient operation of the municipal courts;

WHEREAS, continued efficient operation of the municipal courts and maintaining sufficient judicial resources affect the public safety;

WHEREAS, to benefit the continued efficient operation of the municipal courts and to conserve resources involved in the reappointment of full-time judges, the Municipal Courts Department recommends amending the term of its full-time judges to four years; **NOW, THEREFORE,**

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

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

Section 2. That Subsection (c) of Section 16-3 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

> "(c) Each full-time municipal judge shall be appointed by the mayor and confirmed by the city council for a term of four years, which term shall begin as of the date the appointment is confirmed by the city council. Each substitute judge 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. A municipal judge 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 municipal judge. If any office becomes vacant during a term, then a

qualified person shall be appointed and confirmed for a new term beginning on the date of appointment."

Section 3. That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

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 unconstitutionality, 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 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 _____, 201_.

APPROVED this ___ day of _____, 201_.

_____
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

Prepared by Legal Dept. _____
TBC:cm 11/19/2015 Senior Assistant City Attorney
Requested by Barbara E. Hartle, Presiding Judge, Municipal Courts Department
L.D. File No. 0441500013001

Sec. 16-3. Judges.

(a) The city shall have both full-time and substitute municipal judges. A substitute municipal judge shall be classified as an "Associate Judge of Municipal Courts."

(b) Each municipal judge shall meet the qualifications for that office that are prescribed by state law. Additionally, each municipal judge shall at the time of appointment and qualification be required to be a resident of the city.

(c) Each full-time municipal judge shall be appointed by the mayor and confirmed by the city council for a term of ~~two~~ four years, which term shall begin as of the date the appointment is confirmed by the city council. Each substitute judge 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. A municipal judge 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 municipal judge. If any office becomes vacant during a term, then a qualified person shall be appointed and confirmed for a new ~~four-year~~ term beginning on the date of appointment.

(d) Municipal judges shall be subject to removal from office as provided by state law.

(e) Full-time municipal judges shall be entitled to compensation as provided or authorized by ordinance. Substitute municipal judges shall be compensated on a per diem basis for services rendered, as provided in section 16-5 of this Code.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 11/30/2015

MCD-Ordinance Amending Section 16-3, Regarding Term Limits for Municipal Court Judges

Agenda Item#: 80.

Summary:

ORDINANCE **AMENDING SECTION 16-3 OF THE CODE OF ORDINANCES**, **HOUSTON**, **TEXAS**, relating to term limits for Municipal Court Judges
TAGGED BY COUNCIL MEMBERS LASTER; KUBOSH and NGUYEN
This was Item 21 on Agenda of December 9, 2015
This item should only be considered after passage of Item 79 above

Background:

The Municipal Courts Department recommends that the terms for the full-time judges, who are appointed by the Mayor and approved by City Council, be increased to four years to assist in the retention of experienced and knowledgeable judges that benefit the efficient operation of the municipal courts.

Each full-time municipal judge shall be appointed by the Mayor and confirmed by the City Council for a term of four years, which term shall begin as of the date the appointment is confirmed by the City Council. Each substitute judge 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. A municipal judge 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 municipal judge. If any office becomes vacant during a term, then a qualified person shall be appointed and confirmed for a new four year term beginning on the date of appointment.

_____

Barbara Hartle, Judge
City of Houston
Municipal Court

Prior Council Action:

Ord. No. 00-325, § 1, 4-26-00; Ord. No. 05-340, § 2, 4-6-05; Ord. No. 09-510, § 3, 6-10-09

Amount of Funding:
N/A

Contact Information:
Nelly Santos, Deputy Director
Municipal Courts Department
713-247-8407
nelly.santos@houstontx.gov

ATTACHMENTS:

Description	Type
Ordinance and Redline	Ordinance/Resolution/Motion

City of Houston, Texas, Ordinance No. 20__-_____

AN ORDINANCE AMENDING SECTION 16-3 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO TERM LIMITS FOR MUNICIPAL COURT JUDGES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, Section 30.00006 of the Texas Government Code provides that the City Council shall provide by ordinance for the term of office of its municipal judges, for a definite term of two or four years; and

WHEREAS, retention of experienced and knowledgeable judges benefits the efficient operation of the municipal courts;

WHEREAS, continued efficient operation of the municipal courts and maintaining sufficient judicial resources affect the public safety;

WHEREAS, to benefit the continued efficient operation of the municipal courts and to conserve resources involved in the reappointment of full-time judges, the Municipal Courts Department recommends amending the term of its full-time judges to four years; **NOW, THEREFORE,**

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

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

Section 2. That Subsection (c) of Section 16-3 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

> "(c) Each full-time municipal judge shall be appointed by the mayor and confirmed by the city council for a term of four years, which term shall begin as of the date the appointment is confirmed by the city council. Each substitute judge 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. A municipal judge 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 municipal judge. If any office becomes vacant during a term, then a

qualified person shall be appointed and confirmed for a new term beginning on the date of appointment."

Section 3. That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

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 unconstitutionality, 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 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 _____, 201_.

APPROVED this ___ day of _____, 201_.

_____
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

Prepared by Legal Dept. _____
TBC:cm 11/19/2015 Senior Assistant City Attorney
Requested by Barbara E. Hartle, Presiding Judge, Municipal Courts Department
L.D. File No. 0441500013001

Sec. 16-3. Judges.

(a) The city shall have both full-time and substitute municipal judges. A substitute municipal judge shall be classified as an "Associate Judge of Municipal Courts."

(b) Each municipal judge shall meet the qualifications for that office that are prescribed by state law. Additionally, each municipal judge shall at the time of appointment and qualification be required to be a resident of the city.

(c) Each full-time municipal judge shall be appointed by the mayor and confirmed by the city council for a term of ~~two~~ four years, which term shall begin as of the date the appointment is confirmed by the city council. Each substitute judge 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. A municipal judge 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 municipal judge. If any office becomes vacant during a term, then a qualified person shall be appointed and confirmed for a new ~~four-year~~ term beginning on the date of appointment.

(d) Municipal judges shall be subject to removal from office as provided by state law.

(e) Full-time municipal judges shall be entitled to compensation as provided or authorized by ordinance. Substitute municipal judges shall be compensated on a per diem basis for services rendered, as provided in section 16-5 of this Code.

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 12/1/2015

ARA-Special Events Ordinance - Safety Zones

Agenda Item#: 81.

