AGENDA

CITY OF HOUSTON . CITY COUNCIL
September 23 & 24, 2014

MAYOR
ANNISE D. PARKER

CONTROLLER
RONALD C. GREEN

DISTRICT COUNCIL MEMBERS

Brenda Stardig
District A

Richard Nguyen
District F

Jerry Davis
District B

Oliver Pennington
District G

Ellen R. Cohen
District C

Edward Gonzalez
District H

Dwight A. Boykins
District D

Robert Gallegos
District I

Dave Martin
District E

Mike Laster
District J

Larry V. Green
District K

AT-LARGE COUNCIL MEMBERS

Stephen C. Costello
Position 1

Michael Kubosh
Position 3

David W. Robinson
Position 2

C.O. "Brad" Bradford
Position 4

Jack Christie D.C.
Position 5

Marta Crinejo
Director - City Council Agenda

Anna Russell
City Secretary

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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, September 23, 2014 - 1:30 AM
CITY COUNCIL CHAMBER

INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Cohen

1:30 AM - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

speakers 092314

RECESS

RECONVENE

Tuesday - September 23, 2014 - 6:00 P. M.

HEARINGS

1. **PUBLIC HEARING** relating to the Proposed 2014 Tax Rate of $0.63108/$100 of value

RECONVENE

Wednesday - September 24, 2014 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 36

PROPERTY

2. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ginger Dawson Thornton, GDT Land Consultants, Inc., on behalf of Magellan Pipeline Company, L.P., (Magellan) [Magellan Pipeline GP, LLC, (Larry J. Davied, Vice President) General Partner], for the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres UR, all out of the John Harris Survey, A-27, Parcels SY14-113A and SY14-113B - **DISTRICT I - GALLEGOS**
3. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chuck Davis, C. L. Davis & Company, on behalf of Cameron Village, LLC, (Jeffrey Kloiber, Director of Corporate Real Estate), for abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survey, A-3, Parcels SY14-092A, SY14-092B and KY15-071 - **DISTRICT G - PENNINGTON**
4. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ryan Owens, on behalf of Hale Family Living Trust (Sheila Smet, Executor), declining the acceptance of, rejecting, and refusing the dedication of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J. B. Gardner Survey, Parcel SY14-066 - **DISTRICT A - STARDIG**
5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by

the Joint Referral Committee, on request from David Brewer, Brewer Escalante, on behalf of F. L. Tucker, Ltd. (Kurt M. Hanson, Vice President) and Crown Business Park, Inc. (M. J. Iqbal, Owner), declining the acceptance of, rejecting, and refusing the dedication of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey, Parcel SY15-029 - **DISTRICT A - STARDIG**

6. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY13-005, located at 8209 Gulf Freeway, owned by Harris County Flood Control District, for the **GULF FREEWAY #2 LIFT STATION PROJECT** - **DISTRICT I - GALLEGOS**

PURCHASING AND TABULATION OF BIDS

7. **DOGGETT HEAVY MACHINERY SERVICES, LLC** - $572,146.00 and **BROOKSIDE EQUIPMENT SALES, INC** - $54,250.00 for John Deere Tractor Replacement Parts and Repair Services for the Fleet Management Department - Fleet Management Fund

8. **AMEND MOTION #2011-855**, passed November 16, 2011, **TO INCREASE** spending authority from $345,128.84 to $514,241.97, for Medical Diagnostic and Virological Test Kits for the Houston Department of Health & Human Services on award to **BIO-RAD LABORATORIES, INC** $169,113.13 - Laboratory Services and Grant Funds

9. ORDINANCE appropriating $4,437,352.00 out of Equipment Acquisition Consolidated Fund for purchase of Refuse and Recycling Trucks for the Solid Waste Management Department

10. **MCNEILUS FINANCIAL, INC d/b/a MCNEILUS TRUCK AND MANUFACTURING CO** - $1,852,096.00 and **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** - $2,585,256.00 for Refuse and Recycling Trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council and Texas Local Government Purchasing Cooperative (BuyBoard) for the Solid Waste Management Department - Equipment Acquisition Consolidated Fund
This item should only be considered after passage of Item 9 above

ORDINANCES

11. ORDINANCE **AMENDING SECTIONS 21-236 and 21-244 and adding a new SECTION 21-237.1 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS,** relating to smoking; containing findings and other provisions relating to the foregoing subject; providing for severability

12. SECOND amended and restated ordinance authorizing, approving, confirming and ratifying certain matters relating to the City of Houston, Texas, General Obligation Commercial Paper Notes, Series H-2, in an aggregate principal amount not to exceed $100,000,000 for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such Notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of the Notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering Memorandum and a Commercial Paper Dealer Agreement; and declaring an emergency

13. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (1) a 65 foot wide portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; (2) a variable width portion of Bentbrook Drive, from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; (3) one sanitary sewer easement; (4) two storm sewer easements; and (5) nine water line easements; vacating and abandoning said parcels to Baybrook Mall, LLC, Baybrook LPC, LLC, Dillard Texas East, LLC, and Southbrook Corporation, the abutting owners ("Owners"), in consideration of (A) owners' payment of $488,664.00 to the City; (B) the conveyance to the City of a 80 foot wide right of way for, and construction of, Gulfbrook Drive to City standards, from its dead end north to the IH 45 South Service Road; (C) the conveyance to the City of three water line easements and one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Surveys, A-793 and A794, Harris County, Texas; and (D) other good and valuable consideration - **DISTRICT E - MARTIN**

14. ORDINANCE approving and authorizing submittal of an amended application to the Texas General Land Office increasing the amount of Community Development Block Grant Program 2008 Supplemental Disaster Recovery Funds requested to $26,148,986.00 and specifying additional qualified projects to be funded thereby, acceptance of the requested funds and execution of the related contract amendment - **DISTRICTS B - DAVIS; D - BOYKINS and H - GONZALEZ**

15. ORDINANCE approving the allocation of $550,000 as a Cash Match; approving a grant from the Department of Aging and Disability Services (DADS) and accepting the FY 2015-2016 Area Plan for the Harris County Area Agency on Aging ("HCAAA"); declaring HCAAA'S eligibility for the Area Plan Grant Funding for FY 2015-2016; authorizing the Director of the Health & Human Services Department of the City of Houston ("the

Director") to act as the HCAAA'S representative for purposes of the DADS Area Plan for FY 2015-2016; authorizing the Director to apply for, accept and expend the DADS Area FY 2015-2016 Plan Funds, and to apply for, accept and expend all subsequent DADS Area Plan Awards, if any, pertaining to said DADS Area Plan - General and Grant Funds

16. ORDINANCE approving and authorizing Community Garden Maintenance Agreement between the City of Houston, Texas, and the **BRAYS OAKS MANAGEMENT DISTRICT**

17. ORDINANCE relating to the Fiscal Affairs of the **FOURTH WARD REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvement Projects Budget for the Zone - **DISTRICT C - COHEN**

18. ORDINANCE relating to the Fiscal Affairs of the **MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY d/b/a DOWNTOWN REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvement Projects Budget for the Zone - **DISTRICTS C - COHEN; H - GONZALEZ and I - GALLEGOS**

19. ORDINANCE relating to the Fiscal Affairs of the **SOUTHWEST HOUSTON REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvements Budget for the Zone - **DISTRICTS F - NGUYEN and J - LASTER**

20. ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services to promote Tourism and Economic Development on behalf of the City of Houston; providing a maximum contract amount 3 Years - $150,000.00 - Hotel Occupancy Tax Fund

21. ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services for the Houston Airport System; providing a maximum contract amount - 3 Years - $285,000.00 - Enterprise Fund

22. ORDINANCE appropriating $6,000,000.00 out of airports improvement fund as an additional appropriation to the contract between the City of Houston and **GCR, INC** for Professional Information Technology Services for the Houston Airport System (Project No. 412); amending Ordinance No. 2013-407 to increase the maximum contract amount - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**

23. ORDINANCE appropriating $6,230,378.00 out of Airports Improvement Fund as additional appropriation for Construction Phase III Services for the Design Build Agreement between the City of Houston and **MICA CORPORATION** (Approved by Ordinance No. 2012-472) for Exterior Way-Finding Roadway Signage at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Airport (Project No. 684); providing funding for contingencies and the Civic Art Program - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**

24. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **BLACK FOREST VENTURES AVIATION RE, LLC**, operated by Wing Aviation Charter Management Services LLC, for certain premises at William P. Hobby Airport - **DISTRICT I - GALLEGOS**

25. ORDINANCE consenting to the addition of 2,753.092 acres of land to **GENERATION PARK MANAGEMENT DISTRICT,** for inclusion in its district

26. ORDINANCE establishing the west side of the 100-300 block of Glenwood Drive, between Memorial Drive and Westcott Street, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN**

27. ORDINANCE establishing the east side of the 1500-1600 block of Wycliffe Drive, between Timberline Drive and Mayfield Road, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT A - STARDIG**

28. ORDINANCE awarding contract to **CLEAR LAKE POWERBOAT SERVICE, INC** for Boat Maintenance and Repair Services for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - $969,191.31 - Fleet Management Fund

29. ORDINANCE approving and authorizing contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON, INC**, **AT WORK STAFFING, INC**, **EXECUTEAM STAFFING L.P.**, **ICON INFORMATION CONSULTANTS, L.P.**, **LANESTAFFING, INC**, **SILVER & ASSOCIATES CONSULTING, INC**, **SMITH & DEAN, INC d/b/a DEAN'S PROFESSIONAL SERVICES**, **TOPP KNOTCH PERSONNEL, INC**, and **MSHANA GROUP LLC d/b/a ARIESPRO** for Temporary Employee Staffing Services and Information Technology Staffing Resources; providing a maximum contract amount - 3 Years with two one-year options -

$75,000,000.00 - Central Services Revolving Fund

30. ORDINANCE appropriating $3,000,000.00 out of Equipment Acquisition Consolidated Fund for the Information and Cyber Security Program for the Houston Information Technology Services Department

31. ORDINANCE approving and authorizing contract between City of Houston and **SELEX ES INC** for an Automatic License Plate Recognition Solution for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - $514,221.25 - General and Asset Forfeiture Funds

32. ORDINANCE approving and authorizing an agreement between the City of Houston and **THE SEGAL COMPANY (WESTERN STATES), INC, known as SEGAL WATERS CONSULTING** for Human Resources Consulting Services; providing a maximum contract amount - 3 Years with two one-year options

33. ORDINANCE allocating the amount of $196,685.00 from the Greater Houston Transportation & Emergency Management Center Fund; approving and authorizing first amendment to the Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for funding the construction of building expansion at the Houston TranStar Center (Approved by Ordinance 1993-451)

34. ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **IP INVESTMENTS, LLC** - Revenue

35. ORDINANCE approving payment of $64,565.32 to **HUFF & MITCHELL, INC** under contract with the City for Airline Drive Drainage Improvements authorized by Ordinance No. 2010-0062 **DISTRICT H - GONZALEZ**

36. 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 Northeast Transmission 108-inch Water Line Easement Acquisition Project (from Smith Road to Lee Road); authorizing the acquisition of fee simple title interest in or easement to eighteen parcels of land required for the project and situated in the Samuel Upshaw Survey, Abstract No. 818, and the Thomas Norments Survey, Abstract No. 601, in Harris County, Texas, said parcels of land being located along the north and south lines of Aldine Bender Road and along the easterly line of the H.E. & W.T. Railroad easement between Lee Road and Smith Road in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, appraisal fees, title policies/services, recording fees, court costs, and expert witness fees in connection with the acquisition of fee simple title interest in or easement to the eighteen parcels of land required for the project - **DISTRICT B - DAVIS**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA

MISCELLANEOUS

37. REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Jonathan E. Bruce, Attorney at Law, on behalf of Ibrahim Eter - Sarah Investments, Inc., d/b/a Prestige Collision, 9001 Bellflower Street, Houston, Texas, 77063, regarding the revocation of license and application

MATTERS HELD

38. ORDINANCE adopting the 2014 National Electrical Code and amendments thereto, as the City of Houston Electrical Code, and containing other provisions; containing findings; providing an effective date; providing for severability
TAGGED BY COUNCIL MEMBERS STARDIG and PENNINGTON
This was Item 11 on Agenda of September 17, 2014

39. ORDINANCE approving and authorizing an agreement between the City of Houston and **FROST INSURANCE AGENCY, INC d/b/a FROST HR CONSULTING** for Human Resources Consulting Services; providing a maximum contract amount - 3 Years with two one-year options
TAGGED BY COUNCIL MEMBERS STARDIG and MARTIN
This was Item 19 on Agenda of September 17, 2014

40. ORDINANCE approving and authorizing an agreement between the City of Houston and **GALLAGHER BENEFIT SERVICES, INC** for Human Resources Consulting Services; providing a maximum contract amount - 3 Years with two one-year options
TAGGED BY COUNCIL MEMBERS STARDIG and MARTIN
This was Item 20 on Agenda of September 17, 2014

41. ORDINANCE awarding contract to **THR ENTERPRISES, INC** for Street Sweeping Services for the Public Works & Engineering Department providing a maximum contract amount - 3 Years with two one-year options - $4,294,190.60 - Storm Water Fund
TAGGED BY COUNCIL MEMBERS STARDIG and CHRISTIE
This was Item 22 on Agenda of September 17, 2014

42. ORDINANCE appropriating $9,215,300.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.** for proposed 66-inch water line along Moers Road from proposed Moers right of way to Almeda-Genoa Road; 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, construction management and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICT D - BOYKINS**
TAGGED BY COUNCIL MEMBER COSTELLO
This was Item 32 on Agenda of September 17, 2014

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

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

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

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE 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: 9/23/2014

Item Creation Date: 9/18/2014

FIN - Proposed 2014 Tax Rate

Agenda Item#: 1.

Summary:
PUBLIC HEARING relating to the Proposed 2014 Tax Rate of $0.63108/$100 of value

ATTACHMENTS:

	Description	Type
🗋	Previous RCA	Backup Material

REQUEST FOR COUNCIL ACTION

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

SUBJECT: Place the proposed tax rate of $0.631080/$100 of value, which is lower than last year's tax rate, on the October 16th Agenda. Set dates for three public hearings on the proposed tax rate and publish analysis of anticipated increased revenues pursuant to Sec. 44-27 of the Houston Code of Ordinances.	**Category #**	**Page 1 of 2**	**Agenda Item#**
FROM: (Department or other point of origin): Kelly Dowe Finance Department	**Origination Date** September 10, 2014		**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council Districts affected:** All		
For additional information contact: Kelly Dowe, Chief Business Officer **Phone:** 832-393-9051 Thy-Huyen Ruiz, Division Manager **Phone:** 832-393-9075	**Date and identification of prior authorizing Council Action:** September 4, 2013; Motion No. 2013 0612		

RECOMMENDATION: (Summary) That the City Council approve a motion placing the proposed tax rate of $0.631080/$100 of value on the Agenda of City Council for Tuesday October 21, 2014. Set the public hearing dates on the proposed tax rate and publish analysis of anticipated increased revenues pursuant to Sec. 44-27 of the Houston Code of Ordinances.

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

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

SPECIFIC EXPLANATION:

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

Effective Tax Rate and Rollback Tax Rate

Section 26.04 (e) of the Tax Code requires that the Effective Tax Rate and the Rollback Tax Rate be reported to the governing body of each taxing unit. The Effective Tax Rate for Tax Year 2014 is $0.603431/$100 of assessed value and the Rollback Tax Rate is $0.643206/$100 of assessed value.

Public Hearings

Section 26.05(d) of the Tax Code requires the City of Houston to hold two public hearings before adopting a tax rate that exceeds the rollback rate or the effective tax rate, whichever rate is lower. In addition, the Houston Code of Ordinances, Sec. 44-27 requires the City of Houston to hold at least three public hearings before adopting a tax rate expected to increase the City of Houston's ad valorem property tax revenues for the current fiscal year in an amount greater than five percent more than the ad valorem property tax revenues collected during the immediately preceding fiscal year. The three hearings required under the Code of Ordinances may be combined with any hearings required by the Tax Code. The Code of Ordinances requires that two of the public hearings be held in the evening and one during the day. The Director of Finance must recommend dates and time for the required public hearings. It is recommended that City Council set the following dates and times for the hearings: September 23, 2014 at 6 PM; September 30, 2014 at 6 PM; and October 8, 2014 at 9 AM.

Newspaper Publications

Section 26.05(d) of the Tax Code requires the City of Houston to publish newspaper ads before adopting a tax rate, including notices of the dates and times of the public hearings and the Council action to set the tax rate. In addition, Section 44-27 of the Houston Code of Ordinances requires that an analysis of anticipated increased revenues be published in the major Houston newspaper, when the ad valorem tax rate proposed is expected to produce ad valorem property tax revenue collections during the current fiscal year of more than five percent the ad valorem property tax revenues collected in the immediately preceding fiscal year.

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

Date:	Subject: : Place the proposed tax rate of $0.631080/$100 of value, which is lower than last year's tax rate, on the October 16th Agenda. Set dates for three public hearings on the proposed tax rate and publish analysis of anticipated increased revenues pursuant to Sec. 44-27 of the Houston Code of Ordinances.	Originator's Initials	Page 2 of 2

Summary

City Council must pass a motion to place a specific proposed tax rate on a future City Council Agenda, set the dates and time for the public hearings and publish an analysis of anticipated increased revenues. The City Council meeting to vote on the proposed tax rate may not be earlier than the 10th day or later than the 14th day after the date of the last public hearing.

The proposed tax rate of $0.631080/$100 of assessed value must be apportioned between Maintenance and Operations (M&O) and Interest and Sinking Fund (I&S). The M&O rate is $0.474635/$100 of assessed value and the I&S rate is $0.156445/$100 of assessed value which, when combined, equal the total tax rate of $0.631080/$100 of assessed value.

It is therefore recommended that City Council pass a motion to place the proposed tax rate of $0.631080/$100 of value for tax year 2014 on the Agenda of City Council for Tuesday October 21, 2014, scheduling three public hearings on the proposed tax rate in City Council Chambers on September 23, 2014 at 6 PM; September 30, 2014 at 6 PM; and October 8, 2014 at 9 AM and publish analysis of anticipated increased revenues pursuant to Sec. 44-27 of the Houston Code of Ordinances.

cc: David M Feldman, City Attorney
Sameera Mahendru, Senior Assistant City Attorney
Marta Crinejo, Agenda Director

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District I

20DOB9485-Sale 108,218-square-foot subsurface pipeline - Meadowbrook Freeway

Agenda Item#: 2.

Summary:
RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ginger Dawson Thornton, GDT Land Consultants, Inc., on behalf of Magellan Pipeline Company, L.P., (Magellan) [Magellan Pipeline GP, LLC, (Larry J. Davied, Vice President) General Partner], for the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres UR, all out of the John Harris Survey, A-27, Parcels SY14-113A and SY14-113B - **DISTRICT I - GALLEGOS**

Background:
Ginger Dawson Thornton, GDT Land Consultants, Inc., 12306 Ashford Valley Drive, Sugar Land, Texas, 77478, on behalf of Magellan Pipeline Company, L.P., (Magellan) [Magellan Pipeline GP, LLC, (Larry J. Davied, Vice President) General Partner], requested the sale of +/- 108,218-square-foot subsurface pipeline easement and +/- 51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) tract 25A, Block 5, Tract 29, block 11, and Tract 25, Block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27, Magellan, the applicant, plans to construct an 8.625-inch subsurface pipeline for jet fuel within the proposed +/- 25-foot-wide by +/- 4,328.72-foot-long pipeline easement utilizing a temporary (12-month period) work space easement. the subject easement are within two fee-owned tracts of city land adjacent to Airport Boulevard that were acquired by the City in 1950 for storm sewer drainage. Since the pipeline will be located adjacent to an open drainage channel within the City's fee-owned tracts, approvals were obtained from the Street and Drainage Division of the Department of Public Works and Engineering and the Harris County Flood Control District. It was determined the pipeline will not affect the public storm drainage system if the proposed pipeline is located at the required depths to be approved by the Street and Drainage Division of the Department of Public Works and Engineering. The remainder of the proposed pipeline route, east of the drainage channel adjacent to Hobby Airport and continuing to the City of Pasadena, is outside of City of Houston property.

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

1. The City sell a +/- 108,218-square-foot subsurface pipeline easement and +/- 51,000-square-foot temporary work space easement located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Track 25A, Block 5, Tract 29, Block 11, and Tract 25, block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27;
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property.
3. The applicant be required to: a) install the proposed pipeline the maximum separation between the pipeline and the ground surface and between the pipeline and the storm sewer outfall lines; b) maintain a minimum of six feet of cover over the proposed pipeline from the existing storm sewer ditch flow line and all storm sewer outfall crossings; c) install the proposed pipeline at such a depth as to allow safe operation of heavy construction equipment used for storm channel maintenance; d) provide notification of completion of the proposed pipeline construction to allow for examination of storm sewer outfall lines by the Street and Drainage Division of the Department Public Works and Engineering; and e) complete the forgoing items at no cost to the City and under the proper permits obtained separately and exclusively from the Office of the City Engineering;

4. The Legal Department by authorized to prepare the necessary transaction documents; and,
5. Inasmuch as the value of the City's property interest is not expected to exceed $1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

Key May: 535X, 575B

Contact Information:

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

ATTACHMENTS:

	Description	Type
	20DOB9485-Sale 108,218-square-foot subsurface pipeline - Meadowbrook Freeway RCA and Maps	Backup Material

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

SUBJECT: Request for the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27. **Parcels SY14-113A and SY14-113B**	**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:** I **Key Map:** 535X, 575B DO	
For additional information contact: Nancy P. Collins NPC **Phone:** (832) 395-3130 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary) It is recommended City Council approve a Motion authorizing the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27. **Parcels SY14-113A and SY14-113B**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:

Ginger Dawson Thornton, GDT Land Consultants, Inc., 12306 Ashford Valley Drive, Sugar Land, Texas, 77478, on behalf of Magellan Pipeline Company, L.P., (Magellan) [Magellan Pipeline GP, LLC, (Larry J. Davied, Vice President) General Partner], requested the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27. Magellan, the applicant, plans to construct an 8.625-inch subsurface pipeline for jet fuel within the proposed ±25-foot-wide by ±4,328.72-foot-long pipeline easement utilizing a temporary (12-month period) work space easement. The subject easements are within two fee-owned tracts of City land adjacent to Airport Boulevard that were acquired by the City in 1950 for storm sewer drainage. Since the pipeline will be located adjacent to an open drainage channel within the City's fee-owned tracts, approvals were obtained from the Street and Drainage Division of the Department of Public Works and Engineering and the Harris County Flood Control District. It was determined the pipeline will not affect the public storm drainage system if the proposed pipeline is located at the required depths to be approved by the Street and Drainage Division of the Department of Public Works and Engineering. The remainder of the proposed pipeline route, east of the drainage channel adjacent to Hobby Airport and continuing to the City of Pasadena, is outside of City of Houston property.

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

p:\dob\sy14-113.rc1.doc CUIC #20DOB9485

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**
		Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division

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

Date:	**Subject:** Request for the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27. **Parcels SY14-113A and SY14-113B**	**Originator's Initials**	**Page 2 of 2**

1. The City sell a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27;

2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

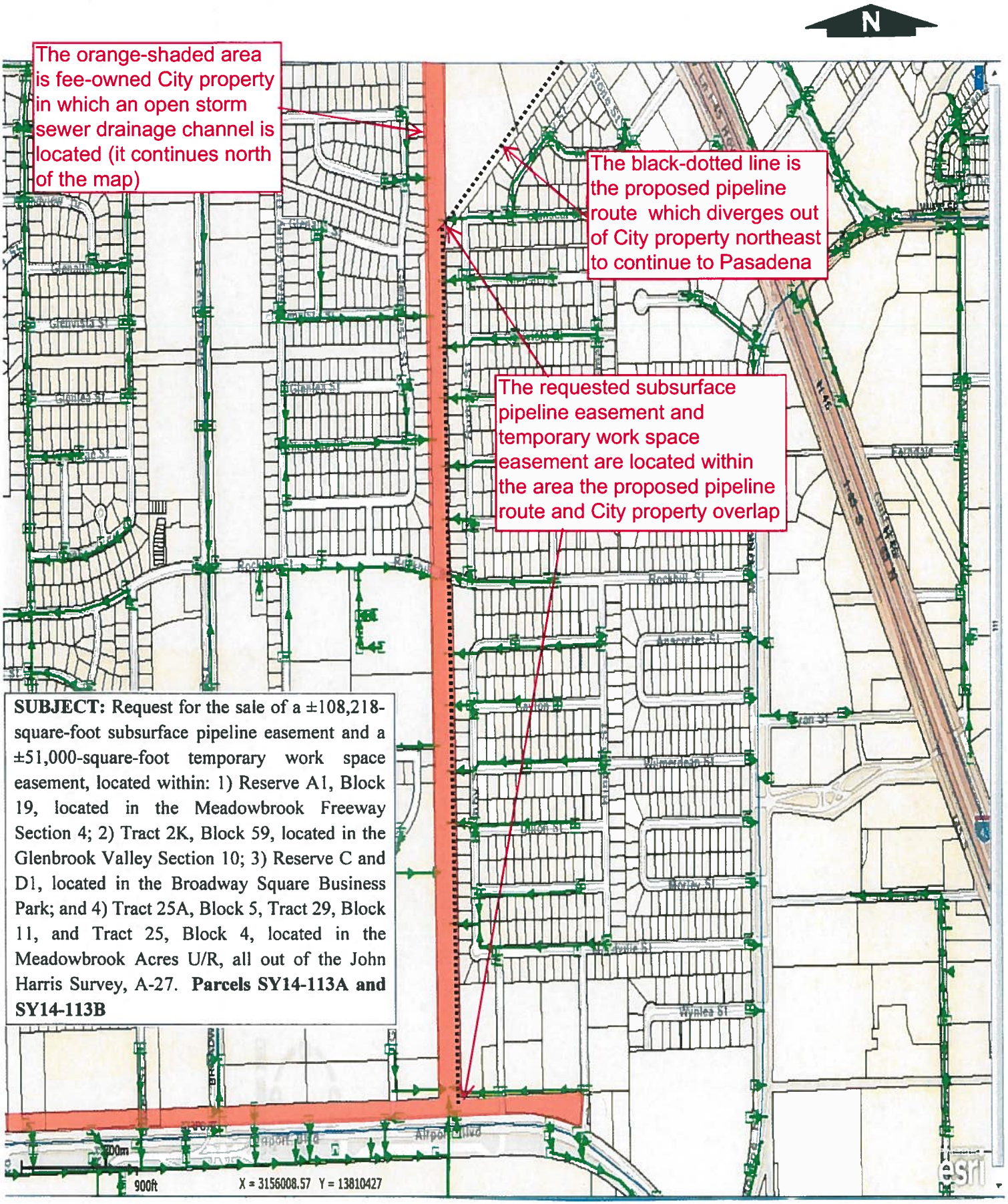
3. The applicant be required to: a) install the proposed pipeline to provide the maximum separation between the pipeline and the ground surface and between the pipeline and the storm sewer outfall lines; b) maintain a minimum of six feet of cover over the proposed pipeline from the existing storm sewer ditch flow line and all storm sewer outfall crossings; c) install the proposed pipeline at such a depth as to allow safe operation of heavy construction equipment used for storm channel maintenance; d) provide notification of completion of the proposed pipeline construction to allow for examination of storm sewer outfall lines by the Street and Drainage Division of the Department of Public Works and Engineering; and e) complete the forgoing items at no cost to the City and under the proper permits obtained separately and exclusively from the Office of the City Engineer;

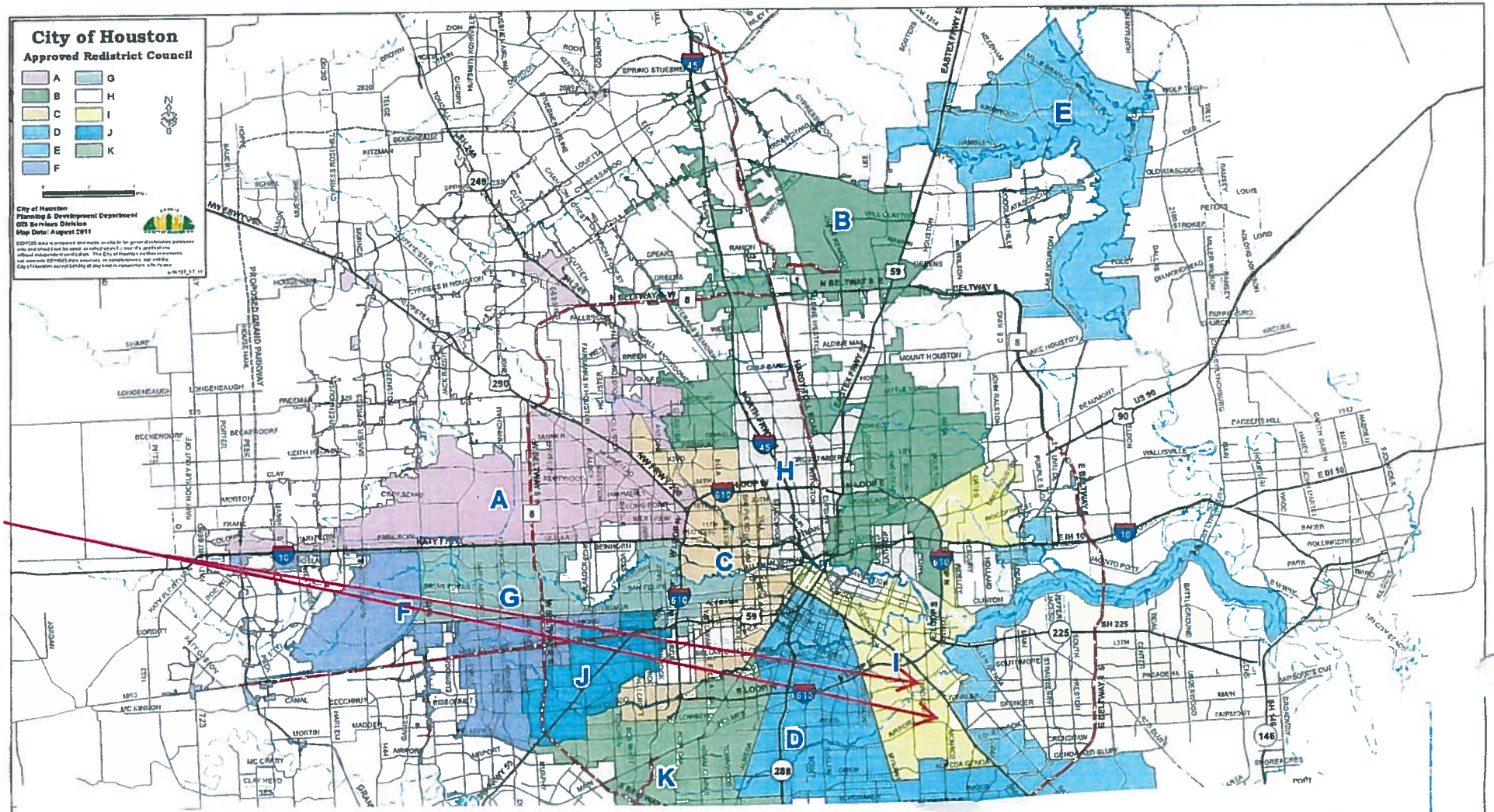
4. The Legal Department be authorized to prepare the necessary transaction documents; and,

5. Inasmuch as the value of the City's property interest is not expected to exceed $1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

DAR:NPC:dob

c: Jun Chang, P.E., D.WRE
Marta Crinejo
Eric K. Dargan
David Feldman
Terry A. Garrison
Daniel Menendez, P.E.
Patrick Walsh, P.E.


N
The orange-shaded area is fee-owned City property in which an open storm sewer drainage channel is located (it continues north of the map)
The black-dotted line is the proposed pipeline route which diverges out of City property northeast to continue to Pasadena
The requested subsurface pipeline easement and temporary work space easement are located within the area the proposed pipeline route and City property overlap
SUBJECT: Request for the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27. Parcels SY14-113A and SY14-113B
Stone St
Greenhill St
Gentles St
Rockhill St
Dixon St
Wynles St
Airport Blvd
900ft
X = 3156008.57 Y = 13810427
esri



SUBJECT: Request for the sale of a ±108,218-square-foot subsurface pipeline easement and a ±51,000-square-foot temporary work space easement, located within: 1) Reserve A1, Block 19, located in the Meadowbrook Freeway Section 4; 2) Tract 2K, Block 59, located in the Glenbrook Valley Section 10; 3) Reserve C and D1, located in the Broadway Square Business Park; and 4) Tract 25A, Block 5, Tract 29, Block 11, and Tract 25, Block 4, located in the Meadowbrook Acres U/R, all out of the John Harris Survey, A-27. **Parcels SY14-113A and SY14-113B**

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District G

20CJS9468-A&S Parcels SY14-092A, SY14-092B and KY15-071 - Harbor Oaks

Agenda Item#: 3.

Summary:
RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chuck Davis, C. L. Davis & Company, on behalf of Cameron Village, LLC, (Jeffrey Kloiber, Director of Corporate Real Estate), for abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survey, A-3, Parcels SY14-092A, SY14-092B and KY15-071 - **DISTRICT G - PENNINGTON**

Background:
Chuck Davis, C.L. Davis & Company, 1500 Winding Way, Friendswood, Texas 77546, on behalf of Cameron Villege, LLC., (Jeffrey Kloiber, Director of Corporation Real Estate), requested the abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survey, A-3. The applicant plans to construct an office development, and they plan to utilize the subject property as an access drive to Deerwood Drive.

This is Part One of a two-step process in which the applicant will first receive a City Council authorized motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction subsequent recommendation to City Council requesting passage of an ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:

1. The City abandon and sell Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survey, A-3;
2. The applicant be required to furnish the Department of Public Works and engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to provide letters of no objection from each of the privately owned utility companies for the street being abandoned;
4. The Legal Department be authorized to prepare the necessary transaction documents; and
5. Inasmuch as the value of the City's property interests are not expected to exceed $1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

Contact Information:
Nancy P. Collins
Senior Assistant Director-Real Estate
Phone: (832) 395-3130

ATTACHMENTS:

Description	Type
20CJS9468-A&S Parcels SY14-092A, SY14-092B and KY15-071 - Harbor Oaks RCA and Maps	Backup Material

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

SUBJECT: Request for the abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survery, A-3. **Parcels SY14-092A, SY14-092B, and KY15-071**	**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:** G CS **Key Map:** 489L	
For additional information contact: Nancy P. Collins **Phone:** (832) 395-3130 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary) It is recommended City Council approve a motion authorizing the abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survery, A-3. **Parcels SY14-092A, SY14-092B, and KY15-071**

Amount and Source of Funding: Not Applicable	

SPECIFIC EXPLANATION:

Chuck Davis, C.L. Davis & Company, 1500 Winding Way, Friendswood, Texas, 77546, on behalf of Cameron Village, LLC., (Jeffrey Kloiber, Director of Corporate Real Estate), requested the abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survery, A-3. The applicant plans to construct an office development, and they plan to utilize the subject property as an access drive to Deerwood Drive.

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

1. The City abandon and sell Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survery, A-3;

2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

3. The applicant be required to provide letters of no objection from each of the privately owned utility companies for the street being abandoned;

p:\cs\sy14-092.rc1.doc CUIC #20CJS9468

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**
		Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division

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

Date:	**Subject:** Request for the abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survery, A-3. **Parcels SY14-092A, SY14-092B, and KY15-071**	**Originator's Initials** CS	**Page 2 of 2**

4. The Legal Department be authorized to prepare the necessary transaction documents; and

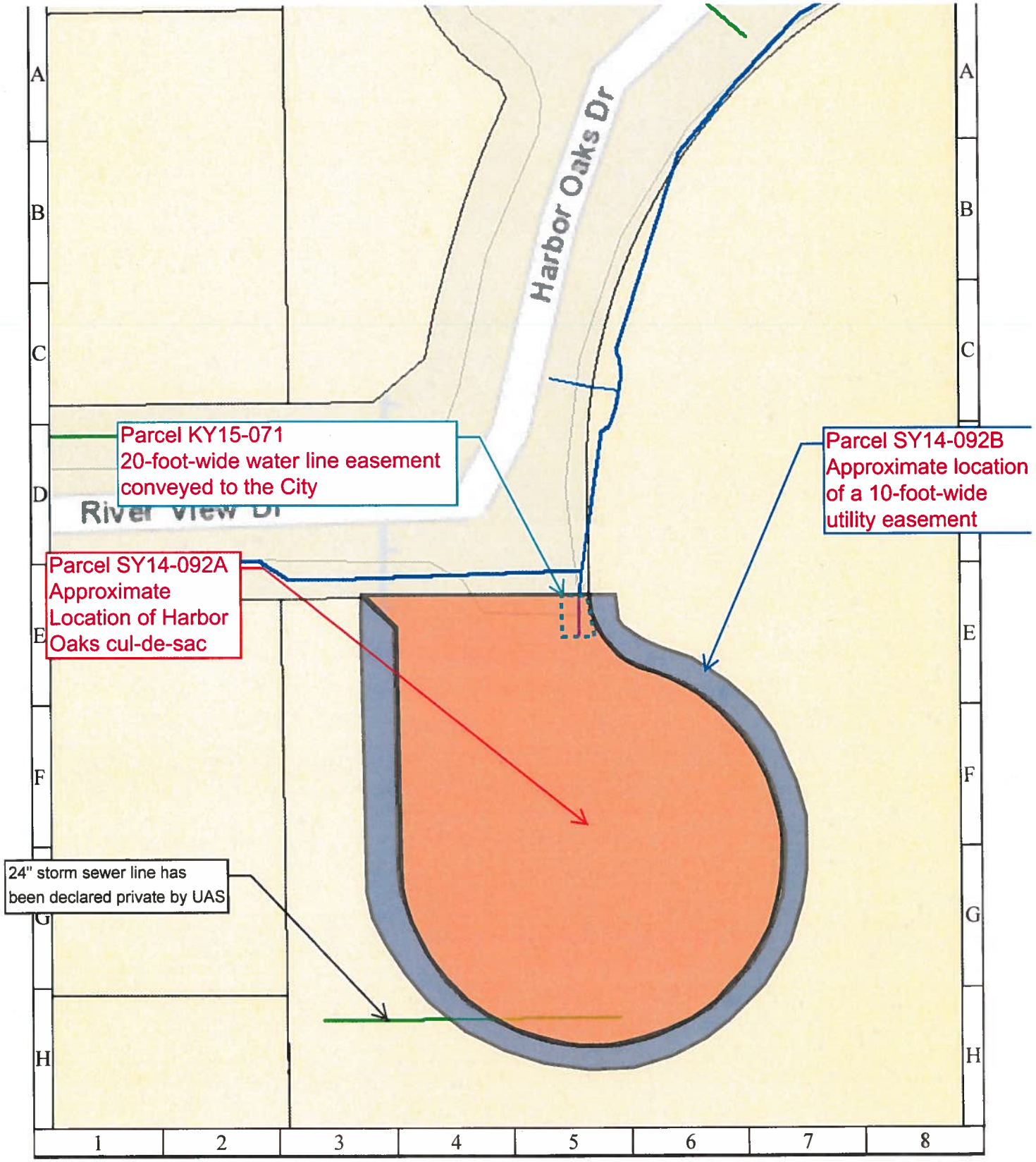
5. Inasmuch as the value of the City's property interests are not expected to exceed $1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

DRM:NPC:cs

c: Jun Chang, P.E., D.WRE
Marta Crinejo
Eric Dargan
David Feldman
Terry A. Garrison
Daniel Menendez, P.E.
Patrick Walsh, P.E.
Jeffrey Weatherford, P.E., PTOE

Parcel Map

Subject: Abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survery, A-3. Parcels SY14-092A, SY14-092B, and KY15-071



CITY OF HOUSTON

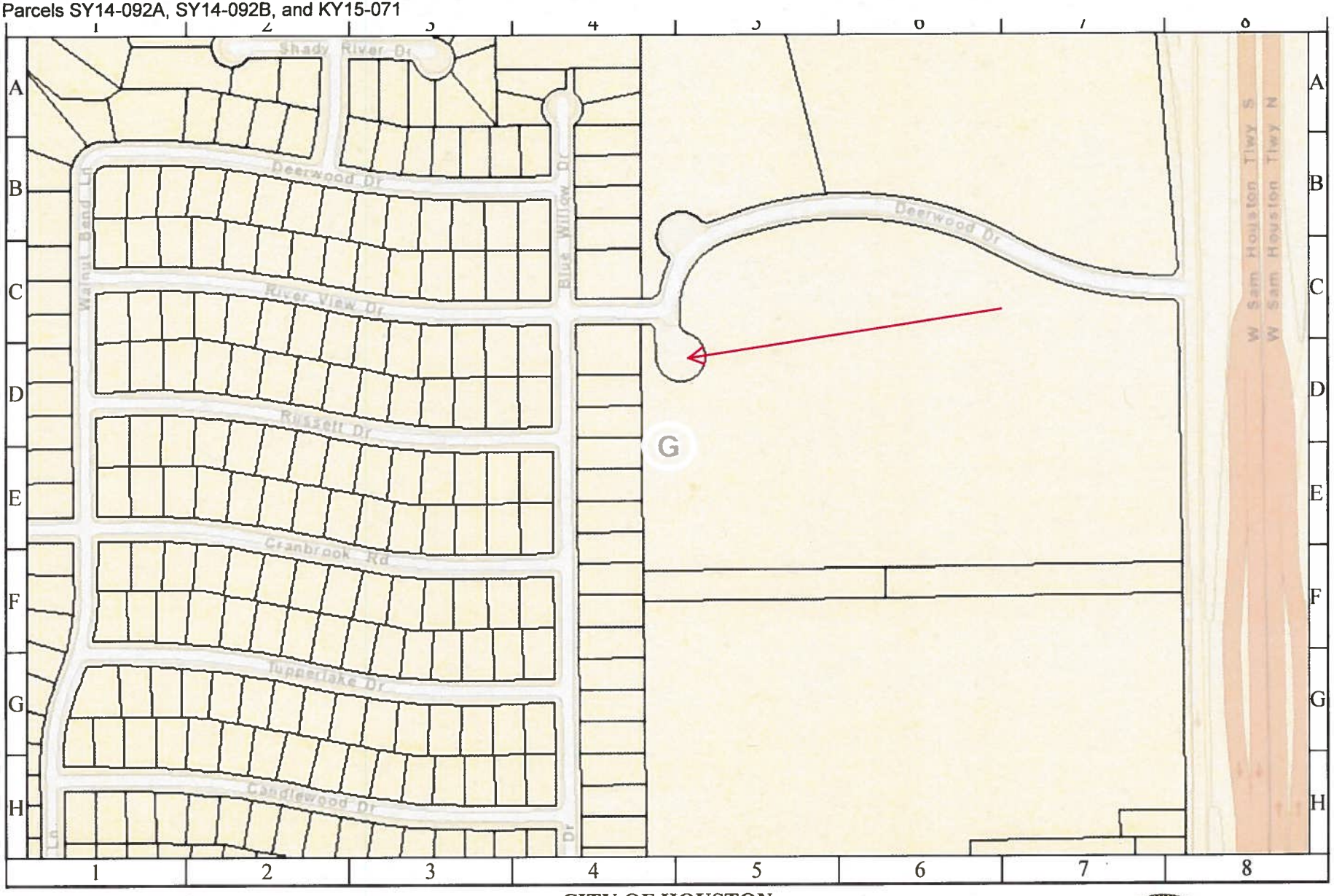
Department of Public Works and Engineering

Geographic Information & Management System (GIMS)

1 inch = 13 feet

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

Abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survery, A-3.
Parcels SY14-092A, SY14-092B, and KY15-071



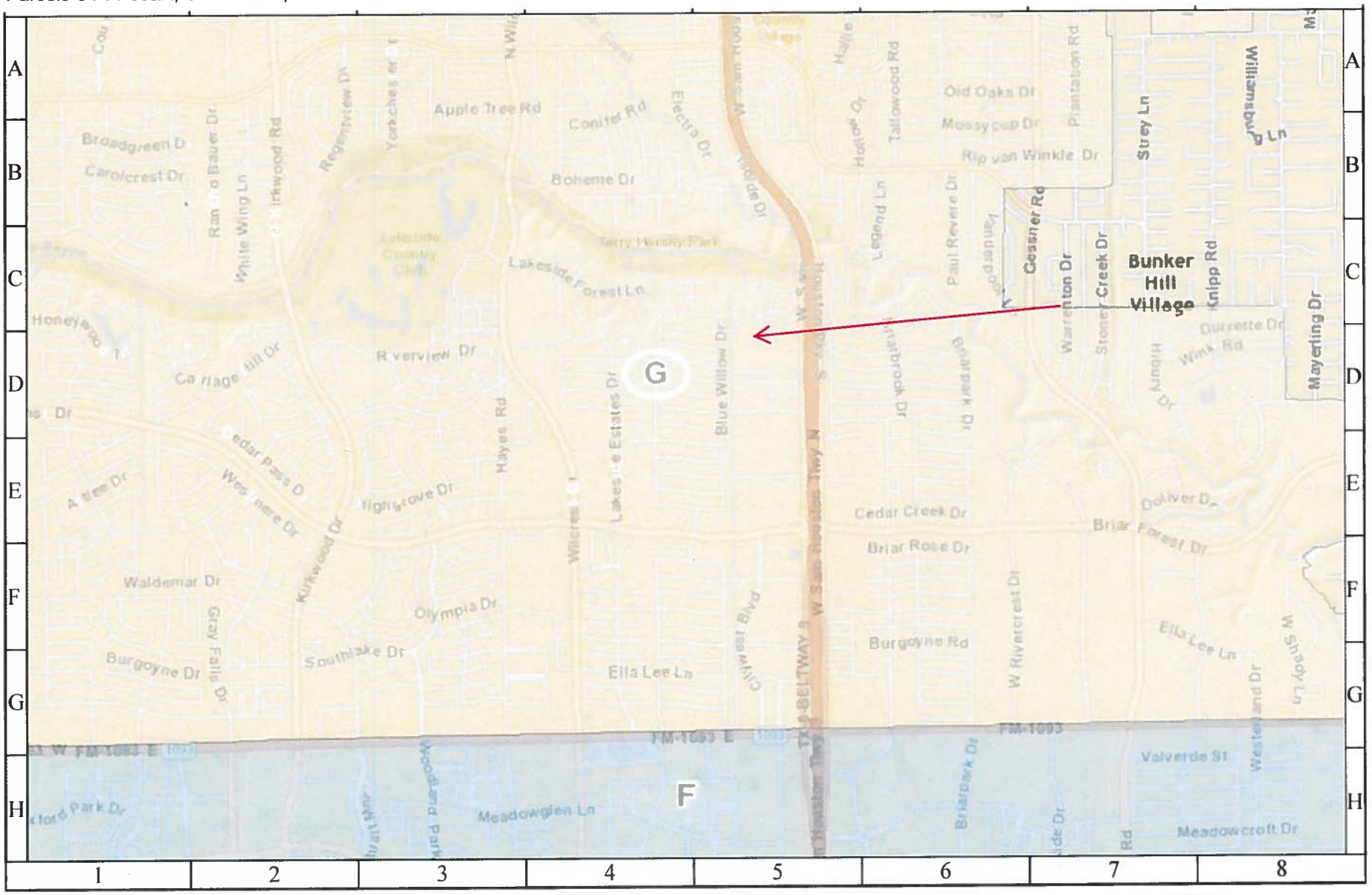
1 inch = 110 feet

CITY OF HOUSTON
Department of Public Works and Engineering
Geographic Information & Management System (GIMS)

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

Council District G

Abandonment and sale of Harbor Oaks cul-de-sac, from its terminus to the south right-of-way line of Riverview Drive and a 10-foot-wide utility easement, in exchange for conveyance of a 20-foot-wide water line easement, all located in the Greentree Place Subdivision, out of the George Bellows Survery, A-3.
Parcels SY14-092A, SY14-092B, and KY15-071



CITY OF HOUSTON
Department of Public Works and Engineering
Geographic Information & Management System (GIMS)

1 inch = 884 feet

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

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District A

20CJS9442-Declining acceptance - Parcel SY14-066 - Rockcrest Drive

Agenda Item#: 4.