Summary:

ORDINANCE **AMENDING CHAPTER 25 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to nationally competitively bid events
TAGGED BY COUNCIL MEMBER NGUYEN
This was Item 22 on Agenda of December 9, 2015

Background:

The Mayor's Office of Special Events (MOSE) and the Administration & Regulatory Affairs Department, in conjunction with the Police, Fire and Public Works Departments, recommend that City Council approve an ordinance amending Chapter 25 of the City of Houston's Code of Ordinances to create a standardized process for Nationally Competitively Bid Events (NCBEs).

NCBEs—such as the Super Bowl or the NCAA Final Four—are awarded to host cities through a competitive bid process. Bidding on NCBEs requires a commitment of City services including police, fire, security, transportation, traffic management, airport, event management and public works operations by City Council.

Although the Mayor's Office of Special Events (MOSE) is already responsible under Chapter 25 for coordinating City services for all other major events in the City, Chapter 25 currently contains no systematic process for meeting Council's commitment of City services for NCBEs. As a result, the City has historically managed NCBEs by passing a series of nearly identical temporary ordinances for each event. In addition to being inefficient and duplicative, this process creates uncertainty for the event producers, who must wait for these ordinances to be approved by Council before making event plans. Relying on temporary ordinances is inconsistent with the best practices established by MOSE in Chapter 25 for managing City services for all other events in the City.

Amending Chapter 25 to include NCBEs will allow MOSE to fulfill City Council's commitment of City services in an efficient, transparent and consistent process. Once an NCBE has been awarded to the City, MOSE will follow its standard operating procedure of coordinating with other departments to fulfill the obligations of the bid as authorized by Council, including the establishment of safety zones (see attachments), the location of temporary signage and the establishment of temporary taxicab zone rates.

Departmental Approval Authority:

Tina Paez, Director	**Other Authorization**
Administration & Regulatory Affairs Department	

Administration & Regulatory Affairs Department

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Susan Christian Phone: (832) 393-0868

ATTACHMENTS:

Description	Type
12.1.2015 Special Events Ordinance - Safety Zone RCA.pdf	Signed Cover sheet
12.1.2015 Safety Zone Map.JPG	Backup Material
Ordinance	Ordinance/Resolution/Motion

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 12/8/2015
ALL
Item Creation Date: 12/1/2015

ARA-Special Events Ordinance – Safety Zones

Agenda Item#: 28.

Background:
The Mayor's Office of Special Events (MOSE) and the Administration & Regulatory Affairs Department (ARA), in conjunction with the Police, Fire and Public Works Departments, recommend that City Council approve an ordinance amending Chapter 25 of the City of Houston's Code of Ordinances to create a standardized process for Nationally Competitively Bid Events (NCBEs).

NCBEs—such as the Super Bowl or the NCAA Final Four—are awarded to host cities through a competitive bid process. Bidding on NCBEs requires a commitment of City services including police, fire, security, transportation, traffic management, airport, event management and public works operations by City Council.

Although the Mayor's Office of Special Events (MOSE) is already responsible under Chapter 25 for coordinating City services for all other major events in the City, Chapter 25 currently contains no systematic process for meeting Council's commitment of City services for NCBEs. As a result, the City has historically managed NCBEs by passing a series of nearly identical temporary ordinances for each event. In addition to being inefficient and duplicative, this process creates uncertainty for the event producers, who must wait for these ordinances to be approved by Council before making event plans. Relying on temporary ordinances is inconsistent with the best practices established by MOSE in Chapter 25 for managing City services for all other events in the City.

Amending Chapter 25 to include NCBEs will allow MOSE to fulfill City Council's commitment of City services in an efficient, transparent and consistent process. Once an NCBE has been awarded to the City, MOSE will follow its standard operating procedure of coordinating with other departments to fulfill the obligations of the bid as authorized by Council, including the establishment of safety zones (see attachments), the location of temporary signage and the establishment of temporary taxicab zone rates.

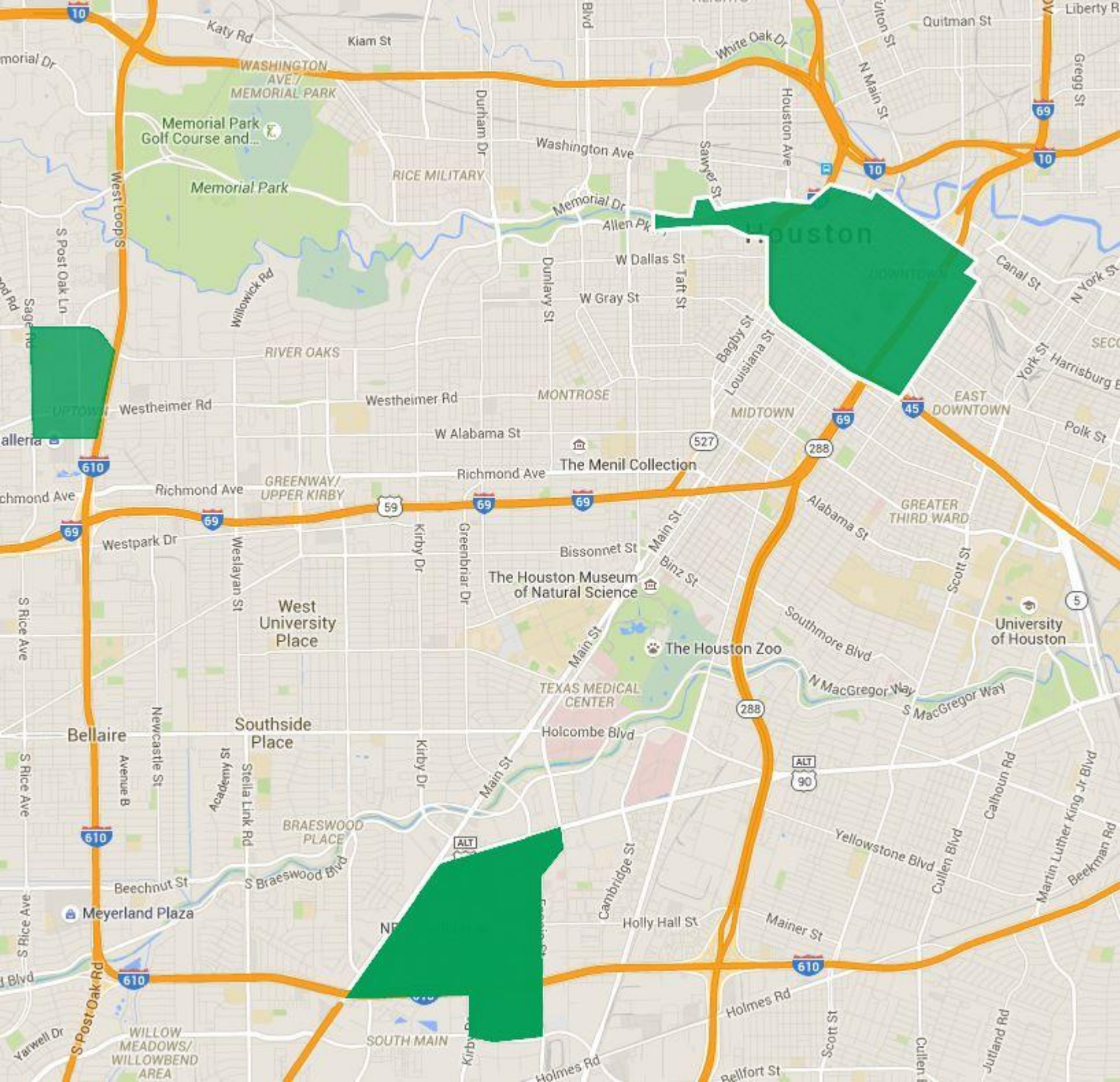
Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Lara Cottingham	Phone: (832) 393-8503
Susan Christian	Phone: (832) 393-0868


Katy Rd
Kiam St
White Oak Dr
Quitman St
Liberty R
WASHINGTON AVE./ MEMORIAL PARK
Memorial Park Golf Course and...
Memorial Park
RICE MILITARY
Washington Ave
Memorial Dr
Allen Pk
Houston
W Dallas St
W Gray St
Canal St
N York St
RIVER OAKS
Westheimer Rd
MONTROSE
MIDTOWN
EAST DOWNTOWN
Polk St
W Alabama St
The Menil Collection
Richmond Ave
GREENWAY/ UPPER KIRBY
GREATER THIRD WARD
Alabama St
Westpark Dr
Bissonnet St
The Houston Museum of Natural Science
West University Place
The Houston Zoo
University of Houston
Southmore Blvd
TEXAS MEDICAL CENTER
N MacGregor Way
S MacGregor Way
Bellaire
Southside Place
Holcombe Blvd
BRAESWOOD PLACE
Yellowstone Blvd
Beechnut St
S Braeswood Blvd
Meyerland Plaza
Holly Hall St
Mainer St
Holmes Rd
WILLOW MEADOWS/ WILLOWBEND AREA
SOUTH MAIN
Bellfort St
West Loop S
S Post Oak Ln
Willowick Rd
Durham Dr
Dunlavy St
Taft St
Sawyer St
Houston Ave
N Main St
Gregg St
Bagby St
Louisiana St
York St
Harrisburg
Sage Rd
Westheimer Rd
Richmond Ave
Kirby Dr
Greenbriar Dr
Weslayan St
Main St
Binz St
Scott St
S Rice Ave
Newcastle St
Avenue B
Acadamy St
Stella Link Rd
Cambridge St
Calhoun Rd
Martin Luther King Jr Blvd
Beekman Rd
Cullen Blvd
S Post Oak Rd
Yarwell Dr
Holmes Rd
Jutland Rd
10
45
69
59
527
288
610
90
5
ALT

City of Houston, Texas, Ordinance No. 2015-_____

AN ORDINANCE AMENDING CHAPTER 25 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO NATIONALLY COMPETITIVELY BID EVENTS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City has and will continue to host nationally competitively bid events that will draw an attendance in excess of 75,000 people into the City; and

WHEREAS, the bids and preliminary plans for these nationally competitively bid events are approved by City Council; and

WHEREAS, in anticipation of the vehicular and pedestrian congestion and other public safety issues associated with nationally competitively bid events, City officials who have familiarity with traffic and public safety issues have similar concerns that the venues in which major events are conducted could become over-congested; and

WHEREAS, the Department of Administration and Regulatory Affairs desires to adjust certain requirements with respect to taxicabs in order to more effectively accommodate the needs of the public during travel periods associated with such events; and

WHEREAS, the City desires to comply with Chapter 25 in approving signage displays for such events; and

WHEREAS, the City desires to ensure transparency and safety with regard to the approval and installment of displays; **NOW, THEREFORE,**

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

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 Chapter 25 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Article IV to read as follows:

DRAFT

"ARTICLE IV. NATIONALLY COMPETITIVELY BID EVENTS

Sec. 25-151. Definitions.

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

Directors means the fire chief, chief of police, and traffic engineer, as well as the directors of the planning and development, administration and regulatory affairs, public works and engineering departments and the director of any city department or other public agency that is acting as the host for a nationally competitively bid event or their designees.

National bid event period means the period commencing at 12:01 a.m. on the fourteenth day prior to commencement of and ending at 11:59 p.m. on the third day after the end of a nationally competitively bid event for which the city has been designated and by action of city council accepted the role of host-city.

Nationally competitively bid event means an event approved by city council and subsequently secured and awarded to the city in its capacity as a host-city through a competitive bid process that requires the provision of city services and is expected to draw 75,000 or more persons to simultaneously congregate in an area of one square mile or less at or near a convention and/or sporting venue within the city.

Safety zone means a zone, zones, or portions thereof as described below, which may be limited upon the request of the event producing entity with the approval of the directors.

(1) *Central business district zone* means the area within and bounded by the intersection of Congress St. and Dowling St.; then northwest along Congress St. to its intersection with Hutchins St.; then northeast along Hutchins St. to its intersection with Commerce St.; then northwest along Commerce St. to its intersection with Milam St.; then southwest along Milam St. to its intersection with Franklin St.; then northwest along Franklin St. to its intersection with Interstate 45; then southwest and southeast along Interstate 45 to its intersection with Dowling St.; then northeast along Dowling St. to the point of beginning; provided, however, that the following area shall be excluded from the safety zone: Beginning at the intersection of

DRAFT

U.S. 59 and Rusk St.; then northwest along Rusk St. to its intersection with Avenida de las Americas; then southwest along Avenida de las Americas to its intersection with McKinney St.; then northwest along McKinney St. to its intersection with La Branch St.; then southwest along La Branch Street to its intersection with Lamar St.; then southeast along Lamar St. to its intersection with Avenida de las Americas; then northeast along Dallas St. to its intersection at Crawford St.; then southwest along Crawford St. to its intersection at Polk St.; then northwest along Polk St. to its intersection La Branch St.; then southwest along La Branch St. to its intersection Leeland St.; then southeast along Leeland St. to its intersection Jackson St.; then northeast along Jackson St. to its intersection at Polk St.; then along Polk St. to its intersection with U.S. 59; then northeast along U.S. 59 to the point of beginning.