Summary:
RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ryan Owens, on behalf of Hale Family Living Trust (Sheila Smet, Executor), declining the acceptance of, rejecting, and refusing the dedication of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J. B. Gardner Survey, Parcel SY14-066 - **DISTRICT A - STARDIG**

Background:
Ryan Owens, 19215 Water Bridge Drive, Cypress, Texas, 77433, on behalf of Hale Family Living Trust (Sheila Smet, Executor), requested the non-acceptance of Rockcrest Drive, from Steffani Lane west +/- 149 feet to its terminus, located within the Spring Branch Terrace subdivision, out f the J.B. Gardner Survey. The subject street has never been paved or used for utility purposes. Further, the City has identified no future need for this street. The applicant plans to utilize the street as additional parking for their storage facility. The other abutting property owner, Michael Carpino, does not object to the non-acceptance of the subject street. The Joint Referral Committee reviewed the request and determined it could be processed as a non-acceptance.

Therefore, it is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Rockcrest Drive, from Steffani Lane west +/- 149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J. B. Gardner Survey.

Contact Information:
Nancy P. Collins
Senior Assistant Director-Real Estate
Phone: (832) 395-3130

ATTACHMENTS:

	Description	Type
	20CJS9442-Declining acceptance - Parcel SY14-066 - Rockcrest Drive RCA	Backup Material
	20CJS9442-Declining acceptance - Parcel SY14-066 - Rockcrest Drive MAP	Backup Material

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Request for a motion declining the acceptance of, rejecting, and refusing the dedication of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J.B. Gardner Survey. **Parcel SY14-066**	**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:** A CS **Key Map:** 450E	
For additional information contact: Nancy P. Collins NPC **Phone:** (832) 395-3130 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary) It is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J.B. Gardner Survey. **Parcel SY14-066**

Amount and Source of Funding: Not Applicable	

SPECIFIC EXPLANATION:

Ryan Owens, 19215 Water Bridge Drive, Cypress, Texas, 77433, on behalf of Hale Family Living Trust (Sheila Smet, Executor), requested the non-acceptance of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J.B. Gardner Survey. The subject street has never been paved or used for utility purposes. Further, the City has identified no future need for this street. The applicant plans to utilize the street as additional parking for their storage facility. The other abutting property owner, Michael Carpino, does not object to the non-acceptance of the subject street. The Joint Referral Committee reviewed the request and determined it could be processed as a non-acceptance.

Therefore, it is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J.B. Gardner Survey.

DRM:NPC:cs

c: Marta Crinejo
David M. Feldman
Marlene Gafrick
Terry A. Garrison
Daniel Menendez, P.E.
Jeffrey Weatherford, P.E., PTOE

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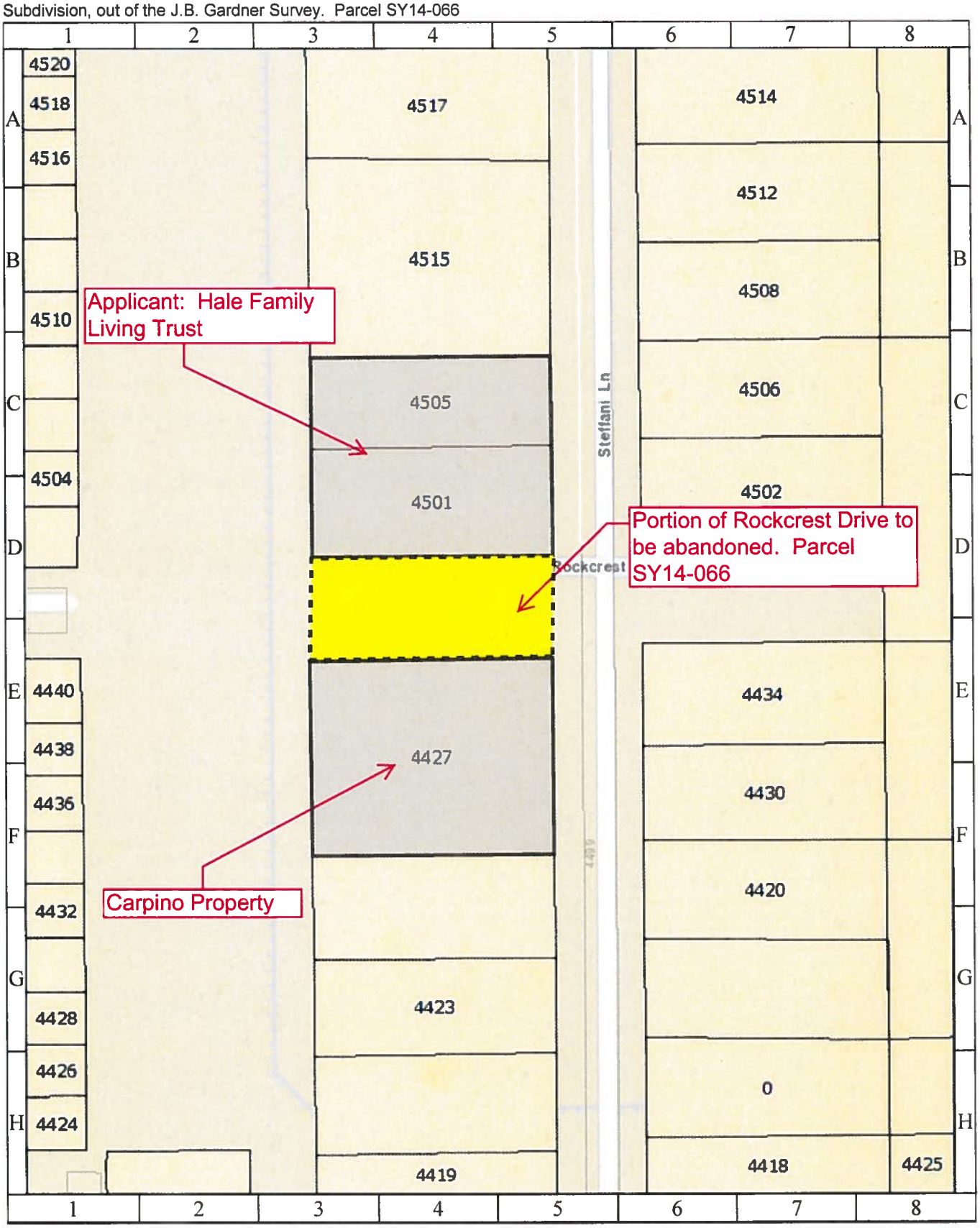
REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**
		Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division

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

Parcel Map

Non-acceptance of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J.B. Gardner Survey. Parcel SY14-066



CITY OF HOUSTON

Department of Public Works and Engineering

Geographic Information & Management System (GIMS)

1 inch = 27 feet

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

Council District A

Subject: Non-acceptance of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J.B. Gardner Survey. Parcel SY14-066



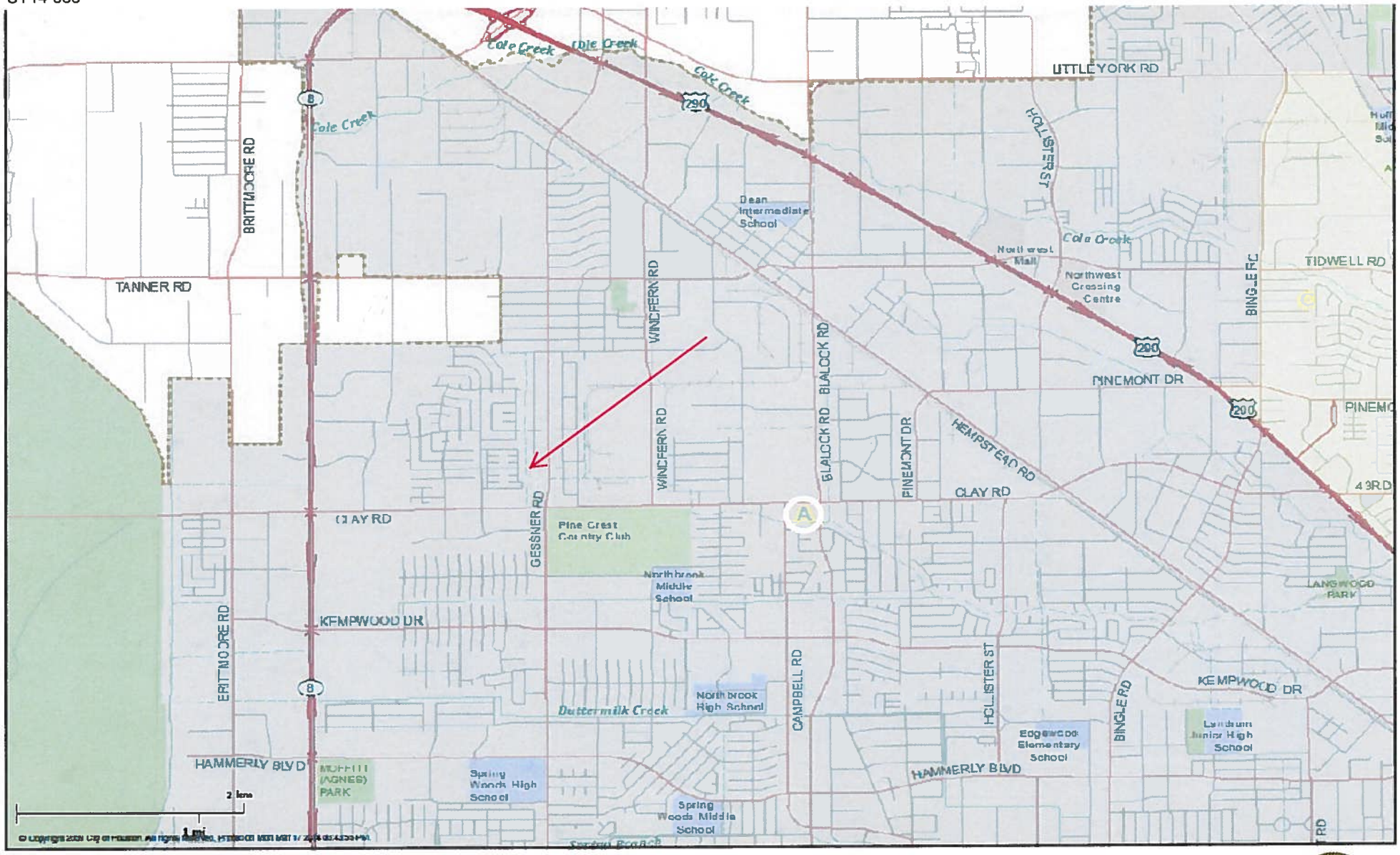
City of Houston

Generated by the My City Application

Disclaimer:
The map is only for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes and does not represent an on-the-ground survey and only represents the approximate relative location of property boundaries

Council District A

Subject: Non-acceptance of Rockcrest Drive, from Steffani Lane west ±149 feet to its terminus, located within the Spring Branch Terrace Subdivision, out of the J.B. Gardner Survey. Parcel SY14-066



City of Houston

Generated by the My City Application

Disclaimer:
The map is only for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes and does not represent an on-the-ground survey and only represents the approximate relative location of property boundaries

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District A

20CJS9525-Declining Acceptance - Parcel SY15-029 Belmore Street

Agenda Item#: 5.

Summary:
RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Brewer, Brewer Escalante, on behalf of F. L. Tucker, Ltd. (Kurt M. Hanson, Vice President) and Crown Business Park, Inc. (M. J. Iqbal, Owner), declining the acceptance of, rejecting, and refusing the dedication of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey, Parcel SY15-029 - **DISTRICT A - STARDIG**

Background:
David Brewer, Brewer Escalante, 13430 Northwest Freeway, suite 350, Houston, Texas, 77040, on behalf of F. I. Tucker, Ltd. (Kurt M. Hanson, Vice President) and Crown Business Park, Inc. (M. J. Iqbal, Owner) requested the non-acceptance of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn addition, out of the Joseph Box Survey. The subject street has never been paved or used for utility purposes. Further, the City has identified no future need for this street. The applicant plans to utilize the subject street to expand the Mustang Cat headquarters. The Joint Referral Committee reviewed the request and determined it could be processed as a non-acceptance.

Therefore, it is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey.

Contact Information:
Nancy P. Collins
Senior Assistant Director-Real Estate
Phone: (832) 395-3130

ATTACHMENTS:

Description	Type
20CJS9525-Declining Acceptance - Parcel SY15-029 Belmore Street RCA and Maps	Signed Cover sheet

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

SUBJECT: Request for a motion declining the acceptance of, rejecting, and refusing the dedication of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey. **Parcel SY15-029**	**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:** A CS **Key Map:** 451A	
For additional information contact: NPC Nancy P. Collins **Phone:** (832) 395-3130 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary) It is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey. **Parcel SY15-029**

Amount and Source of Funding: Not Applicable	

SPECIFIC EXPLANATION:

David Brewer, Brewer Escalante, 13430 Northwest Freeway Suite 350, Houston, Texas, 77040, on behalf of F.L. Tucker, Ltd. (Kurt M. Hanson, Vice President) and Crown Business Park, Inc. (M.J. Iqbal, Owner) requested the non-acceptance of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey. The subject street has never been paved or used for utility purposes. Further, the City has identified no future need for this street. The applicant plans to utilize the subject street to expand the Mustang Cat headquarters. The Joint Referral Committee reviewed the request and determined it could be processed as a non-acceptance.

Therefore, it is recommended City Council approve a motion declining the acceptance of, rejecting, and refusing the dedication of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey.

DWK:NPC:cs

c: Marta Crinejo
David M. Feldman
Terry A. Garrison
Daniel Menendez, P.E.
Patrick Walsh, P.E.
Jeffrey Weatherford, P.E., PTOE

p:\cs\sy15-029.rca1.doc CUIC #20CJS9525

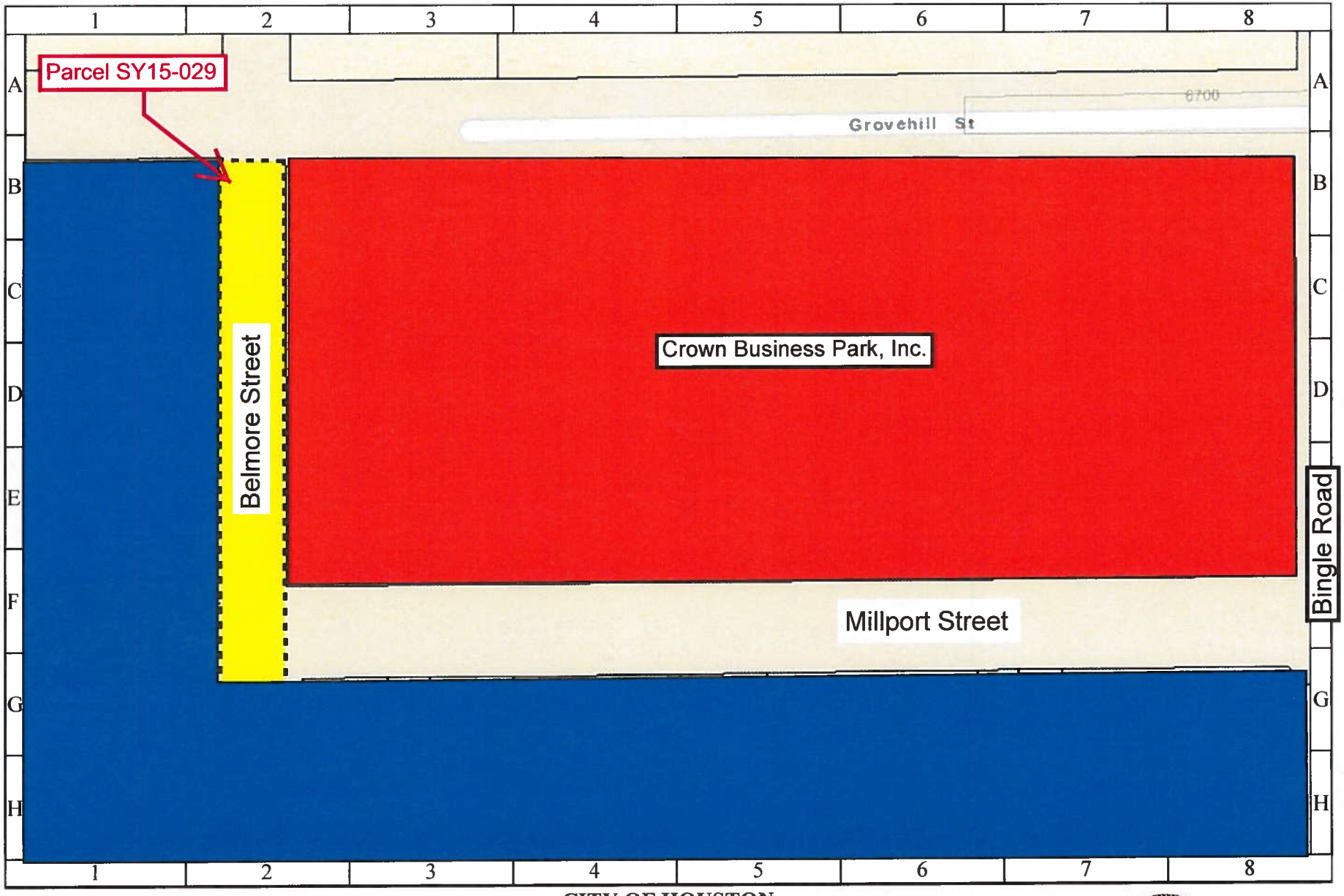
REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**
		Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division

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

Parcel Map

Subject: Non-acceptance of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey. Parcel SY15-029



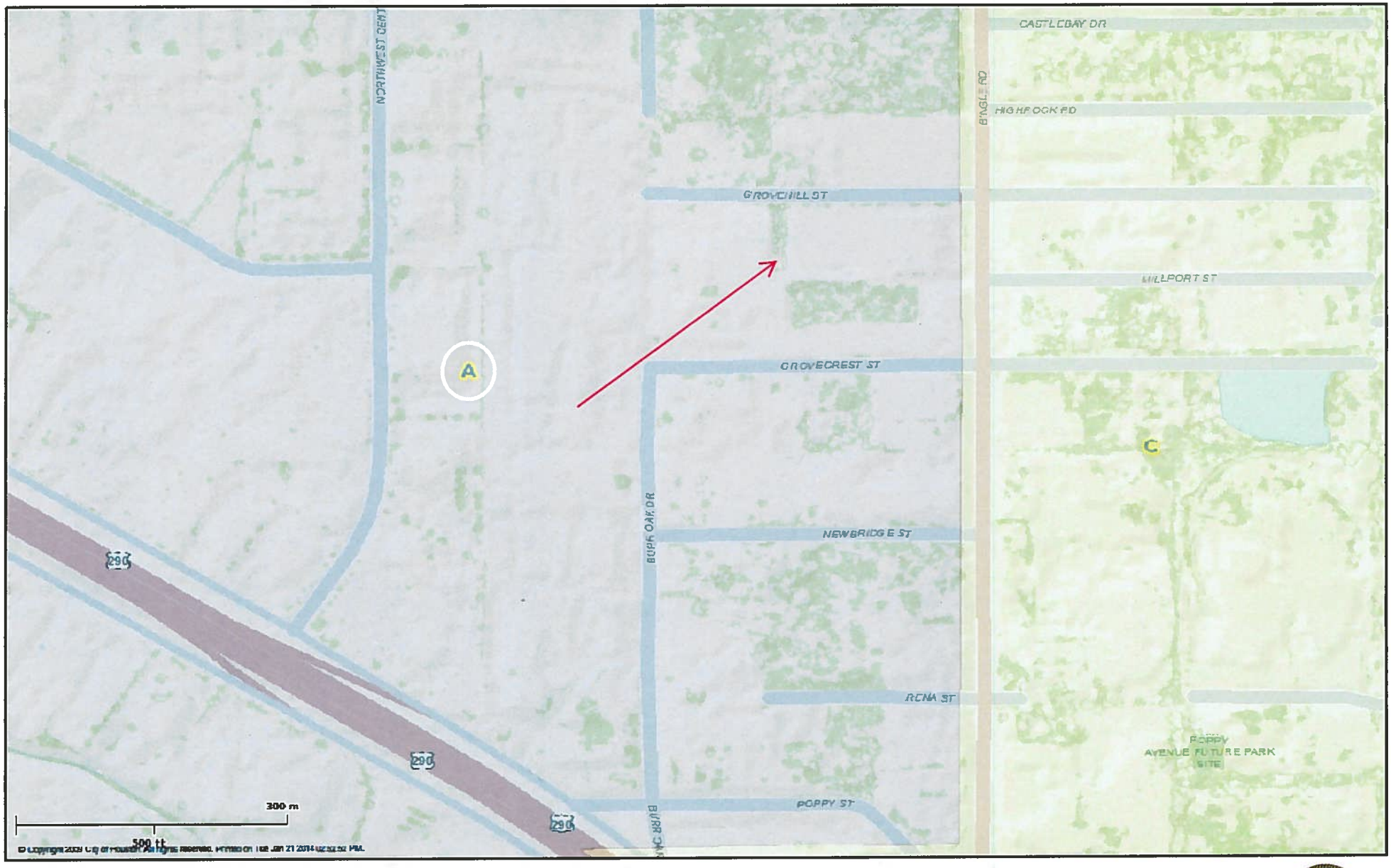
1 inch = 27 feet

CITY OF HOUSTON
Department of Public Works and Engineering
Geographic Information & Management System (GIMS)

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

Council District A

Subject: Non-acceptance of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey. Parcel SY15-029



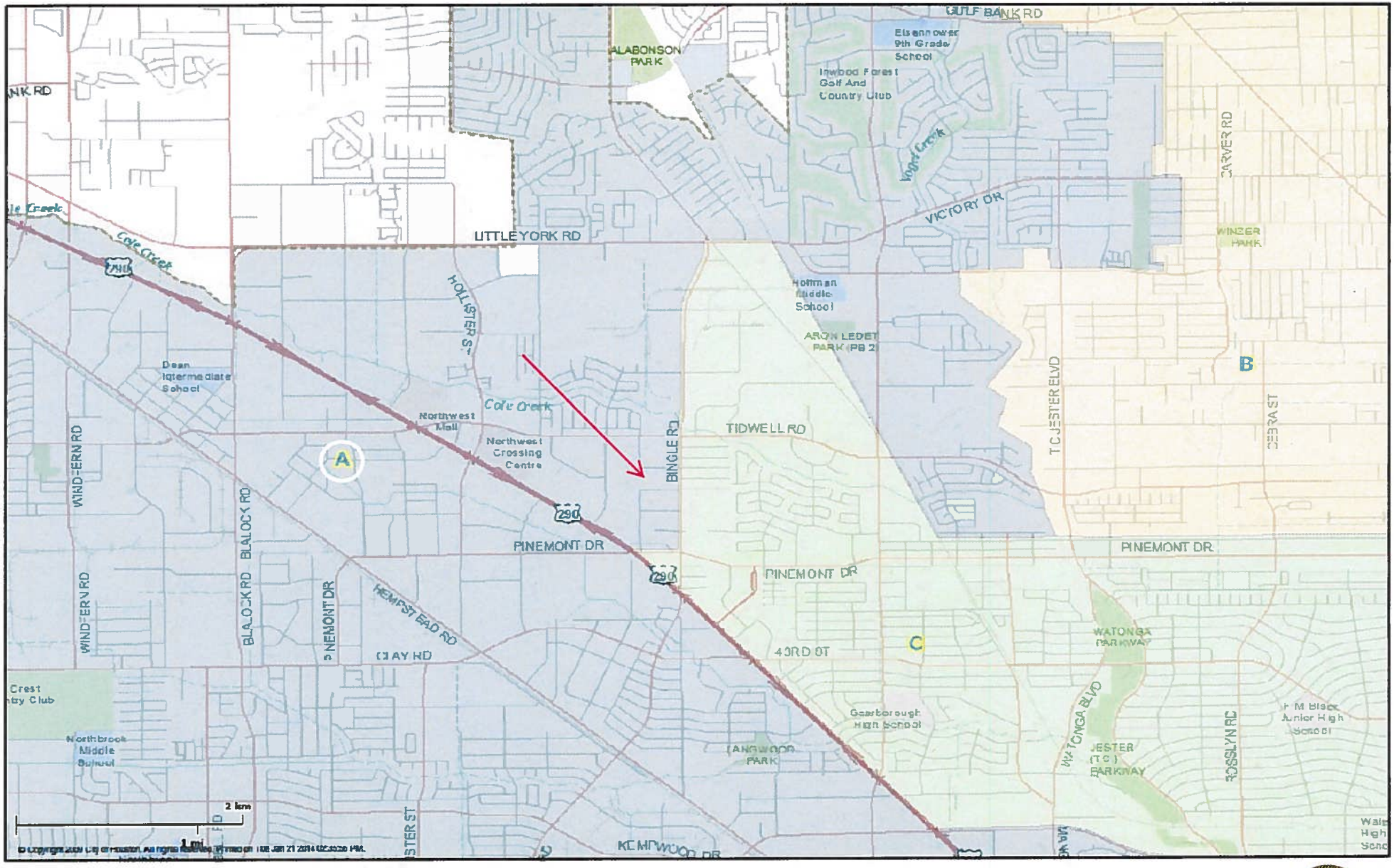
City of Houston

Generated by the My City Application

Disclaimer:
The map is only for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes and does not represent an on-the-ground survey and only represents the approximate relative location of property boundaries

Council District A

Subject: Non-acceptance of Belmore Street, from Grovehill Street to Millport Street, located within the Rosslyn Addition, out of the Joseph Box Survey. Parcel SY15-029



City of Houston

Generated by the My City Application

Disclaimer:
The map is only for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes and does not represent an on-the-ground survey and only represents the approximate relative location of property boundaries

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District I

20CDR48-PROPERTY: PURCHASE of Parcel SY13-005

Agenda Item#: 6.

Summary:
RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY13-005, located at 8209 Gulf Freeway, owned by Harris County Flood Control District, for the **GULF FREEWAY #2 LIFT STATION PROJECT** - **DISTRICT I - GALLEGOS**

Background:
SPECIFIC EXPLANATION:
The GULF FREEWAY #2 LIFT STATION PROJECT provides for the repair and replacement of the lift station located at 8209 Gulf Freeway. The City desires to acquire in fee the 11,986 square feet of land where the current lift station is located on property owned by the Harris County Flood Control District. The City's offer was based on an appraisal by Samuel Stewart, MAI, SRA, CRA, Independent Fee Appraiser. The valuation was reviewed and recommended for approval by a senior appraiser of this department. The breakdown is as follows:

Parcel SY13-005 (Fee)
11,986 square feet @ $6.00 PSF $71,916.00
Title Policy and Services $ 1,372.00
TOTAL AMOUNT $73,288.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel SY13-005 located at 8209 Gulf Freeway, owned by the Harris County Flood Control District. This parcel contains 11,986 square feet of land in fee for a sanitary lift station site situated in the John R. Harris Survey, Abstract Number 24, Harris County, Texas and being out of and a part of a called 0.8223 acres tract described in Deed to Harris County Flood Control District, dated March 15, 1982, recorded under Harris County Clerk's File Number (H.C.C.F. Number) H498710 of the Official Public Records of Real Property and also being out of a called 0.0351 acre tract as described in deed to Harris County Flood Control district, dated May 15, 1983, recorded under H.C.C.F. Number H979719 of the O.P.R.O.R.P., of Harris County, Texas, according to the City of Houston approved field notes.

Key Map 535T

Prior Council Action:
Ordinance 2005-1102, passed September 21, 2005

Amount of Funding:
$73,288.00
No additional funding required (Funds were approved under Ordinance 2005-1102)

Contact Information:
Nancy P. Collins
Senior Assistant Director - Real Estate
Planning and Development Services Division
Phone: (832) 395-3130

ATTACHMENTS:

	Description	Type
	20CDR48-PROPERTY: PURCHASE of Parcel SY13-005 RCA	Backup Material
	20CDR48-PROPERTY: PURCHASE of Parcel SY13-005 MAP	Backup Material

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

SUBJECT: PROPERTY: **PURCHASE** of Parcel CY13-005, located at 8209 Gulf Freeway for the GULF FREEWAY #2 LIFT STATION PROJECT. OWNER: Harris County Flood Control District WBS R-000267-0102-2-01	**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:** I Key Map 535T	
For additional information contact: Nancy P. Collins NPC Phone: (832) 395-3130 Senior Assistant Director – Real Estate Planning and Development Services Division	**Date and identification of prior authorizing Council Action:** Ordinance 2005-1102, passed September 21, 2005	

RECOMMENDATION: (Summary)
Authority be given through Council Motion to PURCHASE Parcel CY13-005

Amount and Source of Funding: $73,288.00
No additional funding required (Funds were appropriated under Ordinance 2005-1102) 09/09/2014

SPECIFIC EXPLANATION:
The GULF FREEWAY #2 LIFT STATION PROJECT provides for the repair and replacement of the lift station located at 8209 Gulf Freeway. The City desires to acquire in fee the 11,986 square feet of land where the current lift station is located on property owned by the Harris County Flood Control District. The City's offer was based on an appraisal by Samuel Stewart, MAI, SRA, CRA, Independent Fee Appraiser. The valuation was reviewed and recommended for approval by a senior appraiser of this department. The breakdown is as follows:

Parcel CY13-005 (Fee)
11,986 square feet @ $6.00 PSF ..... $ 71,916.00
Title Policy and Services..... $ 1,372.00
TOTAL AMOUNT..... $ 73,288.00

It is recommended that authority be given through Council Motion to PURCHASE Parcel CY13-005 located at 8209 Gulf Freeway, owned by the Harris County Flood Control District. This parcel contains 11,986 square feet of land in fee for a sanitary lift station site situated in the John R. Harris Survey, Abstract Number 27, Harris County, Texas and being out of and a part of a called 0.8223 acre tract described in Deed to Harris County Flood Control District, dated March 15, 1982, recorded under Harris County Clerk's File Number (H.C.C.F. Number) H498710 of the Official Public Records of Real Property and also being out of a called 0.0351 acre tract as described in Deed to Harris County Flood Control District, dated May 15, 1983, recorded under H.C.C.F. Number H979719 of the O.P.R.O.R.P. , of Harris County, Texas, according to the City of Houston approved field notes.

DAR:NPC:cr

cc: Marta Crinejo

CUIC #20CDR48

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**
	for Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division

LOCATION MAP

Description: GULF FREEWAY #2 LIFT STATION PROJECT

WBS R-000267-0102-2-01

Subject Address: 8209 Gulf Fwy, Houston, TX 77017

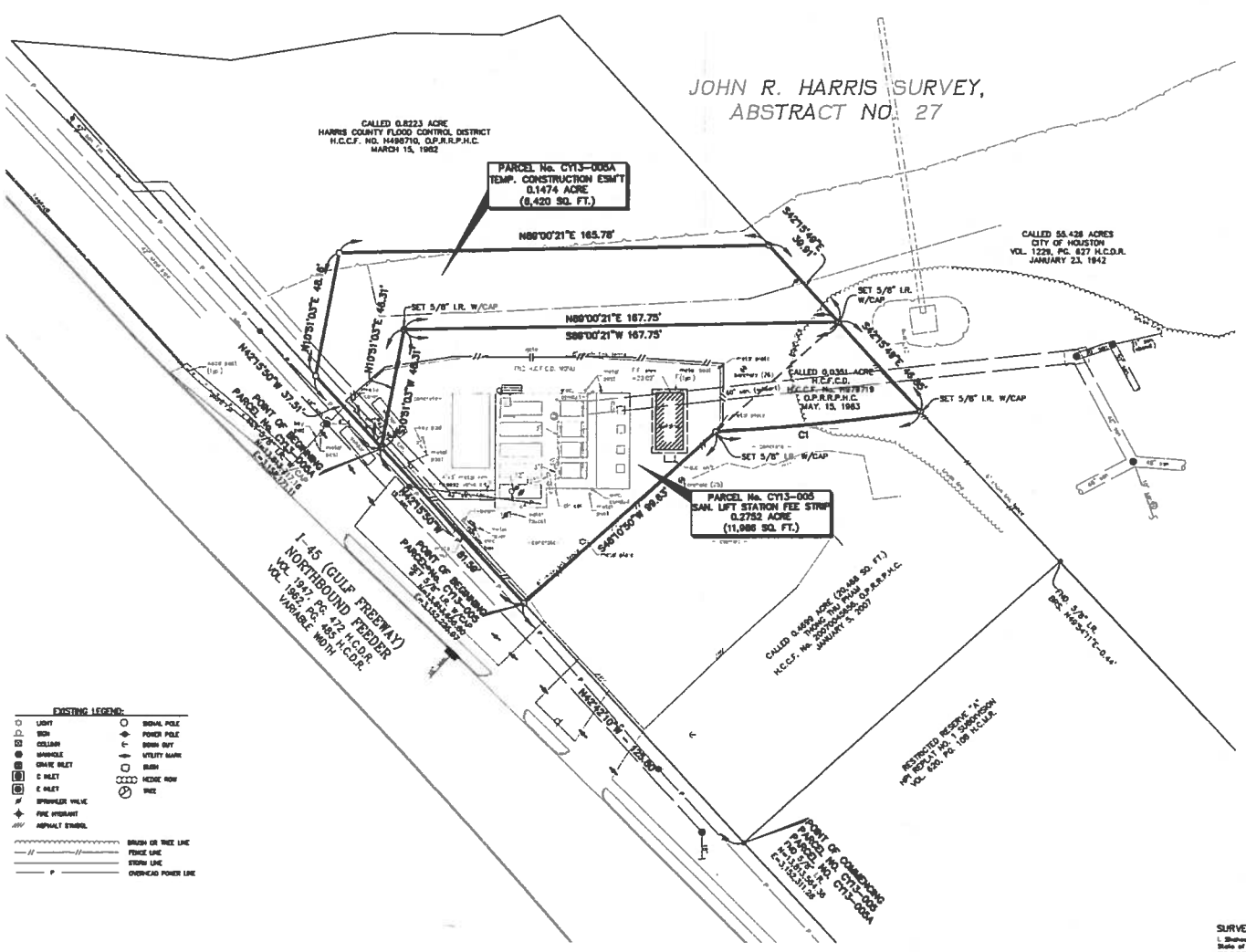
Prepared by: City of Houston, 611 Walker, 19th Floor, Houston, TX 77002



Copyright 1994-2014, MapPro Inc.

CAUTION: The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

Prepared by City of Houston using MapPro Service. MapPro Inc., PO Box 37427, Houston, TX 77237 1-866-3MAPPRO.



CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	985.00'	4°38'30"	79.23'	S84°26'37"W	79.20'

NOTES:

1. ABSTRACTOR'S CERTIFICATE PREPARED BY COURTHOUSE SPECIALISTS JOB NO. 1398714 DATED JANUARY 24, 2013, EFFECTIVE DATE: JANUARY 14, 2013 WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHT-OF-WAY AND EASEMENTS IN THE PREPARATION OF THIS SURVEY.

2. ALL BEARINGS AND DISTANCES ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (CORS96). ALL DISTANCES ARE IN SURFACE.

3. THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY DIVIDING BY THE COMBINED SCALE FACTOR 0.999894.

4. ALL FEE STRIP CORNERS ARE 5/8" I.R. WITH CAP STAMPED "KUO" UNLESS OTHERWISE NOTED.

5. A METES AND BOUNDS DESCRIPTION HAS BEEN PREPARED IN ASSOCIATION WITH THIS EXHIBIT.

ABBREVIATIONS

B.L. – BUILDING LINE
F.E. – FILM CODE
FND. – FOUND
H.C.C.F. – HARRIS COUNTY CLERK'S FILE
H.C.D.R. – HARRIS COUNTY DEED RECORDS
H.C.M.R. – HARRIS COUNTY MAP RECORDS
I.R. – IRON ROD
R.O.W. – RIGHT OF WAY
P.T.P. – PINCHED TOP PIPE
U.E. – UTILITY EASEMENT
ESM'T. – EASEMENT
O.P.R.R.P.H.C. – OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY

FLOOD ZONE NOTES:

1. ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY'S F.I.R.M. MAP PANEL NO. 48201C0080L, MAP REVISED JUNE 18, 2007 THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" SHADED, AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. AND ALSO LOCATED IN ZONE "AE", THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS.

THESE STATEMENTS ARE BASED ON SCALING THE LOCATION OF THE SUBJECT PARCELS ON THE ABOVE REFERENCE MAPS. THIS INFORMATION IS TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS.

SURVEYOR'S CERTIFICATE:

I, Shahram Chowdhury, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was conducted under my supervision, on the ground in December 2012 of the above described property and the above map reflects the findings on the ground of the said property at the time of survey. This map or plat and the survey on which it is based complies with the standards of a Category 1-A, Condition II survey as specified by the latest edition of the Manual of Practice for Land Surveying in Texas published by the Texas Society of Professional Surveyors (Latest Edition)

Shahram Chowdhury, 12/19/14
Shahram Chowdhury
Registered Professional Land Surveyor
State of Texas, No. 5554

STATE OF TEXAS
SHAHRAM CHOWDHURY
5554
REGISTERED
LAND SURVEYOR

PARCEL NO. CY13-005
SANITARY LIFT STATION FEE STRIP
0.2752 ACRE (11,986 SQ. FT.)
AND
PARCEL NO. CY13-005A
TEMPORARY CONSTRUCTION EASEMENT
0.1474 ACRE (6,420 SQ. FT.)
OUT OF A CALLED 0.8223 ACRE TRACT
RECORDED UNDER
H.C.C.F NO. H498710 OF THE O.P.R.R.P.H.C.
AND
A CALLED 0.0351 ACRE TRACT
RECORDED UNDER
H.C.C.F. No. H978719 OF THE O.P.R.R.P.H.C.
SITUATED IN
JOHN R. HARRIS SURVEY,
ABSTRACT NO. 27
HARRIS COUNTY, TEXAS

OWNER: HARRIS COUNTY FLOOD CONTROL DISTRICT

KUO & associates, Inc.
10700 Richmond Ave., Suite 112
Houston, TX 77042
TEL: (713) 975-0766
FAX: (713) 975-0658
www.kuoassociates.com
Texas Firm Registration No. F-4676
Consulting Engineers & Surveyors

CITY OF HOUSTON
PUBLIC WORKS AND
ENGINEERING DEPARTMENT

APPROVAL
DATE:
SURVEY SECTION
RIGHT OF WAY SECTION

KEY MAP NO. 535T	CIMS MAP NO. 5854C
PARCEL NO.	
CY13-005 AND CY13-005A	
JOB NO.	
WBS NO. R-000287-0102-4	
C.M. NO.	

John R. Harris Survey
Abstract No. 27
Harris County, Texas

Parcel No. CY13-005
0.2752 Ac. (11,986 Sq. Ft.)
Sanitary Lift Station Fee Strip

Metes and Bounds Description

Being a 0.2752 acre (11,986 square feet) of land as a Sanitary Lift Station Fee Strip, out of the John R. Harris Survey, Abstract No. 27, Harris County, Texas, and being out of and a part of a called 0.8223 acre tract as described in Deed to Harris County Flood Control District, dated March 15, 1982, recorded under Harris County Clerk's File Number (H.C.C.F. No.) H498710 of the Official Public Records of Real Property (O.P.R.O.R.P.) and also being out of a called 0.0351 acre tract as described in Deed to Harris County Flood Control District, dated May 15, 1983, recorded under H.C.C.F. No. H979719 of the O.P.R.O.R.P., Harris County, Texas. Said 0.2752 acre of land being more particularly described by metes and bounds as follows;

COMMENCING at a 5/8-inch iron rod found in the northeasterly right-of-way (R.O.W.) line of the Interstate Highway 45 (Gulf freeway, width varies) as recorded under Volume 1947, Page 472 and Volume 1962, Page 485 of the Harris County Deed Record, and the most southerly corner of a called 0.4699 acre tract as described in Special Warranty Deed, dated January 5, 2007 and recorded under H.C.C.F. No. 20070045656 of the O.P.R.O.R.P., common with the most westerly corner of Restricted Reserve "A" of HPI Replant No.1 Subdivision, a plat recorded under Volume 620, Page 108 of the Harris County Map Record (H.C.M.R.), said point of commencing having the State Plane Coordinates of N=13,813,564.36, E=3,152,311.28;

THENCE, North 42°42'10" West, along the northeasterly R.O.W. line of said Interstate Highway 45, a distance of 125.80 feet to a 5/8-inch iron rod with cap stamped "KUO" set for the **POINT OF BEGINNING** having the State Plane Coordinates of N=13,813,656.80, E=3,152,225.97 and the same point also being the common corner of said 0.8223 acre tract and said 0.4699 acre tract and the most southerly corner of the herein described parcel;

THENCE, North 42°15'50" West, continuing along the northeasterly R.O.W. line of said Interstate Highway 45, a distance of 81.59 feet to a 5/8-inch iron rod with cap stamped "KUO" set for the most westerly corner of the herein described parcel;

THENCE, North 10°51'03" East, departing the northeasterly R.O.W. line of said Interstate Highway 45, over and across said 0.8223 acre tract, a distance of 46.31 feet to a 5/8-inch iron rod with cap stamped "KUO" set for an angle point in the northerly line of the herein described parcel;

THENCE, North 89°00"21" East, continuing over and across said 0.8223 acre tract, a distance of 167.75 feet to a 5/8-inch iron rod with cap stamped "KUO" set on the common corner of said 0.8223 acre tract and aforesaid 0.0351 acre tract and the most northerly corner of the herein described parcel;

THENCE, South 42°15'49" East, along the northeasterly line of aforesaid 0.0351 acre tract, a distance of 46.85 feet to a 5/8-inch iron rod with cap stamped "KUO" set for the most easterly corner of the herein described parcel;

THENCE, in a southwest direction, along with the south line of aforesaid 0.0351 acre tract, being a curve to the right, having a radius of 985.00 feet, an arc length of 79.23 feet, a central angle of 04°36'30" and a chord bearing and distance of S84°26'37"W-79.20 feet to a 5/8-inch iron rod with cap stamped "KUO" set in the southeasterly line of aforesaid 0.8223 acre tract and the most westerly corner of aforesaid 0.0351 acre tract and an angle point in the southeasterly line of the herein described parcel;

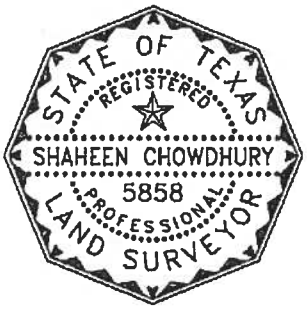
THENCE, South 48°10'50" West, along the common line of aforesaid 0.8223 acre tract and aforesaid 0.4699 acre tract, a distance of 99.63 feet to the **POINT OF BEGINNING** of the herein described tract containing a computed 0.2752 acre (11,986 square feet) of land, more or less;

All bearings and distances are based on Texas State Plane Coordinate System, South Central Zone, NAD83 (CORS96). All distances are in surface.

The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by dividing by the combined scale factor 0.999884.

A survey plat has been prepared in association with this field note description.

Compiled By:



Shaheen Chowdhury
Registered Professional Land Surveyor
Texas Reg. No. 5858

Kuo & Associates, Inc.
10700 Richmond Ave., Suite 113
Houston, Texas 77042
Ph.: (713) 975-8769

Date: 02/05/2014

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/11/2014

10162 - Formal Bids Received for John Deere Tractor Replacement Parts and Repair Services for the Fleet Management Department

Agenda Item#: 7.