(2) *NRG Park zone* means the area beginning at the intersection of the centerline of 610 South Loop and the centerline of S. Main; thence in a northeasterly direction along the centerline of S. Main to its intersection with Brays Bayou; thence in an easterly direction to its intersection with Almeda; thence in a southerly direction along the centerline of Almeda to its intersection with the 610 South Loop; thence in a westerly direction along the centerline of the 610 South Loop to its intersection with Fannin; thence in a southerly direction along the centerline of Fannin to its intersection with W. Bellfort; thence in a westerly direction along the centerline of W. Bellfort to its intersection with Kirby; thence in a northerly direction along the centerline of Kirby to its intersection with the 610 South Loop; thence in a westerly direction along the 610 South Loop to the beginning point.

(3) *Galleria area zone* means the area included and bounded by the following: 610 West Loop, US 59, Buffalo Bayou, Chimney Rock, specifically, the area beginning at the intersection of the centerline of the 610 West loop and the centerline of the US 59 thence in a southwesterly direction along the centerline of US 59 to its intersection with Chimney rock; thence in a northerly direction along the centerline of Chimney Rock to its intersection with Buffalo Bayou; thence in

DRAFT

an easterly direction along the centerline of Buffalo Bayou to its intersection; thence in a southerly direction along a line that is ¼ mile east of 610 West Loop intersection of US 59.

Tent shall mean a temporary structure covered with fabric or another type of membrane. The term is intended to also include canopies and air-supported, air-inflated, and tensioned membrane structures, as well as conventional tents.

Sec. 25-152. Applicability.

The provisions of this article shall be applicable during a national bid event period.

Sec. 25-153. Safety zones for nationally competitively bid events.

During a national bid event period, it shall be unlawful for any person to erect or cause to be erected or to use or cause to be used any tent within the safety zones other than those sanctioned and authorized by the city and the event producing entity.

Sec. 25-154. Activating a safety zone.

(a) In consultation with the affected directors, the mayor is authorized to activate one or more safety zones, or a portion thereof, in the vicinity of venues utilized for the nationally competitively bid event or of necessary hotel accommodations for the nationally competitively bid event.

(b) When consulting with the mayor regarding activation of a safety zone, the directors shall take into consideration the nature of the event, the numbers of persons and vehicles expected, the street and highway configurations, the condition of and traffic flows expected on the streets, highways, and sidewalks, the location of police and fire stations, hospitals, and other critical facilities, security plans for the event, and other relevant factors.

The MOSE director shall cause the information described in section 25-157(e) of this Code to be published in a newspaper of general circulation at least one time before the national bid event period commences and shall post the notice on the same bulletin board used for open meetings notices.

DRAFT

Sec. 25-155. Temporary taxicab rates for nationally competitively bid events.

(a) During the national bid event period temporary taxicab zones and the rates therefor shall be established using a methodology similar to that utilized to establish IAH and HOU airport flat rates described in section 46-31 of this Code.

(b) Temporary taxicab rates shall be established not more than six months prior to the beginning of the national bid event period and not less than one month before the beginning of the national bid event period.

(c) During the national bid event period, the zone taxicab rates established for certain taxicab trips within, to, and from the designated temporary taxicab zones established above shall be in effect. The affected zones and rates shall be maintained on file in the office of the city secretary and on the ARA website. They shall also be made available for inspection upon request at the office of the city secretary during normal business hours.

(d) Any applicable discount that is provided in section 46-31 of this Code shall be applied to the fare referenced in subsection (c) of this section. The provisions of this section do not excuse the operation of the taxicab's taximeter. For travel governed by this section, the fare shall be the lesser of the meter amount, less any applicable discounts, or the amount specified in this section, less any applicable discounts.

(e) Violation of this section is unlawful, and violations shall be punishable as provided in section 1-6 of this Code.

(f) Temporary signage shall be displayed in the taxicab during the national bid event period informing the customer of the temporary zone rates in effect.

Sec. 25-156. Temporary limousine and charter vehicle permits.

(a) Prior to the commencement of the national bid event period, limousine and charter/sightseeing vehicles with mileage in excess of 100,000 miles may be permitted on a temporary basis provided that the applicant provides proof that the vehicle is currently permitted as a vehicle-for-hire by another governmental entity and meets all other applicable permitting requirements in Chapter 46 of this Code.

DRAFT

(b) Temporary limousine and charter/sightseeing vehicle permits issued pursuant to subsection (a) shall only be valid during the national bid event period.

Sec. 25-157 Temporary outdoor signage or displays for nationally competitively bid events.

(a) Outdoor signage or displays, including, but not limited to, portable signs, flags, streamers, pennants, banners, posters, decorative flags, video screens, balloons, electronic message boards, nighttime projections of messages, inflatables and building wraps installed by the event producing entity shall be permitted within the relevant safety zone described in this Article and upon compliance with all the applicable provisions of this chapter.

(b) Plans for signage or displays referenced in subsection (a) of this section must be submitted to the MOSE for review. The MOSE shall review the plans on an event by event basis in conjunction with the directors for compliance with all applicable national, state, and municipal safety standards as well as the Event Safety Alliance Guidelines created by the Event Safety Alliance, prior to approval and installation. The MOSE director shall notify the event producing entity of the director's determination in writing.

(c) The Event Safety Alliance Guidelines shall be available for public review in the city secretary's office. In the event a proposed signage or display is not discussed in the Event Safety Alliance Guidelines, the MOSE, in conjunction with the other directors, may establish requirements as needed. These requirements shall be maintained in the MOSE director's office for inspection and for purchase at the copy fee provided by law.

(d) Plans for signage or displays referenced in subsection (a) of this section must describe the size, height, setback, illumination, density and spacing type, other dimensions, placement location, and safety requirements of the signage or displays to be installed.