Summary:
DOGGETT HEAVY MACHINERY SERVICES, LLC - $572,146.00 and **BROOKSIDE EQUIPMENT SALES, INC** - $54,250.00 for John Deere Tractor Replacement Parts and Repair Services for the Fleet Management Department - Fleet Management Fund

Background:
The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve various awards, as shown below, in an amount not to exceed $626,396.00 for John Deere tractor replacement parts and repair services for the Fleet Management Department. It is further requested that authorization be given to make purchases, as needed, for a 36-month period, with two one-year options. This award consists of two price lists for various replacement parts which includes but, are not limited to, crankshafts, filters, pumps, starters, and grilles. The Fleet Management Department will use these items and services in the maintenance of John Deere tractor equipment which is utilized citywide in construction projects as well as grounds maintenance. This award also includes a $215,501.00 labor component for the repair of John Deere construction, agricultural and consumer equipment that cannot be performed by City personnel.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Six prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two sole bids were received. Doggett Heavy Machinery Services, LLC is the sole authorized John Deere construction equipment dealer for the greater Houston area and surrounding counties. Brookside Equipment Sales, Inc. is the sole authorized John Deere agricultural and consumer equipment dealer in the greater Houston area and surrounding counties.

Doggett Heavy Machinery Services, LLC: Award on its sole bid for Group II (discount proposed from JDParts.com for John Deere construction equipment) and Group IV (standard mechanical labor on John Deere construction equipment) in an amount not to exceed $572,146.00.

Brookside Equipment Sales, Inc.: Award on its sole bid for Group I (discount proposed from JDParts.com for John Deere agricultural and consumer equipment) and Group III (standard mechanical labor on John Deere agricultural and consumer equipment) in an amount not to exceed $54,250.00.

Hire Houston First:
The proposed awards require compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case the proposed bidder, Doggett Heavy Machinery Services, LLC does meet the requirements of Hire Houston First.

M/WBE Subcontracting: This bid was issued with an 11% M/WBE goal.

Doggett Heavy Machinery Services, LLC has designated the below-named company as its certified M/WBE subcontractor.

Company	Type of Work	Dollar Amount
Sunrise Delivery, Inc.	Delivery Services	$62,936.06

The Office of Business Opportunity will monitor this award.

Buyer: K. Kollaja

Estimated Spending Authority

Department	FY15	Out Years	Total
Fleet Management	$125,279.20	$501,116.80	$626,396.00

Amount of Funding:
$626,396.00 Fleet Management Fund (1005)

Source of Funding:
Other (Specify)

Fleet Management Fund

Contact Information:

Kenneth Hoglund 832-393-6901
Desiree Heath 832-393-8742

ATTACHMENTS:

Description	Type
RCA#10162	Signed Cover sheet
Bid Tabulation	Backup Material
Forms A & B	Backup Material
Clear Tax Report	Backup Material
Departamental Approval	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 10162**

Subject: Formal Bids Received for John Deere Tractor Replacement Parts and Repair Services for the Fleet Management Department S56-S24890	Category # 4	Page 1 of 2	Agenda Item

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Finance Department	**Origination Date** August 26, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE	**Council District(s) affected** All	
For additional information contact: Kenneth Hoglund **Phone:** (832) 393-6901; Desiree Heath **Phone:** (832) 393-8742	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in an amount not to exceed $626,396.00 for John Deere replacement parts and repair services for the Fleet Management Department.

Estimated Spending Authority $626,396.00	**Finance Budget**
$626,396.00 Fleet Management Fund (1005)	

SPECIFIC EXPLANATION:

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve various awards, as shown below, in an amount not to exceed $626,396.00 for John Deere tractor replacement parts and repair services for the Fleet Management Department. It is further requested that authorization be given to make purchases, as needed, for a 36-month period, with two one-year options. This award consists of two price lists for various replacement parts which includes but, are not limited to, crankshafts, filters, pumps, starters, and grilles. The Fleet Management Department will use these items and services in the maintenance of John Deere tractor equipment which is utilized citywide in construction projects as well as grounds maintenance. This award also includes a $215,501.00 labor component for the repair of John Deere construction, agricultural and consumer equipment that cannot be performed by City personnel.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Six prospective bidders downloaded the solicitation document from SPD's e-bidding website, and two sole bids were received. Doggett Heavy Machinery Services, LLC is the sole authorized John Deere construction equipment dealer for the greater Houston area and surrounding counties. Brookside Equipment Sales, Inc. is the sole authorized John Deere agricultural and consumer equipment dealer in the greater Houston area and surrounding counties.

Doggett Heavy Machinery Services, LLC: Award on its sole bid for Group II (discount proposed from JDParts.com for John Deere construction equipment) and Group IV (standard mechanical labor on John Deere construction equipment) in an amount not to exceed $572,146.00.

Brookside Equipment Sales, Inc.: Award on its sole bid for Group I (discount proposed from JDParts.com for John Deere agricultural and consumer equipment) and Group III (standard mechanical labor on John Deere agricultural and consumer equipment) in an amount not to exceed $54,250.00.

Hire Houston First:

The proposed awards require compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case the proposed bidder, Doggett Heavy Machinery Services, LLC does meet the requirements of Hire Houston First.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

M/WBE Subcontracting: This bid was issued with an 11% M/WBE goal.

Doggett Heavy Machinery Services, LLC has designated the below-named company as its certified M/WBE subcontractor.

Company	Type of Work	Dollar Amount
Sunrise Delivery, Inc.	Delivery Services	$62,936.06

The Office of Business Opportunity will monitor this award.

Buyer: K. Kollaja

Estimated Spending Authority

Department	FY15	Out Years	Total
Fleet Management	$125,279.20	$501,116.80	$626,396.00

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 8/22/2014

10190 - Amend Council Motion 2011-0855, Passed November 16, 2011 for Medical Diagnostic and Virological Test Kits for the Houston Department of Health and Human Services

Agenda Item#: 8.

Summary:
AMEND MOTION #2011-855, passed November 16, 2011, **TO INCREASE** spending authority from $345,128.84 to $514,241.97, for Medical Diagnostic and Virological Test Kits for the Houston Department of Health & Human Services on award to **BIO-RAD LABORATORIES, INC** $169,113.13 - Laboratory Services and Grant Funds

Background:

The Houston Department of Health and Human Services Director and the City Purchasing Agent recommend that City Council amend Council Motion 2011-0855, to increase the spending authority for medical diagnostic and virological test kits awarded to Bio-Rad Laboratories, Inc., from $345,128.84 to $514,241.97. The additional spending authority requested will enable the Department to continue to make purchases through the remainder of the awarded term.

This award began November 22, 2011 for a 36-month period with two one-year options to extend in an amount not to exceed $345,128.84. Expenditures as of September 10, 2014, totaled $344,393.88. All other terms and conditions shall remain as previously approved by City Council.

This award consists of confirmatory assays, reagents, HIV-1 Western blot kits, various mycobacteria identification test kits, and various other tools and accessories necessary for identifying the presence of communicable and sexually transmitted diseases. The supplies are used to test patients who visit the City's health clinics in accordance with the federal mandate.

Hire Houston First
This procurement is exempt from the City's Hire Houston First Ordinance. Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

Attachment: MWBE zero-percent goal approved by the Office of Business Opportunity.

Estimated Spending Authority:

DEPARTMENT	FY 15	OUTYEARS	TOTAL
HEALTH	$74,000.00	$95,113.13	$169,113.13

Prior Council Action:
CM 2011-0855; Passed 11/16/2011

Amount of Funding:
$ 84,000.00 Laboratory Services Fund (2008)
$ 85,113.13 Federal Government-Grant Fund (5000)
$169,113.13 Total

Source of Funding:
Grant Fund, Other (Specify)

Laboratory Services Fund (2008) Federal Government Grant Fund (5000)

Contact Information:

Kathy Barton 832-393-5045
Desiree Heath 832-393-8742

ATTACHMENTS:

Description	Type
10190-Bio-Rad Laboratories - RCA	Signed Cover sheet
10190 MOBO	Backup Material
10190 CM 2011-0855	Backup Material
10190 Cleared Tax Report	Backup Material
Departmental Approval	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 10190**

Subject: Amend Council Motion 2011-0855, Passed November 16, 2011, for Medical Diagnostic and Virological Test Kits for the Houston Department of Health and Human Services.	Category # 4	Page 1 of 1	Agenda Item

FROM (Department or other point of origin):	**Origination Date**	**Agenda Date**
Calvin D. Wells City Purchasing Agent Finance Department	September 11, 2014	

DIRECTOR'S SIGNATURE	**Council District(s) affected**
Calvin D Wells	All

For additional information contact:		**Date and Identification of prior authorizing Council Action:**
Kathy Barton	**Phone:** (832) 393-5045	CM 2011-0855; Passed 11/16/2011
Desiree Heath	**Phone:** (832) 393-8742	

RECOMMENDATION: (Summary)

Amend Council Motion 2011-0855, passed November 16, 2011, to increase the spending authority from $345,128.84 to $514,241.97 for medical diagnostic and virological test kits for the Houston Department of Health and Human Services.

Spending Authority Increased by: $169,113.13 — **Finance Budget**

$ 84,000.00 Laboratory Services Fund (2008)
$ 85,113.13 Federal Government Grant Fund (5000)
$169,113.13 Total

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services Director and the City Purchasing Agent recommend that City Council amend Council Motion 2011-0855, to increase the spending authority for medical diagnostic and virological test kits awarded to Bio-Rad Laboratories, Inc., from $345,128.84 to $514,241.97. The additional spending authority requested will enable the Department to continue to make purchases through the remainder of the awarded term.

This award began November 22, 2011 for a 36-month period with two one-year options to extend in an amount not to exceed $345,128.84. Expenditures as of September 10, 2014, totaled $344,393.88. All other terms and conditions shall remain as previously approved by City Council.

This award consists of confirmatory assays, reagents, HIV-1 Western blot kits, various mycobacteria identification test kits, and various other tools and accessories necessary for identifying the presence of communicable and sexually transmitted diseases. The supplies are used to test patients who visit the City's health clinics in accordance with the federal mandate.

Hire Houston First

This procurement is exempt from the City's Hire Houston First Ordinance. Hire Houston First does not apply to this expenditure, because it involves the use of federal funds and is subject to specific procurement rules of the federal government.

Buyer: Laura A. Guthrie

Attachment: MWBE zero-percent goal approved by the Office of Business Opportunity.

Estimated Spending Authority:

DEPARTMENT	FY 15	OUTYEARS	TOTAL
HEALTH	$74,000.00	$95,113.13	$169,113.13

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

CITY OF HOUSTON — Interoffice

Administration & Regulatory Affairs Department
Strategic Purchasing Division (SPD)

Correspondence

To: Calvin D. Wells, Deputy Director
City Purchasing Agent

From:

Date: July 14, 2011

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 ☐ 0%

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

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

Solicitation Number: S21-S23963 Estimated Dollar Amount: $850,000.00

Anticipated Advertisement Date: 7/22/2011 Solicitation Due Date: 8/11/2011

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

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

Name and Intent of this Solicitation:
This bid covers medical diagnostic and virological test kits that will be used by the Department of Health and Human Services laboratory for the screening of tuberculosis, HIV, measles, hepatitis, and other communicable and sexually transmitted infectious diseases.

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

Based on prior history, the competitive bidders and awarded suppliers for these types of commodities have been out of state and drop shipped directly to the City. Therefore, this procurement does not have an opportunity for a M/WBE good faith effort to be met.

Concurrence:

SPD Initiator

Division Manager

Robert Gallegos, ~~Deputy Assistant Director~~ ~~*Affirmative Action~~ ASST DIRECTOR, MAYOR'S OFFICE OF BUSINESS OPPORTUNITY.

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

MOTION NO. 2011 0855

MOTION by Council Member Bradford that the recommendation of the Purchasing Agent, relative to bid received for Medical Diagnostic and Virological Test Kits for the Houston Department of Health and Human Services, S21-S23963, be adopted, and authority is hereby given to make purchases as needed, for a 36-month period, with two one-year options to extend, from Bio-Rad Laboratories, Inc., on their sole bid in an amount not to exceed $345,128.84.

Seconded by Council Member Pennington and carried.

Vice Mayor Pro Tem Gonzalez, Council Members Stardig, Johnson, Hoang, Pennington, Rodriguez, Costello, Lovell, Bradford and Jones voting aye
Nays none

Mayor Parker and Council Member Adams out of the City on City business

Council Members Clutterbuck and Noriega absent on personal business

Council Member Sullivan absent on City business

Vice Mayor Pro Tem Gonzalez presiding

PASSED AND ADOPTED this 16th day of November 2011.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is November 22, 2011.

City Secretary

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014

Item Creation Date: 9/16/2014

10242 - Purchase of Refuse and Recycling Trucks - ORDINANCE

Agenda Item#: 9.

Summary:
ORDINANCE appropriating $4,437,352.00 out of Equipment Acquisition Consolidated Fund for purchase of Refuse and Recycling Trucks for the Solid Waste Management Department

Background:
The Director of Fleet Management and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of $4,437,352.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of refuse and recycling trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC) and the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of $4,437,352.00 for the Solid Waste Management Department and that authorization be given to issue purchase orders to the cooperative purchasing contractors as shown below. These refuse and recycling trucks will be used citywide by Department personnel to collect and transport residential garbage/trash and recyclable material.

Buyboard Contractor:

McNeilus Financial, Inc. d/b/a McNeilus Truck and Manufacturing Co.: Approve the purchase of eighteen 31-cu. yd. auto reach side loaders, including their mounting on eighteen new 62,000-lb. Gross Vehicle Weight Rating (GVWR) diesel-powered cabs and chassis that are being purchased from Chastang Enterprises, Inc. d/b/a Chastang's Bayou City Ford in the amount of $1,852,096.00.

H-GAC Contractor:

Chastang Enterprises, Inc. d/b/a Chastang's Bayou City Ford: Approve the purchase of eighteen 62,000-lb. Gross Vehicle Weight Rating (GVWR) diesel-powered cabs and chassis in the amount of $2,585,256.00.

These new cabs and chassis will meet the EPA's current emission standards for vehicles with diesel engines. The cabs and chassis will come with warranties from one to five years/unlimited miles, two years/250,000 miles on the engines and four years/unlimited miles on the transmissions. The auto reach side loaders will come with a one-year warranty on the body structure and a five-year warranty on the hydraulic cylinders. The life expectancy of the refuse and recycling trucks is seven years or 100,000 miles. The eight new refuse trucks, and five of the ten recycling trucks that are being purchased, will replace units that have reached their life expectancy and will be sent to auction for disposition. The remaining five recycling trucks will be additions to the Department's fleet and will be used to provide recycling service to an additional 105,000 homes.

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 Agreement or Cooperative Purchasing Agreement for this purchase.

Amount of Funding:
Award Amount: $4,437,352.00 - Equipment Acquisition Consolidated Fund (1800)

Source of Funding:
Other (Specify)

Equipment Acquisition Consolidated Fund

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Victor Ayres,	SWM	(713) 837-9131

Deputy Director		
Ray DuRousseau, Deputy Assistant Director	FIN/SPD	(832) 393-8726
Jeff Meekins, Procurement Specialist	FIN/SPD	(832) 393-8743

ATTACHMENTS:

Description	Type
RCA#10242	Backup Material
Forms A (Fair Campaign Ord)	Backup Material
Form B (Fair Campaign Ord)	Backup Material
Tax Report	Backup Material
Departmental Approval	Backup Material
RCA#10242 -Ordinance	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 10242**

Subject: Purchase of Refuse and Recycling Trucks through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for the Solid Waste Management Department S40-E25191-B&H	Category # 4	Page 1 of 2	Agenda Item

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Finance Department	**Origination Date** September 11, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE Calvin D Wells	**Council District(s) affected** All	
For additional information contact: Vic Ayres **Phone:** (713) 837-9131; Ray DuRousseau **Phone:** (832) 393-8726	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of $4,437,352.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of refuse and recycling trucks through the Houston-Galveston Area Council (H-GAC) and the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of $4,437,352.00 for the Solid Waste Management Department.

Award Amount: $4,437,352.00	**Finance Budget**

$4,437,352.00 - Equipment Acquisition Consolidated Fund (Fund 1800)
$4,437,352.00 - Total Funding

SPECIFIC EXPLANATION:

The Director of Fleet Management and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of $4,437,352.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of refuse and recycling trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC) and the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of $4,437,352.00 for the Solid Waste Management Department and that authorization be given to issue purchase orders to the cooperative purchasing contractors as shown below. These refuse and recycling trucks will be used citywide by Department personnel to collect and transport residential garbage/trash and recyclable material.

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REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

Date: 9/11/2014	Subject: Purchase of Refuse and Recycling Trucks through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for the Solid Waste Management Department S40-E25191-B&H	Originator's Initials JM	Page 2 of 2

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 Agreement or Cooperative Purchasing Agreement for this purchase.

Buyer: Jeff Meekins
PR Nos. 10192765 & 1019368

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014

Item Creation Date: 9/16/2014

10242 - Purchase of Refuse and Recycling Trucks - MOTION

Agenda Item#: 10.

Summary:
MCNEILUS FINANCIAL, INC d/b/a MCNEILUS TRUCK AND MANUFACTURING CO - $1,852,096.00 and **CHASTANG ENTERPRISES, INC d/b/a CHASTANG'S BAYOU CITY FORD** - $2,585,256.00 for Refuse and Recycling Trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council and Texas Local Government Purchasing Cooperative (BuyBoard) for the Solid Waste Management Department - Equipment Acquisition Consolidated Fund
This item should only be considered after passage of Item 9 above

Background:
The Director of Fleet Management and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of $4,437,352.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of refuse and recycling trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC) and the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of $4,437,352.00 for the Solid Waste Management Department and that authorization be given to issue purchase orders to the cooperative purchasing contractors as shown below. These refuse and recycling trucks will be used citywide by Department personnel to collect and transport residential garbage/trash and recyclable material.

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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 Agreement or Cooperative Purchasing Agreement for this purchase.

Amount of Funding:
Award Amount: $4,437,352.00 - Equipment Acquisition Consolidated Fund (1800)

Source of Funding:
Other (Specify)

Equipment Acquisition Consolidated Fund

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Victor Ayres, Deputy Director	SWM	(713) 837-9131
Ray DuRousseau, Deputy Assistant Director	FIN/SPD	(832) 393-8726
Jeff Meekins, Procurement Specialist	FIN/SPD	(832) 393-8743

ATTACHMENTS:

Description	Type
RCA#10242	Backup Material
Forms A (Fair Campaign Ord)	Backup Material
Form B (Fair Campaign Ord)	Backup Material
Tax Report	Backup Material
Departmental Approval	Backup Material
RCA#10242 -Ordinance	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 10242**

Subject: Purchase of Refuse and Recycling Trucks through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for the Solid Waste Management Department S40-E25191-B&H	Category # 4	Page 1 of 2	Agenda Item

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Finance Department	**Origination Date** September 11, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE Calvin D Wells	**Council District(s) affected** All	
For additional information contact: Vic Ayres **Phone:** (713) 837-9131; Ray DuRousseau **Phone:** (832) 393-8726	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of $4,437,352.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and approve the purchase of refuse and recycling trucks through the Houston-Galveston Area Council (H-GAC) and the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of $4,437,352.00 for the Solid Waste Management Department.

Award Amount: $4,437,352.00	**Finance Budget**

$4,437,352.00 - Equipment Acquisition Consolidated Fund (Fund 1800)
$4,437,352.00 - Total Funding

SPECIFIC EXPLANATION:

The Director of Fleet Management and the City Purchasing Agent recommend that City Council approve an ordinance authorizing the appropriation of $4,437,352.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council approve the purchase of refuse and recycling trucks through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council (H-GAC) and the Texas Local Government Purchasing Cooperative (BuyBoard) in the amount of $4,437,352.00 for the Solid Waste Management Department and that authorization be given to issue purchase orders to the cooperative purchasing contractors as shown below. These refuse and recycling trucks will be used citywide by Department personnel to collect and transport residential garbage/trash and recyclable material.

Buyboard Contractor:

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REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

Date: 9/11/2014	Subject: Purchase of Refuse and Recycling Trucks through the Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for the Solid Waste Management Department S40-E25191-B&H	Originator's Initials JM	Page 2 of 2

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 Agreement or Cooperative Purchasing Agreement for this purchase.

Buyer: Jeff Meekins
PR Nos. 10192765 & 1019368

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014

LGL-Amending Smoking ORD

Agenda Item#: 11.

Summary:
ORDINANCE **AMENDING SECTIONS 21-236 and 21-244 and adding a new SECTION 21-237.1 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS,** relating to smoking; containing findings and other provisions relating to the foregoing subject; providing for severability

Background:
The City Attorney recommends City Council amend Chapter 21 of the Code of Ordinances relating to smoking.

The proposed changes to Article IX, Chapter 21 would expand smoke-free zones to include public pedestrian walkways. Public pedestrian walkways (i.e. permanent street closures open to pedestrian traffic only) currently exist at: 1) Main Street Square (Main Street from Walker to Dallas); 2) Dunlavy Street north of Allen parkway; and 3) Walker Street between Dowling and St. Charles. the amendments would also address the proliferation of non-tobacco smoking products, such as synthetic marijuana, by expanding the definition of smoking to include plant material and other combustible substances.

A violation of the provisions of the ordinance is a Class C misdemeanor, punishable, upon conviction, by a fine not exceeding $2000.00

This item was presented to the Quality of Life Committee on September 18, 2014.

Contact Information:
David M. Feldman
Phone: 832-393-6412

ATTACHMENTS:

	Description	Type
	LGL-Amending Smoking ORD RCA	Backup Material
	Ordinance	Backup Material
	Redline Ordinance	Backup Material

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

SUBJECT: AN ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO SMOKING	**Page 1 of 1**	**Agenda Item #**
FROM (Department or other point of origin): Legal Department	**Origination Date** September 19, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** All	
For additional information contact: David M. Feldman **Phone:** 832-393-6412	**Date and identification of prior authorizing Council action:** None	

RECOMMENDATION: (Summary)
AN ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO SMOKING

Amount and Source of Funding:
N/A

SPECIFIC EXPLANATION:
The City Attorney recommends City Council amend Chapter 21 of the Code of Ordinances relating to smoking.

The proposed changes to Article IX, Chapter 21 would expand smoke-free zones to include public pedestrian walkways. Public pedestrian walkways (i.e., permanent street closures open to pedestrian traffic only) currently exist at: 1) Main Street Square (Main Street from Walker to Dallas); 2) Dunlavy Street north of Allen Parkway; and 3) Walker Street between Dowling and St. Charles. The amendments would also address the proliferation of non-tobacco smoking products, such as synthetic marijuana, by expanding the definition of smoking to include plant material and other comubustible substances.

A violation of the provisions of the ordinance is a Class C misdemeanor, punishable, upon conviction, by a fine not exceeding $2000.00

This item was presented to the Quality of Life Committee on September 18, 2014.

REQUIRED AUTHORIZATION		
Other Authorization:	**Other Authorization:**	**Other Authorization:**

City of Houston, Texas, Ordinance No. 2014-_____

AN ORDINANCE AMENDING SECTIONS 21-236 AND 21-244 AND ADDING A NEW SECTION 21-237.1 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO SMOKING; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City Council is concerned about the negative impact of smoking in public places; and

WHEREAS, according to the U.S. Surgeon General, there is no risk-free level of exposure to secondhand smoke; and

WHEREAS, while the current Ordinance is limited to the use of tobacco products, there are in fact other smoking substitutes, such as synthetic cannabinoids, which are as harmful or more harmful that tobacco products; and

WHEREAS, similar to parks and library properties, the City Council finds that public pedestrian walkways should be smoke-free and free of litter from smoking products; **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 Section 21-236 of the Code of Ordinances, Houston, Texas, is hereby amended by adding, in appropriate alphabetical order position, a new definition that reads as follows:

> "*Public pedestrian walkway (plaza)* means a public street right-of-way that has been permanently closed to vehicular traffic but is open to pedestrian passage."

Section 3. That the definition of the term *smoking* in Section 21-236 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

> "*Smoking* means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or any other lighted tobacco product, plant material, or other combustible substance."

Section 4. That Article IX of Chapter 21 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Section 21-237.1 that reads as follows:

"**Sec. 21-237.1 Prohibition of smoking in public pedestrian walkways.**

Smoking shall be prohibited in all public pedestrian walkways."

Section 5. That Subsection (a) of Section 21-244 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

> "(a) The owner, operator, manager, or other person in control of a public place, public pedestrian walkway, or place of employment shall clearly and conspicuously post "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) in every place where smoking is prohibited by this article."

Section 6. 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 7. 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 8. 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.

PASSED AND APPROVED this ___ day of _____, 2014.

_____
Mayor of the City of Houston

Prepared by Legal Dept. _____
TBC:asw 9/18/2014 Senior Assistant City Attorney
Requested by David M. Feldman, City Attorney
L.D. File No. 0421400115001

REDLINE for amendment to Ch. 21, Art. IX

Sec. 21-236. Definitions.

The following words, terms and phrases, whenever used in this article, shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates a different meaning:

* * *

Public pedestrian walkway (plaza) means a public street right-of-way that has been permanently closed to vehicular traffic but is open to pedestrian passage.

Smoking means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or any other lighted tobacco product ~~in any manner or in any form~~, plant material, or other combustible substance.

* * *

Sec. 21-237.1 Prohibition of smoking in public pedestrian walkways.

Smoking shall be prohibited in all public pedestrian walkways.

* * *

Sec. 21-244. Posting of signs.

(a) The owner, operator, manager, or other person in control of a public place, public pedestrian walkway, or place of employment shall clearly and conspicuously post "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) in every ~~public~~ place ~~and place of employment~~ where smoking is prohibited by this article.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/17/2014

FIN & CNTLS Gen Obligation Comm Paper Notes, Series H-2

Agenda Item#: 12.

Summary:
SECOND amended and restated ordinance authorizing, approving, confirming and ratifying certain matters relating to the City of Houston, Texas, General Obligation Commercial Paper Notes, Series H-2, in an aggregate principal amount not to exceed $100,000,000 for the purpose of providing money for certain authorized purposes; approving and authorizing certain authorized officers and employees to act on behalf of the City in the selling and delivery of such Notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of the Notes, including the approval of an Issuing and Paying Agency Agreement, a Credit Agreement, an Offering Memorandum and a Commercial Paper Dealer Agreement; and declaring an emergency

Background:
Starting in 1993, City Council began authorizing commercial paper (CP) programs to provide appropriation capacity and "on time" funding for various capital expenditures of the City. The issuance of commercial paper has provided an expedient, cost-effective method of accessing cash and providing interim financing. Commercial paper notes are later refinanced with fixed rate bonds with maturities matching the useful lives of the projects or equipment being financed.

The existing letter of credit that supports the Series H-2 CP program has an upcoming expiration date of October 16, 2014. The City has facilitated a 90 day extension with the current liquidity provider to accommodate the replacement of the current bank. The Series H-2 CP program currently supports the City's Capital Improvement Program. The aggregate amount of commercial paper capacity to be added is $100 million.

H-2: Mizuho Bank will provide liquidity for the Series H-2 program in the amount of $100 million, plus interest ($107.4 million total). The liquidity agreement will have a 3-year term, and the commitment fee will be 32 basis points, based on the City's current long-term ratings.

The Finance Working Group (the "FWG") also recommends U.S. Bank National Association as paying agent, and Bracewell & Giuliani LLP as note co-counsel.

This transaction was presented to the Budget and Fiscal Affairs Committee on July 29, 2014.

Recommendation

The FWG recommends approval of this transaction.

Contact Information:

Melissa Dubowski	**Phone:** 832-393-9101
Charisse Mosely	**Phone**: 832-393-3529

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District E

20DOB075-a&s Glenbrook Drive - Parcels SY13-090A through D, SY13-105A thru I

Agenda Item#: 13.

Summary:
ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (1) a 65 foot wide portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; (2) a variable width portion of Bentbrook Drive, from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; (3) one sanitary sewer easement; (4) two storm sewer easements; and (5) nine water line easements; vacating and abandoning said parcels to Baybrook Mall, LLC, Baybrook LPC, LLC, Dillard Texas East, LLC, and Southbrook Corporation, the abutting owners ("Owners"), in consideration of (A) owners' payment of $488,664.00 to the City; (B) the conveyance to the City of a 80 foot wide right of way for, and construction of, Gulfbrook Drive to City standards, from its dead end north to the IH 45 South Service Road; (C) the conveyance to the City of three water line easements and one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Surveys, A-793 and A794, Harris County, Texas; and (D) other good and valuable consideration - **DISTRICT E - MARTIN**

Background:
SPECIFIC EXPLANATION:
By Motion 2014-0100, City Council authorized the subject transaction. Since passage of the Motion, the abutting properties have been transferred by deed to reflect the current ownership as: 1) Baybrook Mall, LLC, Andrew Massmann, Assistant Secretary; 2) Baybrook, LPC, LLC, Andrew Massmann, Assistant Secretary; 3) Dillard Texas East, LLC, Marilyn Weaver, Vice President; and 4) Southbrook Corp., Robert E. Asselbergs, President. All the property owners are planning retail and parking lot expansions at Baybrook Mall in the location of the subject streets and easements. Clearance was obtained from the Texas Department of Transportation and Harris County in relation to the subject street abandonments and conveyances. Signs notifying the public of the pending street right-of-way abandonment application were posted for at least thirty days. A storm sewer easement identified as required after passage of the Motion and completion of the appraisal will be dedicated to the City by a separate process outside of this abandonment transaction.

Because the construction requirements associated with this transaction will be completed after the City Council passes the Ordinance, the property owners provided a Letter of Credit (LOC) for $3,612,813.00.00, an amount equal to the total estimated construction costs required to complete Items 3 and 4 of Motion 2014-0100. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for this transaction. The Director of PWE or his designee may authorize one extension of the LOC which may be less than but not longer than twelve months, if the applicant has received approved permits and commenced construction of the work required within the initial term of the LOC. Should the conditions of the LOC not be satisfied upon expiration of the LOC, a recommendation will be submitted to the City Council to rescind the ordinance that abandoned the City's property interest(s). All funds paid by the applicant will be forfeited. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC.

Baybrook Mall, LLC; Baybrook, LPC, LLC; Dillard Texas East, LLC; and Southbrook Corp. have complied with the Motion requirements, have accepted the City's offer, and have rendered payment in full.

The City will abandon and sell to Baybrook Mall, LLC; Baybrook, LPC, LLC; Dillard Texas East, LLC; and Southbrook Corp.:

Parcel SY13-090A
46,871 square feet of street easement $421,839.00
Valued at $9.00 per square foot

Parcel SY13-090B

32,221 square feet of street easement $289,989.00
Valued at $9.00 per square foot

Parcel SY13-090C
2,449 square feet of sanitary sewer easement $11,021.00
Valued at $4.50 per square foot

Parcel SY13-090D
2,257 square feet of water line easement $10,157.00
Valued at $4.50 per square foot

Parcel SY13-105A
23,416 square feet of street easement $210,744.00
Valued at $9.00 per square foot

Parcel SY13-105B
3,415 square feet of storm sewer easement $15,368.00
Valued at $4.50 per square foot

Parcel SY13-105C
6,795 square feet of storm sewer easement $30,578.00
Valued at $4.50 per square foot

Parcel SY13-105D
110 square feet of water line easement $1,018.00
Valued at $9.25 per square foot

Parcel SY13-105E
600 square feet of water line easement $2,700.00
Valued at $4.50 per square foot

Parcel SY13-105F
344 square feet of water line easement $1,548.00
Valued at $4.50 per square foot

Parcel SY13-105G
170 square feet of water line easement $765.00
Valued at $4.50 per square foot

Parcel SY13-105H
445 square feet of water line easement $2,003.00
Valued at $4.50 per square foot

Parcel SY13-105I
214 square feet of storm sewer easement $963.00
Valued at $4.50 per square foot

Parcel SY13-106A
23,205 square feet of street easement $429,293.00
Valued at $18.50 per square foot

Parcel SY13-106B
7,141 square feet of storm sewer easement $66,054.00
Valued at $9.25 per square foot

Parcel SY13-106C
1,343 square feet of storm sewer easement $6,044.00
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Parcel SY13-106D

2,290 square feet of water line easement $21,183.00
Valued at $9.25 per square foot

Parcel SY13-107B
1,210 square feet of water line easement $5,445.00
Valued at $4.50 per square foot

Parcel SY13-107C
12,386 square feet of water line easement $86,702.00
Valued at $7.00 per square foot

Parcel SY13-107D
1,806 square feet of water line easement $12,642.00
Valued at $7.00 per square foot

Parcel SY13-107E
1,387 square feet of water line easement $9,709.00
Valued at $7.00 per square foot

Parcel SY13-107F
732 square feet of water line easement $5,124.00
Valued at $7.00 per square foot

Parcel SY13-107G
2,464 square feet of water line easement $17,248.00
Valued at $7.00 per square foot

Parcel SY13-107H
1,175 square feet of water line easement $8,225.00
Valued at $7.00 per square foot

Parcel SY13-107I
900 square feet of water line easement $6,300.00
Valued at $7.00 per square foot

Depreciated Value of Improvements $502,378.00

TOTAL ABANDONMENTS $2,175,040.00

In exchange, Baybrook Mall, LLC; Baybrook, LPC, LLC; Dillard Texas East, LLC; and Southbrook Corp. will pay:

Cash $488,664.00
Plus convey to the City

Parcel AY14-037
132,122 square feet of street easement $1,189,098.00
Valued at $9.00 per square foot

Parcel AY14-038
4,666 square feet of street easement $41,994.00
Valued at $9.00 per square foot

Parcel KY14-095A
759 square feet of water line easement $3,416.00
Valued at $4.50 per square foot

Parcel KY14-095B
6,337 square feet of water line easement $28,517.00
Valued at $4.50 per square foot

Parcel KY14-095C
5,405 square feet of water line easement $24,323.00
Valued at $4.50 per square foot

Parcel KY14-096A
11,906 square feet of water line easement $83,342.00
Valued at $7.00 per square foot

Parcel KY14-096B
3,188 square feet of water line easement $22,316.00
Valued at $7.00 per square foot

Parcel KY14-097
6,519 square feet of water line easement $60,301.00
Valued at $9.25 per square foot

Parcel KY14-098A
4,898 square feet of water line easement $22,041.00
Valued at $4.50 per square foot

Parcel KY14-098B
5,727 square feet of water line easement $25,772.00
Valued at $4.50 per square foot

Parcel KY14-098C
14,380 square feet of water line easement $64,710.00
Valued at $4.50 per square foot

Parcel DY14-008
26,788 square feet of sanitary sewer easement $120,546.00
Valued at $4.50 per square foot

TOTAL CASH AND CONVEYANCE $2,175,040.00 [$488,664.00 (cash) + $1,686,376.00 (parcel values)]

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for a consideration of $488,664.00 plus conveyance to the City of: 1) an 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794.

Contact Information:
Nancy P. Collins
Senior Assistant Director-Real Estate
Phone: (832) 395-3130

ATTACHMENTS:

	Description	Type
	20DOB075-a&s Glenbrook Drive - Parcels SY13-090A through D, SY13-105A thru I RCA	Backup Material
	20DOB075-a&s Glenbrook Drive - Parcels SY13-090A through D, SY13-105A thru I MAP	Backup Material
	20DOB075-a&s Glenbrook Drive - Parcels SY13-090A through D, SY13-105A thru I ORDINANCE	Ordinance/Resolution/Motion

	20DOB075-a&s Glenbrook Drive - Parcels SY13-090A through D, SY13-105A thru I Prior Council Action	Backup Material

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

SUBJECT: Ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for conveyance to the City of: 1) 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794. **Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008**	**Page** 1 of 5	**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 **Key Map:** 617V	
For additional information contact: NPC Nancy P. Collins **Phone:** (832) 395-3130 Senior Assistant Director-Real Estate	**Date and identification of prior authorizing Council Action:** C.M. 2014-0100 (1/29/14)	

RECOMMENDATION: (Summary) It is recommended City Council approve an Ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for a consideration of $488,664.00 plus conveyance to the City of: 1) 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794. **Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:
By Motion 2014-0100, City Council authorized the subject transaction. Since passage of the Motion, the abutting properties have been transferred by deed to reflect the current ownership as: 1) Baybrook Mall, LLC, Andrew Massmann, Assistant Secretary; 2) Baybrook, LPC, LLC, Andrew Massmann, Assistant Secretary; 3) Dillard Texas East, LLC, Marilyn Weaver, Vice President; and 4) Southbrook Corp., Robert E. Asselbergs, President. All the property owners are planning retail and parking lot expansions at Baybrook Mall in the location of the subject streets and easements. Clearance was obtained from the Texas Department of Transportation and Harris County in relation to the subject street abandonments and conveyances. Signs notifying the public of the pending street right-of-way abandonment application were posted for at least thirty days. A storm sewer easement identified as required after passage of the Motion and completion of the appraisal will be dedicated to the City by a separate process outside of this abandonment transaction.

LTS #12845 CUIC #20DOB075

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**
		Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division

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

Date:	**SUBJECT:** Ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for conveyance to the City of: 1) an 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794. **Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008**	**Originator's Initials**	**Page 2 of 5**

Because the construction requirements associated with this transaction will be completed after the City Council passes the Ordinance, the property owners provided a Letter of Credit (LOC) for $3,612,813.00.00, an amount equal to the total estimated construction costs required to complete Items 3 and 4 of Motion 2014-0100. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for this transaction. The Director of PWE or his designee may authorize one extension of the LOC which may be less than but not longer than twelve months, if the applicant has received approved permits and commenced construction of the work required within the initial term of the LOC. Should the conditions of the LOC not be satisfied upon expiration of the LOC, a recommendation will be submitted to the City Council to rescind the ordinance that abandoned the City's property interest(s). All funds paid by the applicant will be forfeited. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC.

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Parcel SY13-105F
344 square feet of water line easement $1,548.00
Valued at $4.50 per square foot

Parcel SY13-105G
170 square feet of water line easement $765.00
Valued at $4.50 per square foot

Parcel SY13-105H
445 square feet of water line easement $2,003.00
Valued at $4.50 per square foot

Parcel SY13-105I
214 square feet of storm sewer easement $963.00
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1,387 square feet of water line easement $9,709.00
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732 square feet of water line easement $5,124.00
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Date:	**SUBJECT:** Ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for conveyance to the City of: 1) an 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794. **Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008**	**Originator's Initials** DO	**Page 4 of 5**

Parcel SY13-107G
2,464 square feet of water line easement — $17,248.00
Valued at $7.00 per square foot

Parcel SY13-107H
1,175 square feet of water line easement — $8,225.00
Valued at $7.00 per square foot

Parcel SY13-107I
900 square feet of water line easement — $6,300.00
Valued at $7.00 per square foot

Depreciated Value of Improvements — $502,378.00

TOTAL ABANDONMENTS — **$2,175,040.00**

In exchange, Baybrook Mall, LLC; Baybrook, LPC, LLC; Dillard Texas East, LLC; and Southbrook Corp. will pay:

Cash — $488,664.00
Plus convey to the City

Parcel AY14-037
132,122 square feet of street easement — $1,189,098.00
Valued at $9.00 per square foot

Parcel AY14-038
4,666 square feet of street easement — $41,994.00
Valued at $9.00 per square foot

Parcel KY14-095A
759 square feet of water line easement — $3,416.00
Valued at $4.50 per square foot

Parcel KY14-095B
6,337 square feet of water line easement — $28,517.00
Valued at $4.50 per square foot

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5,405 square feet of water line easement — $24,323.00
Valued at $4.50 per square foot

Parcel KY14-096A
11,906 square feet of water line easement — $83,342.00
Valued at $7.00 per square foot

Parcel KY14-096B
3,188 square feet of water line easement — $22,316.00
Valued at $7.00 per square foot

Parcel KY14-097
6,519 square feet of water line easement — $60,301.00
Valued at $9.25 per square foot

Date:	**SUBJECT:** Ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for conveyance to the City of: 1) an 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794. **Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008**	**Originator's Initials** dw	**Page 5 of 5**

Parcel KY14-098A
4,898 square feet of water line easement $22,041.00
Valued at $4.50 per square foot

Parcel KY14-098B
5,727 square feet of water line easement $25,772.00
Valued at $4.50 per square foot

Parcel KY14-098C
14,380 square feet of water line easement $64,710.00
Valued at $4.50 per square foot

Parcel **DY14-008**
26,788 square feet of sanitary sewer easement $120,546.00
Valued at $4.50 per square foot

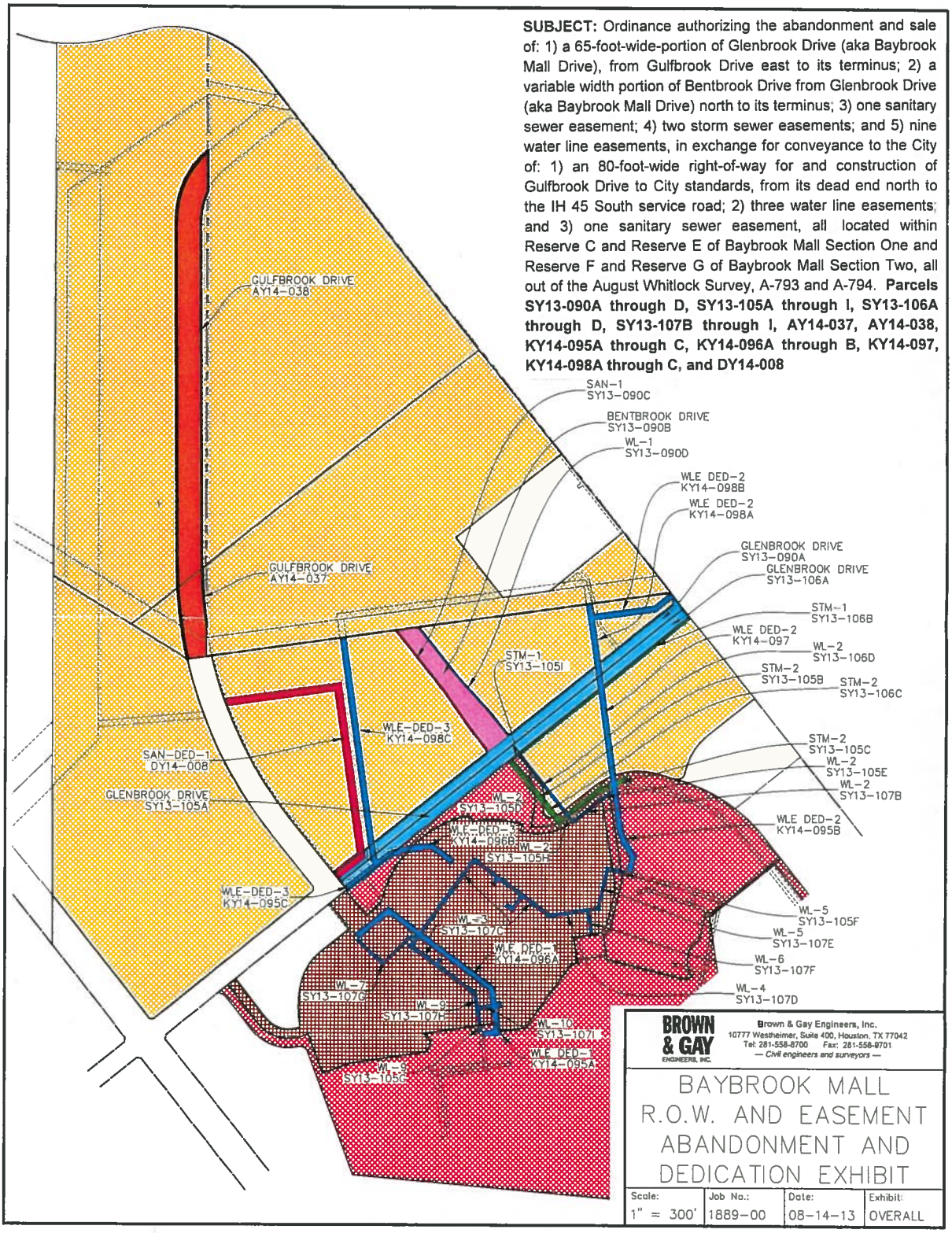
TOTAL CASH AND CONVEYANCE **$2,175,040.00** [$488,664.00 (cash) + $1,686,376.00 (parcel values)]

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for a consideration of $488,664.00 plus conveyance to the City of: 1) an 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794.

DAR:NPC:dob

c: Jun Chang, P.E., D.WRE
Marta Crinejo
Daniel R. Menendez, P.E.
Patrick Walsh, P.E.
Jeffrey Weatherford, P.E., PTOE

SUBJECT: Ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for conveyance to the City of: 1) an 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794. **Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008**



BROWN & GAY ENGINEERS, INC.

Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-558-8700 Fax: 281-558-9701
— Civil engineers and surveyors —

BAYBROOK MALL R.O.W. AND EASEMENT ABANDONMENT AND DEDICATION EXHIBIT

Scale:	Job No.:	Date:	Exhibit:
1" = 300'	1889-00	08-14-13	OVERALL

City of Houston, Texas Ordinance No. 2002B075

AN ORDINANCE FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED USE OF (1) A 65 FOOT WIDE PORTION OF GLENBROOK DRIVE (AKA BAYBROOK MALL DRIVE), FROM GULFBROOK DRIVE EAST TO ITS TERMINUS; (2) A VARIABLE WIDTH PORTION OF BENTBROOK DRIVE, FROM GLENBROOK DRIVE (AKA BAYBROOK MALL DRIVE) NORTH TO ITS TERMINUS; (3) ONE SANITARY SEWER EASEMENT; (4) TWO STORM SEWER EASEMENTS; AND (5) NINE WATER LINE EASEMENTS; VACATING AND ABANDONING SAID PARCELS TO BAYBROOK MALL, LLC, BAYBROOK LPC, LLC, DILLARD TEXAS EAST, LLC, AND SOUTHBROOK CORPORATION, THE ABUTTING OWNERS ("OWNERS"), IN CONSIDERATION OF (A) OWNERS' PAYMENT OF $488,664.00 TO THE CITY; (B) THE CONVEYANCE TO THE CITY OF A 80 FOOT WIDE RIGHT OF WAY FOR, AND CONSTRUCTION OF, GULFBROOK DRIVE TO CITY STANDARDS, FROM ITS DEAD END NORTH TO THE IH 45 SOUTH SERVICE ROAD; (C) THE CONVEYANCE TO THE CITY OF THREE WATER LINE EASEMENTS AND ONE SANITARY SEWER EASEMENT, ALL LOCATED WITHIN RESERVE C AND RESERVE E OF BAYBROOK MALL SECTION ONE AND RESERVE F AND RESERVE G OF BAYBROOK MALL SECTION TWO, ALL OUT OF THE AUGUST WHITLOCK SURVEYS, A-793 AND A-794, HARRIS COUNTY, TEXAS; AND (D) OTHER GOOD AND VALUABLE CONSIDERATION; CONTAINING VARIOUS FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY.

* * * * * *

WHEREAS, BAYBROOK MALL, LLC, a Delaware limited liability company, **BAYBROOK LPC, LLC**, a Delaware limited liability company, **DILLARD TEXAS EAST, LLC**, a Delaware limited liability company, and **SOUTHBROOK CORPORATION**, a Texas for-profit corporation, the abutting property owners ("Owners"), have requested that the **City of Houston, Texas**, a municipal corporation situated in Harris, Fort Bend and Montgomery Counties, Texas (the "City"), abandon (1) a 65 foot wide portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; (2) a variable width portion of Bentbrook Drive, from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; (3) one sanitary sewer easement; (4) two storm sewer easements; and (5) nine water line easements (Parcel Nos. SY13-090A through D, SY13-105A through I, SY13-106A through D, and SY13-107B through I), in consideration of (a) Owners' payment of $488,664.00 to the City; (b) the conveyance to the City of a 80 foot wide right of way for, and construction of, Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; (c) the conveyance to the City of three water line easements and one sanitary sewer easement (Parcel Nos. AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008); and (d) other good and valuable consideration; and

WHEREAS, the Joint Referral Committee of the City has reviewed and approved Owners' request, and the Director of the Department of Public Works and Engineering has recommended that said streets and easements may be abandoned; and

WHEREAS, by Motion No. 2014-0100, passed on January 29, 2014 (the "Motion"), the City Council of the City authorized the abandonment, sale, and conveyances of the street and utility easements to the former owners of the abutting properties; and

WHEREAS, since the passage of the Motion, the abutting properties have been transferred by deed to reflect the current ownership; and

WHEREAS, the parcels to be abandoned and the parcels to be conveyed have been appraised by an independent appraiser, whose written appraisal report has been filed with City Council and taken into consideration by it in determining the action herein taken; and

WHEREAS, clearance was obtained from the State of Texas Department of Transportation and Harris County in relation to the subject street abandonments and conveyances; and

WHEREAS, signs notifying the public of the pending street right-of-way abandonment application were posted for at least 30 days; and

WHEREAS, a storm sewer easement identified after passage of the Motion and completion of the appraisal will be dedicated to the City by a separate process outside of this abandonment transaction; **NOW, THEREFORE,**

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

Section 1. That the City Council of the City of Houston, Texas, hereby adopts the findings set out in the preamble hereof, and finds and determines that public convenience and necessity no longer require the continued use of 1) a 65 foot wide portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive, from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements (Parcel Nos. SY13-090A through D, SY13-105A through I, SY13-106A through D, and SY13-107B through I), more particularly described my metes and bounds in **Exhibit A** attached hereto and made a part hereof, and said parcels are hereby vacated and abandoned.

Section 2. That the City Council hereby quitclaims all of the City's right, title, interest, claim and demand in and to Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, and SY13-107B through I, and said street and utility easements are hereby sold in consideration of conveyance to the City of (a) Owners' payment of $488,664.00 to the City; (b) the conveyance to the City of a 80 foot wide right of way for, and construction of, Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; (c) the conveyance to the City of three water line easements and one sanitary sewer easement; and (d) other good and valuable consideration (Parcel Nos. AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008) being more particularly described by metes and bounds in **EXHIBIT B** attached hereto and made a part hereof.

Section 3. That the conveyance of the easements to the City shall be effected by easement conveyances substantially in the form of the Easement Conveyance attached hereto as **EXHIBIT "C"** and made a part hereof, with such changes as may be approved by the City Attorney or his designees.

Section 4. 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 (5) days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Charter of the City of Houston, Texas.

PASSED AND ADOPTED this _____ day of _____, 2014.

APPROVED this _____ day of _____, 2014.

_____
Annise D. Parker Mayor of the City of Houston

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

_____
ANNA RUSSELL, City Secretary

Approved as to Form:

Ondrea U Taylor
Assistant City Attorney
L.D. File Number 073400032001
Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, and SY13-107B through I;
AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008

Requested by
Dale A. Rudick, P.E.
Director, Department of Public Works and Engineering

MOTION NO. 2014 0100

MOTION by Council Member Gonzalez that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy M. Youngblood, Brown & Gay Engineers, Inc., 10777 Westheimer, Suite 400, Houston, Texas, 77042, on behalf of Gulfbrook Investments, Inc., (Robert E. Asselbergs, President), Southbrook Corporation, (Robert E. Asselbergs, President), Finwood Properties Co., Inc., (Robert E. Asselbergs, President), Baybrook Mall, LLC, (Aaron Bartels, President), and Dillard Texas East, LLC, (Kim Brown, Real Estate Counsel), for the abandonment and sale of a portion of Glenbrook Drive, Bentbrook Drive, various easements in exchange for the conveyance to the City of certain parcels of land, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794, Parcel Nos. SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008, be adopted as follows:

1. The City abandon and sell 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for conveyance to the City of: 1) 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794;

2. The applicants be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;

3. The applicants be required to: (a) design and construct Gulfbrook Drive to City standards within an 80-foot-wide right-of-way, from its dead end north to the IH 45 South service road; (b) eliminate the public street appearance of Glenbrook Drive (aka Baybrook Mall Drive) at Gulfbrook Drive and at the IH 45 South service road; (c) remove all traffic signs and poles in the abandoned portion of Glenbrook Drive (aka Baybrook Mall Drive) and return to the City at 2200 Patterson Street; (d) pay CenterPoint Energy to remove the street lights in the abandoned street segments; and (e) all of the foregoing items must be completed under proper permits and at no cost to the City;

4. The applicants be required to: (a) cut, plug, and abandon the 8-inch sanitary sewer line and the 10-inch sanitary sewer line within Glenbrook Drive, from manhole #ME001038 of the 10-inch sanitary sewer line at the intersection of Glenbrook Drive and Gulfbrook Drive northeast to its terminus; (b) cut, plug, and abandon the 8-inch sanitary sewer line within the sanitary sewer easement adjacent to Bentbrook Drive, from manhole #ME001045 of the 10-inch sanitary sewer line within Glenbrook Drive northeast to its terminus; (c) construct a 10-inch sanitary sewer line within the proposed variable-width sanitary sewer easement to be conveyed to the City; (d) cut, plug, and abandon the 8-inch water line and the 12-inch water line within Glenbrook Drive, from the 12-inch water line in IH45 South southwest to the 12-inch water line within Gulfbrook Drive; (e) cut, plug, and abandon the 8-inch water line and the 12-inch water line within the nine water line easements to be abandoned and sold; (f) construct 12-inch water lines within the three proposed water line easements to be conveyed to the City; and (g) all of the foregoing items must be completed under proper permits and at no cost to the City;

5. The applicants be required to not cause any encroachment into any easement, which includes but is not limited to buildings, permanent structures, streets, drive-lane paving, and parking;

6. The applicants be required to pre pare drawings that show all public utilities (sanitary sewer and water) that are to be abandoned, relocated, and/or constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the Motion shall be attached to the plan set when it is submitted for plan review;

7. The applicants be required to obtain a letter of no objection from each of the privately owned utility companies for the streets being abandoned and sold;

8. The applicants be required to provide written proof from Harris County indicating its agreement to the proposed conveyance of Gulfbrook Drive to the City for the portion that is outside of the City of Houston limits;

9. The applicants be required to provide an approval/clearance letter from the Texas Department of Transportation (TxDOT) for the proposed project as related to IH 45;

10. The Legal Department be authorized to prepare the necessary transaction documents; and,

11. Inasmuch as the value of the City's property interest is expected to exceed $1,000,000.00, that the City Council appoint David Dominy and Patrick O'Connor, independent real estate appraisers, to establish the value.

Seconded by Council Member Bradford and carried.

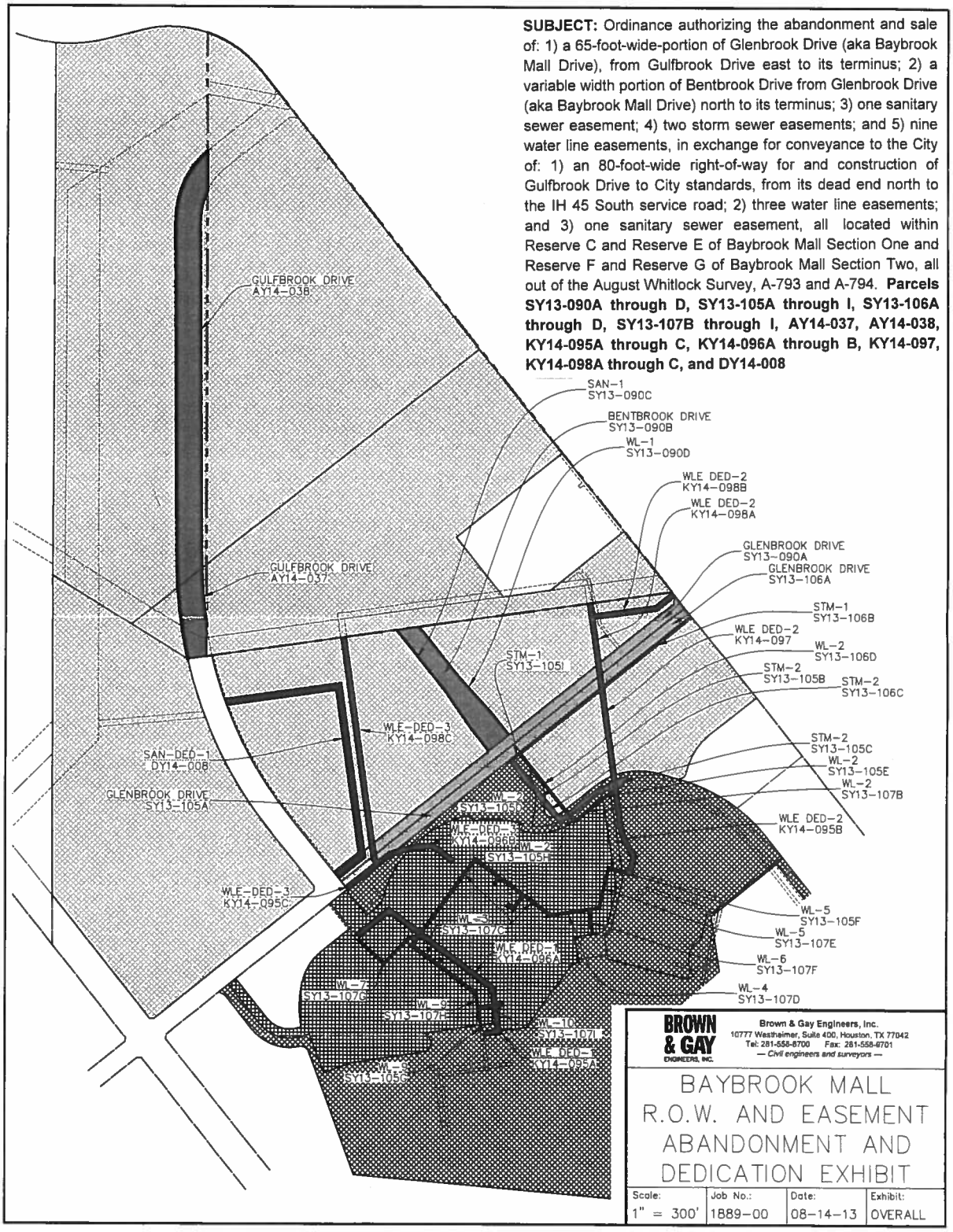
Mayor Parker, Council Members Stardig, Davis, Cohen, Boykins; Martin, Nguyen, Pennington, Gonzalez, Gallegos, Laster, Green, Robinson, Kubosh, Bradford and Christie voting aye
Nays none
Council Member Costello absent

PASSED AND ADOPTED this 29th day of January, 2014.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is February 4, 2014.

City Secretary

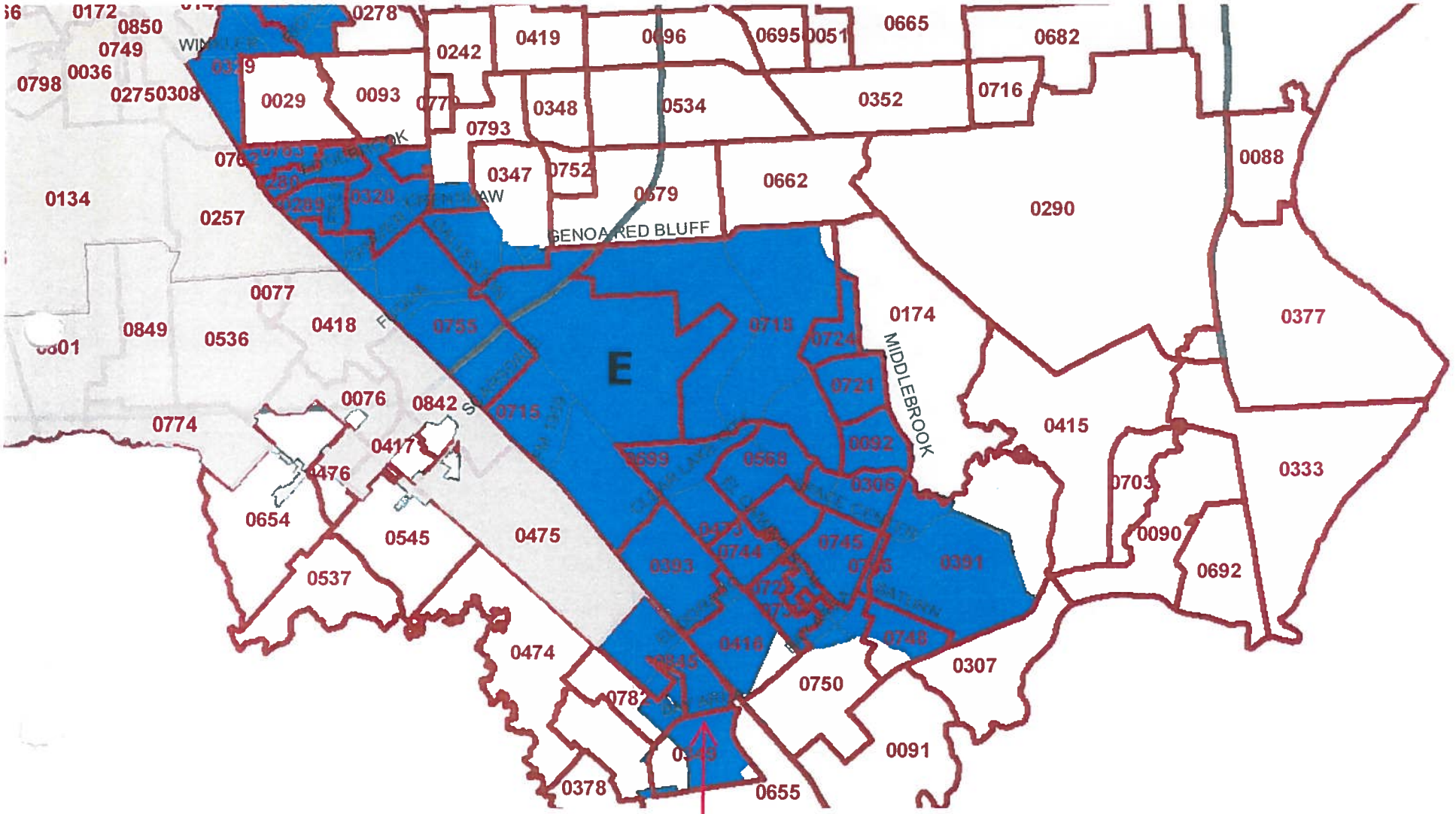
SUBJECT: Ordinance authorizing the abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for conveyance to the City of: 1) an 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794. **Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008**



BROWN & GAY ENGINEERS, INC.
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10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-558-8700 Fax: 281-558-8701
— Civil engineers and surveyors —

BAYBROOK MALL R.O.W. AND EASEMENT ABANDONMENT AND DEDICATION EXHIBIT

Scale:	Job No.:	Date:	Exhibit:
1" = 300'	1889-00	08-14-13	OVERALL



Subject: Abandonment and sale of: 1) a 65-foot-wide-portion of Glenbrook Drive (aka Baybrook Mall Drive), from Gulfbrook Drive east to its terminus; 2) a variable width portion of Bentbrook Drive from Glenbrook Drive (aka Baybrook Mall Drive) north to its terminus; 3) one sanitary sewer easement; 4) two storm sewer easements; and 5) nine water line easements, in exchange for conveyance to the City of: 1) 80-foot-wide right-of-way for and construction of Gulfbrook Drive to City standards, from its dead end north to the IH 45 South service road; 2) three water line easements; and 3) one sanitary sewer easement, all located within Reserve C and Reserve E of Baybrook Mall Section One and Reserve F and Reserve G of Baybrook Mall Section Two, all out of the August Whitlock Survey, A-793 and A-794. **Parcels SY13-090A through D, SY13-105A through I, SY13-106A through D, SY13-107B through I, AY14-037, AY14-038, KY14-095A through C, KY14-096A through B, KY14-097, KY14-098A through C, and DY14-008**

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District B, District D, District H

Item Creation Date: 2/6/2014

HCD 14-93 GLO DR2.2 Application for Infrastructure

Agenda Item#: 14.

Summary:
ORDINANCE approving and authorizing submittal of an amended application to the Texas General Land Office increasing the amount of Community Development Block Grant Program 2008 Supplemental Disaster Recovery Funds requested to $26,148,986.00 and specifying additional qualified projects to be funded thereby, acceptance of the requested funds and execution of the related contract amendment - **DISTRICTS B - DAVIS; D - BOYKINS and H - GONZALEZ**

Background:
The Housing and Community Development Department (HCDD) is requesting approval to submit an amended application to the GLO to increase the amount of Hurricane Ike Disaster Recovery Round 2.2 funding for infrastructure projects to $26, 148,986. The funds will be used to improve drainage in the Community Revitalization Areas (CRAs) and CRA Outreach Areas identified in the Community Development Block Grant Disaster Recovery (CDBG DR) Program Planning Study. Conducted in 2013, the study incorporated a robust public participation process to pinpoint communities where program funding would not only provide immediate improvements needed to facilitate disaster recovery, but would also stimulate further redevelopment and revitalization of the community.

The GLO administers the federal CDBG DR funds, and the City is eligible to receive up to $26, 148,986 for eligible non housing (infrastructure) projects. Through an agreement currently in place, the City has already received $11,986,000 of that amount. This Ordinance will amend that agreement to include the remaining $14, 162,986 to fund the following infrastructure projects.

The Greater Fifth Ward Infrastructure Project will cover installation of major new storm sewer capacity to enhance drainage along Fifth Ward streets, including but not limited to Bringhurst, Hare, Nance and Capron, and to extend Baer, Cline and Frank Teich streets across the Many Diversified Interests (MDI) site. This project will improve drainage and facilitate ingress and egress for residents and emergency personnel during flood events. Roadway surfaces will be reconstructed, and curbs/gutters and new sidewalks will be installed to enhance pedestrian and vehicle access.

Additionally, the City has identified four qualified Open Ditch Projects to address certain ditches in CRAs and CRA Outreach Areas which fail to function during rain storms. The projects will involve redesigning and reconstructing the ditches and will also consider replacement of driveways and street culverts which constrain the flow of storm water and cause ditches to fail to function. Of the four projects identified, one will be located in each of the three CRAs and one in the Fifth Ward CRA Outreach area. The total length of open ditch reconstruction contemplated by the project is 12 miles.

This Ordinance authorizes submittal of the application, amending the grant agreement to include the full amount for which the City is eligible, and acceptance of the funds . It was reviewed by the Housing and Community Affairs Committee on June 17, 2014.

Prior Council Action:
Ordinance 2014-0291, April 9, 2014

Amount of Funding:
No Funding Required

Source of Funding:
Other (Specify)

Hurricane Ike Disaster Recovery Round 2.2

Contact Information:

Stephen Tinnermon
713.868.8448

ATTACHMENTS:

Description	Type
GLO DR2.2 Application for Infrastructure RCA	Signed Cover sheet
GLO DR2.2 Application for Infrastructure PNFDF	Financial Information
Ordinance part 1 - TX GLO CDBG DR Amended Application	Backup Material
Ordinance part 2 - TX GLO CDBG DR Amended Application	Backup Material

HCD14-93

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION** **14 – GLO Contract**

SUBJECT: Ordinance authorizing: (1) submittal of an amended application to the Texas General Land Office (GLO) increasing to $26,148,986 the amount of CDBG Disaster Recovery Round 2.2 funds requested for drainage infrastructure projects, (2) an Amendment to the GLO Round 2.2 Non-Housing Grant Agreement necessary to accommodate the funding request, and (3) acceptance of the requested funds	Category #	Page 1 of 1	Agenda Item #

FROM: Neal Rackleff, Director Housing and Community Development	**Origination Date** 02/06/2014	**Agenda Date**
DIRECTOR'S SIGNATURE: (FOR NEAL RACKLEFF)	**Council District affected:** District B, D and H	
For additional information contact: Stephen Tinnermon **Phone:** 713-868-8448	**Date and identification of prior authorizing Council action:** Ordinance 2014-0291, April 9, 2014	

RECOMMENDATION: Approval of an Ordinance authorizing: (1) submittal of an amended application to the GLO increasing to $26,148,986 the amount of CDBG Disaster Recovery Round 2.2 funds requested for drainage infrastructure projects, (2) an Amendment to the GLO Round 2.2 Non-Housing Grant Agreement necessary to accommodate the funding request, and (3) acceptance of the requested funds

Amount of Funding: **$14,162,986**	**Finance Budget:**

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

No Funding Required

SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) is requesting approval to submit an amended application to the GLO to increase the amount of Hurricane Ike Disaster Recovery Round 2.2 funding for infrastructure projects to $26,148,986. The funds will be used to improve drainage in the Community Revitalization Areas (CRAs) and CRA Outreach Areas identified in the Community Development Block Grant Disaster Recovery (CDBG DR) Program Planning Study. Conducted in 2013, the study incorporated a robust public participation process to pinpoint communities where program funding would not only provide immediate improvements needed to facilitate disaster recovery, but would also stimulate further redevelopment and revitalization of the community.

The GLO administers the federal CDBG DR funds, and the City is eligible to receive up to $26,148,986 for eligible non-housing (infrastructure) projects. Through an agreement currently in place, the City has already received $11,986,000 of that amount. This Ordinance will amend that agreement to include the remaining $14,162,986 to fund the following infrastructure projects.

The Greater Fifth Ward Infrastructure Project will cover installation of major new storm sewer capacity to enhance drainage along Fifth Ward streets, including but not limited to Bringhurst, Hare, Nance and Capron, and to extend Baer, Cline and Frank Teich streets across the Many Diversified Interests (MDI) site. This project will improve drainage and facilitate ingress and egress for residents and emergency personnel during flood events. Roadway surfaces will be reconstructed, and curbs/gutters and new sidewalks will be installed to enhance pedestrian and vehicle access.

Additionally, the City has identified four qualified Open Ditch Projects to address certain ditches in CRAs and CRA Outreach Areas which fail to function during rain storms. The projects will involve redesigning and reconstructing the ditches and will also consider replacement of driveways and street culverts which constrain the flow of storm water and cause ditches to fail to function. Of the four projects identified, one will be located in each of the three CRAs and one in the Fifth Ward CRA Outreach area. The total length of open ditch reconstruction contemplated by the project is 12 miles.

This Ordinance authorizes submittal of the application, amending the grant agreement to include the full amount for which the City is eligible, and acceptance of the funds. It was reviewed by the Housing and Community Affairs Committee on June 17, 2014.

Cc: City Secretary
Finance Department
Legal Department
Mayor's Office

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**

City of Houston, Texas, Ordinance No. 2014 - _____

AN ORDINANCE APPROVING AND AUTHORIZING SUBMITTAL OF AN AMENDED APPLICATION TO THE TEXAS GENERAL LAND OFFICE INCREASING THE AMOUNT OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2008 SUPPLEMENTAL DISASTER RECOVERY FUNDS REQUESTED TO $26,148,986.00 AND SPECIFYING ADDITIONAL QUALIFIED PROJECTS TO BE FUNDED THEREBY, ACCEPTANCE OF THE REQUESTED FUNDS AND EXECUTION OF THE RELATED CONTRACT AMENDMENT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * *

WHEREAS, on April 9, 2014 the City Council (the "City Council") of the City of Houston (the "City"), pursuant to Ordinance No. 2014-291 (the "Initial Ordinance"), authorized submittal to the Texas General Land Office (the "GLO") of a Texas Community Development Block Grant Program 2008 Supplemental Disaster Recovery Fund Hurricanes Dolly and Ike (the "Supplemental CDBG Funds") Non-Housing Activities Round 2.2 Application (the "Initial Application") to request $11,986,000.00 for an urgent infrastructure project in the Near Northside Community Reinvestment Area (the "Initial Project"), execution of the related Grant Agreement and acceptance of the requested funds; and

WHEREAS, the City Council finds that, pursuant to the Initial Application, the City was awarded $11,986,000.00 in Supplemental CDBG Funds (the "Initial Award") to carry out the Initial Project; and

WHEREAS, the City Council finds that the City and the GLO entered into GLO Contract No. 14-236-000-8329 (the "Initial Contract"), setting forth the rights and responsibilities related to the Initial Award; and

WHEREAS, the City Council finds that the Initial Ordinance states that, subject to further approval by City Council, the City's Housing and Community Development Department (the "HCDD") intends to supplement the Initial Application and the Initial Contract to provide for additional qualified projects; and

WHEREAS, the City Council finds that the HCDD has identified the following as additional qualified projects: Greater Fifth Ward Infrastructure Project, Open Ditch - Greater Fifth Ward (Nichols Area), Open Ditch - Greater Fifth Ward (West Coke Area), Open Ditch – Near Northside (Gano Area) and Open Ditch – OST/South Union (Calhoun Road Area) (collectively the "Additional Qualified Projects"); and

WHEREAS, the City Council finds that the HCDD has prepared an Amended Texas Community Development Block Grant Program 2008 Supplemental Disaster

Recovery Fund (Hurricanes Dolly and Ike) Non-Housing Activities Round 2.2 Application (the "Amended Application"), to supplement the Initial Application, requesting $26,148,986.00 in Supplemental CDBG Funds, which amount includes the $11,986,000.00 Initial Award and additional funds in the amount of $14,162,986.00, for the Initial Project and the Additional Qualified Projects; and

WHEREAS, the City Council finds that the GLO has provided to the City Non-Housing Grant Agreement GLO Contract No. 14-236-000-8329 Disaster Recovery Program Amendment No. 1 (the "Contract Amendment"), increasing the maximum award of the grant to $26,148,986.00, and revising the Performance Statement and Implementation Schedule and the Project Budget to reflect the increased grant amount and the Additional Qualified Projects; and

WHEREAS, the City Council finds that the submittal to the GLO of the Amended Application, the acceptance of funds requested in the Amended Application, if awarded, and the execution of the Contract Amendment are in the best interest of the City; **NOW, THEREFORE,**

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

Section 1. That the findings and recitals 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 the City Council hereby approves and authorizes the Mayor, by and through its Housing and Community Development Department, to submit to the GLO an Amended Application, in substantially the form which is attached hereto and incorporated herein by this reference, with such changes as the Director of the Housing and Community Development Department may recommend (the Amended Application, as so modified, being the "Final Amended Application").

Section 3. That the Mayor is also authorized to accept the funds requested in the Final Amended Application, if awarded, for the purposes of the subject grant assistance program on behalf of the City.

Section 4. That the Mayor (or in the absence of the Mayor, the Mayor Pro-Tem) is hereby authorized to execute the Contract Amendment, in substantially the form which is attached hereto and incorporated herein by this reference, any contracts required by the Final Amended Application, and all related documents on behalf of the City of Houston and to take all actions necessary to effectuate the City's intent and objectives in approving such contracts, the Final Amended Application, the Contract Amendment and related documents. The City Secretary (or in the absence of the City Secretary, any Assistant City Secretary) is hereby authorized to attest to all such signatures and to affix the seal of the City to all such instruments. The City Attorney is hereby authorized to take all action necessary to enforce legal obligations under said applications, contracts, agreements or other undertakings, without further authorization from City Council.

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 _____, 2014.

APPROVED this _____ day of _____, 2014.

_____
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. _____)
(RFB/09/15/14) Senior Assistant City Attorney
(Requested by Neal Rackleff, Director, Housing and Community Development Department)
(L.D. File No. 0291400012002)

AMENDED APPLICATION

D R A F T

Texas Community Development Block Grant Program 2008 Supplemental Disaster Recovery Fund: Hurricanes Dolly and Ike

Non-Housing Activities Application ROUND 2.2

This application should be considered draft until the time the General Land Office issues a notification of award.

Houston

APPLICANT NAME

Council of Governments: H-GAC

OVERVIEW

1. This application is for **non-housing** activities.

All activities must have documented proof of an impact by a major natural disaster declared in 2008. There must be a clear and compelling need related to a major natural disaster declaration, hurricane disaster relief, long-term recovery and/or restoration of infrastructure. An activity underway prior to a Presidential disaster declaration will not qualify unless the disaster impacted the project.

All eligible activities must be directly related to a major natural disaster declaration in 2008 through actual **damage** or a **failure to function** and is allowed under the State of Texas Plan After Disaster Recovery - Revised Amendment Number 1.

2. Applicants are encouraged to develop their community recovery projects in a manner that considers an integrated approach to housing, Fair Housing obligations, economic revitalization, and overall community recovery. Consideration of long-term planning processes is also highly encouraged.

3. The Texas General Land Office (Land Office) is committed to Affirmatively Furthering Fair Housing (AFFH). Projects and programs will be subject to detailed review by the Land Office to assure they are in consideration of the Phase I Analysis of Impediments to Fair Housing and consistent with the Conciliation Agreement, HUD's current fair housing guidance, and the state's and communities' obligations to affirmatively further fair housing.

4. The Disaster Recovery Enhancement Fund (DREF) was established by HUD to promote the implementation of forward-thinking recovery strategies that will reduce the risk of damage from a future disaster. Examples of these activities are the development and adoption of forward-thinking land use plans, floodplain or critical fire and seismic hazard area buyout programs, individual mitigation measures, and the implementation of modern disaster resistant building codes. Applicants are highly encouraged to consider DREF eligibility when developing their projects.

5. For detailed information regarding Application Instructions, see the Supplemental Disaster Recovery Non-Housing Activities Application Guide.

APPLICANT DETAILS / 424 FORM

Application Type(s): ■ Construction ☐ Non-Construction

Applicant Address:

Legal Name: City of Houston
Organizational Unit: Housing and Community Development Department
Care Of: Neal Rackleff
Street 1: 601 Sawyer, 4th Floor
Street 2:
City: Houston State: TX Zip Code: 77007
County: Harris County

Application Preparer Information:

Name: Stedman Grigsby
Title: Program Coordinator
Company: City of Houston
Street 1: 601 Sawyer, 4th Floor
Street 2:
City: Houston State: TX Zip Code: 77007
Phone Number: 713-868-8482
Fax Number:
Email Address: william.grigsby@houstontx.gov

Employeer Information:

Employer ID Number: 74-6001164
DUNS Number: 194586517

Applicant Details:

Type of Applicant: City or Township Government
Type of Application: ■ New ☐ Continuation ☐ Revision

Target Area(s) Affected by the Project:

Target Areas: Near Northside, Greater Fifth Ward, Old Spanish Trail/South Union

Fiscal Years:

Beginning of Fiscal Year: July 1
End of Fiscal Year: June 30

APPLICANT DETAILS / 424 FORM (p2)

Congressional Districts:

US Representative:	18, 29
Texas Senate:	6, 13
Texas Representative:	142, 146, 147, 148

Environmental Projects:

Number of Env. Projects:	5
Total Environmental Costs:	$25,000.00
Environmental In-House Services:	$0.00

Estimated Funding:

DR Request:	$26,148,986.00
Project Delivery (Environmental):	$25,000.00
Available Request:	$26,123,986.00
Federal:	$0.00
State:	$0.00
Applicant:	$0.00
Local:	$0.00
Other:	$0.00
Total Requests:	$26,148,986.00

Federal Debt:

Is Applicant Deliquent on Federal Debt? ☐ Yes ☒ No

If Yes, please explain: N/A

Applicant Affirmation:

TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE CERTIFICATIONS AND CITIZEN PARTICIPATION PLAN INCLUDED IN THE PROCEDURES SECTION OF THE DR PROGRAM APPLICATION GUIDE AND LOCATED HERE, IF THE ASSISTANCE IS AWARDED.

Authorized Rep:	Neal Rackleff
Title of Representative:	Director - Housing and Community Development Department
Telephone Number:	(713) 868-8305
Date:	8/28/2014 3:42:05 PM

PROJECT APPROVAL INFORMATION

	Yes	No
1. Has the applicant chosen to self-administer the proposed project?	■	☐
a. If Yes, will the proposed project be administered jointly by local staff and a third-party administrator?	■	☐
2. Has the applicant chosen to use a third-party grant administrator to administer the proposed project?	■	☐

Identify three administrators in order of preference. All entities are required to select third-party grant administrators from the State Master List of Qualified Grant Administrators if using Disaster Recovery funds to pay for those services.

Name of First Administrator Preferred: GrantWorks

Name of Second Administrator Preferred: Traylor and Associates

Name of Third Administrator Preferred: N/A

3. Has the applicant chosen to use an **in-house** engineer to perform engineering services for the proposed project?	☐	■
4. Has the applicant chosen to use a **third-party** engineer to perform engineering services for the proposed project?	■	☐

Identify three engineering firms in order of preference. All entities are required to select third-party engineers from the State Master List of Qualified Engineers if using Disaster Recovery funds to pay for those services.

Name of First Engineer/Firm Preferred: Jones and Carter

Name of Second Engineering/Firm Preferred: Klotz Associates

Name of Third Engineering/Firm Preferred: N/A

5. Does any project in this application require acquisition of property, purchase of easements, relocation or any other activity requiring compliance with the Uniform Relocation Act?	☐	■
6. If FEMA or Insurance funds were received for any project in this application, the use of those funds must be fully described in the project summary and included in the project budget if they are applied to project development. In addition, a Project Funding Certification Form must be completed, signed, and submitted. Will these be included?	☐	■

Affirmatively Furthering Fair Housing Worksheet

1. Is a completed, adopted FHAST Form attached to this application?	■	☐

2. If 'No' to the above question please explain. Note: All application must be accompanied by a completed FHAST Form.

N/A

LONG-TERM PLANNING

Applicants are encouraged to develop their community recovery projects in a manner that considers an integrated approach to housing, Fair Housing obligations, infrastructure, economic revitalization, and overall community recovery. Consideration of long-term planning processes is also highly encouraged.

Provide a brief description of how the projects addressed in this application form part of an integrated approach to recovery.

The City of Houston (City), as part of the CDBG Disaster Recovery Program, committed to a robust public participation and planning process to determine what parts of the City would be targeted for assistance. City's Disaster Recovery Planning Study, completed in 2013, identified Community Revitalization Areas (CRAs) where the City desires to invest funds from the Program. Among the criteria used were degree of residential damage from Hurricane Ike and the likelihood that the recovery investments will foster vibrant and racially integrated communities that provide decent, safe and affordable housing, functional and useful public infrastructure, robust public and private services, and economic opportunities for people of diverse backgrounds. The City seeks to align these goals with the City's Local Hazard Mitigation Long-Term Plan by creating projects that protect properties from damage and reduce the impact of natural disasters on residents, infrastructure, homes, and businesses.

Near Northside Storm Sewer Drainage Project
The DR Planning Study singled out three CRAs including the Near Northside as particularly well suited to benefit from the City's recovery investments. According to the DR Planning Study the Near Northside contains "a vast inventory of houses affected by Hurricane Ike particularly single-family homes," of which "about one-third manifest water damage." While not located in a floodplain, the Study further explains that the area is particularly susceptible to tropical storm flooding due to its proximity to White Oak Bayou and is upstream from its confluence with Buffalo Bayou, which can back up "debilitating nearby neighborhoods" (p. 223). No damage to infrastructure was reported, just the effects of flooding on the area's private housing stock. The Planning Study reports that the neighborhood's residents are predominantly low-and-moderate income and are 89% Hispanic with African Americans and whites each comprising around 5% of the population.

The proposed project will install major new storm sewer capacity to improve drainage in the Near Northside CRA extending for several blocks on either side of Burnett Street and east of North Main Avenue. The related improvements include reconstruction of roadway surfaces and installation of storm sewer inlets, curb/gutter and new sidewalks to provide improved pedestrian and vehicle access in the area, a significant improvement that will help residents and emergency personnel enter and leave the area during major flooding events such as occurred as a result of Hurricane Ike.

Ultimately the project will advance recovery in the Near Northside as envisioned in the DR Planning Study by improving the drainage and mobility for residents in existing single family homes while providing the infrastructure needed to attract new investments in housing, retail, and public services.

Greater Fifth Ward Storm Sewer Drainage Project
Another of the three priority Community Reinvestment Areas, the Greater Fifth Ward was significantly impacted by Hurricane Ike. Numerous single family homes and apartments in the neighborhood were damaged and some have since been demolished. Many of the Fifth Ward's neighborhoods, including Finnigan Park and Lower French Town west of Waco Street and Hirsch Road between I-10 and Buffalo Bayou, experienced flooding during Hurricane Ike that blocked roadways and entered structures.

The City's Geographic Information Management System (GIMS) 2008 LIDAR data indicate significant risk of ponding (three feet or more) at Clinton Drive between Bringhurst and Hirsch, and the I-10 (East Freeway) service roads at Buck, Jensen, and Meadow during major storm events where the existing storm sewers become fully charged. The data indicate just two routes as free from ponding risk: Gregg Street under I-10 and the Jenson Drive bridge which passes over Buffalo Bayou. The City's emergency call data indicate additional street and structure flooding along Bringhurst, Cline, Gillespie, Nance, Buck and Press Streets within the target neighborhoods. The primary contributors to the infrastructure system's failure to function include low-lying terrain, inadequate drainage infrastructure, and lack of both internal and external connectivity which hinders access and evacuation.

The proposed project will install major new storm sewer and surface drainage capacity within the Greater Fifth Ward CRA to reduce street and property flooding and improve access and evacuation routes. Drainage will be significantly improved along streets including Bringhurst, Hare, Press, Nance and Cline and will include installation of storm sewer inlets and curb/gutter on existing and planned roadways. The reconnection of the city's street grid across a currently vacant parcel will allow for well-drained alternate routes in and out of the neighborhood via an eastward extension of Cline Street and a southward link between Hare and Clinton via the proposed Frank Teich Street.

Open Ditch Reconstruction Projects
Engineering consultants for the City of Houston conducted a major inventory and analysis of its open ditch system in 2014. This information, when used in conjunction with the City's existing data (Storm Water Evaluation and Enhancement Tool, or "SWEET"), provides insight into correcting major surface drainage system failures to function that occurred during Hurricane Ike and in subsequent events.

In many central Houston neighborhoods a primary means of storm water collection and conveyance is via roadside ditches. The study allows the City to pinpoint specific sections of open ditch that provide inadequate levels of service due to undersized channels, culverts, or other obstacles. The City considers open ditch a well-suited option for drainage in lower density single family neighborhoods where lighter traffic and driveways allow for off-street parking. Unlike contained storm sewer systems which back up at a few points during heavy rainfall, the water levels in ditches rise gradually, retaining water across the network before gradually receding. Ditches are generally easier to treat for mosquito infestations than closed storm sewers, helping to mitigate a significant public health risk.

The proposed projects will reconstruct the City's open ditch network in several neighborhoods in three targeted Community Reinvestment Areas: Near Northside, Greater Fifth Ward, and Old Spanish Trail/South Union. Residents of these areas reported significant levels of structural and street ROW flooding during Hurricane Ike.

TABLE 1

A project is defined as a discrete combination of: entity (i.e. city county, water supply corporation), activity (i.e. water, sewer, etc.) beneficiary population, and national objective. An additional project is created when one or more of these factors is different. A site is defined as a discrete location for activities within a project. A project can have one or more sites. For example, one water project that consists of three generators throughout a city consists of three sites, one for each generator.

Table 1 - Project 1
Project Title - *Near Northside CRA Infrastructure Project*
Project Activity: *5*

Completion Method: Bid / Contract

Storm Impact: Failure to Function

National Objective: LMI

Total Benes: 3535

LMI Benes: 2852

	Funding		
	DR Funds	Other Funds	Total Funds
Project / Construction	$9,384,000.00	$0.00	$9,384,000.00
Acquisition	$0.00	$0.00	$0.00
Engineering (Third Party)	$1,923,000.00	$0.00	$1,923,000.00
Engineering (In-House)	$0.00	$0.00	$0.00
Grant Administration (Third Party)	$453,000.00	$0.00	$453,000.00
Grant Administraction (In-House)	$226,000.00	$0.00	$226,000.00
Total	**$11,986,000.00**	**$0.00**	**$11,986,000.00**

Other Fund Sources (if applicable): N/A

Table 1 - Project 2
Project Title - *Greater Fifth Ward CRA Infrastructure Project*
Project Activity: *5*

Completion Method: Bid / Contract

Storm Impact: Failure to Function

National Objective: LMI

Total Benes: 1258

LMI Benes: 1019

Funding			
	DR Funds	Other Funds	Total Funds
Project / Construction	$5,981,047.00	$0.00	$5,981,047.00
Acquisition	$0.00	$0.00	$0.00
Engineering (Third Party)	$1,002,000.00	$0.00	$1,002,000.00
Engineering (In-House)	$0.00	$0.00	$0.00
Grant Administration (Third Party)	$311,959.00	$0.00	$311,959.00
Grant Administraction (In-House)	$156,980.00	$0.00	$156,980.00
Total	**$7,451,986.00**	**$0.00**	**$7,451,986.00**

Other Fund Sources (if applicable): N/A

Table 1 - Project 3
Project Title - *Open Ditch-Greater Fifth Ward (Nichols Area)*
Project Activity: 5

Completion Method: Bid / Contract

Storm Impact: Failure to Function

National Objective: LMI

Total Benes: 1174

LMI Benes: 920

Funding			
	DR Funds	Other Funds	Total Funds
Project / Construction	$838,405.00	$0.00	$838,405.00
Acquisition	$0.00	$0.00	$0.00
Engineering (Third Party)	$154,055.00	$0.00	$154,055.00
Engineering (In-House)	$0.00	$0.00	$0.00
Grant Administration (Third Party)	$44,185.00	$0.00	$44,185.00
Grant Administraction (In-House)	$22,014.00	$0.00	$22,014.00
Total	**$1,058,659.00**	**$0.00**	**$1,058,659.00**

Other Fund Sources (if applicable): N/A

Table 1 - Project 4
Project Title - *Open Ditch-Greater Fifth Ward (West Coke Area)*
Project Activity: *5*

Completion Method: Bid / Contract

Storm Impact: Failure to Function

National Objective: LMI

Total Benes: 1403

LMI Benes: 1300

Funding			
	DR Funds	Other Funds	Total Funds
Project / Construction	$249,801.00	$0.00	$249,801.00
Acquisition	$0.00	$0.00	$0.00
Engineering (Third Party)	$70,770.00	$0.00	$70,770.00
Engineering (In-House)	$0.00	$0.00	$0.00
Grant Administration (Third Party)	$13,165.00	$0.00	$13,165.00
Grant Administraction (In-House)	$6,559.00	$0.00	$6,559.00
Total	**$340,295.00**	**$0.00**	**$340,295.00**

Other Fund Sources (if applicable): N/A

Table 1 - Project 5
Project Title - *Open Ditch-Near Northside (Gano Area)*
Project Activity: 5

Completion Method: Bid / Contract

Storm Impact: Failure to Function

National Objective: LMI

Total Benes: 2453

LMI Benes: 1998

Funding			
	DR Funds	Other Funds	Total Funds
Project / Construction	$1,349,255.00	$0.00	$1,349,255.00
Acquisition	$0.00	$0.00	$0.00
Engineering (Third Party)	$233,315.00	$0.00	$233,315.00
Engineering (In-House)	$0.00	$0.00	$0.00
Grant Administration (Third Party)	$71,108.00	$0.00	$71,108.00
Grant Administraction (In-House)	$35,427.00	$0.00	$35,427.00
Total	**$1,689,105.00**	**$0.00**	**$1,689,105.00**

Other Fund Sources (if applicable): N/A

Table 1 - Project 6
Project Title - *Open Ditch-OST/South Union (Calhoun Road Area)*
Project Activity: 5

Completion Method: Bid / Contract

Storm Impact: Failure to Function

National Objective: LMI

Total Benes: 3127

LMI Benes: 2360

Funding			
	DR Funds	Other Funds	Total Funds
Project / Construction	$2,894,454.00	$0.00	$2,894,454.00
Acquisition	$0.00	$0.00	$0.00
Engineering (Third Party)	$474,945.00	$0.00	$474,945.00
Engineering (In-House)	$0.00	$0.00	$0.00
Grant Administration (Third Party)	$152,542.00	$0.00	$152,542.00
Grant Administraction (In-House)	$76,000.00	$0.00	$76,000.00
Total	**$3,597,941.00**	**$0.00**	**$3,597,941.00**

Other Fund Sources (if applicable): N/A

	TABLE 1 - SUMMARY			
		DR Funds	Other Funds	Total Funds
Table 1 Summary	Project / Construction	$20,696,962.00	$0.00	$20,696,962.00
	Acquisition	$0.00	$0.00	$0.00
	Engineering (Third Party)	$3,858,085.00	$0.00	$3,858,085.00
	Engineering (In-House)	$0.00	$0.00	$0.00
	Grant Administrator (Third Party)	$1,045,959.00	$0.00	$1,045,959.00
	Grant Administrator (In-House)	$522,980.00	$0.00	$522,980.00
	Table 1 Subtotal	**$26,123,986.00**	**$0.00**	**$26,123,986.00**
Environ. Summary	Environmental (Third-Party)	$25,000.00	$0.00	$25,000.00
	Environmental (In-House)	$0.00	$0.00	$0.00
	Table 1 Total	**$26,148,986.00**	**$0.00**	**$26,148,986.00**
	DR Requested Amount	**$26,148,986.00**	**$0.00**	**$26,148,986.00**

TABLE 2 - ENGINEER'S OPINION OF PROBABLE COST

Project #1 - Near Northside CRA Infrastructure Project								
Materials / Facilities	$/Unit	Unit	Quantity	Const. $	Acq $	Eng $	Spc Eng $	Total $
Earthwork	$20	CY	22,700	**$454,000**	$	$	$	**$454,000**
Clearing and grubbing	$8,900	AC	2	**$17,800**	$	$	$	**$17,800**
Drilled shafts (24-42")	$171	LF	7,200	**$1,231,200**	$	$	$	**$1,231,200**
Steel railing	$100	LF	1,900	**$190,000**	$	$	$	**$190,000**
Retaining wall-spread footing	$63	SF	4,450	**$280,350**	$	$	$	**$280,350**
Traffic control	$323,000	LS	1	**$323,000**	$	$	$	**$323,000**
Traffic signal	$250,000	EA	1	**$250,000**	$	$	$	**$250,000**
Signage and striping	$75,500	LS	1	**$75,500**	$	$	$	**$75,500**
Storm sewer pipe (24-42")	$107	LF	3,820	**$408,740**	$	$	$	**$408,740**
Storm sewer pipe (60-66")	$906	LF	1,687	**$1,528,422**	$	$	$	**$1,528,422**
Storm swr manholes (24-42")	$3,740	EA	38	**$142,120**	$	$	$	**$142,120**
Storm swr manholes (60"+)	$12,500	EA	14	**$175,000**	$	$	$	**$175,000**
Wheelchair ramp	$1,600	EA	34	**$54,400**	$	$	$	**$54,400**
Concrete sidewalk	$10	LF	42,305	**$433,626**	$	$	$	**$433,626**
Concrete curb	$6	LF	7,600	**$45,600**	$	$	$	**$45,600**
Remove/dispose existing improvs	$277,075	LS	1	**$277,075**	$	$	$	**$277,075**
Lime	$154	TN	659	**$101,486**	$	$	$	**$101,486**
Lime stabilized subgrade	$8	SY	26,010	**$208,080**	$	$	$	**$208,080**
HMAC base and surface	$130	TN	2,281	**$296,530**	$	$	$	**$296,530**
Concrete pavement	$75	SY	20,250	**$1,518,750**	$	$	$	**$1,518,750**
	$			**$**	$	$	$	**$**
Engineering-Special	$			**$**	$	$263,000	$	**$263,000**
Engineering-Basic	$			**$**	$	$1,660,000	$	**$1,660,000**
Misc. appurtenances	$36,946	LS	1	**$36,946**	$	$	$	**$36,946**
SWPPP	$75,000	LS	1	**$75,000**	$	$	$	**$75,000**
Mobilization	$352,000	LS	1	**$352,000**	$	$	$	**$352,000**
Relocate/replace utilities	$268,000	LS	1	**$268,000**	$	$	$	**$268,000**
Storm sewer inlets	$3,625	EA	41	**$148,625**	$	$	$	**$148,625**

Retaining wall-drilled pier	$70	SF	6,750	$472,500	$	$	$	$472,500
Cast-in-place headwall	$875	CY	22	$19,250	$	$	$	$19,250
			TOTAL	$9,384,000	$	$1,923,000	$	$11,307,000

Annual Projected Operation and Maintenance Costs associated with the proposed activities:
Street and storm sewer cleaning and as-needed spot repair only (10+ years), negligible costs (approximately $4,000 annually).