(e) The mayor or her designee shall give notice of the specific criteria for the zone to city council within a reasonable period of time prior to commencement of a national bid event period. MOSE shall publish, promulgate and make available on the city website rules and regulations that provide clear and objective standards to promote health, safety and welfare of the public, which at a minimum shall address:

(1) Traffic and transportation, including traffic plans and street closures;

DRAFT

(2) Impermissible and permissible signs and displays, including objective parameters regarding size, height, setback, illumination, density and spacing and the type and location of the displays to be installed and the time of their installation; and

(3) Relevant safety provisions, including security control plans

The website shall include a schedule for obtaining any requisite licenses or permits.

(f) Upon receipt of the director's decision to deny a plan for signage or displays, the event producing entity may appeal such decision by giving written notice to the city secretary within five business days of the date of such decision. The city secretary and city agenda director shall arrange a date for the matter to be reviewed by city council, at the next regularly-scheduled council meeting for which it is possible to give lawful prior notice of the matter after the receipt of the directors' decision and the record required by rule 12 of section 2-2 of this Code. The city secretary shall give written notice thereof to the event producing entity. The city council shall consider the appeal under the provisions of rule 12. Upon conclusion of the city council's review of the matter, the city council shall render a decision to grant or deny the requested plan for signage or displays. Such decision shall be final and shall exhaust the event producing entity's administrative remedies. If the foregoing time requirements appear inadequate to resolve the appeal prior the date scheduled for the special event, the burden shall be upon the event producing entity to expedite any filings required to request a special city council meeting, which shall be granted if reasonable under the circumstances."

Sec. 25-158 Authority of MOSE.

The MOSE director shall promulgate all forms and adopt regulations consistent with and necessary for the implementation of the provisions of this article. The regulations shall be subject to the approval of the directors. A copy of any regulations so promulgated shall be made available on the city website."

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 have 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 the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

Section 5. If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. 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 that date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the

DRAFT

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 _____, 2015.

APPROVED this ____ day of _____, 2015.

_____
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

Prepared by Legal Department: _____
DP:asw 12/4/2015 First Assistant City Attorney
Requested by the Honorable Annise D. Parker, Mayor
L.D. File No. 0371500171001

H:\GC\Special Events\2015 ch 25 amendments\Ordinance v21

DRAFT

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District G
Item Creation Date: 12/4/2015

MYR - Post Oak Blvd Project

Agenda Item#: 82.

Summary:

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests in connection with the Public Improvement Project known as the Post Oak Boulevard Project; authorizing the acquisition, by gift, dedication, purchase, or eminent domain proceedings, of the fee simple title or street easements in and to thirteen parcels of land required for the project and situated in the William White 1/3 League Survey, Abstract No. 836, Harris County, Texas, said parcels of land being located along the east and west lines of Post Oak Boulevard in Houston, Harris County, Texas; authorizing payment of the costs of such acquisitions, including the purchase prices for the property interests and costs associated with relocation assistance, appraisals, title policies/services, recordation of instruments, and eminent domain proceedings; ratifying a Public Improvement Development Agreement among the City of Houston, Texas, Uptown Development Authority, and Reinvestment Zone Number Sixteen, City of Houston, Texas - **DISTRICT G - PENNINGTON**

TAGGED BY COUNCIL MEMBERS DAVIS and KUBOSH

This was Item 35 on Agenda of December 9, 2015

Background:

SUBJECT: An ordinance finding and determining public convenience and necessity for the acquisition of 13 real property interests (of 34 needed for the project) by gift, dedication, purchase or eminent domain proceedings in connection with the public improvement project known as the Post Oak Boulevard project

RECOMMENDATION: (Summary)

City Council adopt an ordinance finding and determining public convenience and necessity for the acquisition of 13 real property interests (of 34 needed for the project) by gift, dedication, purchase or eminent domain proceedings in connection with the public improvement project known as the Post Oak Boulevard project

SPECIFIC EXPLANATION:

The Post Oak Boulevard project (the “Project”) is a public improvement project designed and constructed by the Uptown Development Authority (the “Authority”) for the improvement of traffic flow and pedestrian safety and access on Post Oak Boulevard in the Uptown area of the City, which

will include six lanes for general traffic and a bi-directional bus service operating in dedicated bus lanes in an expanded median on Post Oak Boulevard. The Project necessitates the acquisition of fee simple title or street easements to certain parcels of land that are necessary for the construction, use, maintenance and operation of the Project.

This action finds a public necessity for the Project; approves and authorizes the acquisition, by gift, dedication, purchase or eminent domain proceedings, of fee simple title or street easements in and to the parcels of land required for the Project; authorizes payment of the costs associated with these acquisitions, including purchase price, relocation assistance, appraisals, title policies/services, recording fees and other costs; and ratifies a public improvement development agreement among Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), the Authority and the City relating to the development and implementation of the Project (the "Agreement"). If negotiations to acquire fee simple title or street easements in and to the parcels of land required for the Project cannot be concluded as a dedication or purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause eminent domain proceedings to be filed and acquire fee simple title or street easements for said purposes, authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings, and authorizes the City Attorney to retain special counsel to assist in the acquisition. All costs of acquisitions associated with the Project will be paid by the Authority pursuant to the Agreement.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

Amount of Funding:

No funding required

Contact Information:

Andrew F. Icken Phone: (832) 393-1064

ATTACHMENTS:

Description	Type
RCA Post Oak Blvd Project	Signed Cover sheet
Post Oak Blvd Project 13 properties	Ordinance/Resolution/Motion

REQUEST FOR COUNCIL ACTION

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

SUBJECT: An ordinance finding and determining public convenience and necessity for the acquisition of 13 real property interests (of 34 needed for the project) by gift, dedication, purchase or eminent domain proceedings in connection with the public improvement project known as the Post Oak Boulevard project	**Category #**	**Page** 1 of 1	**Agenda Item#**
FROM: (Department or other point of origin): Andrew F. Icken Chief Development Officer	**Origination Date**		**Agenda Date**
CHIEF DEVELOPMENT OFFICER'S SIGNATURE:	**Council Districts affected:** G		
For additional information contact: Andrew F. Icken **Phone:** (832) 393-1064	**Date and identification of prior authorizing Council Action:**		

RECOMMENDATION: (Summary)
City Council adopt an ordinance finding and determining public convenience and necessity for the acquisition of 13 real property interests (of 34 needed for the project) by gift, dedication, purchase or eminent domain proceedings in connection with the public improvement project known as the Post Oak Boulevard project

Amount of Funding: No Funding Required

SOURCE OF FUNDING: **[ ] General Fund** **[ ] Grant Fund** **[ ] Enterprise Fund** **[X] N/A**

SPECIFIC EXPLANATION:

The Post Oak Boulevard project (the "Project") is a public improvement project designed and constructed by the Uptown Development Authority (the "Authority") for the improvement of traffic flow and pedestrian safety and access on Post Oak Boulevard in the Uptown area of the City, which will include six lanes for general traffic and a bi-directional bus service operating in dedicated bus lanes in an expanded median on Post Oak Boulevard. The Project necessitates the acquisition of fee simple title or street easements to certain parcels of land that are necessary for the construction, use, maintenance and operation of the Project.

This action finds a public necessity for the Project; approves and authorizes the acquisition, by gift, dedication, purchase or eminent domain proceedings, of fee simple title or street easements in and to the parcels of land required for the Project; authorizes payment of the costs associated with these acquisitions, including purchase price, relocation assistance, appraisals, title policies/services, recording fees and other costs; and ratifies a public improvement development agreement among Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), the Authority and the City relating to the development and implementation of the Project (the "Agreement"). If negotiations to acquire fee simple title or street easements in and to the parcels of land required for the Project cannot be concluded as a dedication or purchase or for any reason for which acquisition by condemnation is warranted, this action authorizes the City Attorney to file or cause eminent domain proceedings to be filed and acquire fee simple title or street easements for said purposes, authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings, and authorizes the City Attorney to retain special counsel to assist in the acquisition. All costs of acquisitions associated with the Project will be paid by the Authority pursuant to the Agreement.

cc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
Donna Edmundson, City Attorney
Gary Dzierlenga, Senior Assistant City Attorney

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
District C
Item Creation Date: 12/2/2015

MYR - Memorial Park Conservancy Agmt

Agenda Item#: 83.

Summary:

ORDINANCE approving and authorizing Development, Construction, Operations, Maintenance and Concession Agreement between the City of Houston, Texas, **UPTOWN DEVELOPMENT AUTHORITY**, and **MEMORIAL PARK CONSERVANCY, INC** for the Houston Parks and Recreation Department for the development, operation and maintenance of Memorial Park

DISTRICT C - COHEN - **TAGGED BY COUNCIL MEMBERS GALLEGOS AND KUBOSH**

This was Item 38 on Agenda of December 9, 2015

Background:

SUBJECT: An ordinance approving and authorizing a Development, Construction, Operations, Maintenance, and Concession Agreement between the City of Houston, Texas, Uptown Development Authority, and Memorial Park Conservancy.

RECOMMENDATION: Approve an Ordinance approving and authorizing Development, Construction, Operations, Maintenance, and Concession Agreement between the City of Houston, Texas, Uptown Development Authority, and Memorial Park Conservancy.

SPECIFIC EXPLANATION:

On April 1, 2015, the City Council by Ordinance 2015-0215 unanimously approved a Memorial Park Master Plan which envisions the restoration, enhancement, and redevelopment of Memorial Park in a manner appropriate to meet the demands of the more than four million current annual visitors.

It is recommended that City Council approve an ordinance allowing the City of Houston, Memorial Park Conservancy (MPC) and Uptown Development Authority (UDA) to operate, maintain, and develop Memorial Park in a manner consistent with and to implement the Master Plan. Note that the Houston Arboretum and Nature Center and the Memorial Park Golf Course are excluded from the scope of the agreement.

The City, by working in partnership with MPC and UDA through this agreement, contemplates a more expeditious and complete implementation of the Master Plan. A combination of private and governmental funding sources will create a more robust restoration and maintenance level for Memorial Park, as well as upgraded public infrastructure and recreational facilities.

MPC will fundraise for maintenance, operations, and capital improvements for Memorial Park. MPC

will assume general greenspace maintenance and some operational responsibilities upon approval of the agreement. As funds are raised and new recreational facilities are constructed, MPC will take on the additional maintenance and operational roles associated with those projects. The City will continue to provide funding for Memorial Park at fiscal year 2016 budgeted levels.

UDA developed an amended project plan, which was approved by the City Council by Ordinance No. 2013-470 on May 15, 2013, which includes funding for infrastructure enhancements and improvements for Memorial Park in accordance with the Master Plan. In addition, UDA will provide funding to help restore the ecological integrity of Memorial Park over the next 10 years.

On December 3, 2015, a presentation was given to the Quality of Life Committee providing an overview of the terms of the agreement. Attached to this RCA are the key terms of the agreement.

Prior Council Action:

Ord. No. 2015-0215, April 1, 2015

Amount of Funding:

$200,000 General Fund (FY2016)

Contact Information:

Andy Icken – 832-393-1064
James Koski – 832-393-0833

ATTACHMENTS:

Description	Type
RCA Memorial Park Conservancy	Signed Cover sheet
PCA 2015-215	Backup Material
MYR - Memorial Park Conservancy Agreement	Contract/Exhibit
MYR - Memorial Park Conservancy ORDINANCE Package (120715)	Ordinance/Resolution/Motion
MYR - Memorial Park Conservancy Agmt Key Terms	Backup Material

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

SUBJECT: An ordinance approving and authorizing a Development, Construction, Operations, Maintenance, and Concession Agreement between the City of Houston, Texas, Uptown Development Authority, and Memorial Park Conservancy.	**Page 1 of 1**	**Agenda Item #**

FROM: (Department or other point of origin): Andrew F. Icken, Chief Development Office Office of the Mayor	**Origination Date:**	**Agenda Date:**
DIRECTOR'S SIGNATURE:	**Council District affected:** C	
For additional information contact: Andy Icken – 832-393-1064 James Koski – 832-393-0833	**Date and identification of prior authorizing Council Action:** Ordinance No. 2015-0215 April 1, 2015	

RECOMMENDATION: Approve an Ordinance approving and authorizing Development, Construction, Operations, Maintenance, and Concession Agreement between the City of Houston, Texas, Uptown Development Authority, and Memorial Park Conservancy.

Amount and Source of Funding:
$600,000 General Fund (FY2016)

SPECIFIC EXPLANATION:
On April 1, 2015, the City Council by Ordinance 2015-0215 unanimously approved a Memorial Park Master Plan which envisions the restoration, enhancement, and redevelopment of Memorial Park in a manner appropriate to meet the demands of the more than four million current annual visitors.