Special Engineering Activities:
Survey, construction period observation

Project #2 - Greater Fifth Ward CRA Infrastructure Project

Materials / Facilities	$/Unit	Unit	Quantity	Const. $	Acq $	Eng $	Spc Eng $	Total $
Driveway aprons	$1,590	EA	15	$23,850	$	$	$	$23,850
Detention pond	$21	CY	22,931	$486,137	$	$	$	$486,137
24" reinforced concrete SS pipe	$106	LF	4,215	$446,790	$	$	$	$446,790
Demo/remove driveway aprons	$212	EA	15	$3,180	$	$	$	$3,180
Clear/grub	$63,600	LS	1	$63,600	$	$	$	$63,600
7" reinforced concrete pavement	$53	SY	21,602	$1,144,906	$	$	$	$1,144,906
6" subgrade	$7	SY	22,280	$165,318	$	$	$	$165,318
3" asphaltic concrete pavement w/subgrade	$30	SY	155	$4,600	$	$	$	$4,600
6" concrete curb	$4	LF	12,885	$54,632	$	$	$	$54,632
Basic Design	$			$	$	$489,000	$	$489,000
Survey/staking	$			$	$	$41,000	$	$41,000
Construction Mgmt/Inpection	$			$	$	$240,000	$	$240,000
Geotechnical	$			$	$	$142,000	$	$142,000
Other special engineering	$			$	$	$90,000	$	$90,000
Type B-B SS inlet	$2,968	EA	58	$172,144	$	$	$	$172,144
Type C SS manhole standard	$3,922	EA	59	$231,398	$	$	$	$231,398
Type C SS manhole constructed	$4,770	EA	16	$76,320	$	$	$	$76,320
Adjust existing manhole	$530	EA	3	$1,590	$	$	$	$1,590
Connect to existing 10x10 box SS	$15,900	EA	2	$31,800	$	$	$	$31,800
Bore/jack	$689	LF	100	$68,900	$	$	$	$68,900
RR crossing	$318,000	LS	1	$318,000	$	$	$	$318,000
Traffic control	$307,400	LS	1	$307,400	$	$	$	$307,400
SWPPP	$127,200	LS	1	$127,200	$	$	$	$127,200

30" reinforced concrete SS pipe	$148	LF	554	$82,214	$	$	$	$82,214
36" reinforced concrete SS pipe	$175	LF	920	$160,908	$	$	$	$160,908
42" reinforced concrete SS pipe	$201	LF	260	$52,364	$	$	$	$52,364
48" reinforced concrete SS pipe	$228	LF	1,150	$262,085	$	$	$	$262,085
54" reinforced concrete SS pipe	$254	LF	410	$104,304	$	$	$	$104,304
60" reinforced concrete SS pipe	$297	LF	855	$253,764	$	$	$	$253,764
Mobilization	$218,302	LS	1	$218,302	$	$	$	$218,302
Demo/remove concrete	$13	SY	11,436	$145,466	$	$	$	$145,466
Demo/remove 12-24" storm sewer (SS)	$53	LF	3,335	$176,755	$	$	$	$176,755
Demo/remove 36-48" SS line	$106	LF	835	$88,510	$	$	$	$88,510
Demo/remove SS inlets	$424	EA	20	$8,480	$	$	$	$8,480
Demo/remove SS manholes	$530	EA	21	$11,130	$	$	$	$11,130
Relocate utilities	$689,000	LS	1	$689,000	$	$	$	$689,000
			TOTAL	$5,981,047	$	$1,002,000	$	$6,983,047

Annual Projected Operation and Maintenance Costs associated with the proposed activities:
Generally none should be needed over the next ten (10) years as this is new infrastructure. A reasonable worst case scenario would be street cleaning and jetting of the storm sewer at a clogged area estimated to be $3,000 annually.

Special Engineering Activities:
Detention and drainage analysis, traffic control design, SWPPP, storm water quality management plan, railroad coordination

Project #3 - Open Ditch-Greater Fifth Ward (Nichols Area)

Materials / Facilities	$/Unit	Unit	Quantity	Const. $	Acq $	Eng $	Spc Eng $	Total $
Sidewalk culvert sediment removal	$250	EA	11	$2,750	$	$	$	$2,750
Roadside ditch regrade/remove excavated material	$15	LF	9,300	$139,500	$	$	$	$139,500
Hydromulch	$3	LF	9,300	$23,250	$	$	$	$23,250
Basic design	$			$	$	$70,425	$	$70,425
Inspection/constr mgt	$			$	$	$44,016	$	$44,016
Mobilization	$44,837	LS	1	$44,837	$	$	$	$44,837
Clear/grub	$4	LF	9,300	$40,734	$	$	$	$40,734
SWPPP	$4	LF	9,300	$34,875	$	$	$	$34,875
Traffic/traffic control devices	$4	LF	9,300	$34,875	$	$	$	$34,875
24" HDPE driveway culverts (15')	$1,875	EA	62	$116,250	$	$	$	$116,250
Concrete driveway replacement (12x15)	$4,500	EA	62	$279,000	$	$	$	$279,000

Driveway culvert sediment removal	$750	EA	9	$6,750	$	$	$	$6,750
24" HDPE sidewalk culvert (4')	$938	EA	43	$40,334	$	$	$	$40,334
Roadside ditch sidewalk crossing	$1,750	EA	43	$75,250	$	$	$	$75,250
Survey	$			$	$	$26,409	$	$26,409
Testing	$			$	$	$13,205	$	$13,205
			TOTAL	$838,405	$	$154,055	$	$992,460

Annual Projected Operation and Maintenance Costs associated with the proposed activities:
Ditch and culvert sediment removal/regrade (15 year maintenance cycle, annualized cost): $13,700

Special Engineering Activities:
extensive field survey, testing (compaction, driveway, slope), construction observation

Project #4 - Open Ditch-Greater Fifth Ward (West Coke Area)

Materials / Facilities	$/Unit	Unit	Quantity	Const. $	Acq $	Eng $	Spc Eng $	Total $
Mobilization	$13,359	LS	1	$13,359	$	$	$	$13,359
Clear/grub	$4	LF	2,440	$10,687	$	$	$	$10,687
SWPPP	$4	LF	2,440	$9,150	$	$	$	$9,150
Traffic/traffic control devices	$4	LF	2,440	$9,150	$	$	$	$9,150
24" HDPE driveway culvert (15')	$1,875	EA	21	$39,375	$	$	$	$39,375
Concrete driveway replacement (12x15)	$4,500	EA	21	$94,500	$	$	$	$94,500
Driveway culvert sediment removal	$750	EA	5	$3,750	$	$	$	$3,750
24" HDPE sidewalk culvert (4')	$938	EA	10	$9,380	$	$	$	$9,380
Roadside ditch sidewalk crossing	$1,750	EA	10	$17,500	$	$	$	$17,500
Sidewalk culvert sediment removal	$250	EA	1	$250	$	$	$	$250
Roadside ditch regrade/excavate	$15	LF	2,440	$36,600	$	$	$	$36,600
Hydromulch	$3	LF	2,440	$6,100	$	$	$	$6,100
	$			$	$	$	$	$
Basic design	$			$	$	$32,352	$	$32,352
Inspect/constr mgmt	$			$	$	$20,220	$	$20,220
Survey	$			$	$	$12,132	$	$12,132

Testing	$			$	$	$6,066	$	$6,066
			TOTAL	$249,801	$	$70,770	$	$320,571

Annual Projected Operation and Maintenance Costs associated with the proposed activities:
Ditch and culvert sediment removal/regrade (15 year maintenance cycle, annualized cost): $3,600

Special Engineering Activities:
extensive field survey, testing (compaction, driveway, slope), construction observation

Project #5 - Open Ditch-Near Northside (Gano Area)

Materials / Facilities	$/Unit	Unit	Quantity	Const. $	Acq $	Eng $	Spc Eng $	Total $
Mobilization	$72,157	LS	1	$72,157	$	$	$	$72,157
Clear/grub	$4	LF	13,100	$57,378	$	$	$	$57,378
SWPPP	$4	LF	13,100	$49,125	$	$	$	$49,125
Traffic/traffic control devices	$4	LF	13,100	$49,125	$	$	$	$49,125
24" HDPE driveway culvert (15')	$1,875	EA	110	$206,250	$	$	$	$206,250
Concrete driveway replacement (12x15)	$4,500	EA	110	$495,000	$	$	$	$495,000
Driveway culvert sediment removal	$750	EA	16	$12,000	$	$	$	$12,000
24" HDPE sidewalk culvert (4')	$938	EA	65	$60,970	$	$	$	$60,970
Roadside ditch sidewalk crossing	$1,750	EA	65	$113,750	$	$	$	$113,750
Sidewalk culvert sediment removal	$250	EA	17	$4,250	$	$	$	$4,250
Roadside ditch regrade/excavate	$15	LF	13,100	$196,500	$	$	$	$196,500
Hydromulch	$3	LF	13,100	$32,750	$	$	$	$32,750
	$			$	$	$	$	$
Basic design	$			$	$	$106,659	$	$106,659
Inspect/constr mgmt	$			$	$	$66,661	$	$66,661
Survey	$			$	$	$39,997	$	$39,997

Testing	$			$	$	$19,998	$	$19,998
			TOTAL	$1,349,255	$	$233,315	$	$1,582,570

Annual Projected Operation and Maintenance Costs associated with the proposed activities:
Ditch and culvert sediment removal/regrade (15 year maintenance cycle, annualized cost): $19,300

Special Engineering Activities:
extensive field survey, testing (compaction, driveway, slope), construction observation

Project #6 - Open Ditch-OST/South Union (Calhoun Road Area)

Materials / Facilities	$/Unit	Unit	Quantity	Const. $	Acq $	Eng $	Spc Eng $	Total $
Mobilization	$153,740	LS	1	$153,740	$	$	$	$153,740
Clear/grub	$4	LF	38,100	$166,878	$	$	$	$166,878
SWPPP	$4	LF	38,100	$142,875	$	$	$	$142,875
Traffic control	$4	LF	38,100	$142,875	$	$	$	$142,875
24" HDPE driveway culvert (15')	$1,875	EA	222	$416,250	$	$	$	$416,250
Concrete driveway replacement (12x15)	$4,500	EA	222	$999,000	$	$	$	$999,000
Driveway culvert sediment removal	$750	EA	92	$69,000	$	$	$	$69,000
24" HDPE sidewalk culvert (4')	$938	EA	47	$44,086	$	$	$	$44,086
Roadside ditch sidewalk crossing	$1,750	EA	46	$80,500	$	$	$	$80,500
Sidewalk culvert sediment removal	$250	EA	22	$5,500	$	$	$	$5,500
Roadside ditch regrade/excavate	$15	LF	38,500	$577,500	$	$	$	$577,500
Hydromulch	$3	LF	38,500	$96,250	$	$	$	$96,250
	$			$	$	$	$	$
Basic design	$			$	$	$217,117	$	$217,117
Inspect/constr mgmt	$			$	$	$135,699	$	$135,699
Survey	$			$	$	$81,419	$	$81,419

Testing	$			$	$	$40,710	$	$40,710
			TOTAL	$2,894,454	$	$474,945	$	$3,369,399

Annual Projected Operation and Maintenance Costs associated with the proposed activities:
Ditch and culvert sediment removal/regrade (15 year maintenance cycle, annualized cost): $53,000

Special Engineering Activities:
extensive field survey, testing (compaction, driveway, slope), construction observation

ENGINEERING ACTIVITY SCHEDULE

Project Number: 1

	Starting Month	Ending Month	Duration (in Months)
Professional Procurement & Contracting	0	n/a	1
30% Design	0	1	2
Environmental Review & Certification	0	1	2
Acquisition	0	0	0
60% Design	1	2	2
100% Design	2	5	4
Advertise	5	n/a	1
Bid Opening	6	n/a	1
Award Construction Contract	7	n/a	1
Construction	8	23	16
Closeout Completion	24	n/a	1

Project Number: 2

	Starting Month	Ending Month	Duration (in Months)
Professional Procurement & Contracting	0	n/a	1
30% Design	0	6	7
Environmental Review & Certification	7	13	7
Acquisition	0	0	0
60% Design	7	9	3
100% Design	10	13	4
Advertise	14	n/a	1
Bid Opening	15	n/a	1
Award Construction Contract	15	n/a	1
Construction	16	33	18
Closeout Completion	34	n/a	1

Project Number: 3

	Starting Month	Ending Month	Duration (in Months)
Professional Procurement & Contracting	0	n/a	1
30% Design	0	4	5
Environmental Review & Certification	4	11	8
Acquisition	0	0	0
60% Design	5	8	4
100% Design	9	11	3
Advertise	12	n/a	1
Bid Opening	13	n/a	1
Award Construction Contract	14	n/a	1
Construction	15	23	9
Closeout Completion	24	n/a	1

Project Number: 4

	Starting Month	Ending Month	Duration (in Months)
Professional Procurement & Contracting	0	n/a	1
30% Design	0	4	5
Environmental Review & Certification	4	11	8
Acquisition	0	0	0
60% Design	5	8	4
100% Design	9	11	3
Advertise	12	n/a	1
Bid Opening	13	n/a	1
Award Construction Contract	14	n/a	1
Construction	15	23	9
Closeout Completion	24	n/a	1

Project Number: 5

	Starting Month	Ending Month	Duration (in Months)
Professional Procurement & Contracting	0	n/a	1
30% Design	0	4	5
Environmental Review & Certification	4	11	8
Acquisition	0	0	0
60% Design	5	8	4
100% Design	9	11	3
Advertise	12	n/a	1
Bid Opening	13	n/a	1
Award Construction Contract	14	n/a	1
Construction	15	23	9
Closeout Completion	24	n/a	1

Project Number: 6

	Starting Month	Ending Month	Duration (in Months)
Professional Procurement & Contracting	0	n/a	1
30% Design	0	4	5
Environmental Review & Certification	4	11	8
Acquisition	0	0	0
60% Design	5	8	4
100% Design	9	11	3
Advertise	12	n/a	1
Bid Opening	13	n/a	1
Award Construction Contract	14	n/a	1
Construction	15	23	9
Closeout Completion	24	n/a	1

DESCRIPTION OF NEED BY PROJECT

Provide full and complete answers to each of the questions below. Descriptions should include the cause of the **damage** (i.e. wind, wind driven rain, rising water, etc...) or **failure of function**; current condition of the facility; and a detailed description of the project that coincides with the information contained in both Tables 1 and 2.

All activities must have documented proof of an impact by either Hurricane Dolly or Hurricane Ike. There must be a clear and compelling need related to the disaster declaration, hurricane disaster relief, long-term recovery and/or restoration of infrastructure.

Project#: 1Title: Near Northside CRA Infrastructure Project — Activity: 5

1. Describe the specific storm related condition that caused the failure to function:

   heavy rainfall and flooded bayous

2. Describe how the system failed to function:

   exceeding the handling capacity of the existing surface and underground storm drainage systems

3. Describe the impacts on the community that resulted from the failure to function:

   flooding of streets and private property which hindered access to the area by emergency vehicles and for residents to evacuate

4. List materials submitted as documentation of the storm condition and the resulting system impacts:

   maps showing the locations of hurricane-affected homes and 311 calls to the City to report street (ROW) flooding, statement by engineer that proposed improvements will help address failure of existing drainage system to function, and photographs of flooding in the vicinity of the project area

5. Describe how the proposed activities will prevent failure of the system affected by the hurricane and the reoccurrence of the impacts:

   replacing the inadequate drainage infrastructure with storm sewer system sized to handle severe storm related rainfall events, and improving surface drainage and ingress/egress to the area through the reconstruction of Burnett Street and its intersection with North Main Street

6. Describe the proposed project:

   the redesign and reconstruction of streets (including curb and gutter) and storm drainage infrastructure

The paragraph below is composed from your answers to the questions No. 1 through 6 above. Please review the paragraph and ensure that it is a coherent and accurate statement. If is not, please revise your answers to the above questions, accordingly.

Hurricane Ike/Dolly caused heavy rainfall and flooded bayous which led to exceeding the handling capacity of the existing surface and underground storm drainage systems causing impacts to the community such as flooding of streets and private property which hindered access to the area by emergency vehicles and for residents to evacuate. The proposed project consists of the redesign and reconstruction of streets (including curb and gutter) and storm drainage infrastructure, which will address failure of the affected system by replacing the inadequate drainage infrastructure with storm sewer system sized to handle severe storm related rainfall events, and improving surface drainage and ingress/egress to the area through the reconstruction of Burnett Street and its intersection with North Main Street. Documentation of storm related conditions and impacts consist of maps showing the locations of hurricane-affected homes and 311 calls to the City to report street (ROW) flooding, statement by engineer that proposed improvements will help address failure of existing drainage system to function, and photographs of flooding in the vicinity of the project area, which are attached to this application.

7. Was there damage to this system? Yes ☐ No ■

   Will these funds repair or replace any of this damage? Describe:

8. Is the applicant participating in the National Flood Insurance Program? Yes ■ No ☐

9. Does this project meet the national objective of Prevention/Elimination of Slumsor Blight? Yes ☐ No ■

   What conditions are present in the area to designate and qualify the area as a slum or blighted area?

10. Does this project address the impediments identified in the AI? or otherwise, within your area?

    Yes. The City has developed a comprehensive plan to strategically invest funds to address the needs of the impacted population and Affirmatively Further Fair Housing. See FHAST Letter, Long-Term Planning and the City's Rental Guidelines.

11. Will the assistance requested have any negative impact(s) to effect(s) on the environment? Yes ☐ No ■

Note: All funded applications will have to comply with Federal regulations regarding environment clearance before funds are released.

Disaster Recovery Enhancement Fund Qualifications

The following questions are designed to determine if the proposed project potentially meets the qualifications of the Disaster Recovery Enhancement Fund.

1. Does the project include demolition, acquisition or relocation of homes or private sector employer structures in areas of severe disaster risk, such as the 100-year floodplain, resulting in greenspace? Yes ☐ No ■

2. Does the project include reduction of damage risks to residential structures, such as elevation and storm-hardening? Yes ☐ No ■

3. Does the project include drainage improvements that reduce flood risk to residential properties? Yes ■ No ☐

   3a. Does the project include appropriate revisions to the Flood Insurance Rate Map for the affected area? Yes ☐ No ■

4. Does the project include funding to hire code enforcement officials; develop or update disaster resilient building codes; develop or update zoning, design or development standards that are disaster-resilient; or training on enforcement of new codes or standards? Yes ☐ No ■

5. Does the project include development and implementation of forward-thinking plans, such as land-use plans that reduce risk, hazard mitigation plans and flood plain mapping? Yes ☐ No ■

6. Describe how the project is consistent with the DREF guidelines listed above:

   The improvements will expand the capacity of the storm sewer drainage system and mitigate flooding, while the associated street improvements which will be drained by curb/gutter and storm sewer inlets will provide better access to residents to exit the area and for emergency vehicles to enter.

Project#: 2Title: Greater Fifth Ward CRA Infrastructure Project **Activity: 5**

1. Describe the specific storm related condition that caused the failure to function:

   heavy rainfall (12 to 14 inches) in the immediate area

2. Describe how the system failed to function:

   failure of the surface and storm drainage systems in the Greater Fifth Ward to function

3. Describe the impacts on the community that resulted from the failure to function:

   widespread flooding which blocked roadways and flooded property

4. List materials submitted as documentation of the storm condition and the resulting system impacts:

   Hurricane Ike rainfall data, LIDAR mapping indicating areas prone to flood water pooling, locations of Ike ROW and structure flooding reports, and photographs of flooding in the vicinity of the project area

5. Describe how the proposed activities will prevent failure of the system affected by the hurricane and the reoccurrence of the impacts:

   expanding the capacity of the storm drainage system to reduce street and property flooding and reconnect the street grid to provide additional evacuation routes for neighborhood residents and access for emergency personnel

6. Describe the proposed project:

   installation of new and upgraded storm sewer lines and construction of new and upgraded roadways with curb and gutter and storm sewer inlets

The paragraph below is composed from your answers to the questions No. 1 through 6 above. Please review the paragraph and ensure that it is a coherent and accurate statement. If is not, please revise your answers to the above questions, accordingly.

Hurricane Ike/Dolly caused heavy rainfall (12 to 14 inches) in the immediate area which led to failure of the surface and storm drainage systems in the Greater Fifth Ward to function causing impacts to the community such as widespread flooding which blocked roadways and flooded property. The proposed project consists of installation of new and upgraded storm sewer lines and construction of new and upgraded roadways with curb and gutter and storm sewer inlets, which will address failure of the affected system by expanding the capacity of the storm drainage system to reduce street and property flooding and reconnect the street grid to provide additional evacuation routes for neighborhood residents and access for emergency personnel. Documentation of storm related conditions and impacts consist of Hurricane Ike rainfall data, LIDAR mapping indicating areas prone to flood water pooling, locations of Ike ROW and structure flooding reports, and photographs of flooding in the vicinity of the project area, which are attached to this application.

7. Was there damage to this system? Yes ☐ No ■

   Will these funds repair or replace any of this damage? Describe:

8. Is the applicant participating in the National Flood Insurance Program? Yes ■ No ☐

9. Does this project meet the national objective of Prevention/Elimination of Slumsor Blight? Yes ☐ No ■

   What conditions are present in the area to designate and qualify the area as a slum or blighted area?

10. Does this project address the impediments identified in the AI? or otherwise, within your area?

    Yes. The City has developed a comprehensive plan to strategically invest funds to address the needs of the impacted population and Affirmatively Further Fair Housing. See FHAST Letter, Long-Term Planning and the City's Rental Guidelines.

11. Will the assistance requested have any negative impact(s) to effect(s) on the environment? Yes ☐ No ■

    Note: All funded applications will have to comply with Federal regulations regarding environment clearance before funds are released.

Disaster Recovery Enhancement Fund Qualifications

The following questions are designed to determine if the proposed project potentially meets the qualifications of the Disaster Recovery Enhancement Fund.

1. Does the project include demolition, acquisition or relocation of homes or private sector employer structures in areas of severe disaster risk, such as the 100-year floodplain, resulting in greenspace? Yes ☐ No ■

2. Does the project include reduction of damage risks to residential structures, such as elevation and Yes ☐ No ■

storm-hardening?

3. Does the project include drainage improvements that reduce flood risk to residential properties? Yes ■ No ☐

   3a. Does the project include appropriate revisions to the Flood Insurance Rate Map for the affected area? Yes ☐ No ■

4. Does the project include funding to hire code enforcement officials; develop or update disaster resilient building codes; develop or update zoning, design or development standards that are disaster-resilient; or training on enforcement of new codes or standards? Yes ☐ No ■

5. Does the project include development and implementation of forward-thinking plans, such as land-use plans that reduce risk, hazard mitigation plans and flood plain mapping? Yes ☐ No ■

6. Describe how the project is consistent with the DREF guidelines listed above:

   The proposed storm sewer and surface drainage improvements will be designed to reduce flooding to existing residential properties located along Bringhurst, Hare, Nance, Capron, Buck, Press, Gunter and Coke Streets. It will also provide improved drainage and access to the surrounding neighborhoods.

Project#: 3Title: Open Ditch-Greater Fifth Ward (Nichols Area) **Activity: 5**

1. Describe the specific storm related condition that caused the failure to function:

   heavy rainfall (8-16 inches) across central Houston

2. Describe how the system failed to function:

   localized failure of the city's surface and storm sewer drainage systems to adequately function

3. Describe the impacts on the community that resulted from the failure to function:

   flooding of the public rights of way and private properties, disruption of public services, hazardous driving conditions, and stormwater pooling which contributes to the spread of insect-borne diseases

4. List materials submitted as documentation of the storm condition and the resulting system impacts:

   Hurricane Ike rainfall data, GIS mapping indicating the locations prone to pooled flood waters in the targeted neighborhoods, maps of Ike-related 311 calls and ROW/structural flooding reports, and photographs of flooding in the vicinity of the project area

5. Describe how the proposed activities will prevent failure of the system affected by the hurricane and the reoccurrence of the impacts:

   expanding the capacity of the drainage system to collect and convey stormwater runoff away from area roadways and yards

6. Describe the proposed project:

   reconstruction of approximately 9,300 linear feet of roadside drainage ditch and culvert system throughout the targeted neighborhoods

The paragraph below is composed from your answers to the questions No. 1 through 6 above. Please review the paragraph and ensure that it is a coherent and accurate statement. If is not, please revise your answers to the above questions, accordingly.

Hurricane Ike/Dolly caused heavy rainfall (8-16 inches) across central Houston which led to localized failure of the city's surface and storm sewer drainage systems to adequately function causing impacts to the community such as flooding of the public rights of way and private properties, disruption of public services, hazardous driving conditions, and stormwater pooling which contributes to the spread of insect-borne diseases. The proposed project consists of reconstruction of approximately 9,300 linear feet of roadside drainage ditch and culvert system throughout the targeted neighborhoods, which will address failure of the affected system by expanding the capacity of the drainage system to collect and convey stormwater runoff away from area roadways and yards. Documentation of storm related conditions and impacts consist of Hurricane Ike rainfall data, GIS mapping indicating the locations prone to pooled flood waters in the targeted neighborhoods, maps of Ike-related 311 calls and ROW/structural flooding reports, and photographs of flooding in the vicinity of the project area, which are attached to this application.

7. Was there damage to this system? Yes ☐ No ■

   Will these funds repair or replace any of this damage? Describe:

8. Is the applicant participating in the National Flood Insurance Program? Yes ■ No ☐

9. Does this project meet the national objective of Prevention/Elimination of Slumsor Blight? Yes ☐ No ■

   What conditions are present in the area to designate and qualify the area as a slum or blighted area?

10. Does this project address the impediments identified in the AI? or otherwise, within your area?

    Yes. The City has developed a comprehensive plan to strategically invest funds to address the needs of the impacted population and Affirmatively Further Fair Housing. See FHAST Letter, Long-Term Planning and the City's Rental Guidelines.

11. Will the assistance requested have any negative impact(s) to effect(s) on the environment? Yes ☐ No ■

    Note: All funded applications will have to comply with Federal regulations regarding environment clearance before funds are released.

Disaster Recovery Enhancement Fund Qualifications

The following questions are designed to determine if the proposed project potentially meets the qualifications of the Disaster Recovery Enhancement Fund.

1. Does the project include demolition, acquisition or relocation of homes or private sector employer structures in areas of severe disaster risk, such as the 100-year floodplain, resulting in greenspace? Yes ☐ No ■

2. Does the project include reduction of damage risks to residential structures, such as elevation and storm-hardening? Yes ☐ No ■

3. Does the project include drainage improvements that reduce flood risk to residential properties? Yes ■ No ☐

   3a. Does the project include appropriate revisions to the Flood Insurance Rate Map for the affected area? Yes ☐ No ■

4. Does the project include funding to hire code enforcement officials; develop or update disaster resilient building codes; develop or update zoning, design or development standards that are disaster-resilient; or training on enforcement of new codes or standards? Yes ☐ No ■

5. Does the project include development and implementation of forward-thinking plans, such as land-use plans that reduce risk, hazard mitigation plans and flood plain mapping? Yes ☐ No ■

6. Describe how the project is consistent with the DREF guidelines listed above:

   The proposed surface drainage improvements will be designed to reduce flooding risk to existing residential properties located in the neighborhood.

Project#: 4Title: Open Ditch-Greater Fifth Ward (West Coke Area) **Activity: 5**

1. Describe the specific storm related condition that caused the failure to function:

   heavy rainfall (8-16 inches) across central Houston

2. Describe how the system failed to function:

   localized failure of the city's surface and storm sewer drainage systems to adequately function

3. Describe the impacts on the community that resulted from the failure to function:

   flooding of the public rights of way and private properties, disruption of public services, hazardous driving conditions, and stormwater pooling which contributes to the spread of insect-borne diseases

4. List materials submitted as documentation of the storm condition and the resulting system impacts:

   Hurricane Ike rainfall data, GIS mapping indicating the locations prone to pooled flood waters in the targeted neighborhoods, maps of Ike-related 311 calls and ROW/structural flooding reports, and photographs of flooding in the vicinity of the project area

5. Describe how the proposed activities will prevent failure of the system affected by the hurricane and the reoccurrence of the impacts:

   expanding the capacity of the drainage system to collect and convey stormwater runoff away from area roadways and yards

6. Describe the proposed project:

   reconstruction of approximately 2,440 linear feet of roadside drainage ditch and culvert system throughout the targeted neighborhoods

The paragraph below is composed from your answers to the questions No. 1 through 6 above. Please review the paragraph and ensure that it is a coherent and accurate statement. If is not, please revise your answers to the above questions, accordingly.

Hurricane Ike/Dolly caused heavy rainfall (8-16 inches) across central Houston which led to localized failure of the city's surface and storm sewer drainage systems to adequately function causing impacts to the community such as flooding of the public rights of way and private properties, disruption of public services, hazardous driving conditions, and stormwater pooling which contributes to the spread of insect-borne diseases. The proposed project consists of reconstruction of approximately 2,440 linear feet of roadside drainage ditch and culvert system throughout the targeted neighborhoods, which will address failure of the affected system by expanding the capacity of the drainage system to collect and convey stormwater runoff away from area roadways and yards. Documentation of storm related conditions and impacts consist of Hurricane Ike rainfall data, GIS mapping indicating the locations prone to pooled flood waters in the targeted neighborhoods, maps of Ike-related 311 calls and ROW/structural flooding reports, and photographs of flooding in the vicinity of the project area, which are attached to this application.

7. Was there damage to this system? Yes ☐ No ■

   Will these funds repair or replace any of this damage? Describe:

8. Is the applicant participating in the National Flood Insurance Program? Yes ■ No ☐

9. Does this project meet the national objective of Prevention/Elimination of Slumsor Blight? Yes ☐ No ■

   What conditions are present in the area to designate and qualify the area as a slum or blighted area?

10. Does this project address the impediments identified in the AI? or otherwise, within your area?

    Yes. The City has developed a comprehensive plan to strategically invest funds to address the needs of the impacted population and Affirmatively Further Fair Housing. See FHAST Letter, Long-Term Planning and the City's Rental Guidelines.

11. Will the assistance requested have any negative impact(s) to effect(s) on the environment? Yes ☐ No ■

    Note: All funded applications will have to comply with Federal regulations regarding environment clearance before funds are released.

Disaster Recovery Enhancement Fund Qualifications

The following questions are designed to determine if the proposed project potentially meets the qualifications of the Disaster Recovery Enhancement Fund.

1. Does the project include demolition, acquisition or relocation of homes or private sector employer structures in areas of severe disaster risk, such as the 100-year floodplain, resulting in greenspace? Yes ☐ No ■

2. Does the project include reduction of damage risks to residential structures, such as elevation and storm-hardening? Yes ☐ No ■

3. Does the project include drainage improvements that reduce flood risk to residential properties? Yes ■ No ☐

   3a. Does the project include appropriate revisions to the Flood Insurance Rate Map for the affected area? Yes ☐ No ■

4. Does the project include funding to hire code enforcement officials; develop or update disaster resilient building codes; develop or update zoning, design or development standards that are disaster-resilient; or training on enforcement of new codes or standards? Yes ☐ No ■

5. Does the project include development and implementation of forward-thinking plans, such as land-use plans that reduce risk, hazard mitigation plans and flood plain mapping? Yes ☐ No ■

6. Describe how the project is consistent with the DREF guidelines listed above:

   The proposed surface drainage improvements will be designed to reduce flooding risk to existing residential properties located in the neighborhood.

Project#: 5Title: Open Ditch-Near Northside (Gano Area) **Activity: 5**

1. Describe the specific storm related condition that caused the failure to function:

   heavy rainfall (8-16 inches) across central Houston

2. Describe how the system failed to function:

   localized failure of the city's surface and storm sewer drainage systems to adequately function

3. Describe the impacts on the community that resulted from the failure to function:

   flooding of the public rights of way and private properties, disruption of public services, hazardous driving conditions, and stormwater pooling which contributes to the spread of insect-borne diseases

4. List materials submitted as documentation of the storm condition and the resulting system impacts:

   Hurricane Ike rainfall data, GIS mapping indicating the locations prone to pooled flood waters in the targeted neighborhoods, maps of Ike-related 311 calls and ROW/structural flooding reports, and photographs of flooding in the vicinity of the project area

5. Describe how the proposed activities will prevent failure of the system affected by the hurricane and the reoccurrence of the impacts:

   expanding the capacity of the drainage system to collect and convey stormwater runoff away from area roadways and yards

6. Describe the proposed project:

   reconstruction of approximately 13,100 linear feet of roadside drainage ditch and culvert system throughout the targeted neighborhoods

The paragraph below is composed from your answers to the questions No. 1 through 6 above. Please review the paragraph and ensure that it is a coherent and accurate statement. If is not, please revise your answers to the above questions, accordingly.

Hurricane Ike/Dolly caused heavy rainfall (8-16 inches) across central Houston which led to localized failure of the city's surface and storm sewer drainage systems to adequately function causing impacts to the community such as flooding of the public rights of way and private properties, disruption of public services, hazardous driving conditions, and stormwater pooling which contributes to the spread of insect-borne diseases. The proposed project consists of reconstruction of approximately 13,100 linear feet of roadside drainage ditch and culvert system throughout the targeted neighborhoods, which will address failure of the affected system by expanding the capacity of the drainage system to collect and convey stormwater runoff away from area roadways and yards. Documentation of storm related conditions and impacts consist of Hurricane Ike rainfall data, GIS mapping indicating the locations prone to pooled flood waters in the targeted neighborhoods, maps of Ike-related 311 calls and ROW/structural flooding reports, and photographs of flooding in the vicinity of the project area, which are attached to this application.

7. Was there damage to this system? Yes ☐ No ■

   Will these funds repair or replace any of this damage? Describe:

8. Is the applicant participating in the National Flood Insurance Program? Yes ■ No ☐

9. Does this project meet the national objective of Prevention/Elimination of Slumsor Blight? Yes ☐ No ■

   What conditions are present in the area to designate and qualify the area as a slum or blighted area?

10. Does this project address the impediments identified in the AI? or otherwise, within your area?

    Yes. The City has developed a comprehensive plan to strategically invest funds to address the needs of the impacted population and Affirmatively Further Fair Housing. See FHAST Letter, Long-Term Planning and the City's Rental Guidelines.

11. Will the assistance requested have any negative impact(s) to effect(s) on the environment? Yes ☐ No ■

    Note: All funded applications will have to comply with Federal regulations regarding environment clearance before funds are released.

Disaster Recovery Enhancement Fund Qualifications

The following questions are designed to determine if the proposed project potentially meets the qualifications of the Disaster Recovery Enhancement Fund.

1. Does the project include demolition, acquisition or relocation of homes or private sector employer structures in areas of severe disaster risk, such as the 100-year floodplain, resulting in greenspace? Yes ☐ No ■

2. Does the project include reduction of damage risks to residential structures, such as elevation and storm-hardening? Yes ☐ No ■

3. Does the project include drainage improvements that reduce flood risk to residential properties? Yes ■ No ☐

   3a. Does the project include appropriate revisions to the Flood Insurance Rate Map for the affected area? Yes ☐ No ■

4. Does the project include funding to hire code enforcement officials; develop or update disaster resilient building codes; develop or update zoning, design or development standards that are disaster-resilient; or training on enforcement of new codes or standards? Yes ☐ No ■

5. Does the project include development and implementation of forward-thinking plans, such as land-use plans that reduce risk, hazard mitigation plans and flood plain mapping? Yes ☐ No ■

6. Describe how the project is consistent with the DREF guidelines listed above:

   The proposed surface drainage improvements will be designed to reduce flooding risk to existing residential properties located in the neighborhood.

Project#: 6Title: Open Ditch-OST/South Union (Calhoun Road Area) **Activity: 5**

1. Describe the specific storm related condition that caused the failure to function:

   heavy rainfall (8-16 inches) across central Houston

2. Describe how the system failed to function:

   localized failure of the city's surface and storm sewer drainage systems to adequately function

3. Describe the impacts on the community that resulted from the failure to function:

   flooding of the public rights of way and private properties, disruption of public services, hazardous driving conditions, and stormwater pooling which contributes to the spread of insect-borne diseases

4. List materials submitted as documentation of the storm condition and the resulting system impacts:

   Hurricane Ike rainfall data, GIS mapping indicating the locations prone to pooled flood waters in the targeted neighborhoods, maps of Ike-related 311 calls and ROW/structural flooding reports, and photographs of flooding in the vicinity of the project area

5. Describe how the proposed activities will prevent failure of the system affected by the hurricane and the reoccurrence of the impacts:

   expanding the capacity of the drainage system to collect and convey stormwater runoff away from area roadways and yards

6. Describe the proposed project:

   reconstruction of approximately 38,100 linear feet of roadside drainage ditch and culvert system throughout the targeted neighborhoods

The paragraph below is composed from your answers to the questions No. 1 through 6 above. Please review the paragraph and ensure that it is a coherent and accurate statement. If is not, please revise your answers to the above questions, accordingly.

Hurricane Ike/Dolly caused heavy rainfall (8-16 inches) across central Houston which led to localized failure of the city's surface and storm sewer drainage systems to adequately function causing impacts to the community such as flooding of the public rights of way and private properties, disruption of public services, hazardous driving conditions, and stormwater pooling which contributes to the spread of insect-borne diseases. The proposed project consists of reconstruction of approximately 38,100 linear feet of roadside drainage ditch and culvert system throughout the targeted neighborhoods, which will address failure of the affected system by expanding the capacity of the drainage system to collect and convey stormwater runoff away from area roadways and yards. Documentation of storm related conditions and impacts consist of Hurricane Ike rainfall data, GIS mapping indicating the locations prone to pooled flood waters in the targeted neighborhoods, maps of Ike-related 311 calls and ROW/structural flooding reports, and photographs of flooding in the vicinity of the project area, which are attached to this application.

7. Was there damage to this system? Yes ☐ No ■

   Will these funds repair or replace any of this damage? Describe:

8. Is the applicant participating in the National Flood Insurance Program? Yes ☐ No ■

9. Does this project meet the national objective of Prevention/Elimination of Slumsor Blight? Yes ☐ No ■

   What conditions are present in the area to designate and qualify the area as a slum or blighted area?

10. Does this project address the impediments identified in the AI? or otherwise, within your area?

    Yes. The City has developed a comprehensive plan to strategically invest funds to address the needs of the impacted population and Affirmatively Further Fair Housing. See FHAST Letter, Long-Term Planning and the City's Rental Guidelines.

11. Will the assistance requested have any negative impact(s) to effect(s) on the environment? Yes ☐ No ■

    Note: All funded applications will have to comply with Federal regulations regarding environment clearance before funds are released.

Disaster Recovery Enhancement Fund Qualifications

The following questions are designed to determine if the proposed project potentially meets the qualifications of the Disaster Recovery Enhancement Fund.

1. Does the project include demolition, acquisition or relocation of homes or private sector employer structures in areas of severe disaster risk, such as the 100-year floodplain, resulting in greenspace? Yes ☐ No ■

2. Does the project include reduction of damage risks to residential structures, such as elevation and storm-hardening? Yes ☐ No ■

3. Does the project include drainage improvements that reduce flood risk to residential properties? Yes ☐ No ■

   3a. Does the project include appropriate revisions to the Flood Insurance Rate Map for the affected area? Yes ☐ No ■

4. Does the project include funding to hire code enforcement officials; develop or update disaster resilient building codes; develop or update zoning, design or development standards that are disaster-resilient; or training on enforcement of new codes or standards? Yes ☐ No ■

5. Does the project include development and implementation of forward-thinking plans, such as land-use plans that reduce risk, hazard mitigation plans and flood plain mapping? Yes ☐ No ■

6. Describe how the project is consistent with the DREF guidelines listed above:

   The proposed surface drainage improvements will be designed to reduce flooding risk to existing residential properties located in the neighborhood.

DESCRIPTION OF NEED BY PROJECT - SITE SPECIFIC

Provide full and complete answers to each of the questions below. Descriptions should include the cause of the **damage** (i.e. wind, wind driven rain, rising water, etc...) or **failure of function**; current condition of the facility; and a detailed description of the project that coincides with the information contained in both Tables 1 and 2.

All activities must have documented proof of an impact by either Hurricane Dolly or Hurricane Ike. There must be a clear and compelling need related to the disaster declaration, hurricane disaster relief, long-term recovery and/or restoration of infrastructure.

A site is defined as a discrete location for activities within a project. A project can have one or more sites. For example, one water project that consists of three generators throughout a city consists of three sites, one for each generator.

Project# 1: Near Northside CRA Infrastructure Project **Activity: 5**

Site# 1

Location Information

Provide a brief description for Site# 1:

Burnett Street, North Main Street, and Hernandez Tunnel

GPS Location - Latitude: North 29.7724 GPS Location - Longitude: West 95.3598

Use the following table to describe this particular site. If you cannot use the table or it is not applicable to this site, you may provide textual responses instead (*in the description field above*).

On: Trentham Place (western extension of Burnett)	From: North Main Street	To: Keene Street
On: Burnett Street	From: Hardy	To: North Main Street
On: North Main Street	From: Brooks	To: south end of Hernandez Tunnel

Is map of service area and location of project attached? Yes ■ No ☐

Map# or Title:

Near Northside CRA Improvements

Please provide address if available:

N/A

Site Specifics

1. Is a generator involved in this project? Yes ☐ No ■

What is the generator size (kW)? *Applicant should enter a range of generator size here (example 50 to 200kW).*

Fuel Type: propane

Transfer Switch: manual

2. Will the assistance requested serve or be located on a Federal installation? Yes ☐ No ■

Name of Federal Installation:

Percentage of Project:

3. Is the site in a designated flood hazard area or floodplain? Yes ☐ No ■

4. Will the assistance requested cause the displacement of families, individuals, farms, or businesses?

Families: ☐ Individuals: ☐ Farms: ☐ Business: ☐

Project# 2: Greater Fifth Ward CRA Infrastructure Project **Activity: 5**

Site# 1

Location Information

Provide a brief description for Site# 1:

Construction activity zone bounded by Bringhurst Street, I-10 East, Union Pacific rail line, and Clinton Drive in the Greater Fifth Ward.

GPS Location - Latitude: 29.7674 GPS Location - Longitude: -95.3337

Use the following table to describe this particular site. If you cannot use the table or it is not applicable to this site, you may provide textual responses instead (*in the description field above*).

On: Cline (new street)	From: Bringhurst	To: Union Pacific Railroad crossing
On: Bringhurst	From: Baer	To: Baron
On: Baer (new street)	From: Bringhurst	To: Frank Teich (new street)
On: Press	From: Hare	To: 100 feet south
On: Hare	From: Capron	To: Press
On: Capron	From: Hare	To: Nance
On: Frank Teich (new street)	From: Hare	To: 250 feet south of Cline
On: Nance	From: Capron	To: Bringhurst
On: Union Pacific Railroad	From: Press	To: 100 feet east

Is map of service area and location of project attached? Yes ■ No ☐

Map# or Title:

G5W-Locations Map

Please provide address if available:

600 Bringhurst Street, Houston TX 77020

Site Specifics

1. Is a generator involved in this project? Yes ☐ No ■

What is the generator size (kW)? *Applicant should enter a range of generator size here (example 50 to 200kW).*

Fuel Type: propane

Transfer Switch: manual

2. Will the assistance requested serve or be located on a Federal installation? Yes ☐ No ■

Name of Federal Installation:

Percentage of Project:

3. Is the site in a designated flood hazard area or floodplain? Yes ☐ No ■

4. Will the assistance requested cause the displacement of families, individuals, farms, or businesses?

Families: ☐ Individuals: ☐ Farms: ☐ Business: ☐

Project# 3: Open Ditch-Greater Fifth Ward (Nichols Area) **Activity: 5**

Site# 1

Location Information

Provide a brief description for Site# 1:

Greater Fifth Ward-Nichols Street Area

GPS Location - Latitude: 29.7807 GPS Location - Longitude: -95.3211

Use the following table to describe this particular site. If you cannot use the table or it is not applicable to this site, you may provide textual responses instead (*in the description field above*).

On: Nichols	From: Lockwood	To: western end
On: Oats	From: St. Elmo	To: Waco
On: Solo	From: Oats	To: Nichols
On: Noble	From: Solo	To: Erasmus

Is map of service area and location of project attached? Yes ■ No ☐

Map# or Title:

Open Ditch-G5W Locations Map

Please provide address if available:

2200 Solo St, Houston TX 77020

Site Specifics

1. Is a generator involved in this project? Yes ☐ No ■

What is the generator size (kW)? *Applicant should enter a range of generator size here (example 50 to 200kW).*

Fuel Type: propane

Transfer Switch: manual

2. Will the assistance requested serve or be located on a Federal installation? Yes ☐ No ■

Name of Federal Installation:

Percentage of Project:

3. Is the site in a designated flood hazard area or floodplain? Yes ■ No ☐

4. Will the assistance requested cause the displacement of families, individuals, farms, or businesses?

Families: ☐ Individuals: ☐ Farms: ☐ Business: ☐

Project# 4: Open Ditch-Greater Fifth Ward (West Coke Area) **Activity: 5**

Site# 1

Location Information

Provide a brief description for Site# 1:

West Coke Street Area

GPS Location - Latitude: 29.7681 GPS Location - Longitude: -95.3240

Use the following table to describe this particular site. If you cannot use the table or it is not applicable to this site, you may provide textual responses instead (*in the description field above*).

On: West Coke	From: Waco	To: eastern dead end
On: Nimrod	From: Cline	To: West Coke
On: Edmund	From: Nimrod	To: Egan
On: Egan	From: Cline	To: northern dead end

Is map of service area and location of project attached? Yes ■ No ☐

Map# or Title:

Open Ditch-G5W Locations Map

Please provide address if available:

4400 Coke Street, Houston TX 77020

Site Specifics

1. Is a generator involved in this project? Yes ☐ No ■

What is the generator size (kW)? *Applicant should enter a range of generator size here (example 50 to 200kW).*

Fuel Type: propane

Transfer Switch: manual

2. Will the assistance requested serve or be located on a Federal installation? Yes ☐ No ■

Name of Federal Installation:

Percentage of Project:

3. Is the site in a designated flood hazard area or floodplain? Yes ☐ No ■

4. Will the assistance requested cause the displacement of families, individuals, farms, or businesses?

Families: ☐ Individuals: ☐ Farms: ☐ Business: ☐

Project# 5: Open Ditch-Near Northside (Gano Area) **Activity: 5**

Site# 1

Location Information

Provide a brief description for Site# 1:

Gano Street area

GPS Location - Latitude: 29.7766 GPS Location - Longitude: -95.3546

Use the following table to describe this particular site. If you cannot use the table or it is not applicable to this site, you may provide textual responses instead (*in the description field above*).

On: Gano	From: Noble	To: Burnett
On: Common	From: Pinckney	To: Brooks
On: Terry	From: Brooks	To: Hogan
On: Fulton	From: Pinckney	To: Hogan
On: Everett	From: Brooks	To: Hogan
On: Chestnut	From: Brooks	To: Hogan
On: Gentry	From: Brooks	To: Pinckney
On: Harrington	From: Gano	To: Gentry

Is map of service area and location of project attached? Yes ■ No ☐

Map# or Title:

Open Ditch-NNS Locations Map

Please provide address if available:

1700 Gano, Houston TX 77009

Site Specifics

1. Is a generator involved in this project? Yes ☐ No ■

What is the generator size (kW)? *Applicant should enter a range of generator size here (example 50 to 200kW).*

Fuel Type: propane

Transfer Switch: manual

2. Will the assistance requested serve or be located on a Federal installation? Yes ☐ No ■

Name of Federal Installation:

Percentage of Project:

3. Is the site in a designated flood hazard area or floodplain? Yes ■ No ☐

4. Will the assistance requested cause the displacement of families, individuals, farms, or businesses?

Families: ☐ Individuals: ☐ Farms: ☐ Business: ☐

Project# 6: Open Ditch-OST/South Union (Calhoun Road Area) **Activity: 5**

Site# 1

Location Information

Provide a brief description for Site# 1:

Calhoun Road area

GPS Location - Latitude: 29.6904 GPS Location - Longitude: -95.3498

Use the following table to describe this particular site. If you cannot use the table or it is not applicable to this site, you may provide textual responses instead (*in the description field above*).

On: Calhoun	From: Branch	To: Balkin
On: Paris	From: Branch	To: Balkin
On: Ward	From: Weston	To: London
On: London	From: Hull	To: Idaho
On: Madrid	From: Idaho	To: Balkin
On: Dumble	From: Idaho	To: Balkin
On: Wayland	From: Perry	To: Kingsbury
On: Idaho	From: Cullen	To: Madrid
On: Liverpool	From: Branch	To: Yellowstone
On: Keystone	From: Calhoun	To: Wayland
On: Grace	From: Griggs	To: southern dead end
On: New York	From: Branch	To: Yellowstone
On: Calhoun	From: Dewberry	To: Perry

Is map of service area and location of project attached? Yes ■ No ☐

Map# or Title:

Open Ditch-OSTSU Locations Map

Please provide address if available:

6700 Calhoun Road, Houston TX 77021

Site Specifics

1. Is a generator involved in this project? Yes ☐ No ■

What is the generator size (kW)? *Applicant should enter a range of generator size here (example 50 to 200kW).*

Fuel Type: propane

Transfer Switch: manual

2. Will the assistance requested serve or be located on a Federal installation? Yes ☐ No ■

Name of Federal Installation:

Percentage of Project:

3. Is the site in a designated flood hazard area or floodplain? Yes ■ No ☐

4. Will the assistance requested cause the displacement of families, individuals, farms, or businesses?

Families: ☐ Individuals: ☐ Farms: ☐ Business: ☐

PROJECT BENEFICIARY INFORMATION

Project#: 1 **Title: Near Northside CRA Infrastructure Project**

Total Male Beneficiaries	Total Female Beneficiaries	Total Beneficiaries
1,918	1,617	3,535

Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Beneficiaries
White	128	2,070	2,198
Black/African American	41	6	47
Asian	10	12	22
American Indian/Alaskan Native	5	44	49
Native Hawaiian/Other Pacific Islander	1		1
American Indian/Alaskan Native & White	2	1	3
Asian & White		1	1
Black/African American & White			
Am. Indian/Alaskan Native & Black/African Am.			
Other Multi-Racial	2	1,212	1,214
		Activity Total:	3,535

1. Was a DR Survey used to identify beneficiaries?

Yes ☐ No ■

a. How many households/families will be assisted?

b. How many of the households/families responded to the survey?

c1. When was the survey started?

c2. When was the survey completed?

2. Is survey documentation attached to the application?

Yes ☐ No ■

3. Was a prior survey utilized?

Yes ☐ No ■

If yes, please attach a copy of the previously verified survey data and describe the location of the survey.

4. Was 2000 Census information used to identify beneficiaries?

Yes ■ No ☐

a. Has the required Census map been provided?

Yes ■ No ☐

CENSUS GEOGRAPHIC AREA DATA:

List all census tracts and block groups included in the project area for projects which are not citywide or countywide benefit. Be sure to identify the total beneficiaries claimed for each area. A spreadsheet showing LMI benefit must be submitted in addition to completing this question. For citywide or countywide projects, indicate "Citywide" or "Countywide" and attach a spreadsheet.

County Code	Census Tract(s)	Block Group(s)	Persons Benefiting
201	2103	2, 3, 4, 5	3535

1a. Provide the number of project beneficiaries identified through each of the following methods:

DR Survey:	0	2000 Census:	3,535
Direct Benefit:	0	Limited Clientele:	0

1b. Describe the Target Area:

Citywide ☐ Countywide ☐ Area ■ Limited Clientele/ Direct Benefit ☐

2. If beneficiaries were identified by using a survey as opposed to using 2000 Census information, provide a ***detailed*** explanation of the reason.

N/A

3. Number of residential properties benefiting from the project? 656

4. Number of commercial properties benefiting from the project? 71

PROJECT BENEFICIARY INFORMATION

Project#: 2 **Title: Greater Fifth Ward CRA Infrastructure Project**

Total Male Beneficiaries	Total Female Beneficiaries	Total Beneficiaries
575	683	1,258

Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Beneficiaries
White	23	271	294
Black/African American	712	11	723
Asian	13		13
American Indian/Alaskan Native	1	1	2
Native Hawaiian/Other Pacific Islander			
American Indian/Alaskan Native & White			
Asian & White			
Black/African American & White		3	3
Am. Indian/Alaskan Native & Black/African Am.			
Other Multi-Racial	5	218	223
		Activity Total:	1,258

1. Was a DR Survey used to identify beneficiaries?

Yes ☐ No ■

a. How many households/families will be assisted?

b. How many of the households/families responded to the survey?

c1. When was the survey started?

c2. When was the survey completed?

2. Is survey documentation attached to the application?

Yes ☐ No ■

3. Was a prior survey utilized?

Yes ☐ No ■

If yes, please attach a copy of the previously verified survey data and describe the location of the survey.

4. Was 2000 Census information used to identify beneficiaries?

Yes ■ No ☐

a. Has the required Census map been provided?

Yes ■ No ☐

CENSUS GEOGRAPHIC AREA DATA:

List all census tracts and block groups included in the project area for projects which are not citywide or countywide benefit. Be sure to identify the total beneficiaries claimed for each area. A spreadsheet showing LMI benefit must be submitted in addition to completing this question. For citywide or countywide projects, indicate "Citywide" or "Countywide" and attach a spreadsheet.

County Code	Census Tract(s)	Block Group(s)	Persons Benefiting
201	2114	3	1258

1a. Provide the number of project beneficiaries identified through each of the following methods:

DR Survey:	0	2000 Census:	1258
Direct Benefit:	0	Limited Clientele:	0

1b. Describe the Target Area:

Citywide ☐ Countywide ☐ Area ■ Limited Clientele/ Direct Benefit ☐

2. If beneficiaries were identified by using a survey as opposed to using 2000 Census information, provide a ***detailed*** explanation of the reason.

N/A

3. Number of residential properties benefiting from the project? 504

4. Number of commercial properties benefiting from the project? 22

PROJECT BENEFICIARY INFORMATION

Project#: 3 **Title:** Open Ditch-Greater Fifth Ward (Nichols Area)

Total Male Beneficiaries	Total Female Beneficiaries	Total Beneficiaries
518	558	1,076

Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Beneficiaries
White	13	51	64
Black/African American	879	14	893
Asian	2		2
American Indian/Alaskan Native	1	1	2
Native Hawaiian/Other Pacific Islander			
American Indian/Alaskan Native & White			
Asian & White			
Black/African American & White	1	1	2
Am. Indian/Alaskan Native & Black/African Am.	1		1
Other Multi-Racial	5	107	112
		Activity Total:	1,076

1. Was a DR Survey used to identify beneficiaries?

Yes ☐ No ■

a. How many households/families will be assisted?

b. How many of the households/families responded to the survey?

c1. When was the survey started?

c2. When was the survey completed?

2. Is survey documentation attached to the application?

Yes ☐ No ■

3. Was a prior survey utilized?

Yes ☐ No ■

If yes, please attach a copy of the previously verified survey data and describe the location of the survey.

4. Was 2000 Census information used to identify beneficiaries?

Yes ■ No ☐

a. Has the required Census map been provided?

Yes ■ No ☐

CENSUS GEOGRAPHIC AREA DATA:

List all census tracts and block groups included in the project area for projects which are not citywide or countywide benefit. Be sure to identify the total beneficiaries claimed for each area. A spreadsheet showing LMI benefit must be submitted in addition to completing this question. For citywide or countywide projects, indicate "Citywide" or "Countywide" and attach a spreadsheet.

County Code	Census Tract(s)	Block Group(s)	Persons Benefiting
201	2113	4, 5	1076

1a. Provide the number of project beneficiaries identified through each of the following methods:

DR Survey:	0	2000 Census:	1076
Direct Benefit:	0	Limited Clientele:	0

This application should be considered draft until the time the General Land Office issues a notification of award.

1b. Describe the Target Area:

Citywide ☐ Countywide ☐ Area ■ Limited Clientele/ Direct Benefit ☐

2. If beneficiaries were identified by using a survey as opposed to using 2000 Census information, provide a ***detailed*** explanation of the reason.

N/A

3. Number of residential properties benefiting from the project? 399

4. Number of commercial properties benefiting from the project? 6

PROJECT BENEFICIARY INFORMATION

Project#: 4 **Title: Open Ditch-Greater Fifth Ward (West Coke Area)**

Total Male Beneficiaries	Total Female Beneficiaries	Total Beneficiaries
641	762	1,403

Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Beneficiaries
White	31	74	105
Black/African American	1,221	5	1,226
Asian			
American Indian/Alaskan Native	2	2	4
Native Hawaiian/Other Pacific Islander			
American Indian/Alaskan Native & White			
Asian & White			
Black/African American & White	1		1
Am. Indian/Alaskan Native & Black/African Am.	1		1
Other Multi-Racial	6	60	66
		Activity Total:	1,403

1. Was a DR Survey used to identify beneficiaries?

Yes ☐ No ■

a. How many households/families will be assisted?

b. How many of the households/families responded to the survey?

c1. When was the survey started?

c2. When was the survey completed?

2. Is survey documentation attached to the application?

Yes ☐ No ■

3. Was a prior survey utilized?

Yes ☐ No ■

If yes, please attach a copy of the previously verified survey data and describe the location of the survey.

4. Was 2000 Census information used to identify beneficiaries?

Yes ■ No ☐

a. Has the required Census map been provided?

Yes ■ No ☐

CENSUS GEOGRAPHIC AREA DATA:

List all census tracts and block groups included in the project area for projects which are not citywide or countywide benefit. Be sure to identify the total beneficiaries claimed for each area. A spreadsheet showing LMI benefit must be submitted in addition to completing this question. For citywide or countywide projects, indicate "Citywide" or "Countywide" and attach a spreadsheet.

County Code	Census Tract(s)	Block Group(s)	Persons Benefiting
201	2114	2	1403

1a. Provide the number of project beneficiaries identified through each of the following methods:

DR Survey:	0	2000 Census:	1403
Direct Benefit:	0	Limited Clientele:	0

1b. Describe the Target Area:

Citywide ☐ Countywide ☐ Area ■ Limited Clientele/ Direct Benefit ☐

2. If beneficiaries were identified by using a survey as opposed to using 2000 Census information, provide a ***detailed*** explanation of the reason.

N/A

3. Number of residential properties benefiting from the project? 158 SF and 284 MF units at Cleme Manor

4. Number of commercial properties benefiting from the project? 19

PROJECT BENEFICIARY INFORMATION

Project#: 5 **Title: Open Ditch-Near Northside (Gano Area)**

Total Male Beneficiaries	Total Female Beneficiaries	Total Beneficiaries
1,332	1,121	2,453

Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Beneficiaries
White	81	1,396	1,477
Black/African American	26	2	28
Asian	9	13	22
American Indian/Alaskan Native	2	25	27
Native Hawaiian/Other Pacific Islander			
American Indian/Alaskan Native & White	1		1
Asian & White			
Black/African American & White			
Am. Indian/Alaskan Native & Black/African Am.			
Other Multi-Racial	2	896	898
		Activity Total:	2,453

1. Was a DR Survey used to identify beneficiaries?

Yes ☐ No ■

a. How many households/families will be assisted?

b. How many of the households/families responded to the survey?

c1. When was the survey started?

c2. When was the survey completed?

2. Is survey documentation attached to the application?

Yes ☐ No ■

3. Was a prior survey utilized?

Yes ☐ No ■

If yes, please attach a copy of the previously verified survey data and describe the location of the survey.

4. Was 2000 Census information used to identify beneficiaries?

Yes ■ No ☐

a. Has the required Census map been provided?

Yes ■ No ☐

CENSUS GEOGRAPHIC AREA DATA:

List all census tracts and block groups included in the project area for projects which are not citywide or countywide benefit. Be sure to identify the total beneficiaries claimed for each area. A spreadsheet showing LMI benefit must be submitted in addition to completing this question. For citywide or countywide projects, indicate "Citywide" or "Countywide" and attach a spreadsheet.

County Code	Census Tract(s)	Block Group(s)	Persons Benefiting
201	2103	2, 3	2453

1a. Provide the number of project beneficiaries identified through each of the following methods:

DR Survey:	0	2000 Census:	2453
Direct Benefit:	0	Limited Clientele:	0

1b. Describe the Target Area:

Citywide ☐ Countywide ☐ Area ■ Limited Clientele/ Direct Benefit ☐

2. If beneficiaries were identified by using a survey as opposed to using 2000 Census information, provide a ***detailed*** explanation of the reason.

N/A

3. Number of residential properties benefiting from the project? 697

4. Number of commercial properties benefiting from the project? 41

PROJECT BENEFICIARY INFORMATION

Project#: 6 **Title: Open Ditch-OST/South Union (Calhoun Road Area)**

Total Male Beneficiaries	Total Female Beneficiaries	Total Beneficiaries
1,457	1,670	3,127

Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Beneficiaries
White	85	283	368
Black/African American	2,438	24	2,462
Asian	7	4	11
American Indian/Alaskan Native	4	25	29
Native Hawaiian/Other Pacific Islander		2	2
American Indian/Alaskan Native & White			
Asian & White			
Black/African American & White			
Am. Indian/Alaskan Native & Black/African Am.	3	4	7
Other Multi-Racial	21	227	248
		Activity Total:	3,127

1. Was a DR Survey used to identify beneficiaries?

Yes ☐ No ■

a. How many households/families will be assisted?

b. How many of the households/families responded to the survey?

c1. When was the survey started?

c2. When was the survey completed?

2. Is survey documentation attached to the application?

Yes ☐ No ■

3. Was a prior survey utilized?

Yes ☐ No ■

If yes, please attach a copy of the previously verified survey data and describe the location of the survey.

4. Was 2000 Census information used to identify beneficiaries?

Yes ■ No ☐

a. Has the required Census map been provided?

Yes ■ No ☐

CENSUS GEOGRAPHIC AREA DATA:

List all census tracts and block groups included in the project area for projects which are not citywide or countywide benefit. Be sure to identify the total beneficiaries claimed for each area. A spreadsheet showing LMI benefit must be submitted in addition to completing this question. For citywide or countywide projects, indicate "Citywide" or "Countywide" and attach a spreadsheet.

County Code	Census Tract(s)	Block Group(s)	Persons Benefiting
201	3134	1	1255
201	3135	1, 2, 3	1872

1a. Provide the number of project beneficiaries identified through each of the following methods:

DR Survey: 0 2000 Census: 3127

This application should be considered draft until the time the General Land Office issues a notification of award

Direct Benefit:	0	Limited Clientele:	0

1b. Describe the Target Area:

Citywide ☐ Countywide ☐ Area ☐ Limited Clientele/ Direct Benefit ☐

2. If beneficiaries were identified by using a survey as opposed to using 2000 Census information, provide a ***detailed*** explanation of the reason.

N/A

3. Number of residential properties benefiting from the project? 909 SF and 371 MF

4. Number of commercial properties benefiting from the project? 163

DRAINAGE IMPROVEMENTS

Project # 1

Title: Near Northside CRA Infrastructure Project

1. What are the current drainage patterns in the targeted service area? (Provide map of drainage area for the facilities at this site and location of improvements)
Drainage generally flows from the north toward the south, then is diverted either east or west at Burnett Street via surface drainage and storm sewer.

2. Is the drainage in the targeted area controlled by natural terrain features (e.g., natural gullies, unimproved creek beds, natural slopes, etc.), or constructed and designed drainage facilities (e.g., storm sewer, designed drainage channels, water crossings, bar ditches, culverts, etc.), or a combination of both? Please describe the natural terrain features and the constructed and designed drainage facilities in the area.
Drainage is controlled by streets, curb and gutter, and storm sewer which directs flows south to Burnett Street then either west toward North Main Street (area east of Gano Street) or east toward Hardy Street (area west of Gano). The eastern part of the area is primarily served by street drainage, while the western part contains a more developed storm sewer system.

3. What are the planned drainage improvements and will these improvements connect into other existing drainage structures in the area?
New curb and gutter will be constructed along both sides of Burnett Street from Hardy to North Main, which will collect street and yard runoff then transport it west via the new Burnett storm sewer collection line toward Buffalo Bayou, or east via the existing Burnett storm sewer line toward Hardy Street .

4. How will they connect?
New inlets, improved pavement surface, and new curb and gutter along Burnett Street will allow runoff conveyed by area streets to enter the new and existing storm sewer systems. Existing storm sewer lines extending north from Burnett, particularly west of Gano Street, will be tied in to the new Burnett storm sewer line.

	Yes	No
5. Will the planned drainage improvements adversely impact downstream structures or areas?	☐	■
Explain:		
6. Are other precautions needed for health/safety concerns such as fencing, underground drainage, etc?	■	☐
Identify the precautions: Storm sewer is the primary component of the proposed drainage system. Appropriate traffic and pedestrian safety measures such as temporary fencing will be implemented by the contractor around trenches and other potentially dangerous work areas.		
7. Will acquisition be necessary?	☐	■
Explain:		
8. Will these improvements remove homes from floodplains or protect from future storm damage?	☐	■
If yes, how many?		
9. Will improvements alter the current federal and/or local floodplain(s)?	☐	■
10. Are the improvements in conjunction with road improvements?	■	☐

Applicant must define the project area by submitting a map with this application that clearly identifies the location of proposed construction activities and service area for the facilities at this site.

Project # 2

Title: Greater Fifth Ward CRA Infrastructure Project

1. What are the current drainage patterns in the targeted service area? (Provide map of drainage area for the facilities at this site and location of improvements)
Drainage generally flows from the north toward the south toward Buffalo Bayou which forms the southern boundary of the target area

2. Is the drainage in the targeted area controlled by natural terrain features (e.g., natural gullies, unimproved creek beds, natural slopes, etc.), or constructed and designed drainage facilities (e.g., storm sewer, designed drainage channels, water crossings, bar ditches, culverts, etc.), or a combination of both? Please describe the natural terrain features and the constructed and designed drainage facilities in the area.
Drainage is controlled by streets, curb and gutter, and storm sewer which directs flows in a generally south and east direction across the street grid. Four primary interceptor lines (3 to 10 feet in diameter) eventually channel most of the runoff into Buffalo Bayou.

3. What are the planned drainage improvements and will these improvements connect into other existing drainage structures in the area?
New surface drainage including curb/gutter, crowned roadways, and storm sewer inlets will be constructed between Press and Bringhurst Streets along Cline, Baer, and Frank Teich. Surface drainage improvements will be constructed along Bringhurst, Hare, Press, Capron, and Nance. New storm sewers will be constructed under these routes and will drain to two new stormwater retention ponds. As water rises in the retention ponds it will flow to Buffalo Bayou through an existing storm sewer drain (96").

4. How will they connect?
All surface drainage and storm sewer infrastructure will connect with existing infrastructure to collect runoff and convey it toward the existing major storm sewer drain between Press and Bringhurst and thence southward to Buffalo Bayou.

	Yes	No
5. Will the planned drainage improvements adversely impact downstream structures or areas?	☐	■
Explain:		
6. Are other precautions needed for health/safety concerns such as fencing, underground drainage, etc?	■	☐
Identify the precautions: Storm sewer is the primary component of the proposed drainage system. Appropriate traffic and pedestrian safety measures such as temporary fencing will be implemented by the contractor around trenches and other potentially dangerous work areas.		
7. Will acquisition be necessary?	☐	■
Explain:		
8. Will these improvements remove homes from floodplains or protect from future storm damage?	☐	■
If yes, how many?		
9. Will improvements alter the current federal and/or local floodplain(s)?	☐	■
10. Are the improvements in conjunction with road improvements?	■	☐

Applicant must define the project area by submitting a map with this application that clearly identifies the location of proposed construction activities and service area for the facilities at this site.

Project # 3

Title: Open Ditch-Greater Fifth Ward (Nichols Area)

1. What are the current drainage patterns in the targeted service area? (Provide map of drainage area for the facilities at this site and location of improvements)
Area drains generally from the north to the south toward Buffalo Bayou. The area is near the divide between Buffalo Bayou and Hunting Bayou.

2. Is the drainage in the targeted area controlled by natural terrain features (e.g., natural gullies, unimproved creek beds, natural slopes, etc.), or constructed and designed drainage facilities (e.g., storm sewer, designed drainage channels, water crossings, bar ditches, culverts, etc.), or a combination of both? Please describe the natural terrain features and the constructed and designed drainage facilities in the area.
Drainage is controlled by ditches, culverts, and storm sewer with several large detention areas (Boyce-Dorian Park).

3. What are the planned drainage improvements and will these improvements connect into other existing drainage structures in the area?
City will reconstruct open ditches in the targeted area including replacement of undersized and deteriorated driveway and sidewalk culverts. The restored ditches form a network that drain local streets and properties into the City's existing storm sewer system.

4. How will they connect?
The ditches are in place and already form an interconnected system with the city's storm drainage system. No new ditches are proposed.

	Yes	No
5. Will the planned drainage improvements adversely impact downstream structures or areas?	☐	■
Explain:		
6. Are other precautions needed for health/safety concerns such as fencing, underground drainage, etc?	■	☐
Identify the precautions: Traffic safety, stormwater pollution prevention, fencing where needed.		
7. Will acquisition be necessary?	☐	■
Explain:		
8. Will these improvements remove homes from floodplains or protect from future storm damage?	☐	■
If yes, how many?		
9. Will improvements alter the current federal and/or local floodplain(s)?	☐	■
10. Are the improvements in conjunction with road improvements?	☐	■

Applicant must define the project area by submitting a map with this application that clearly identifies the location of proposed construction activities and service area for the facilities at this site.

Project # 4

Title: Open Ditch-Greater Fifth Ward (West Coke Area)

1. What are the current drainage patterns in the targeted service area? (Provide map of drainage area for the facilities at this site and location of improvements)
Area drains generally to the south toward Buffalo Bayou.

2. Is the drainage in the targeted area controlled by natural terrain features (e.g., natural gullies, unimproved creek beds, natural slopes, etc.), or constructed and designed drainage facilities (e.g., storm sewer, designed drainage channels, water crossings, bar ditches, culverts, etc.), or a combination of both? Please describe the natural terrain features and the constructed and designed drainage facilities in the area.
Surface street, open ditch, and storm sewer drain this developed area. The only natural terrain feature is the headwaters of Japhet Creek in the southern part of the target area which serves as the primary drain for most of the area's runoff, conveying it south toward Buffalo Bayou.

3. What are the planned drainage improvements and will these improvements connect into other existing drainage structures in the area?
City will reconstruct open ditches in the targeted area including replacement of undersized and deteriorated driveway and sidewalk culverts. The restored ditches form a network that drain local streets and properties into the City's existing storm sewer system.

4. How will they connect?
The ditches are in place and already form an interconnected system with the city's storm drainage system. No new ditches are proposed.

	Yes	No
5. Will the planned drainage improvements adversely impact downstream structures or areas?	☐	■
Explain:		
6. Are other precautions needed for health/safety concerns such as fencing, underground drainage, etc?	■	☐
Identify the precautions: Traffic safety, stormwater pollution prevention, fencing where needed.		
7. Will acquisition be necessary?	☐	■
Explain:		
8. Will these improvements remove homes from floodplains or protect from future storm damage?	☐	■
If yes, how many?		
9. Will improvements alter the current federal and/or local floodplain(s)?	☐	■
10. Are the improvements in conjunction with road improvements?	☐	■

Applicant must define the project area by submitting a map with this application that clearly identifies the location of proposed construction activities and service area for the facilities at this site.

Project # 5

Title: Open Ditch-Near Northside (Gano Area)

1. What are the current drainage patterns in the targeted service area? (Provide map of drainage area for the facilities at this site and location of improvements)
Area drains generally south and west toward White Oak and Buffalo Bayous, which converge a short distance to the south.

2. Is the drainage in the targeted area controlled by natural terrain features (e.g., natural gullies, unimproved creek beds, natural slopes, etc.), or constructed and designed drainage facilities (e.g., storm sewer, designed drainage channels, water crossings, bar ditches, culverts, etc.), or a combination of both? Please describe the natural terrain features and the constructed and designed drainage facilities in the area.
Drainage is controlled primarily through storm sewer and open ditches along the area's streets. The area is relatively flat with most ponding a result of excavated sites, raised roadways or railroad tracks, and similar features that create localized flooding.

3. What are the planned drainage improvements and will these improvements connect into other existing drainage structures in the area?
City will reconstruct open ditches in the targeted area including replacement of undersized and deteriorated driveway and sidewalk culverts. The restored ditches form a network that drain local streets and properties into the City's existing storm sewer system.

4. How will they connect?
The ditches are in place and already form an interconnected system with the city's storm drainage system. No new ditches are proposed.

	Yes	No
5. Will the planned drainage improvements adversely impact downstream structures or areas?	☐	■
Explain:		
6. Are other precautions needed for health/safety concerns such as fencing, underground drainage, etc?	■	☐
Identify the precautions: Traffic safety, stormwater pollution prevention, fencing where needed.		
7. Will acquisition be necessary?	☐	■
Explain:		
8. Will these improvements remove homes from floodplains or protect from future storm damage?	☐	■
If yes, how many?		
9. Will improvements alter the current federal and/or local floodplain(s)?	☐	■
10. Are the improvements in conjunction with road improvements?	☐	■

Applicant must define the project area by submitting a map with this application that clearly identifies the location of proposed construction activities and service area for the facilities at this site.

Project # 6

Title: Open Ditch-OST/South Union (Calhoun Road Area)

1. What are the current drainage patterns in the targeted service area? (Provide map of drainage area for the facilities at this site and location of improvements)
Area generally drains toward the north and east toward Brays Bayou. It lies near the southern boundary of the Brays Bayou watershed, to the north of the Sims Bayou watershed.

2. Is the drainage in the targeted area controlled by natural terrain features (e.g., natural gullies, unimproved creek beds, natural slopes, etc.), or constructed and designed drainage facilities (e.g., storm sewer, designed drainage channels, water crossings, bar ditches, culverts, etc.), or a combination of both? Please describe the natural terrain features and the constructed and designed drainage facilities in the area.
A network of open ditch and storm sewers along area streets controls the drainage, and generally conveys storm water north and east toward Kuhlman Gully and storm sewer outfalls which in turn discharge into Brays Bayou.

3. What are the planned drainage improvements and will these improvements connect into other existing drainage structures in the area?
The City will reconstruct open ditches in the targeted area including replacement of undersized and deteriorated driveway and sidewalk culverts. The restored ditches form a network that drain local streets and properties into the City's existing storm sewer system.

4. How will they connect?
The ditches are in place and already form an interconnected system with the city's storm drainage system. No new ditches are proposed.

	Yes	No
5. Will the planned drainage improvements adversely impact downstream structures or areas?	☐	■
Explain:		
6. Are other precautions needed for health/safety concerns such as fencing, underground drainage, etc?	■	☐
Identify the precautions: Traffic safety, stormwater pollution prevention, fencing where needed.		
7. Will acquisition be necessary?	☐	■
Explain:		
8. Will these improvements remove homes from floodplains or protect from future storm damage?	☐	■
If yes, how many?		
9. Will improvements alter the current federal and/or local floodplain(s)?	☐	■
10. Are the improvements in conjunction with road improvements?	☐	■

Applicant must define the project area by submitting a map with this application that clearly identifies the location of proposed construction activities and service area for the facilities at this site.

POOL: NON-HOUSING

Round 2.2 Non-housing Pool applications will be scored by the Disaster Recovery Program using the criteria outlined below. Examples have been provided to illustrate to applicants how points will be awarded.

1. Low-to-Moderate Income Percentage:
What is the project low-to-moderate income (LMI) percentage?

The total points awarded for this category will be based on the appropriate LMI point category as presented below. Applications that include multiple projects will be assigned points by the weighted LMI percentage, based on the proportion of project cost relative to the total of all project costs present in the application. Total project cost is determined by adding engineering costs to the construction costs. Applications for a single project will receive the full number of points for the LMI category within which it falls.

1. LMI % greater than or equal to 90% - Maximum 35 points
2. LMI % greater than or equal to 80% but less than 90% - Maximum 28 points
3. LMI % greater than or equal to 70% but less than 80% - Maximum 21 points
4. LMI % greater than or equal to 60% but less than 70% - Maximum 14 points
5. LMI % greater than or equal to 51% but less than 60% - Maximum 7 points
6. LMI % less than 51% - 0 points

#	Activity	Title	Con $	Eng $	Tot $	Cost Weight	LMI %	Weighted LMI %
1	1b Sewer Facilities	Project Title	$101,840	$16,080	$117,920	0.13	46.57%	6.08%
2	1a Water Facilities	Project Title	$126,920	$20,040	$146,960	0.16	59.68%	9.72%
3	5 Flood and Drainage	Project Title	$451,000	$49,500	$500,500	0.55	74.31%	41.21%
4	9 Park, Playground	Project Title	$125,200	$11,900	$137,100	0.15	45.91%	6.97%
		Totals	$804,960	$97,520	$902,480	1.00		63.99%

2. Project Priority: Total points 25
Does this project address a priority activity?

Table 1 information will be used to determine the apprioriate project priority points. Applications that include multiple projects will be assigned project priority points based on the proportion of project cost relative to the total of all project costs present in the application. Total project cost is determined by adding engineering costs to the construction costs. Applications for a single project will receive the full number of points for the project priority category within which it falls.

(a) Priority Activities: Maximum 25 points
(b)Non-priority Activities: 0 points

Priority Activities are:

1. Sewer facilities
2. Water facilities
3. Drainage and flood facilities, including shoreline stabilization
4. Streets / bridges

#	Activity	Title	Con $	Eng $	Tot $	Cost Weight	Priority Points	Weighted Points
1	1b Sewer Facilities	Project Title	$101,840	$16,080	$117,920	0.13	25.00	3.27
2	1a Water Facilities	Project Title	$126,920	$20,040	$146,960	0.16	25.00	4.07
3	5 Flood and Drainage	Project Title	$451,000	$49,500	$500,500	0.55	25.00	13.86
4	9 Park, Playground	Project Title	$125,200	$11,900	$137,100	0.15	0.00	0.00
		Totals	$804,960	$97,520	$902,480	1.00		21.20

POOL: NON-HOUSING (p2)

3. Hurricane Damage per Capita: Total points 20
What is the applicant's rate of FEMA Public Assistance (PA) and Individual Assistance (IA) per capita?

Applicant must attach documentation of all FEMA Public Assistance for the applicant. The latest available amount of all FEMA Public Assistance (PA) and Indivual Assistance (IA) for the applicant, as provided by the application preparer, will be divided by the total population for the applicant to determine the amount of damages per capita. This average amount of damage per capita will be multiplied by a factor of 0.80, which determines the Base. The applicant's Base is then divided by 20 to determine the raw score. Up to a score of 20, the raw score is equal to the actual score. The maximum score is capped at 20 points. A raw score of 20 or above will equate to an actual score of 20.

4. Employment Impact: Total points 12

Employment figures for all industries both public and private for the 2nd Quarter of 2008 and the 4th Quarter of 2008 are obtained from the Texas Wokforce Commission's (TWC) Quarterly Census of Employment and Wages (QCEW) for each country in the Pool region. Cities are scored on the rates for the country in which they are located. The percent of change in each country (increase / decrease) from the 2nd Quarter 2008 to the 4th Quarter 2008 is then calculated. Refer to "Change in Employment Data Worksheet" attachment. Points are then awarded based upon the following scale:

No decrease	0 points
Decrease up to 1.99%	2 points
Decrease 2.00% to 2.99%	4 points
Decrease 3.00% to 3.99%	6 points
Decrease 4.00% to 5.99%	8 points
Decrease 6.00% and over	12 points

5. Regional Impacts:
Does the project meet two or more of the regional emphasis criteria?

Applicants claiming regional points must attach justification and documentation explain which projects meet the qualifying criteria listed below and why. Review application information to determine if the project(s) meet any two of the four regionalization criteria. Applications that include multiple projects will be assigned regionalization points based on the proportion of project cost relative to the total of all project costs present in the application. Total project cost is determined by adding engineering costs to the construction costs.

Projects may qualify as regional in nature if they meet two or more of the following criteria:
1. Multi-Jurisdictional benefit as evidenced by a master planning document completed and accepted by all appropriate entities prior to the initial date submitted of this application. The document must be attached as an attachment to this application.
2. Serves regional connectivity or connectivity between systems (Example: Interconnect between water systems).
3. At least 15% of each jurisdiction in the multi-party agreement population receives project benefit as verified by DR in the beneficiary information documentation.
4. Consolidation of two impacted services facilities.
The applicant with the largest % of beneficiaries will be considered the applicant of record.

Tie-Breaker: The tie-breaker will be determined based on weighted LMI percentage of application projects. Note that the tie-breaker will only be utilized in the event of an actual tie.

APPLICANT DISCLOSURES / UPDATE REPORT

Part 1: Applicant/Recipient Information Initial Report ☒ Update Report ☐ N/A ☐

Part 2: Other Government Assistance Provided/Requested? Yes ☐ No ☒

Department / State / Local Agency Name	City	State	Zip Code	Program	Type of Assistance	Amount Requested / Provided

Part 3: Interested Parties - Are there any persons with a reportable financial interest to disclose? Yes ☒ No ☐

Person With Reportable Interest	Type of Participation in Project	Financial Interest (Dollars)	Financial Interest (%)
GrantWorks, Inc.	Project Delivery	1045959	4.00%
Jones & Carter (via Cypress, developer)	Engineering	$1,923,000	7.35%
Jacobs Engineering (via Lovett Homes, developer)	Engineering	1,002,000	3.83%
Klotz Engineering	Engineering	933085	3.57%

Part 4: Report on expected sources and uses of funds:

Source of Funds	Use of Funds
See form 424 and Table 1	See Table 1 and Table 2

The Documents listed below will be attached to the execution counterpart of this Application in the form recommended by the Director of the Housing and Community Development Department.

ATTACHMENTS

Attachment Checklist

Provide the following attachments, if applicable:

1. Signed 424 Form
2. Project and Census / Target Area Maps
3. Memorandum of Understanding (MOU) or Interlocal Agreement
4. Project Impact Documentation (for Urgent Need and Removal of Slums & Blight National Objectives)
5. Beneficiary Documentation (Survey Forms or Census)
6. Urgent Need Forms, or attach a previously completed Urgent Need form
7. Project Funding Certification Form
8. Fair Housing Certification Documents
9. Storm Related Documentation
10. Other Documents

Attached Documents

File Name	Owner	Uploaded	Size	Document Type
FHAST-COH.pdf	eric	1/25/2014	205 KB	FHAST Form
Project Map-eng-final.pdf	eric	1/30/2014	3149 KB	Project and Census/Target Area Maps
NNS-flooding pics.pdf	eric	4/9/2014	235 KB	Project Impact Documentation
Project Map-engineer-impact.pdf	eric	4/9/2014	1111 KB	Project and Census/Target Area Maps
G5W-locations map.pdf	eric	9/3/2014	2237 KB	Project and Census/Target Area Maps
Open Ditch CRA LMI Data.xlsx	eric	9/3/2014	18736 KB	Census Spreadsheet
Gender census calcs.pdf	eric	9/3/2014	89 KB	Beneficiary Docs - Caclulations and Survey Docs
Open Ditch-OSTSU Res&Comm.pdf	eric	9/3/2014	3897 KB	Beneficiary Docs - Caclulations and Survey Docs
Open Ditch-NNS Res&Comm.pdf	eric	9/3/2014	2975 KB	Beneficiary Docs - Caclulations and Survey Docs
Open Ditch-G5W-Coke Res&Comm.pdf	eric	9/3/2014	2566 KB	Beneficiary Docs - Caclulations and Survey Docs
Open Ditch-G5W-Nichols Res&Comm.pdf	eric	9/3/2014	3171 KB	Beneficiary Docs - Caclulations and Survey Docs
TXMA05-G5W-Coke.pdf	eric	9/3/2014	42 KB	Beneficiary Docs - Caclulations and Survey Docs

TXMA05-G5W-Nichols.pdf	eric	9/3/2014	42 KB	Beneficiary Docs - Caclulations and Survey Docs
TXMA05-OSTSU.pdf	eric	9/3/2014	45 KB	Beneficiary Docs - Caclulations and Survey Docs
TXMA05-NNS.pdf	eric	9/3/2014	41 KB	Beneficiary Docs - Caclulations and Survey Docs
OSTSU-Blocks.pdf	eric	9/3/2014	247 KB	Project and Census/Target Area Maps
GFW-Blocks.pdf	eric	9/3/2014	275 KB	Project and Census/Target Area Maps
NNS-Blocks.pdf	eric	9/3/2014	273 KB	Project and Census/Target Area Maps
Gender calc.pdf	eric	1/25/2014	82 KB	Beneficiary Docs - Caclulations and Survey Docs
Houston DRS - Near Northside LMI.xlsx	eric	1/25/2014	18 KB	Census Spreadsheet
Northside_DRS_Project_BusinessAndResidentialCounts.pdf	eric	1/25/2014	3081 KB	Beneficiary Docs - Caclulations and Survey Docs
Northside_DRS_Project_Map.pdf	eric	1/25/2014	179 KB	Project and Census/Target Area Maps
TX MA05 COH.pdf	eric	1/25/2014	948 KB	Beneficiary Docs - Caclulations and Survey Docs
DRS 2.2 Engineering Hour Schedule FINAL.xlsx	eric	2/12/2014	26 KB	Engineering Fee Justification
DRAFT Application Submittal Note.docx	eric	2/13/2014	13 KB	Application Communication
Flooding and Damages map- NNS Infrastructure project.pdf	eric	4/9/2014	225 KB	Project Impact Documentation
NNS Impact Statement-engineer.pdf	eric	4/9/2014	74 KB	Project Impact Documentation
Form 424 - GLO Application Document.pdf	wgrigsby	5/7/2014	59 KB	Signed 424 Form
FHAST Approval Letter - City of Houston.pdf	khickingbottom	5/15/2014	30 KB	Fair Housing Certification
Greater 5th Ward-Resid-Comm.pdf	eric	9/3/2014	3239 KB	Beneficiary Docs - Caclulations and Survey Docs
Gender Calc-Fifth Ward.pdf	eric	9/3/2014	94 KB	Beneficiary Docs - Caclulations and Survey Docs
Greater 5th Ward Infra-Census Map.pdf	eric	9/3/2014	274 KB	Project and Census/Target Area Maps
Greater 5th Ward-TX MA05 Race Calc worksheet-print.pdf	eric	9/3/2014	25 KB	Beneficiary Docs - Caclulations and Survey Docs
Greater 5th Ward-LMI Calcs.pdf	eric	9/3/2014	78 KB	Census Spreadsheet
G5W-impact map.pdf	eric	9/3/2014	389 KB	Project Impact Documentation

Open Ditch-G5W Locations Map.pdf	eric	9/3/2014	4212 KB	Project and Census/Target Area Maps
Open Ditch-NNS Locations Map.pdf	eric	9/3/2014	4237 KB	Project and Census/Target Area Maps
Open Ditch-OSTSU Locations Map.pdf	eric	9/3/2014	4320 KB	Project and Census/Target Area Maps
Impact-Ike Rainfall Totals.pdf	eric	9/3/2014	322 KB	Project Impact Documentation
DRS 2 2 EngineeringFee-COH-Open Ditch.xlsx	eric	9/3/2014	77 KB	Engineering Fee Justification
G5W Schedule Explan.xlsx	eric	9/4/2014	13 KB	Miscellaneous Documents and Certifications

CONTRACT AMENDMENT

DRAFT

NON-HOUSING GRANT AGREEMENT
GLO CONTRACT No. 14-236-000-8329
DISASTER RECOVERY PROGRAM
AMENDMENT No.1

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

The GENERAL LAND OFFICE (the "GLO"), a Texas state agency, and THE CITY OF HOUSTON ("Grantee"), each a "Party" and collectively "the Parties," parties to that certain grant agreement effective XXXXXXX XX, XXXX, and denominated GLO Contract No. 14-236-000-8329 (the "Contract"), now desire to amend the Contract.