It is recommended that City Council approve an ordinance allowing the City of Houston, Memorial Park Conservancy (MPC) and Uptown Development Authority (UDA) to operate, maintain, and develop Memorial Park in a manner consistent with and to implement the Master Plan. Note that the Houston Arboretum and Nature Center and the Memorial Park Golf Course are excluded from the scope of the agreement.

The City, by working in partnership with MPC and UDA through this agreement, contemplates a more expeditious and complete implementation of the Master Plan. A combination of private and governmental funding sources will create a more robust restoration and maintenance level for Memorial Park, as well as upgraded public infrastructure and recreational facilities.

MPC will fundraise for maintenance, operations, and capital improvements for Memorial Park. MPC will assume general greenspace maintenance and some operational responsibilities upon approval of the agreement. As funds are raised and new recreational facilities are constructed, MPC will take on the additional maintenance and operational roles associated with those projects. The City will continue to provide funding for Memorial Park at fiscal year 2016 budgeted levels.

UDA developed an amended project plan, which was approved by the City Council by Ordinance No. 2013-470 on May 15, 2013, which includes funding for infrastructure enhancements and improvements for Memorial Park in accordance with the Master Plan. In addition, UDA will provide funding to help restore the ecological integrity of Memorial Park over the next 10 years.

On December 3, 2015, a presentation was given to the Quality of Life Committee providing an overview of the terms of the agreement. Attached to this RCA are the key terms of the agreement.

REQUIRED AUTHORIZATION

Finance Budget:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 11/13/2015

ARA-Verizon Master License Agreement for Wireless Networks

Agenda Item#: 84.

Summary:

ORDINANCE approving and authorizing Master License Agreement for the use of the City's right-of-way for the installation of small cell antennas or Outdoor Distributed Antenna Systems for Wireless Networks; approving and authorizing such Master License Agreement between the City of Houston and **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**; authorizing the Mayor to execute all such subsequent Master License Agreements with other companies who consent to the same

TAGGED BY COUNCIL MEMBERS LASTER and GREEN

This was Item 39 on Agenda of December 9, 2015

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance establishing a Master License Agreement (Agreement) authorizing the use of the City of Houston's right-of-way for the installation of small cell antenna or distributed antenna systems (DAS) for wireless networks and approving such an Agreement between the City and Verizon Wireless.

The Agreement will allow cell phone carriers and wireless network infrastructure providers the right to enter and to use the public right-of-way to attach, install, construct, operate, lease, maintain, repair, replace, reattach, reinstall, relocate and remove their small cell antennas or distributed antenna systems to provide better coverage and meet increased demand for their services subject to the terms of the Agreement and in consideration of the fees paid.

Small cell networks and distributed antenna systems are being installed throughout the nation as part of a wireless network in order to meet ever-expanding demand for data capacity without necessitating the installation of large cell towers, also known as macro wireless towers. Interested parties have approached the City seeking permission to install said facilities in the City's right-of-way. State law requires the City to be compensated for use of the right-of-way.

Provisions included in the Agreement include:

- Non-exclusivity
- Location approval by the City Engineer's Office
- 20 year term
- Size limitations on equipment
- Minimum distance requirements from parks and historic landmarks unless approved by the ARA Director, Parks Director and/or City Engineer
- Must adhere to the FCC's radio frequency (RF) emissions standards
- Equipment near historic landmarks and TIRZ/Management districts must be camouflaged to be

consistent with the surrounding area
- No above ground wires in areas with underground utilities
- No facilities on residential streets 50ft or less in width unless otherwise approved
- No new poles allowed if existing utility or streetlight poles are available at or near the proposed location

Fee Provisions: The annual fee structure is determined based on reasonable market value and consistent with the range charged by other Texas municipalities for similar use of the right-of-way for small cell and distributed antenna systems.

As the proposed Agreement balances the needs of the wireless industry with the concerns of the community, the ARA Department recommends adoption of the proposed Master License Agreement.

Departmental Approval Authority:

Tina Paez, Director **Other Authorization**
Administration & Regulatory
Affairs Department

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Juan Olguin Phone: (832) 393-8528

ATTACHMENTS:

Description	Type
11.24.2015 Verizon DAS MLA RCA.pdf	Signed Cover sheet
ORD	Ordinance/Resolution/Motion
Updated Fee Schedule	Signed Cover sheet

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 12/1/2015
ALL
Item Creation Date: 11/13/2015

ARA-Verizon Master License Agreement for Wireless Networks

Agenda Item#: 26.

Summary:
AN ORDINANCE APPROVING AND AUTHORIZING A MASTER LICENSE AGREEMENT FOR THE USE OF THE CITY'S RIGHT-OF-WAY FOR THE INSTALLATION OF SMALL CELL ANTENNAS OR OUTDOOR DISTRIBUTED ANTENNA SYSTEMS FOR WIRELESS NETWORKS; APPROVING AND AUTHORIZING SUCH MASTER LICENSE AGREEMENT BETWEEN THE CITY AND VERIZON WIRELESS; AND AUTHORIZING THE MAYOR TO EXECUTE ALL SUCH SUBSEQUENT MASTER LICENSE AGREEMENTS.

Background:
The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance establishing a Master License Agreement (Agreement) authorizing the use of the City of Houston's right-of-way for the installation of small cell antenna or distributed antenna systems (DAS) for wireless networks and approving such an Agreement between the City and Verizon Wireless.

The Agreement will allow cell phone carriers and wireless network infrastructure providers the right to enter and to use the public right-of-way to attach, install, construct, operate, lease, maintain, repair, replace, reattach, reinstall, relocate and remove their small cell antennas or distributed antenna systems to provide better coverage and meet increased demand for their services subject to the terms of the Agreement and in consideration of the fees paid.

Small cell networks and distributed antenna systems are being installed throughout the nation as part of a wireless network in order to meet ever-expanding demand for data capacity without necessitating the installation of large cell towers, also known as macro wireless towers. Interested parties have approached the City seeking permission to install said facilities in the City's right-of-way. State law requires the City to be compensated for use of the right-of-way.