WHEREAS, the parties desire to revise the Performance Statement in order to more accurately reflect the project; and

WHEREAS, the parties desire to revise the Project Budget to apply awarded un-allocated funds to Flood and Drainage Facilities projects; and

WHEREAS, the Open Ditch-Greater Fifth Ward-Nichols Street Area project is anticipated to serve one thousand seventy-six (1,076) beneficiaries, of which eight hundred thirty-five (835), or seventy-eight percent (78%), are of low to moderate income; and

WHEREAS, the Open Ditch-Greater Fifth Ward-West Coke Street Area project is anticipated to serve one thousand four hundred three (1,403) persons, of which one thousand three hundred (1,300), or ninety-three percent (93%), are of low to moderate income; and

WHEREAS, the Open Ditch-Near Northside-Gano Street Area project is anticipated to serve two thousand four hundred fifty-three (2,453) persons, of which one thousand nine hundred ninety-eight (1,998), or eighty-two percent (82%), are of low to moderate income; and

WHEREAS, the Open Ditch-Old Spanish Trail/South Union-Calhoun Road Area project is anticipated to serve three thousand one hundred twenty-seven (3,127) persons, of which two thousand three hundred sixty (2,360), or seventy-six percent (76%), are of low to moderate income; and

WHEREAS, the Greater Fifth Ward project is anticipated to serve one thousand two hundred fifty-eight (1,258) persons, of which one thousand nineteen (1,019), or eighty-one percent (81%), are of low to moderate income; and

WHEREAS, the parties desire to revise the Implementation Schedule to allow for successful completion of the activities hereunder contemplated; and

Now, THEREFORE, the parties hereby agree to amend and modify the Contract as follows:

1. 1.01 (b) Grant Award will be revised as follows: Grantee submitted a Grant Application for grant under the Program, and the GLO is entering into this contract based on Grantee's Application.

   Subject to the terms and conditions of this Contract and Grantee's Application, the

GLO agrees to make a grant to Grantee in an amount not to exceed **TWENTY SIX MILLON ONE HUNDRED FORTY EIGHT THOUSAND NINE HUNDRED EIGHTY-SIX DOLLARS ($26,148,986)**, payable as reimbursement of allowable expenses incurred by Grantee, to be used in strict conformance with the terms of this Contract and the Project Budget in **Attachment B**.

2. ATTACHMENT A of the Contract, Performance Statement and Implementation Schedule, is hereby deleted and replaced by the Revised Performance Statement and Implementation Schedule, attached hereto and incorporated here in for all purposes as Attachment A-1.

3. ATTACHMENT B of the Contract. Project Budget, is hereby deleted and replaced by the Revised Project Budget, attached hereto and incorporated herein for all purposes as Attachment B-1.

4. This Amendment No. 1 shall be effective as of the date signed by the last party.

5. Except as amended and modified by this Amendment No. 1, all terms and conditions of the Contract shall remain in full force and effect.

6. Further material revisions to the Contract shall be by written agreement of the parties.

SIGNATURE PAGE
FOLLOWS

SIGNATURE PAGE FOR AMENDMENT No.1
TO GLO CONTRACT No.14-236-000-8329

GENERAL LAND OFFICE

Larry L Laine, Chief Clerk/
Deputy Land Commissioner

Date of execution: _____

CITY OF HOUSTON

By: _____

Title: _____

Date of execution: _____

ATTACHED TO THIS AMENDMENT:

ATTACHMENT A -1: Revised Performance Statement and Implementation Schedule

ATTACHMENT B-1: Revised Project Budget

ATTACHMENTS FOLLOW

Revised Performance Statement and Implementation Schedule

Grantee shall carry out the following activities in the target area identified in its 2008 Texas CDBG Disaster Recovery Supplemental Grant application to aid areas most impacted and distressed by Hurricanes Ike or Dolly. The persons to benefit from the activities described in this Performance Statement must be receiving service or a benefit from the use of the new or improved facilities and activities for the contract obligations to be fulfilled. Grantee shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in the Budget.

As a result of Hurricane Dolly on July 23, 2008 and Hurricane Ike on September 13, 2008, the City sustained flooding that resulted in street and drainage infrastructure failure. The City's roadways were submerged by flood waters that overwhelmed the existing drainage system and caused the road to fail to function as the primary access for the area. The existing storm sewer/drainage system infrastructure failed to function because the current system was unable to convey the volume of water generated during the storm. The failure of the streets and drainage to function threatened the public health, safety, and welfare of all served by the road due to standing water on the road and impeded emergency vehicle access. The City is in need of infrastructure improvements, including road repair and provision of adequate drainage infrastructure, to ensure roadway function.

Flood and Drainage Facilities-5

Near Northside

Grantee shall install new storm sewer facilities, curb and gutter, sidewalks, traffic signals, signs and striping, retaining walls, headwalls, drilled shafts, and railings, and perform utility relocations and site work associated with construction. Grantee shall also re-construct and improve existing roadways including lime stabilized subgrade, concrete pavement, and Hot Mix Asphalt Concrete (HMAC) base, and surface courses. The proposed improvements will restore and ensure the function of the road for primary access and emergency vehicle use. Construction shall take place at the following locations in Houston, Texas:

Flood and Drainage Facilities:	Location:	HUD Performance Measure:	Approximate Units:
On: Burnett Street	From: North Main Street To: Hardy Street	Linear Feet	2,700
On: North Main Street	From: Brooks Street To: Southern end of Hernandez tunnel	Linear Feet	800
On: Trentham Place	From: North Main Street To: Keene Street	Linear Feet	300

These activities shall benefit three thousand five hundred thirty-five (3,535) persons, of which two thousand eight hundred fifty-two (2,852), or eighty-one percent (81%), are of low to moderate income.

Open Ditch-Greater Fifth Ward-Nichols Street Area

Grantee shall reconstruct its open ditch storm drainage system by excavating and regrading roadside ditches and replacing driveway and sidewalk culverts ranging in size from eighteen to twenty-four inches (18 in. – 24 in.), with associated driveway replacement, sediment removal, sidewalk crossings and appurtenances. Proposed improvements will enable proper conveyance of storm water and reduce flooding risk. The project area shall include the following locations in Houston, Texas:

FLOOD AND DRAINAGE FACILITIES	LOCATION	HUD PERFORMANCE MEASURE	APPROXIMATE UNITS
On: Nichols	From: Lockwood To: western end	Linear Feet	4,900
On: Oats	From: St. Elmo To: Waco	Linear Feet	1,000
On: Solo	From: Oats To: Nichols	Linear Feet	1,600
On: Noble	From: Solo To: Erasmus	Linear Feet	1,800

These activities shall benefit one thousand seventy-six (1,076) persons, of which eight hundred thirty-five (835), or seventy-eight percent (78%), are of low to moderate income.

Open Ditch-Greater Fifth Ward-West Coke Street Area

Grantee shall reconstruct its open ditch storm drainage system by excavating and regrading roadside ditches and replacing driveway and sidewalk culverts ranging in size from eighteen to twenty-four inches (18 in. – 24 in.), with associated driveway replacement, sediment removal, sidewalk crossings and appurtenances. Proposed improvements will enable proper conveyance of storm water and reduce flooding risk. The project area shall include the following locations in Houston, Texas:

FLOOD AND DRAINAGE FACILITIES	LOCATION	HUD PERFORMANCE MEASURE	APPROXIMATE UNITS
On: West Coke	From: Waco To: eastern end	Linear Feet	1,000
On: Nimrod	From: Cline To: Coke	Linear Feet	400
On: Edmund	From: Nimrod To: Egan	Linear Feet	440
On: Egan	From: Cline To: northern end	Linear Feet	600

These activities shall benefit one thousand four hundred three (1,403) persons, of which one thousand three hundred (1,300), or ninety-three percent (93%), are of low to moderate income.

Open Ditch-Near Northside-Gano Street Area

Grantee shall reconstruct its open ditch storm drainage system by excavating and regrading roadside ditches and replacing driveway and sidewalk culverts ranging in size from eighteen to twenty-four inches (18 in. – 24 in.), with associated driveway replacement, sediment removal, sidewalk crossings and appurtenances. Proposed improvements will enable proper conveyance of storm water and reduce flooding risk. The project area shall include the following locations in Houston, Texas:

FLOOD AND DRAINAGE FACILITIES	LOCATION	HUD PERFORMANCE MEASURE	APPROXIMATE UNITS
On: Gano	From: Noble To: Burnett	Linear Feet	3,500
On: Common	From: Pinckney To: Brooks	Linear Feet	1,200
On: Terry	From: Brooks To: Hogan	Linear Feet	1,500
On: Fulton	From: Pinckney To: Hogan	Linear Feet	450
On: Everett	From: Brooks To: Hogan	Linear Feet	1,900
On: Chestnut	From: Brooks To: Hogan	Linear Feet	2,000
On: Gentry	From: Brooks To: Pinckney	Linear Feet	1,400
On: Harrington	From: Gentry To: Gano	Linear Feet	1,150

These activities shall benefit two thousand four hundred fifty-three (2,453) persons, of which one thousand nine hundred ninety-eight (1,998), or eighty-two percent (82%), are of low to moderate income.

Open Ditch-Old Spanish Trail/South Union-Calhoun Road Area

Grantee shall reconstruct its open ditch storm drainage system by excavating and regrading roadside ditches and replacing driveway and sidewalk culverts ranging in size from eighteen to twenty-four inches (18 in. – 24 in.), with associated driveway replacement, sediment removal, sidewalk crossings and appurtenances. Proposed improvements will enable proper conveyance of storm water and reduce flooding risk. The project area shall include the following locations in Houston, Texas:

FLOOD AND DRAINAGE FACILITIES	LOCATION	HUD PERFORMANCE MEASURE	APPROXIMATE UNITS
On: Calhoun	From: Branch To: Balkin	Linear Feet	4,400
On: Paris	From: Branch To: Balkin	Linear Feet	4,700
On: Ward	From: Weston To: London	Linear Feet	3,100
On: London	From: Hull To: Idaho	Linear Feet	3,500
On: Madrid	From: Idaho To: Balkin	Linear Feet	3,200
On: Dumble	From: Idaho To: Balkin	Linear Feet	3,400
On: Wayland	From: Perry To: Kingsbury	Linear Feet	1,200
On: Idaho	From: Cullen To: Madrid	Linear Feet	3,200
On: Liverpool	From: Branch To: Yellowstone	Linear Feet	3,000
On: Keystone	From: Calhoun To: Wayland	Linear Feet	1,200
On: Grace	From: Griggs To: south end	Linear Feet	3,200

On: New York	From: Branch To: Yellowstone	Linear Feet	3,400
On: Calhoun	From: Dewberry To: Perry	Linear Feet	600

These activities shall benefit three thousand one hundred twenty-seven (3,127) persons, of which two thousand three hundred sixty (2,360), or seventy-six percent (76%), are of low to moderate income.

Greater Fifth Ward

Grantee shall construct a new storm drainage system with culverts ranging from twenty-four to sixty inches (24 in. to 60 in.), inlets, manholes, detention ponds, concrete streets and curbs, and related interconnections, bore and jack, railroad crossing, driveway aprons, and demolition, removal or relocation of existing infrastructure. Proposed improvements will enable proper conveyance of storm water, reduce flooding risk and provide improved access for residents. The project area shall include the following locations in Houston, Texas:

FLOOD AND DRAINAGE FACILITIES	LOCATION	HUD PERFORMANCE MEASURE	APPROXIMATE UNITS
On: Bringhurst	From: Baron To: Baer	Linear Feet	700
On: Baer (new street)	From: Bringhurst To: Frank Teich (new)	Linear Feet	1,200
On: Cline (new street)	From: Bringhurst To: railroad crossing	Linear Feet	1,650
On: Capron	From: Hare To: Nance	Linear Feet	250
On: Nance	From: Bringhurst To: Capron	Linear Feet	300
On: Hare	From: Press To: Capron	Linear Feet	1,250
On: Press	From: Hare To: 100 feet south	Linear Feet	100
On: Frank Teich (new street)	From: Hare To: 250 feet south of Cline (new)	Linear Feet	1,400
On: Railroad ROW	From: Press To: 100 feet east	Linear Feet	100

These activities shall benefit one thousand two hundred fifty-eight (1,258) persons, of which one thousand nineteen (1,019), or eighty-one percent (81%), are of low to moderate income.

Engineering-30

Grantee shall ensure the amount of the funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services, does not exceed the amount specified for Engineering in the Budget.

Project Delivery-33

Grantee shall ensure the amount of the funds expended for all eligible project-related "project delivery" administration activities, including the required annual program compliance and fiscal audit, does not exceed the amount specified for Project Delivery in the Budget.

Engineering Activity Schedule Attachment A-1

Project: City of Houston Open Roadside Ditch

How many months will this project require: 24

Activity / Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Professional Procurement & Contracting																								
30% Design																								
Environmental Review & Certification																								
Acquisition																								
60% Design																								
100% Design																								
Advertise																								
Bid Opening																								
Award Construction Contract																								
Construction																								
Closeout Completion																								

If more than 24 months is required please provide an explanation:

Engineering Activity Schedule

Attachment A-1

Project: MDI / LIVING GREEN 5th Ward

How many months will this project require: 34

Activity / Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34
Professional Procurement & Contracting																																		
30% Design																																		
Environmental Review & Certification																																		
Acquisition																																		
60% Design																																		
100% Design																																		
Advertise																																		
Bid Opening																																		
Award Construction Contract																																		
Construction																																		
Closeout Completion																																		

If more than 24 months is required please provide an explanation:

Estimate construction complete at month 33 and closeout completion at month 34 due to design and construction complexity of street reconstruction and construction through acreage that was previously an industrial site. Approvals and additional coordination is required with the GLO, city, AT&T, CenterPoint and railroad. 30% task includes surveying and platting time, which is critical to design.

Attachment B-1

REVISED BUDGET
CITY OF HOUSTON

HUD Activity	Categories	Grant Funds to Grantee	Grant Funds to Service Providers Contracted by GLO	Other Funds	Total Funds
5	Flood and Drainage	$ 20,696,962	$ -	$ -	$ 20,696,962
30	Engineering/Architectural Services	$ 2,925,000	$ 933,085	$ -	$ 3,858,085
33	Planning/Project Delivery	$ 522,980	$ 1,045,959	$ -	$ 1,568,939
35	Environmental	$ -	$ 25,000	$ -	$ 25,000
	Total	$ 24,144,942	$ 2,004,044	$ -	$ 26,148,986

Total Grant Funds: $26,148,986

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/4/2014

HHS-FY 2015-2016 Tx Dept. Aging & Disability Services (DADS)

Agenda Item#: 15.

Summary:
ORDINANCE approving the allocation of $550,000 as a Cash Match; approving a grant from the Department of Aging and Disability Services (DADS) and accepting the FY 2015-2016 Area Plan for the Harris County Area Agency on Aging ("HCAAA"); declaring HCAAA'S eligibility for the Area Plan Grant Funding for FY 2015-2016; authorizing the Director of the Health & Human Services Department of the City of Houston ("the Director") to act as the HCAAA'S representative for purposes of the DADS Area Plan for FY 2015-2016; authorizing the Director to apply for, accept and expend the DADS Area FY 2015-2016 Plan Funds, and to apply for, accept and expend all subsequent DADS Area Plan Awards, if any, pertaining to said DADS Area Plan - General and Grant Funds

Background:
Subject: An ordinance approving a grant from the Texas Department of Aging and Disability Services (DADS) and accepting the FY 2015-2016 Area Plan for the Harris county Area on Aging

RECOMMENDATION:
An ordinance approving a grant from the Texas Department of Aging and Disability Services (DADS) and accepting the FY 2015-2016 Area Plan for the Harris County Area on Aging for October 1, 2014 to September 30, 2016.

SPECIFIC EXPLANATION:
The Houston Department of Health and Human Services (HDHHS) requests City Council approval of a grant award to the City of Houston from the Texas Department of Aging and Disability Services (DADS) and acceptance of the FY 2015-2016 Area Plan administered by the HDHHS Harris County area agency on Aging (HCAAA). The total award projected award is $11,295,824.00.

HDHHS also requests City Council to authorize the Director of his designee to act as the City's representative with the authority to sign the original contract, accept and expend all subsequent supplemental awards, if any, and to sign and extend the term, not to exceed five years, of any subsequent contract(s), if extended, with the approval of the City Attorney.

The grant funding allows HCAAA to implement its Area Plan focused on providing supportive services for older adults as part of a nationwide network, as mandated by the Older Americans Act of 1965 and its subsequent amendments.

The funding provided by DADS will support HCAAA's provision of services, including nutrition services, caregiver services, administration, health maintenance, and ombudsman activity to benefit older adults in Harris County and the surrounding communities. the grant requires a 25% match on administration and a minimum of 10% match on program, activities. General funds and Community Development Block Grant funds will be utilized for the match.

Among other services to older adults, this funding will deliver the following:

Congregate Meals	Approx. 351,000 in FY2015
Home Delivered Meals	Approx. 895,500 in FY2015
Transportation	Approx. 134,000 in FY2015

Prior Council Action:
Ordin 2010-0558 7/14/10

Amount of Funding:
Total Projected Cost from 10/01/14 - 9/30/16 : $11,295,824.00

a. Federal/State/Local Pass Through Fund (5030) : $10,681,141.00
b. State Fund (5010): $614,683.00
c. General Fund (1000): $150,000.00
d. Community Development Block Grant Funds (5000): $400,000.00

Source of Funding:
General Fund, Grant Fund

Contact Information:
Kathy Barton 832-393-5045
713-826-5801

ATTACHMENTS:

	Description	Type
	HHS-FY 2015-2016 Tx Dept. Aging & Disability Services (DADS)	Backup Material

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

SUBJECT: An ordinance approving a grant from the Texas Department of Aging and Disability Services (DADS) and accepting the FY 2015-2016 Area Plan for the Harris County Area on Aging	**Category # 9**	**Page 1 of 1**	**Agenda Item #**

FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	**Origination Date** 9/9/14	**Agenda Date**
DIRECTOR'S SIGNATURE: Stephen L Williams	**Council District affected:** ALL	
For additional information contact: Kathy Barton **Telephone: 832-393-5045; 713-826-5801**	**Date and identification of prior authorizing Council action:** 07/14/10; 2010-0558	

RECOMMENDATION: An ordinance approving a grant from the Texas Department of Aging and Disability Services (DADS) and accepting the FY 2015-2016 Area Plan for the Harris County Area on Aging for October 1, 2014 to September 30, 2016.

Amount of Funding:	**Finance Department:**
Total Projected Cost from 10/1/14 – 9/30/16: $11,845,824.00 **Federal/State/Local Pass Through Fund (5030): $10,681,141.00** **State Fund (5010): $614,683.00** **HDHHS Cash Match Total - $550,000.00:** **General Fund (1000): $150,000.00** **Community Development Block Grant funds (5000): $400,000.00**	

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

SPECIFIC EXPLANATION:

The Houston Department of Health and Human Services (HDHHS) requests City Council approval of a grant award to the City of Houston from the Texas Department of Aging and Disability Services (DADS) and acceptance of the FY 2015-2016 Area Plan administered by the HDHHS Harris County Area Agency on Aging (HCAAA). The total projected award for the period from 10/1/14 – 9/30/16 is $11,295,824.00. The grant requires a 25% cash match on administration and a minimum of 10% cash match on program activities. General funds and Community Development Block Grant funds will be utilized for the cash match in the amount of $550,000.00.

HDHHS also requests that City Council authorize the Mayor to execute the original contract, and authorize the Director or his designee to act as the City's representative with the authority to apply for, accept and expend the grant and all subsequent supplemental awards, if any.

The grant funding allows HCAAA to implement its Area Plan focused on providing supportive services for older adults as part of a nationwide network, as mandated by the Older Americans Act of 1965 and its subsequent amendments.

The funding provided by DADS will support HCAAA's provision of services, including nutrition services, caregiver services, administration, health maintenance, and ombudsman activity to benefit older adults in Harris County and the surrounding communities.

Among other services to older adults, this funding will deliver the following:

Congregate Meals	Approx. 351,000 in FY2015
Home Delivered Meals	Approx. 895,500 in FY2015
Transportation	Approx. 134,000 in FY2015

cc: Finance
Legal Department
Agenda Director

REQUIRED AUTHORIZATION

Finance Department	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District K

DON-Brays Oaks Management District - Community Garden Maintenance Agreement

Agenda Item#: 16.

Summary:
ORDINANCE approving and authorizing Community Garden Maintenance Agreement between the City of Houston, Texas, and the **BRAYS OAKS MANAGEMENT DISTRICT**

Background:
It is recommended that City Council approve an ordinance allowing the Brays Oak Management District to manage, operate and maintain a Community Garden on property acquired by the City in Westbury. The property is currently used as A Community Garden and is maintained by the Westbury Area Improvement Corporation.

The agreement grants a license to the Brays Oaks Management District to operate, maintain and manage the Community Garden and allows the community to continue to utilize the land as a garden while relieving the City of the expense of maintaining the land. In exchange for the ability to use the land as a community garden, the Management District will assume responsibility for any maintenance expense involved in holding the land.

Contact Information:
Andy Icken 832-393-1064
Katye Tipton 832-393-1098
Janice Evans 832-393-0800

ATTACHMENTS:

	Description	Type
	DON-Brays Oaks Management District - Community Garden Maintenance Agreement RCA	Backup Material
	DON-Brays Oaks Management District - Community Garden Maintenance Agreement CAPTION	Backup Material

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

SUBJECT: An ordinance approving and authorizing an Community Garden Maintenance Agreement between the City of Houston, Texas, and the Brays Oaks Management District	**Page 1 of 1**	**Agenda Item #**

FROM: (Department or other point of origin): Department of Neighborhoods	**Origination Date:**	**Agenda Date:**
DIRECTOR'S SIGNATURE: Katye Tipton	**Council District affected:**	
For additional information contact: Andy Icken 832-393-1064 Katye Tipton 832-393-1098 Janice Evans 832-393-0800	**Date and identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary) Approve an Ordinance approving and authorizing a Community Garden Maintenance Agreement between the City of Houston, Texas, and the Brays Management District.

Amount and Source of Funding:
None

SPECIFIC EXPLANATION:

It is recommended that City Council approve an ordinance allowing the Brays Oaks Management District to manage, operate and maintain a Community Garden on property acquired by the City in Westbury. The property is currently used a Community Garden and is maintained by the Westbury Area Improvement Corporation.

The agreement grants a license to the Brays Oaks Management District to operate, maintain and manage the Community Garden and allows the community to continue to utilize the land as a garden while relieving the City of the expense of maintaining the land. In exchange for the ability to use the land as a community garden, the Management District will assume responsibility for any maintenance expense involved in holding the land.

REQUIRED AUTHORIZATION

Finance Budget:	**Other Authorization:**	**Other Authorization:**

City of Houston, Texas Ordinance No. 2014 - _____

AN ORDINANCE APPROVING AND AUTHORIZING COMMUNITY GARDEN MAINTENANCE AGREEMENT BETWEEN THE CITY OF HOUSTON, TEXAS, AND THE BRAYS OAKS MANAGEMENT DISTRICT; CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.

WHEREAS, the Brays Oaks Management District ("District") was created by the State of Texas to provide management services and improvements in the Brays Oaks Area of Houston, Texas; and

WHEREAS, the City and the District desire to facilitate continued operation and maintenance of a community garden in the District; and

WHEREAS, the City of Houston and the District desire to enter into the attached agreement to allow the District to manage the community garden, **NOW, THEREFORE,**

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

Section 1. That City Council of the City of Houston, Texas hereby adopts the findings set out in the preamble hereof and finds and determines that the Community Garden Maintenance Agreement is in the best interests of and benefits the City, and serves a public purpose for the benefit of the citizens.

Section 2. That the City Council hereby approves and authorizes the contract, agreement or other undertaking described in the title of this Ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor (or, in the absence of the Mayor, the Mayor Pro Tem) is hereby authorized to execute such document and all related documents on behalf of the City of Houston. The City Secretary (or in the absence of the City Secretary, any Assistant City Secretary) is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said Oil and Gas Lease without further authorization from Council.

Section 3. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this _____ day of _____, 2014.

APPROVED this _____ day of _____, 2014.

_____

Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____, 2014.

_____
City Secretary

(Prepared by Legal Dept. _____)
(SEK 5/12/14) Senior Assistant City Attorney
(Requested by Katye Tipton, Director, Department of Neighborhoods)
(L.D. File No. _____)
G:\REAL ESTATE\DISTRICTS\MANAGEMENT DISTRICTS\Brays Oaks Mgmt District (HCID#5)\Ordinance Brays Oaks M D -- Westbury Community Gardens.doc

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District C

Item Creation Date: 9/3/2014

MYR-Fourth Ward Redevelopment Authority TIRZ 14

Agenda Item#: 17.

Summary:
ORDINANCE relating to the Fiscal Affairs of the **FOURTH WARD REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvement Projects Budget for the Zone - **DISTRICT C - COHEN**

Background:
The Administration has undertaken a comprehensive review of the proposed FY 15 TIRZ budgets and recommends approval of the FY 15 Operating Budget for the Fourth Ward Redevelopment Authority (the Authority) and the FY 15 – FY 19 CIP Budget for Reinvestment Zone Number Fourteen (Zone).

- Total Operating Budget for FY 15 is $6,674,571, which includes $2,745,162 for required fund transfers and $3,929,409 for project costs.
- The FY 15 – FY 19 CIP for the Zone totals $12,861,785. The CIP includes provisions for the design and construction of roadway and street reconstruction, pedestrian amenities, utility replacements/upgrades and historical monumentation.
- The FY 15 Operating Budget includes $3,683,309 for capital expenditures and $211,100 administration and overhead. The authority must advise the Chief Development Officer of any budget amendments. Adjustments to the budget that exceed $400,000 require City Council approval.
- The budget includes a municipal services cost payment in FY 15 of $446,000 for the incremental cost of providing services to the area.

Prior Council Action:
Ord. No. 2013-0958 10/23/13

Contact Information:
Gwen Tillotson 832-393-0937

ATTACHMENTS:

	Description	Type
	RCA	Backup Material
	4th Ward TIRZ 14	Backup Material

REQUEST FOR COUNCIL ACTION

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

SUBJECT: Ordinance approving the Fiscal Year 2015 Operating Budget for the Fourth Ward Redevelopment Authority and the Fiscal Years 2015 - 2019 Capital Improvement Plan (CIP) Budget for Reinvestment Zone Number Fourteen (Fourth Ward 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**
DIRECTOR'S SIGNATURE:	**Council Districts affected:** C		
For additional information contact: Gwen Tillotson **Phone:** (832) 393-0937	**Date and identification of prior authorizing Council Action:** Ord. No. 2013-0958, 10/23/13		

RECOMMENDATION: (Summary)
City Council adopt an Ordinance approving the Fiscal Year 2015 Operating Budget for the Fourth Ward Redevelopment Authority and the Fiscal Years 2015 - 2019 CIP Budget for Reinvestment Zone Number Fourteen (Fourth Ward Zone).

Amount of Funding: No Funding Required

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

SPECIFIC EXPLANATION:
The Administration has undertaken a comprehensive review of proposed FY15 TIRZ budgets and recommends approval of the FY15 Operating Budget for the Fourth Ward Redevelopment Authority (Authority) and the FY15 - FY19 CIP Budget for Reinvestment Zone Number Fourteen (Zone).

- The total Operating Budget for FY15 is $6,674,571, which includes $2,745,162 for required fund transfers and $3,929,409 for Project Costs.
- The FY15 - FY19 CIP for the Zone totals $12,861,785. The CIP includes provisions for the design and construction of roadway and street reconstruction, pedestrian amenities, utility replacements/upgrades and historical monumentation.
- The FY15 Operating Budget includes $3,683,309 for capital expenditures and $211,100 for administration and overhead. The Authority must advise the Chief Development Officer of any budget amendments. Adjustments to the budget in excess of $400,000 require City Council approval.
- The budget includes a municipal services cost payment in FY15 of $446,000 for the incremental cost of providing services to the area.

Attachments: FY15 Operating Budget and FY15 - FY19 CIP Budget

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

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Fourth Ward Redevelopment Authority**
TIRZ: **14**
Fund Number: **7562/50**

PROFILE

Base Year:		1999
Base Year Taxable Value:	$	34,286,680.00
Projected Taxable Value (TY2014):	$	391,604,267.00
Current Taxable Value (TY2013):	$	356,804,451.00
Acres:		157.67
Administrator (Contact):		Vanessa Sampson
Contact Number:		(713) 526-7577

NARRATIVE

Zone Purpose:

Tax Increment Reinvestment Zone Number Fourteen, City of Houston, Texas was created to facilitate the revitalization of the historic Fourth Ward from a blighted and deteriorated neighborhood into a viable residential community with supporting commerical development, affordable housing, infrastructure improvements, educational facilities, parks, property acquistion, and the preservation and restoration of historic structures.

The following is a list of accomplishments for FY 2014:

Completed construction and opened Bethel Park.

Final design of the Fourth Ward Street Reconstruction Project-Phase I and commenced the bid process.

Design phase commenced for the rehabilitation of three (3) historic and vulnerable homes relocated to Fourth Ward Redevelopment Authority property for use as affordable housing.

Design phase initiated for landscape improvements and street enhancements for Genessee and Gillette streets.

Installed security cameras at Wiley Park and Bethel Park.

PROJECT PLAN

	Total Plan	Cumulative Expenses (to 6/30/13)	Variance
Capital Projects:			
Roadways and Streets	$ 11,448,400	$ 1,614,125	$ 9,834,275
Infrastructure	39,743,600	-	39,743,600
Parks and Recreational Facilities	7,478,000	5,158,691	2,319,309
Entry Features and Focal Points	1,556,000	-	1,556,000
Historic Preservation	8,850,000	5,446,797	3,403,203
Cultural and Public Facilities Improvements	3,406,132	3,406,132	-
	-	-	-
	-	-	-
Total Capital Projects	$ 72,482,132	$ 15,625,745	$ 56,856,387
Affordable Housing	42,700,000	9,219,187	33,480,813
School & Education/Cultural Facilities	15,300,000	6,568,378	8,731,622
Financing Costs	-	-	-
Administration Costs/ Professional Services	7,800,000	2,892,151	4,907,849
Creation Costs	-	-	-
Total Project Plan	$ 138,282,132	$ 34,305,461	$ 103,976,671

DEBT

Additional Financial Data	FY2014 Budget	FY2014 Estimate	FY2015 Budget
Debt Service	$ -	$ -	$ -
Principal	$ -	$ -	$ -
Interest	$ -	$ -	$ -
	Balance as of 6/30/13	**Projected Balance as of 6/30/14**	**Projected Balance as of 6/30/15**
Year End Outstanding (Principal)			
Bond Debt	$ -	$ -	$ -
Bank Loan	$ -	$ -	$ -
Line of Credit	$ -	$ -	$ -
Developer Agreement	$ -	$ -	$ -
Other	$ -	$ -	$ -

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Fourth Ward Redevelopment Authority**
TIRZ: **14**
Fund Number: **7562/50**

TIRZ Budget Line Items	FY2014 Budget	FY2014 Estimate	FY2015 Budget
RESOURCES			
RESTRICTED Funds - Capital Projects	$ 7,783,698	$ 7,852,998	$ 7,852,998
RESTRICTED Funds - Affordable Housing	$ 1,509,038	$ 1,550,755	$ 1,510,100
RESTRICTED Funds - Bond Debt Service	$ -	$ -	$ -
UNRESTRICTED Funds	$ 726,497	$ 580,952	$ 1,043,794
Beginning Balance	**$ 10,019,233**	**$ 9,984,705**	**$ 10,406,892**
City tax revenue	$ 1,523,172	$ 1,629,732	$ 1,849,002
County tax revenue	$ -	$ -	$ -
ISD tax revenue	$ 2,316,216	$ 2,316,216	$ 2,344,692
ISD tax revenue - Pass Through	$ -	$ -	$ -
Community College tax revenue	$ -	$ -	$ -
Special Prepayment of Increment (Federal Reserve Bank)*	$ -	$ -	$ -
Incremental property tax revenue	**$ 3,839,389**	**$ 3,945,949**	**$ 4,193,693**
	$ -	$ -	$ -
Miscellaneous revenue	**$ -**	**$ -**	**$ -**
COH TIRZ interest	$ -	$ -	$ -
Interest Income	$ 3,124	$ 2,498	$ 4,488
Other Interest Income	**$ 3,124**	**$ 2,498**	**$ 4,488**
	$ -	$ -	$ -
	$ -	$ -	$ -
Grant Proceeds	**$ -**	**$ -**	**$ -**
	$ -	$ -	$ -
Proceeds from Bank Loan	**$ -**	**$ -**	**$ -**
	$ -	$ -	$ -
Contract Revenue Bond Proceeds	**$ -**	**$ -**	**$ -**
TOTAL AVAILABLE RESOURCES	**$ 13,861,745**	**$ 13,933,152**	**$ 14,605,073**

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Fourth Ward Redevelopment Authority**
TIRZ: **14**
Fund Number: **7562/50**

TIRZ Budget Line Items	FY2014 Budget	FY2014 Estimate	FY2015 Budget
EXPENDITURES			
Accounting	$ 7,200	$ 7,200	$ 9,600
Administration Salaries & Benefits	$ 129,000	$ 121,000	$ 140,000
Auditor	$ 8,500	$ 10,150	$ 10,000
Bond Services/Trustee/Financial Advisor	$ -	$ -	$ -
Insurance	$ 1,400	$ 1,550	$ 1,500
Office Administration	$ 50,000	$ 45,000	$ 50,000
TIRZ Administration and Overhead	**$ 196,100**	**$ 184,900**	**$ 211,100**
Engineering Consultants	$ -	$ -	$ -
Legal	$ 20,000	$ 22,000	$ 20,000
Legal - Affordable Housing	$ -	$ 36,790	$ -
Construction Audit	$ -	$ -	$ -
Planning Consultants	$ -	$ -	$ 15,000
Program and Project Consultants	**$ 20,000**	**$ 58,790**	**$ 35,000**
Management consulting services	**$ 216,100**	**$ 243,690**	**$ 246,100**
Capital Expenditures (See CIP Schedule)	$ 4,598,960	$ 218,257	$ 3,683,309
	$ -	$ -	$ -
TIRZ Capital Expenditures	**$ 4,598,960**	**$ 218,257**	**$ 3,683,309**
Camden	$ 422,000	$ 422,000	$ -
Developer / Project Reimbursements	**$ 422,000**	**$ 422,000**	**$ -**
System debt service	$ -	$ -	$ -
TOTAL PROJECT COSTS	**$ 5,237,060**	**$ 883,947**	**$ 3,929,409**
Payment/transfer to ISD - educational facilities	$ 774,288	$ 774,323	$ 783,814
Payment/transfer to ISD - educational facilities (Pass Through)	$ -	$ -	$ -
Adminstration Fees:			
City	$ 95,321	$ 81,673	$ 92,450
County	$ -	$ -	$ -
ISD	$ 25,000	$ 25,000	$ 25,000
HCC	$ -	$ -	$ -
Affordable Housing:			
City	$ 507,724	$ 362,163	$ 410,889
Fourth Ward AH Program**		$ 438,439	$ 465,966
County	$ -	$ -	$ -
ISD to City of Houston	$ 772,072	$ 514,715	$ 521,043
Municipal Services (Payable to COH)	$ 446,000	$ 446,000	$ 446,000
Total Transfers	**$ 2,620,405**	**$ 2,642,313**	**$ 2,745,162**
Total Budget	**$ 7,857,465**	**$ 3,526,260**	**$ 6,674,571**
RESTRICTED Funds - Capital Projects	$ 3,534,738	$ 7,852,998	$ 3,534,738
RESTRICTED Funds - Affordable Housing	$ 1,509,038	$ 1,510,100	$ 1,510,100
RESTRICTED Funds - Bond Debt Service	$ -	$ -	$ -
UNRESTRICTED Funds	$ 960,504	$ 1,043,794	$ 2,885,664
Ending Fund Balance	**$ 6,004,280**	**$ 10,406,892**	**$ 7,930,502**
Total Budget & Ending Fund Balance	**$ 13,861,745**	**$ 13,933,152**	**$ 14,605,073**

Notes:

Council District	CIP No.	Project	Fiscal Year Planned Appropriations								
			Through 2013	Projected 2014	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
C	T-1403	Gillette - Genesse Street Pedestrian Amenities	$ 653,035	84,675	491,351	1,345,049	-	-	-	1,836,400	2,574,110
C	T-1409	Fourth Ward Street Reconstruction Project	$ 312,351	33,582	2,900,000	1,524,533	2,000,000	1,257,467	2,551,427	10,233,427	10,579,360
C	T-1410	Bethel Missionary Baptist Church Preservation	$ 3,935,073	-	-	-	-	-	-	-	3,935,073
C	T-1411	Carnegie Park	$ 2,500,000	-	-	-	-	-	-	-	2,500,000
C	T-1412	Historical Monuments	$ -	-	250,000	250,000	50,000	200,000	-	750,000	750,000
C	T-1413	Wylie Park and Bethel Park Security Enhancements	$ -	100,000	-	-	-	-	-	-	100,000
C	T-1414	Street Signs	$ -	-	41,958	-	-	-	-	41,958	41,958
Totals			**$ 7,400,459**	**$ 218,257**	**$ 3,683,309**	**$ 3,119,582**	**$ 2,050,000**	**$ 1,457,467**	**$ 2,551,427**	**$ 12,861,785**	**$ 20,480,501**

* NOTE:
** NOTE:
*** NOTE:

Source of Funds	Fiscal Year Planned Appropriations								
	Through 2013	Projected 2014	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
TIRZ Funds	7,400,459	218,257	3,683,309	3,119,582	2,050,000	1,457,467	2,551,427	12,861,785	20,480,501
City of Houston	-	-	-	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-
Project Total	**7,400,459**	**218,257**	**3,683,309**	**3,119,582**	**2,050,000**	**1,457,467**	**2,551,427**	**12,861,785**	**20,480,501**

Project:	**Gillette - Genesse Street Pedestrian Amenities and Landcaping**	**City Council District**		**Key Map:**	493	**WBS.:** T-1403
		Location:	C	**Geo. Ref.:**		
		Served:	C	**Neighborhood:**	60	
Description:	Pedestrian safety improvements and street enhancements including lighting and landscaping.					
Justification:	Pursuant to Interlocal Agreement between the City, the Fourth Ward Redevelopment Authority and the Federal Reserve Bank.					

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	144,386	-	84,675	-	-	-	-	-	$ -	$ 229,061
4 Construction	508,649	1,000,000	-	491,351	1,345,049	-	-	-	$ 1,836,400	$ 2,345,049
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ 653,035	$ 1,000,000	$ 84,675	$ 491,351	$ 1,345,049	$ -	$ -	$ -	$ 1,836,400	$ 2,574,110
Source of Funds										
TIRZ Funds	653,035	1,000,000	84,675	491,351	1,345,049	-	-	-	$ 1,836,400	$ 2,574,110
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ 653,035	$ 1,000,000	$ 84,675	$ 491,351	$ 1,345,049	$ -	$ -	$ -	$ 1,836,400	$ 2,574,110

Project:	Fourth Ward Street Reconstruction Project	City Council District		Key Map:	493	WBS.:	T-1409
		Location:	C	Geo. Ref.:			
		Served:	C	Neighborhood:	60		

Description: Roadway reconstruction and streetscape enhancement on Ruthven, Robin, Buckner, Cleveland, Saulnier, Victor, Mathews, Bailey, Cushing, Valentine and Arthur.

Justification: Existing conditions consist of subsurface street failure, missing curbs, none or intermediate sidewalks.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	-	33,582	-	524,533	-	550,000	-	$ 1,074,533	$ 1,108,115
4 Construction	312,351	2,412,560	-	2,900,000	1,000,000	2,000,000	707,467	2,551,427	$ 9,158,894	$ 9,471,245
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ 312,351	$ 2,412,560	$ 33,582	$ 2,900,000	$ 1,524,533	$ 2,000,000	$ 1,257,467	$ 2,551,427	$ 10,233,427	$ 10,579,360
Source of Funds										
TIRZ Funds	312,351	2,412,560	33,582	2,900,000	1,524,533	2,000,000	1,257,467	2,551,427	$ 10,233,427	$ 10,579,360
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ 312,351	$ 2,412,560	$ 33,582	$ 2,900,000	$ 1,524,533	$ 2,000,000	$ 1,257,467	$ 2,551,427	$ 10,233,427	$ 10,579,360

Project:	Historical Monuments	City Council District		Key Map:		WBS.:	T-1412
		Location:	C	Geo. Ref.:			
		Served:	C	Neighborhood:			

Description: To develop and construct historical monuments in the Freedman's Town area.

Justification: The Fourth Ward area has lost most of its historical heritage and a monument would serve as a reminder and educational tool of the African American heritage of the Fourth Ward area.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	50,000	-	50,000	50,000	50,000	-	-	$ 150,000	$ 150,000
4 Construction	-	50,000	-	200,000	200,000	-	200,000	-	$ 600,000	$ 600,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ 100,000	$ -	$ 250,000	$ 250,000	$ 50,000	$ 200,000	$ -	$ 750,000	$ 750,000
Source of Funds										
TIRZ Funds	-	100,000	-	250,000	250,000	50,000	200,000	-	$ 750,000	$ 750,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ 100,000	$ -	$ 250,000	$ 250,000	$ 50,000	$ 200,000	$ -	$ 750,000	$ 750,000

Project:	**Wylie Park and Bethel Park Security Enhancements**	**City Council District**		**Key Map:**	
		Location:	C	**Geo. Ref.:**	
		Served:	C	**Neighborhood:**	
WBS.:	**T-1413**				
Description:	Installation of cameras at Wylie and Bethel Parks.				
Justification:	Enhanced security and safety for the Fourth Ward Community is essential for the continued development of the neighborhood.				

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation		**Projected Expenses thru 6/30/13**	**2014 Budget**	**2014 Estimate**	**2015**	**2016**	**2017**	**2018**	**2019**	**FY15 - FY19 Total**	**Cumulative Total (To Date)**
Phase											
1	Planning	-	-	-	-	-	-	-	-	$ -	$ -
2	Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3	Design	-	-	-	-	-	-	-	-	$ -	$ -
4	Construction	-	-	-	-	-	-	-	-	$ -	$ -
5	Equipment	-	-	100,000	-	-	-	-	-	$ -	$ 100,000
6	Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7	Other	-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:		-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations		$ -	$ -	$ 100,000	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000
Source of Funds											
TIRZ Funds		-	-	100,000	-	-	-	-	-	$ -	$ 100,000
City of Houston		-	-	-	-	-	-	-	-	$ -	$ -
Grants		-	-	-	-	-	-	-	-	$ -	$ -
Other		-	-	-	-	-	-	-	-	$ -	$ -
Total Funds		$ -	$ -	$ 100,000	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000

Project:	**Street Signs**	**City Council District**		**Key Map:**	
		Location:	C	**Geo. Ref.:**	
		Served:	C	**Neighborhood:**	

WBS.: T-1414

Description: Decorative street signage.

Justification: The New Fourth ward HOA dissolved and transferred its funds to the Authority to be utilized for improvements in the Fourth Ward TIRZ area.

Operating and Maintenance Costs: ($ Thousands)

	2014	2015	2016	2017	2018	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation		Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase											
1	Planning	-	-	-	-	-	-	-	-	$ -	$ -
2	Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3	Design	-	-	-	-	-	-	-	-	$ -	$ -
4	Construction	-	-	-	41,958	-	-	-	-	$ 41,958	$ 41,958
5	Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6	Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7	Other	-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:		-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations		$ -	$ -	$ -	$ 41,958	$ -	$ -	$ -	$ -	$ 41,958	$ 41,958
Source of Funds											
TIRZ Funds		-	-	-	41,958	-	-	-	-	$ 41,958	$ 41,958
City of Houston		-	-	-	-	-	-	-	-	$ -	$ -
Grants		-	-	-		-	-	-	-	$ -	$ -
Other		-	-	-	-	-	-	-	-	$ -	$ -
Total Funds		$ -	$ -	$ -	$ 41,958	$ -	$ -	$ -	$ -	$ 41,958	$ 41,958

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District C, District H, District I

Item Creation Date: 9/4/2014

MYR - Downtown Zone (Reinvestment Zone #3)

Agenda Item#: 18.

Summary:
ORDINANCE relating to the Fiscal Affairs of the **MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY d/b/a DOWNTOWN REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvement Projects Budget for the Zone - **DISTRICTS C - COHEN; H - GONZALEZ and I - GALLEGOS**

Background:
SUBJECT: Ordinance approving the Fiscal Year 2015 Operating Budget for Main Street/Market Square Redevelopment Authority d/b/a Downtown Redevelopment Authority and Fiscal Years 2015 -2019 Capital Improvement Plan (CIP) Budget for Reinvestment Zone Number Three (Downtown Zone).

RECOMMENDATION: (Summary)
City Council adopt an ordinance approving the Fiscal Year 2015 Operating Budget for Main Street/Market Square Redevelopment Authority d/b/a Downtown Redevelopment Authority and the Fiscal Years 2015 - 2019 CIP Budget for Reinvestment Zone Number Three (Downtown Zone).

SPECIFIC EXPLANATION:
The Administration has undertaken a comprehensive review of the proposed FY15 TIRZ budgets and recommends approval of the FY15 Operating Budget for Main Street/Market Square Redevelopment Authority d/b/a Downtown Redevelopment Authority (the Authority) and FY15 - FY19 CIP for Reinvestment Zone Number Three (the Zone).

Total Operating Budget for FY15 $37,619,685, which includes $7,272,271 for required fund transfers and $30,347,414 for Project Costs.

The FY15 - FY19 CIP Budget totals $58,485,473, and includes provisions for the design and construction of parks, plazas, Main Street pedestrian improvements, downtown shopping district improvements, a downtown public parking garage and the reconstruction of Allen Parkway at Buffalo Bayou Park.

The FY15 Operating Budget includes $21,685,473 for capital expenditures and $206,550 for administration and overhead. The Authority must advise the Chief Development Officer of any budget amendments. Adjustments to the budget that exceed $400,000 require City Council approval.

The budget includes a municipal services cost payment in FY15 of $980,000 to pay for the incremental cost of providing services to the area.