Provisions included in the Agreement include:

- Non-exclusivity
- Location approval by the City Engineer's Office
- 20 year term
- Size limitations on equipment
- Minimum distance requirements from parks and historic landmarks unless approved by the ARA Director, Parks Director and/or City Engineer
- Must adhere to the FCC's radio frequency (RF) emissions standards
- Equipment near historic landmarks and TIRZ/Management districts must be camouflaged to be consistent with the surrounding area
- No above ground wires in areas with underground utilities
- No facilities on residential streets 50ft or less in width unless otherwise approved
- No new poles allowed if existing utility or streetlight poles are available at or near the proposed location

Fee Provisions: The annual fee structure is determined based on reasonable market value and consistent with the range charged by other Texas municipalities for similar use of the right-of-way for small cell and distributed antenna systems.

As the proposed Agreement balances the needs of the wireless industry with the concerns of the community, the ARA Department recommends adoption of the proposed Master License Agreement.

Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Lara Cottingham	Phone: (832) 393-8503
Juan Olguin	Phone: (832) 393-8528

CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/15/2015
ALL
Item Creation Date: 11/23/2015

ARA-Crown Castle Master License Agreement for Wireless Networks

Agenda Item#: 85.

Summary:

ORDINANCE approving and authorizing Master License Agreement for the use of the City's right-of-way for the installation of small cell antennas or Outdoor Distributed Antenna Systems for Wireless Networks between the City of Houston and **CROWN CASTLE NG CENTRAL LLC**

TAGGED BY COUNCIL MEMBER GREEN

This was Item 40 on Agenda of December 9, 2015

Background:

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance authorizing a Master License Agreement (Agreement) between the City and Crown Castle for the use of the City of Houston's right-of-way for the installation of small cell antenna or distributed antenna systems (DAS) for wireless networks.

The Agreement will allow cell phone carriers and wireless network infrastructure providers the right to enter and to use the public right-of-way to attach, install, construct, operate, lease, maintain, repair, replace, reattach, reinstall, relocate and remove their small cell antennas or distributed antenna systems to provide better coverage and meet increased demand for their services subject to the terms of the Agreement and in consideration of the fees paid.

Small cell networks and distributed antenna systems are being installed throughout the nation as part of a wireless network in order to meet ever-expanding demand for data capacity without necessitating the installation of large cell towers, also known as macro wireless towers. Interested parties have approached the City seeking permission to install said facilities in the City's right-of-way. State law requires the City to be compensated for use of the right-of-way.

Provisions included in the Agreement include:

- Non-exclusivity
- Location approval by the City Engineer's Office
- 20 year term
- Size limitations on equipment
- Minimum distance requirements from parks and historic landmarks unless approved by the ARA Director, Parks Director and/or City Engineer
- Must adhere to the FCC's radio frequency (RF) emissions standards
- Equipment near historic landmarks and TIRZ/Management districts must be camouflaged to be consistent with the surrounding area
- No above ground wires in areas with underground utilities

- No facilities on residential streets 50ft or less in width unless otherwise approved
- No new poles allowed if existing utility or streetlight poles are available at or near the proposed location

Fee Provisions: The annual fee structure is determined based on reasonable market value and consistent with the range charged by other Texas municipalities for similar use of the right-of-way for small cell and distributed antenna systems.

As the proposed Agreement balances the needs of the wireless industry with the concerns of the community, the ARA Department recommends adoption of the proposed Master License Agreement.

Departmental Approval Authority:

Tina Paez, Director Other Authorization
Administration & Regulatory
Affairs Department

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Juan Olguin Phone: (832) 393-8528

ATTACHMENTS:

Description	Type
11.24.2015 Crown Castle DAS MLA RCA.pdf	Signed Cover sheet
11.23.2015 Crown Castle DAS MLA Ordinance.doc	Ordinance/Resolution/Motion
Updated Fee Schedule	Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 12/1/2015
ALL
Item Creation Date: 11/23/2015

ARA-Crown Castle Master License Agreement for Wireless Networks

Agenda Item#: 86.

Summary:
AN ORDINANCE APPROVING AND AUTHORIZING A MASTER LICENSE AGREEMENT FOR THE USE OF THE CITY'S RIGHT-OF-WAY FOR THE INSTALLATION OF SMALL CELL ANTENNAS OR OUTDOOR DISTRIBUTED ANTENNA SYSTEMS FOR WIRELESS NETWORKS BETWEEN THE CITY OF HOUSTON AND CROWN CASTLE NG CENTRAL LLC; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Background:
The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve an ordinance authorizing a Master License Agreement (Agreement) between the City and Crown Castle for the use of the City of Houston's right-of-way for the installation of small cell antenna or distributed antenna systems (DAS) for wireless networks.

The Agreement will allow cell phone carriers and wireless network infrastructure providers the right to enter and to use the public right-of-way to attach, install, construct, operate, lease, maintain, repair, replace, reattach, reinstall, relocate and remove their small cell antennas or distributed antenna systems to provide better coverage and meet increased demand for their services subject to the terms of the Agreement and in consideration of the fees paid.

Small cell networks and distributed antenna systems are being installed throughout the nation as part of a wireless network in order to meet ever-expanding demand for data capacity without necessitating the installation of large cell towers, also known as macro wireless towers. Interested parties have approached the City seeking permission to install said facilities in the City's right-of-way. State law requires the City to be compensated for use of the right-of-way.

Provisions included in the Agreement include:

- Non-exclusivity
- Location approval by the City Engineer's Office
- 20 year term
- Size limitations on equipment
- Minimum distance requirements from parks and historic landmarks unless approved by the ARA Director, Parks Director and/or City Engineer
- Must adhere to the FCC's radio frequency (RF) emissions standards
- Equipment near historic landmarks and TIRZ/Management districts must be camouflaged to be consistent with the surrounding area
- No above ground wires in areas with underground utilities
- No facilities on residential streets 50ft or less in width unless otherwise approved
- No new poles allowed if existing utility or streetlight poles are available at or near the proposed location

Fee Provisions: The annual fee structure is determined based on reasonable market value and consistent with the range charged by other Texas municipalities for similar use of the right-of-way for small cell and distributed antenna systems.

As the proposed Agreement balances the needs of the wireless industry with the concerns of the community, the ARA Department recommends adoption of the proposed Master License Agreement.

Departmental Approval Authority:

Tina Paez, Director
Administration & Regulatory
Affairs Department

Other Authorization

Contact Information:

Lara Cottingham Phone: (832) 393-8503
Juan Olguin Phone: (832) 393-8528