Attachments: FY15 Operating Budget and FY15-FY19 CIP Budget

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

Prior Council Action:
Date and identification of prior authorizing Council Action:
Ord. No. 2013-0922, 10/16/13

Contact Information:

Gwendolyn Tillotson **Phone:** (832) 393-0937

ATTACHMENTS:

Description	Type
TIRZ 03 - RCA	Signed Cover sheet
TIRZ 03 - Prior Council Action 2013-0922	Ordinance/Resolution/Motion
CIP & Budget Profile	Backup Material

REQUEST FOR COUNCIL ACTION

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

SUBJECT: Ordinance approving the Fiscal Year 2015 Operating Budget for Main Street/Market Square Redevelopment Authority d/b/a Downtown Redevelopment Authority and Fiscal Years 2015 - 2019 Capital Improvement Plan (CIP) Budget for Reinvestment Zone Number Three (Downtown 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**
DIRECTOR'S SIGNATURE:	**Council Districts affected:** C, H, I		
For additional information contact: Gwen Tillotson **Phone:** (832) 393-0937	**Date and identification of prior authorizing Council Action:** Ord. No. 2013-0922, 10/16/13		

RECOMMENDATION: (Summary)
City Council adopt an ordinance approving the Fiscal Year 2015 Operating Budget for Main Street/Market Square Redevelopment Authority d/b/a Downtown Redevelopment Authority and the Fiscal Years 2015 - 2019 CIP Budget for Reinvestment Zone Number Three (Downtown Zone).

Amount of Funding: No Funding Required

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

SPECIFIC EXPLANATION:
The Administration has undertaken a comprehensive review of the proposed FY15 TIRZ budgets and recommends approval of the FY15 Operating Budget for Main Street/Market Square Redevelopment Authority d/b/a Downtown Redevelopment Authority (the Authority) and FY15 - FY19 CIP for Reinvestment Zone Number Three (the Zone).

- Total Operating Budget for FY15 $37,619,685, which includes $7,272,271 for required fund transfers and $30,347,414 for Project Costs.
- The FY15 - FY19 CIP Budget totals $58,485,473, and includes provisions for the design and construction of parks, plazas, Main Street pedestrian improvements, downtown shopping district improvements, a downtown public parking garage and the reconstruction of Allen Parkway at Buffalo Bayou Park.
- The FY15 Operating Budget includes $21,685,473 for capital expenditures and $206,550 for administration and overhead. The Authority must advise the Chief Development Officer of any budget amendments. Adjustments to the budget that exceed $400,000 require City Council approval.
- The budget includes a municipal services cost payment in FY15 of $980,000 to pay for the incremental cost of providing services to the area.

Attachments: FY15 Operating Budget and FY15-FY19 CIP Budget

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

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Main Street/Market Square Redevelopment Authority**
TIRZ: **03**
Fund Number: **7551/50**

PROFILE

Base Year:		1995
Base Year Taxable Value:	$	22,231,380
Projected Taxable Value (TY2014):	$	2,300,392,762
Current Taxable Value (TY2013):	$	1,973,148,974
Acres:		653.61
Administrator (Contact):		Bob Eury
Contact Number:		(713) 752-0827

NARRATIVE

Zone Purpose:

Tax Increment Reinvestment Zone Number Three, City of Houston, Texas was created in 1995 to stimulate new residential development in the 9-Block area surrounding the Rice Hotel. In 1998, the Zone was expanded to include Main Street and the northern Blocks of the Central Business District along Buffalo Bayou, primarily to create pedestrian and transit amenities and to catalyze new investment and enhance connections between the eastern and western sectors of downtown. In 2005, two Blocks were added to provide a new mixed-use retail and entertainment project. In 2007, the Zone was expanded to include public and institutional parcels in and around City Hall and the Jones Library. In 2011, the boundaries were further enlarged to include the Buffalo Bayou Parklands west to Shepherd Drive.

- Completed the East-West Sidewalk Improvements and funding obligation for Houston Parks Board Bike Trails
- Work on the Sabine to Bagby Promenade and Congress Street Bridge lighting projects in progress
- Completed planning phase for the Library Plaza Improvements
- Distributed grant funds for completed Heritage Society restoration of the 1866 4th Ward Cottage
- Approved additional grant funds for International Coffee Building and 412 Main facade restoration
- Approved renovation plan, re-branding as GreenStreet, and continued grant payment for Houston Pavilions
- Completed first phase of Buffalo Bayou Park and began payment of maintenance obligation
- Completed planning phase for Main Street Streetscape Improvements
- Approved grant for Alley Theater Improvements
- Approved economic development grants for Alessandra Hotel and 1616 Main Holiday Inn Hotel projects
- Approved TIRZ #3 Downtown Living Program agreements with Hines and BMS for Market Square residential projects
- Received report from Comcast/NBC Universal economic development agreement and paid first grant payment
- Approved initial planning work on Shopping District Improvements
- Began planning work on the reconfiguration of Allen Parkway to provide additional parking spaces for Buffalo Bayou Park.

PROJECT PLAN

	Total Plan	Cumulative Expenses (to 6/30/13)	Variance
Capital Projects:			
Roadways and Streets	$ 22,500,000	$ 2,605,179	$ 19,894,821
Infrastructure, Mobility, Transit Improvements	18,334,450	12,603,495	5,730,955
Real Property Improvements	57,520,266	17,461,089	40,059,177
Parking Facilities	10,156,417	-	10,156,417
Historic Preservation Improvements	26,351,008	9,298,441	17,052,567
Parks and Recreational Facilities	32,044,167	4,415,006	27,629,161
Theater District Improvements	11,504,799	2,267,090	9,237,709
Cultural and Public Facilities Improvements	10,000,000	1,503,555	8,496,445
Economic Development Programs	166,800,000	9,734,639	157,065,361
Institutional Facilities Improvements	22,000,000	10,022,581	11,977,419
Total Capital Projects	$ 377,211,107	$ 69,911,075	$ 307,300,032
Affordable Housing	-	-	-
School & Education/Cultural Facilities	82,541,820	28,815,382	53,726,438
Financing Costs	21,650,000	10,947,847	10,702,153
Administration Costs/ Professional Services	6,934,426	4,330,192	2,604,234
Creation Costs	-	-	-
Total Project Plan	$ 488,337,353	$ 114,004,496	$ 374,332,857

DEBT

Additional Financial Data	FY2014 Budget	FY2014 Estimate	FY2015 Budget
Debt Service	$ 2,301,194	$ 2,301,194	$ 2,300,690
Principal	$ 1,805,000	$ 1,805,000	$ 1,850,000
Interest	$ 496,194	$ 496,194	$ 450,690
	Balance as of 6/30/13	**Projected Balance as of 6/30/14**	**Projected Balance as of 6/30/15**
Year End Outstanding (Principal)			
Bond Debt	$ 20,830,000	$ 19,025,000	$ 17,175,000
Bank Loan	$ -	$ -	$ -
Line of Credit	$ -	$ -	$ -
Developer Agreement	$ -	$ -	$ -
Other (Rosemont Bridge)	$ 1,950,000	$ 1,950,000	$ 1,950,000
Other (HHFC)	$ 5,250,000	$ 4,500,000	$ 3,750,000

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Main Street/Market Square Redevelopmer**
TIRZ: **03**
Fund Number: **7551/50**

TIRZ Budget Line Items	FY2014 Budget	FY2014 Estimate	FY2015 Budget
RESOURCES			
RESTRICTED Funds - Capital Projects	$ 7,768,122	$ 6,801,053	$ 12,500,000
RESTRICTED Funds - Bond Proceeds	$ 615,473	$ 615,473	$ 615,473
RESTRICTED Funds - Buffalo Bayou Park	$ 1,200,000	$ 1,200,000	$ 2,213,615
RESTRICTED Funds - Bond Debt Service	$ 2,298,615	$ 2,323,677	$ 2,301,194
Unrestricted Funds/Net Current Activity	$ 3,245,082	$ 5,058,590	$ 1,270,227
Beginning Balance	**$ 15,127,292**	**$ 15,998,793**	**$ 18,900,509**
City tax revenue	$ 9,046,907	$ 10,669,646	$ 12,687,644
County tax revenue	$ 799,429	$ 756,170	$ 910,964
ISD tax revenue	$ 5,112,362	$ 5,244,955	$ 5,244,955
ISD tax revenue - Pass Through		$ 1,856,817	$ 1,856,817
	$ -	$ -	$ -
Incremental property tax revenue	**$ 14,958,698**	**$ 18,527,588**	**$ 20,700,381**
Parking Revenue (Blocks 6 & 7)	$ 100,000	$ 100,000	$ 100,000
Allen Parkway Project*	$ -	$ 175,000	$ 10,905,000
Miscellaneous revenue	**$ 100,000**	**$ 275,000**	**$ 11,005,000**
COH TIRZ interest		$ -	$ -
Interest Income	$ 18,712	$ 17,748	$ 23,380
Other Interest Income	**$ 18,712**	**$ 17,748**	**$ 23,380**
	$ -	$ -	$ -
	$ -	$ -	$ -
Grant Proceeds	**$ -**	**$ -**	**$ -**
	$ -	$ -	$ -
Proceeds from Bank Loan	**$ -**	**$ -**	**$ -**
	$ -	$ -	$ -
Contract Revenue Bond Proceeds	**$ -**	**$ -**	**$ -**
TOTAL AVAILABLE RESOURCES	$ 30,204,702	$ 34,819,129	$ 50,629,270

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Main Street/Market Square Redevelopmer**
TIRZ: **03**
Fund Number: **7551/50**

TIRZ Budget Line Items	FY2014 Budget	FY2014 Estimate	FY2015 Budget
EXPENDITURES			
Accounting	$ 12,000	$ 10,000	$ 10,000
Administration Salaries & Benefits	$ 108,808	$ 120,000	$ 145,000
Auditor	$ 15,000	$ 15,000	$ 15,000
Bond Services/Trustee/Financial Advisor	$ 8,505	$ 8,500	$ 8,925
Insurance	$ 2,625	$ 2,500	$ 2,625
Office Administration	$ 19,950	$ 20,000	$ 25,000
TIRZ Administration and Overhead	**$ 166,888**	**$ 176,000**	**$ 206,550**
Engineering Consultants	$ -	$ -	$ -
Legal	$ 22,050	$ 24,000	$ 25,200
Construction Audit	$ -	$ -	$ -
Planning Consultants	$ -	$ -	$ -
Project/Planning Management	$ -	$ -	$ -
Program and Project Consultants	**$ 22,050**	**$ 24,000**	**$ 25,200**
Management consulting services	**$ 188,938**	**$ 200,000**	**$ 231,750**
Capital Expenditures (See CIP Schedule)	$ 5,120,473	$ 1,417,727	$ 21,685,473
TIRZ Capital Expenditures	**$ 5,120,473**	**$ 1,417,727**	**$ 21,685,473**
Developer / Project Reimbursements			
Infrastructure, Mobility, Transit Improvements			
METRO Communication Cabinets Relocation	$ -	$ -	$ 93,000
METRO Curb Cut/Infrasture	$ -	$ 2,350,000	$ -
Historic Preservation Improvements			
402 Main Street	$ 257,571	$ -	$ 257,571
412 Main Street	$ 800,000	$ -	$ 800,000
500 Fannin Street		$ -	$ -
202 Travis Street	$ 300,000	$ -	$ 300,000
806 Main Street	$ -	$ 20,000	$ -
The Heritage Society	$ -	$ 75,000	$ -
International Coffee Building		$ 150,000	$ 650,000
Future Historic Preservation Project	$ 500,000	$ -	$ 500,000
Club Quarters	$ -	$ -	$ -
Parks, Plaza and Recreational Facilities Improvements			
Sabine to Bagby Promenade	$ 182,078	$ 182,078	$ -
Houston Parks Board Hike and Bike Trails	$ 300,000	$ 300,000	$ -
Theater District Improvements			
Sundance Theater	$ -	$ -	$ -
Alley Theatre	$ -	$ -	$ 750,000
Retail/Economic Development			
GreenStreet	$ 200,000	$ 202,531	$ 208,607
Comcast NBC Universal	$ 108,000	$ 106,708	$ 106,708
Buffalo Bayou Park- Shepherd to Sabine	$ 1,200,000	$ 1,200,000	$ 2,213,615
Hotel Allessandra	$ -	$ -	$ -
Holiday Inn 1616 Main (Savoy)	$ -	$ 250,000	$ 250,000
Texaco Building 1111 Rusk	$ -	$ -	$ -
Skyhouse Houston	$ -	$ -	$ -
Alliance Block 334	$ -	$ -	$ -
Hines Market Square	$ -	$ -	$ -
BMS Market Square	$ -	$ -	$ -
Downtown Living Initiative	$ -	$ -	$ -
Retail Initiative	$ -	$ -	$ -
Developer / Project Reimbursements	**$ 3,847,649**	**$ 4,836,317**	**$ 6,129,501**

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Main Street/Market Square Redevelopmer**
TIRZ: **03**
Fund Number: **7551/50**

TIRZ Budget Line Items	FY2014 Budget	FY2014 Estimate	FY2015 Budget
Bond Debt Service (Series 2012)			
Principal	$ 1,805,000	$ 1,805,000	$ 1,850,000
Interest	$ 496,194	$ 496,194	$ 450,690
Loan Debt Service (Rosemont Bridge)			
Principal	$ -	$ -	$ -
Interest	$ -	$ -	$ -
System debt service	**$ 2,301,194**	**$ 2,301,194**	**$ 2,300,690**
TOTAL PROJECT COSTS	$ 11,458,254	$ 8,755,238	$ 30,347,414
Payment/transfer to ISD - educational facilities	$ 2,290,431	$ 2,423,024	$ 2,423,024
Payment/transfer to ISD - educational facilities (Pass Through)		$ 1,856,817	$ 1,856,817
Administration Fees:			
City	$ 452,345	$ 533,482	$ 634,382
County	$ 39,971	$ 37,809	$ 45,548
ISD	$ 25,000	$ 25,000	$ 25,000
Affordable Housing:			
City	$ -	$ -	$ -
County	$ -	$ -	$ -
ISD to City of Houston	$ -	$ -	$ -
Municipal Services (Payable to COH)	$ 980,000	$ 980,000	$ 980,000
Certificate of Obligation (Payable to COH)	$ 557,250	$ 557,250	$ 557,500
HHFC Payment	$ 750,000	$ 750,000	$ 750,000
Total Transfers	**$ 5,094,997**	**$ 7,163,382**	**$ 7,272,271**
Total Budget	$ 16,553,251	$ 15,918,620	$ 37,619,685
RESTRICTED Funds - Projects	$ 8,058,000	$ 12,500,000	$ 8,200,000
RESTRICTED Funds - Bond Proceeds		$ 615,473	$ -
RESTRICTED Funds - Buffalo Bayou Park	$ 2,213,615	$ 2,213,615	$ 2,275,596
RESTRICTED Funds - Bond Debt Service	$ 2,300,690	$ 2,301,194	$ 2,299,065
Unrestricted Funds/Net Current Activity	$ 1,079,146	$ 1,270,227	$ 234,923
Ending Fund Balance	**$ 13,651,451**	**$ 18,900,509**	**$ 13,009,585**
Total Budget & Ending Fund Balance	**$ 30,204,702**	**$ 34,819,129**	**$ 50,629,270**

Notes: The Allen Parkway Project represents revenue that is reserved for the Allen Parkway reconfiguration project.
Tax increment is planned as the source of funding for the project; the entire project's cost is reflected in the capital expenditure budget.

Council District	CIP No.	Project	Fiscal Year Planned Appropriations								
			Through 2013	Projected 2014	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
H,I	T-0301	Main Street Corridor E-W Improvements	$ 2,311,367	193,574	-	-	-	-	-	-	2,504,941
H,I	T-0302	Market Square Park	$ 2,941,827	-	-	-	-	-	-	-	2,941,827
H,I	T-0304	Julia Ideson - Phase II Renovation	$ 10,000,041	-	-	-	-	-	-	-	10,000,041
H,I	T-0305	Pedestrian Bridge - Ballet Academy	$ 1,503,810	-	-	-	-	-	-	-	1,503,810
H,I	T-0307	Southern Downtown Pocket Park	$ -	-	200,000	2,700,000	2,700,000	3,400,000	-	9,000,000	9,000,000
H,I	T-0308	Jones Plaza	$ -	-	-	-	4,500,000	500,000	-	5,000,000	5,000,000
H,I	T-0309	City Hall Sidewalk Improvements	$ 4,596	-	-	-	-	-	-	-	4,596
H,I	T-0312	Main Street Corridor Improvement Project	$ 9,359	812,000	5,000,000	5,000,000	-	-	-	10,000,000	10,821,359
H,I	T-0313	Jesse H. Jones Library Plaza	$ 58,528	31,253	615,473	-	-	-	-	615,473	705,254
H,I	T-0314	Shopping District Improvements	$ -	150,000	4,700,000	4,000,000	4,000,000	-	-	12,700,000	12,850,000
H,I	T-0315	Congress Street Bridge Lighting	$ -	55,900	-	-	-	-	-	-	55,900
H,I	T-0317	Downtown Public Parking Garage	$ -	-	-	-	-	-	10,000,000	10,000,000	10,000,000
H,I	T-0319	Allen Parkway Re-Construction*	$ -	175,000	11,170,000	-	-	-	-	11,170,000	11,345,000
Totals			**$ 16,829,528**	**$ 1,417,727**	**$ 21,685,473**	**$ 11,700,000**	**$ 11,200,000**	**$ 3,900,000**	**$ 10,000,000**	**$ 58,485,473**	**$ 76,732,728**

* NOTE: The Zone/Redevelopment intends to prioritize the reconfiguration of Allen Parkway to provide parking adjacent to Buffalo Bayou Park.
** NOTE:
*** NOTE:

Source of Funds	Fiscal Year Planned Appropriations								
	Through 2013	Projected 2014	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
TIRZ Funds	16,829,528	1,417,727	21,685,473	11,700,000	11,200,000	3,900,000	10,000,000	58,485,473	76,732,728
City of Houston	-	-	-	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-
Project Total	**16,829,528**	**1,417,727**	**21,685,473**	**11,700,000**	**11,200,000**	**3,900,000**	**10,000,000**	**58,485,473**	**76,732,728**

Project:	Main Street Corridor E-W Improvements	City Council District		Key Map:	493	WBS.:	T-0301
		Location:	H,I	Geo. Ref.:			
		Served:	H,I	Neighborhood:	61		

Description:	Phase 1: Sidewalk, pedestrian amenities and street light upgrades on Clay Bell, Leeland, Pease, and Jefferson between Travis and Fannin.
Justification:	Existing conditions include substandard street lighting, broken or missing curbs and sidewalks, insufficient storm water capacity, little to no ADA compliance and right-of-way encroachments.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	0	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-		-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	1,328,730	-	454	-	-	-	-	-	$ -	$ 1,329,184
4 Construction	685,372	2,000,890	187,086	-	-	-	-	-	$ -	$ 872,458
5 Equipment	55,577	-	-	-	-	-	-	-	$ -	$ 55,577
6 Close-Out	-	-	2,500	-	-	-	-	-	$ -	$ 2,500
7 Other	241,688	30,018	3,534	-	-	-	-	-	$ -	$ 245,222
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	241,688	30,018	3,534	-	-	-	-	-	$ -	$ 245,222
Total Allocations	$ 2,311,367	$ 2,030,908	$ 193,574	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,504,941
Source of Funds										
TIRZ Funds	2,311,367	2,030,908	193,574	-	-	-	-	-	$ -	$ 2,504,941
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grant Funds	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ 2,311,367	$ 2,030,908	$ 193,574	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,504,941

*NOTE:

Project:	Southern Downtown Pocket Park	City Council District		Key Map:	494	WBS.:	T-0307
		Location:	H,I	Geo. Ref.:			
		Served:	H,I	Neighborhood:	61		

Description: Acquire 1/2-1 block at the southern end of the Central Business District and develop a green public space that would serve the growing residential population, workers and the public.

Justification: Due to the growing residential population a green public space is needed to serve the residents and stimulate economic growth. This project will be a joint effort of the Downtown Management District, City of Houston Parks Dept. and TIRZ 3.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	200,000	-	-	-		$ 200,000	$ 200,000
2 Acquisition	-	-	-	-	2,700,000	2,300,000	-	-	$ 5,000,000	$ 5,000,000
3 Design	-	-	-	-	-	400,000	-	-	$ 400,000	$ 400,000
4 Construction	-	-	-	-	-	-	3,400,000	-	$ 3,400,000	$ 3,400,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 200,000	$ 2,700,000	$ 2,700,000	$ 3,400,000	$ -	$ 9,000,000	$ 9,000,000
Source of Funds										
TIRZ Funds	-	-	-	200,000	2,700,000	2,700,000	3,400,000	-	$ 9,000,000	$ 9,000,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ -	$ -	$ 200,000	$ 2,700,000	$ 2,700,000	$ 3,400,000	$ -	$ 9,000,000	$ 9,000,000

Project:	Jones Plaza	City Council District		Key Map:		WBS.:	T-0308
		Location:	H,I	Geo. Ref.:			
		Served:	H,I	Neighborhood:			

Description: The first step is to develop a concept/design that reflects the vision and objectives of the stakeholder and major tenants of the Theater District. This is an inclusive process and is vital to the effective utilization of the facility.

Justification: This is a certrally located, public facility in the heart of Houston's Theatre District. In order to more effectively and better serve Houston residents and visitors, this facility requires some enhancements and/or reprogramming.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	-	-	-	-	-	-	-	$ -	$ -
4 Construction	-	-		-	-	4,500,000	500,000	-	$ 5,000,000	$ 5,000,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-		-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ -	$ -	$ 4,500,000	$ 500,000	$ -	$ 5,000,000	$ 5,000,000
Source of Funds										
TIRZ Funds	-	-	-	-	-	4,500,000	500,000	-	$ 5,000,000	$ 5,000,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-		-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ -	$ -	$ -	$ -	$ 4,500,000	$ 500,000	$ -	$ 5,000,000	$ 5,000,000

Project:	**Main Street Corridor Improvement Project**	**City Council District**		**Key Map:**	493
		Location:	H,I	**Geo. Ref.:**	
		Served:	H,I	**Neighborhood:**	61
WBS.:	**T-0312**				

Description: Main Street Corridor improvements in include: Assess existing conditions, design & implement improvements to lighting, landscaping, public art, wayfinding along the full 19 blocks of Main Street. Also included are improvements to the light rail stations.

Justification: Existing conditions include substandard street and pedestrian lighting, right-of-way encroachments, and insufficient landscaping at south end.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	100,000	267,000	-	-	-	-	-	$ -	$ 267,000
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	900,000	-	1,000,000	-	-	-	-	$ 1,000,000	$ 1,000,000
4 Construction		2,500,000	125,000	4,000,000	5,000,000	-	-	-	$ 9,000,000	$ 9,125,000
5 Equipment	-	-	420,000	-	-	-	-	-	$ -	$ 420,000
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	9,359	100,000	-	-	-	-	-	-	$ -	$ 9,359
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	9,359	100,000	-	-	-	-	-	-	$ -	$ 9,359
Total Allocations	$ 9,359	$ 3,600,000	$ 812,000	$ 5,000,000	$ 5,000,000	$ -	$ -	$ -	$ 10,000,000	$ 10,821,359
Source of Funds										
TIRZ Funds	9,359	3,600,000	812,000	5,000,000	5,000,000	-	-	-	$ 10,000,000	$ 10,821,359
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-		-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ 9,359	$ 3,600,000	$ 812,000	$ 5,000,000	$ 5,000,000	$ -	$ -	$ -	$ 10,000,000	$ 10,821,359

Project:	Jesse H. Jones Library Plaza	City Council District		Key Map:	493	WBS.:	T-0313
		Location:	H,I	Geo. Ref.:			
		Served:	H,I	Neighborhood:	61		

Description:	Redesign and renovate the plaza and sidewalks to create a more pedestrian friendly environment and a safe atmosphere.
Justification:	An effort to create an amenity to the institutional facilities and surrounding businesses to improve safety and stimulate retail in the area.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	27,040	31,253	-	-	-	-	-	$ -	$ 31,253
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	4,730	40,000	-	60,000	-	-	-	-	$ 60,000	$ 64,730
4 Construction	24,786	-	-	515,473	-	-	-	-	$ 515,473	$ 540,259
5 Equipment		-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	29,012	9,200	-	40,000	-	-	-	-	$ 40,000	$ 69,012
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	29,012	9,200	-	40,000	-	-	-	-	$ 40,000	$ 69,012
Total Allocations	$ 58,528	$ 76,240	$ 31,253	$ 615,473	$ -	$ -	$ -	$ -	$ 615,473	$ 705,254
Source of Funds										
TIRZ Funds	58,528	76,240	31,253	615,473	-	-	-	-	$ 615,473	$ 705,254
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-		-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ 58,528	$ 76,240	$ 31,253	$ 615,473	$ -	$ -	$ -	$ -	$ 615,473	$ 705,254

*NOTE:

Project:	Shopping District Improvements	City Council District		Key Map:	493	WBS.:	T-0314
		Location:	H,I	Geo. Ref.:			
		Served:	H,I	Neighborhood:	61		

Description: Develop a unique, commercially viable setting for a premier shopping district on Dallas Street between Milam and LaBranch with connections to adjacent retail activity on Main, San Jacinto, and Austin.

Justification: Build a healthy, vibrant mixed-use downtown shopping district to enhance the shopping options in Downtown Houston and to enhance the economic vitality of the City.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design		850,000	150,000	700,000	-	-	-	-	$ 700,000	$ 850,000
4 Construction	-	-	-	4,000,000	4,000,000	4,000,000	-	-	$ 12,000,000	$ 12,000,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ 850,000	$ 150,000	$ 4,700,000	$ 4,000,000	$ 4,000,000	$ -	$ -	$ 12,700,000	$ 12,850,000
Source of Funds										
TIRZ Funds	-	850,000	150,000	4,700,000	4,000,000	4,000,000	-	-	$ 12,700,000	$ 12,850,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-		-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ 850,000	$ 150,000	$ 4,700,000	$ 4,000,000	$ 4,000,000	$ -	$ -	$ 12,700,000	$ 12,850,000

Project:	Congress Street Bridge Lighting	City Council District		Key Map:		WBS.:	T-0315
		Location:	H,I	Geo. Ref.:			
		Served:	H,I	Neighborhood:			
Description:	Relocate light fixtures from Capital & Rusk due to the impact of the rail system expansion to install around the Ballet Center.						
Justification:	Improve inadequate pedestrian lighting for students, faculty, workers, residents and patrons.						

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	-	-	-	-	-	-	-	$ -	$ -
4 Construction		50,000	50,000	-	-	-	-	-	$ -	$ 50,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	5,000	5,900	-	-	-	-	-	$ -	$ 5,900
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	5,000	5,900	-	-	-	-	-	$ -	$ 5,900
Total Allocations	$ -	$ 55,000	$ 55,900	$ -	$ -	$ -	$ -	$ -	$ -	$ 55,900
Source of Funds										
TIRZ Funds	-	55,000	55,900	-	-	-	-	-	$ -	$ 55,900
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-		-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ 55,000	$ 55,900	$ -	$ -	$ -	$ -	$ -	$ -	$ 55,900

Project:	Downtown Public Parking Garage	City Council District		Key Map:		WBS.:	T-0317
		Location:	H,I	Geo. Ref.:			
		Served:	H,I	Neighborhood:			

Description: Acquire 1/2-1 block in the Central Business District and develop a public parking garage that would support retail and serve the shopping district.

Justification: In order for the shopping district to be successful, there must be reasonably priced, convenient, well-lighted, clean, and accessible parking.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-						$ -	$ -
2 Acquisition	-	-	-					-	$ -	$ -
3 Design	-	-	-					-	$ -	$ -
4 Construction	-	-	-					10,000,000	$ 10,000,000	$ 10,000,000
5 Equipment	-	-	-					-	$ -	$ -
6 Close-Out	-	-	-					-	$ -	$ -
7 Other	-	-	-					-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 10,000,000	$ 10,000,000	$ 10,000,000
Source of Funds										
TIRZ Funds	-	-	-	-	-	-	-	10,000,000	$ 10,000,000	$ 10,000,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 10,000,000	$ 10,000,000	$ 10,000,000

Project:	Allen Parkway Re-Construction*	City Council District		Key Map:		WBS.:	T-0319
		Location:	H,I	Geo. Ref.:			
		Served:	H,I	Neighborhood:			

Description:	Design & Construction to reconfigure Allen Parkway.
Justification:	Allen Parkway needs to be reconfigured to provide additional parking for Buffalo Bayou Park, improve public safety, and enhance pedestrian connections to the park given the increase in public use the park has been completed.

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	175,000	905,000	-	-	-	-	$ 905,000	$ 1,080,000
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	-	-	-	-	-	-	-	$ -	$ -
4 Construction	-	-	-	10,265,000	-	-	-	-	$ 10,265,000	$ 10,265,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ 175,000	$ 11,170,000	$ -	$ -	$ -	$ -	$ 11,170,000	$ 11,345,000
Source of Funds										
TIRZ Funds	-	-	175,000	11,170,000	-	-	-	-	$ 11,170,000	$ 11,345,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ -	$ 175,000	$ 11,170,000	$ -	$ -	$ -	$ -	$ 11,170,000	$ 11,345,000

*NOTE: The Zone/Redevelopment intends to prioritize the reconfiguration of Allen Parkway to provide parking adjacent to Buffalo Bayou Park.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District F, District J

Item Creation Date: 9/10/2014

MYR - Southwest Houston Zone (Reinvestment Zone #20)

Agenda Item#: 19.

Summary:
ORDINANCE relating to the Fiscal Affairs of the **SOUTHWEST HOUSTON REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone); approving the Fiscal Year 2015 Operating Budget for the Authority and the Fiscal Years 2015-2019 Capital Improvements Budget for the Zone - **DISTRICTS F - NGUYEN and J - LASTER**

Background:
SUBJECT: Ordinance approving the Fiscal Year 2015 Operating Budget for Southwest Houston Redevelopment Authority and the Fiscal Years 2015 - 2019 Capital Improvement Plan (CIP) Budget for Reinvestment Zone Number Twenty (Southwest Houston Zone).

RECOMMENDATION: (Summary)
City Council adopt an ordinance approving the Fiscal Year 2015 Operating Budget for Southwest Houston Redevelopment Authority and the Fiscal Years 2015 - 2019 CIP Budget for Reinvestment Zone Number Twenty (Southwest Houston Zone).

SPECIFIC EXPLANATION:
The Administration has undertaken a comprehensive review of proposed FY15 TIRZ budgets. The Administration recommends approval of the FY15 Operating Budget for the Southwest Houston Redevelopment Authority (Authority) and the FY15 - FY19 CIP Budget for Reinvestment Zone Number Twenty (Zone).

Total Operating Budget for FY15 is $16,532,651, which includes $803,014 for required fund transfers and $15,729,637 for Project Costs.
The FY15 - FY19 CIP for the Zone totals $23,410,000, and consists of provisions for the design and construction of roadways and streets, sidewalks and related pedestrian safety infrastructure, storm water drainage infrastructure, detention basins including land acquisition, parks and hike and bike trails.
The FY15 Operating Budget includes $11,410,000 for capital expenditures and $140,920 for administration and overhead. The Authority must advise the Chief Development Officer of any budget amendments. Adjustments to the budget of $400,000 or more require City Council approval.

The budget includes a municipal services cost payment in FY15 of $446,000 to pay for the incremental cost of providing services to the area.
Attachments: FY15 Operating Budget and FY15 - FY19 CIP

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

Prior Council Action:
Date and identification of prior authorizing Council Action:
Ord. No. 2013-0960, 10/23/13

Contact Information:
Gwendolyn Tillotson **Phone:** (832) 393-0937

ATTACHMENTS:

Description	Type
TIRZ 20 Southwest Houston RCA	Signed Cover sheet
TIRZ 20 Southwest Houston BACKUP	Backup Material
TIRZ 20 Southwest Houston PRIOR AUTHORIZING	Backup Material

REQUEST FOR COUNCIL ACTION

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

SUBJECT: Ordinance approving the Fiscal Year 2015 Operating Budget for Southwest Houston Redevelopment Authority and the Fiscal Years 2015 - 2019 Capital Improvement Plan (CIP) Budget for Reinvestment Zone Number Twenty (Southwest Houston 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**
DIRECTOR'S SIGNATURE:	**Council Districts affected:** F, J		
For additional information contact: Gwen Tillotson **Phone:** (832) 393-0937	**Date and identification of prior authorizing Council Action:** Ord. No. 2013-0960, 10/23/13		

RECOMMENDATION: (Summary)
City Council adopt an ordinance approving the Fiscal Year 2015 Operating Budget for Southwest Houston Redevelopment Authority and the Fiscal Years 2015 - 2019 CIP Budget for Reinvestment Zone Number Twenty (Southwest Houston Zone).

Amount of Funding: No Funding Required

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

SPECIFIC EXPLANATION:

The Administration has undertaken a comprehensive review of proposed FY15 TIRZ budgets. The Administration recommends approval of the FY15 Operating Budget for the Southwest Houston Redevelopment Authority (Authority) and the FY15 - FY19 CIP Budget for Reinvestment Zone Number Twenty (Zone).

- Total Operating Budget for FY15 is $16,532,651, which includes $803,014 for required fund transfers and $15,729,637 for Project Costs.
- The FY15 - FY19 CIP for the Zone totals $23,410,000, and consists of provisions for the design and construction of roadways and streets, sidewalks and related pedestrian safety infrastructure, storm water drainage infrastructure, detention basins including land acquisition, parks and hike and bike trails.
- The FY15 Operating Budget includes $11,410,000 for capital expenditures and $140,920 for administration and overhead. The Authority must advise the Chief Development Officer of any budget amendments. Adjustments to the budget of $400,000 or more require City Council approval.

The budget includes a municipal services cost payment in FY15 of $446,000 to pay for the incremental cost of providing services to the area.

Attachments: FY15 Operating Budget and FY15 - FY19 CIP

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

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Southwest Houston Redevelopment Authority**
TIRZ: **20**
Fund Number: **7568/50**

PROFILE

Base Year:		1999
Base Year Taxable Value:	$	766,214,210
Projected Taxable Value (TY2014):	$	2,182,658,789
Current Taxable Value (TY2013):	$	2,119,086,202
Acres:		3,167.41
Administrator (Contact):		Hawes Hill Calderon
Contact Number:		(713) 595-1216

NARRATIVE

Zone Purpose:

Tax Increment Reinvestment Zone Number Twenty, City of Houston, Texas was created to address failing infrastructure, lack of utility capacity, increased traffic congestion attributable to street network deficiencies, declining retail sales and significant social and economic stress along the Bellaire Corridor and the greater Sharpstown Mall area. Plans include provisions for the design and construction of roadways and streets, utility system upgrades, pedestrian safety improvements and parks.

Plans for the Fondren Access management project are now at 90% complete

Completed a private placement of $49.6 Million in bonds to re-finance two existing traunches of bonds, and generate proceeds for additional projects in the zone.

Approved a reimbursement agreement to Midway for affordable multifamily housting project in the zone.

Have begun a targeting of property for greenspace / drainage usages.

PROJECT PLAN

	Total Plan	Cumulative Expenses (to 6/30/13)	Variance
Capital Projects:			
Roadway and Street Reconstruction Projects	$ 65,000,000	$ 46,286,132	$ 18,713,868
Public Utility Improvements	25,000,000	-	25,000,000
Parks, Plazas, Hike and Bike Trails, Pedestrian Bridges	10,000,000	-	10,000,000
Storm Water Infrastructure	20,000,000	-	20,000,000
Cultural & Public Facility Improvements	5,250,000	2,528,000	2,722,000
Land Assembly	25,000,000	-	25,000,000
Economic Development Grants	10,000,000	-	10,000,000
Total Capital Projects	$ 160,250,000	$ 48,814,132	$ 111,435,868
Affordable Housing	-	-	-
School & Education/Cultural Facilities	-	-	-
Financing Costs	30,000,000	10,117,002	19,882,998
Administration Costs/ Professional Services	2,500,000	2,506,735	(6,735)
Creation Costs	-	-	-
Total Project Plan	$ 192,750,000	$ 61,437,869	$ 131,312,131

DEBT

Additional Financial Data	FY2014 Budget	FY2014 Estimates	FY2015 Budget
Debt Service	$ 3,038,838	$ 21,797,061	$ 4,166,717
Principal	$ 2,125,000	$ 21,797,061	$ 2,630,000
Interest	$ 913,838	$ -	$ 1,536,717
	Balance as of 6/30/13	**Projected Balance as of 6/30/14**	**Projected Balance as of 6/30/15**
Year End Outstanding (Principal)			
Bond Debt	$ 22,870,000	$ 50,652,939	$ 48,022,939
Bank Loan	$ 2,619,589	$ -	$ -
Line of Credit	$ -	$ -	$ -
Developer Agreement	$ -	$ -	$ -
Other	$ -	$ -	$ -

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Southwest Houston Redevelopment Authc**
TIRZ: **20**
Fund Number: **7568/50**

TIRZ Budget Line Items	FY2014 Budget	FY2014 Estimates	FY2015 Budget
RESOURCES			
RESTRICTED Funds - Capital Projects	$ -	$ 9,477	$ -
RESTRICTED Funds - Affordable Housing	$ -	$ -	$ -
RESTRICTED Funds - Bond Debt Service	$ 4,634,466	$ 2,684,351	$ 2,684,351
UNRESTRICTED Funds	$ 3,054,337	$ 5,831,009	$ 34,741,378
Beginning Balance	**$ 7,688,803**	**$ 8,524,837**	**$ 37,425,729**
City tax revenue	$ 6,722,252	$ 5,993,673	$ 7,140,281
County tax revenue	$ -	$ -	$ -
ISD tax revenue	$ -	$ -	$ -
ISD tax revenue - Pass Through	$ -	$ -	$ -
Community College tax revenue	$ -	$ -	$ -
Incremental property tax revenue	**$ 6,722,252**	**$ 5,993,673**	**$ 7,140,281**
	$ -	$ -	$ -
Miscellaneous revenue	**$ -**	**$ -**	**$ -**
COH TIRZ interest	$ -	$ -	$ -
Interest Income	$ 13,134	$ 8,200	$ 148,420
Other Interest Income	**$ 13,134**	**$ 8,200**	**$ 148,420**
	$ -	$ -	$ -
Grant Proceeds	**$ -**	**$ -**	**$ -**
	$ -	$ -	$ -
Proceeds from Bank Loan	**$ -**	**$ -**	**$ -**
	$ -	$ 49,580,000	$ -
Contract Revenue Bond Proceeds	**$ -**	**$ 49,580,000**	**$ -**
TOTAL AVAILABLE RESOURCES	**$ 14,424,189**	**$ 64,106,710**	**$ 44,714,430**

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Southwest Houston Redevelopment Authc**
TIRZ: **20**
Fund Number: **7568/50**

TIRZ Budget Line Items	FY2014 Budget	FY2014 Estimates	FY2015 Budget
EXPENDITURES			
Accounting	$ 7,800	$ 7,800	$ 7,800
Administration Salaries & Benefits	$ 84,000	$ 84,000	$ 84,000
Auditor	$ 14,000	$ 13,700	$ 14,000
Bond Services/Trustee/Financial Advisor	$ 18,920	$ 14,755	$ 18,920
Insurance	$ 9,200	$ 1,000	$ 9,200
Office Administration	$ 7,000	$ 9,600	$ 7,000
TIRZ Administration and Overhead	**$ 140,920**	**$ 130,855**	**$ 140,920**
Engineering Consultants	$ -	$ -	$ -
Legal	$ 12,000	$ 5,300	$ 12,000
Construction Audit	$ -	$ -	$ -
Planning Consultants	$ -	$ -	$ -
Program and Project Consultants	**$ 12,000**	**$ 5,300**	**$ 12,000**
Management consulting services	**$ 152,920**	**$ 136,155**	**$ 152,920**
Capital Expenditures (See CIP Schedule)	$ 1,200,000	$ -	$ 11,410,000
	$ -	$ -	$ -
TIRZ Capital Expenditures	**$ 1,200,000**	**$ -**	**$ 11,410,000**
Midway	$ 175,000	$ 750,000	$ -
Developer / Project Reimbursements	**$ 175,000**	**$ 750,000**	**$ -**
Bond Debt Service (Series 2003)			
Principal	$ 625,000	$ 8,001,118	$ -
Interest	$ 371,988	$ -	$ -
Bond Debt Service (Series 2009)			
Principal	$ 500,000	$ 13,795,943	$ -
Interest	$ 436,885	$ -	$ -
Bond Debt Service (Series 2014)			
Principal	$ -	$ -	$ 2,630,000
Interest	$ -	$ -	$ 1,536,717
Cost of Issuance	$ -	$ -	$ -
Loan debt service			
Principal	$ 1,000,000	$ 2,619,589	$ -
Interest	$ 104,965	$ -	$ -
Cost of Issuance	$ -	$ 632,492	$ -
System debt service	**$ 3,038,838**	**$ 25,049,142**	**$ 4,166,717**
TOTAL PROJECT COSTS	$ 4,566,758	$ 25,935,297	$ 15,729,637

CITY OF HOUSTON
ECONOMIC DEVELOPMENT DIVISION
FISCAL YEAR 2015 BUDGET PROFILE

Fund Summary
Fund Name: **Southwest Houston Redevelopment Authc**
TIRZ: **20**
Fund Number: **7568/50**

TIRZ Budget Line Items	FY2014 Budget	FY2014 Estimates	FY2015 Budget
Payment/transfer to ISD - educational facilities	$ -	$ -	$ -
Payment/transfer to ISD - educational facilities (Pass Through)	$ -	$ -	$ -
Adminstration Fees:			
City	$ 336,113	$ 299,684	$ 357,014
County	$ -	$ -	$ -
ISD	$ -	$ -	$ -
HCC	$ -	$ -	$ -
Affordable Housing:			
City	$ -	$ -	$ -
County	$ -	$ -	$ -
ISD to City of Houston	$ -	$ -	$ -
Municipal Services (Payable to COH)	$ 446,000	$ 446,000	$ 446,000
Total Transfers	**$ 782,113**	**$ 745,684**	**$ 803,014**
Total Budget	$ 5,348,871	$ 26,680,981	$ 16,532,651
RESTRICTED Funds - Capital Projects	$ -	$ -	$ -
RESTRICTED Funds - Affordable Housing	$ -	$ -	$ -
RESTRICTED Funds - Bond Debt Service	$ 4,634,466	$ 2,684,351	$ 2,684,351
UNRESTRICTED Funds	$ 4,440,852	$ 34,741,378	$ 25,497,428
Ending Fund Balance	**$ 9,075,318**	**$ 37,425,729**	**$ 28,181,779**
Total Budget & Ending Fund Balance	$ 14,424,189	$ 64,106,710	$ 44,714,430

Notes:

Council District	CIP No.	Project	Fiscal Year Planned Appropriations								
			Through 2013	Projected 2014	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
F, J	T-2001	Bellaire Access Management Mobility	$ 27,049,693	-	-	-	-	-	-	-	27,049,693
F,J	T-2002	Fondren Access Management Mobility Improvements	$ 345,213	-	-	-	-	-	-	-	345,213
F,J	T-2003	Social Services Project	$ -	-	1,000,000	-	-	-	-	1,000,000	1,000,000
F,J	T-2004	Land Acquistion	$ -	-	2,500,000	2,500,000	-	-	-	5,000,000	5,000,000
F,J	T-2005	Fondren Access Management and Drainage Improvements	$ 184,215	-	6,000,000	6,000,000	-	-	-	12,000,000	12,184,215
F,J	T-2006	Crain & Lansdale Park	$ -	-	910,000	1,000,000	-	-	-	1,910,000	1,910,000
F,J	T-2007	Sharpstown Park	$ -	-	1,000,000	1,000,000	-	-	-	2,000,000	2,000,000
F,J	T-2008	Regional Hike and Bike Trails	$ -	-	-	-	500,000	1,000,000	-	1,500,000	1,500,000
Totals			**$ 27,579,121**	**$ -**	**$ 11,410,000**	**$ 10,500,000**	**$ 500,000**	**$ 1,000,000**	**$ -**	**$ 23,410,000**	**$ 50,989,121**

* NOTE:
** NOTE:
*** NOTE:

Source of Funds	Fiscal Year Planned Appropriations								
	Through 2013	Projected 2014	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
TIRZ Funds	27,579,121	-	11,410,000	10,500,000	500,000	1,000,000	-	23,410,000	50,989,121
City of Houston	-	-	-	-	-	-	-	-	-
Grants	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-
Project Total	**27,579,121**	**-**	**11,410,000**	**10,500,000**	**500,000**	**1,000,000**	**-**	**23,410,000**	**50,989,121**

Project:	**Social Services Project**	**City Council District**	**Key Map:**	**WBS.:**	**T-2003**
		Location: F,J	**Geo. Ref.:**		
		Served: F,J	**Neighborhood:**		
Description:	Sidewalks and lighting added to the new annexed area.				
Justification:	Enhance accessability to Ripley House and the Multi-Service Center.				

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	1,000,000	-	-	-	-	$ 1,000,000	$ 1,000,000
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	-	-	-	-	-	-	-	$ -	$ -
4 Construction	-	-	-	-	-	-	-	-	$ -	$ -
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 1,000,000	$ -	$ -	$ -	$ -	$ 1,000,000	$ 1,000,000
Source of Funds										
TIRZ Funds	-	-	-	1,000,000	-	-	-	-	$ 1,000,000	$ 1,000,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-		-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ -	$ -	$ 1,000,000	$ -	$ -	$ -	$ -	$ 1,000,000	$ 1,000,000

Project:	Land Acquistion	City Council District		Key Map:		WBS.:	T-2004
		Location:	F,J	Geo. Ref.:			
		Served:	F,J	Neighborhood:			
Description:	Land acquisition for drainage/detention facilities.						
Justification:							

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	2,500,000	2,500,000	-	-	-	$ 5,000,000	$ 5,000,000
3 Design	-	-	-	-	-	-	-	-	$ -	$ -
4 Construction	-	-	-	-	-	-	-	-	$ -	$ -
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 2,500,000	$ 2,500,000	$ -	$ -	$ -	$ 5,000,000	$ 5,000,000
Source of Funds										
TIRZ Funds	-	-	-	2,500,000	2,500,000	-	-	-	$ 5,000,000	$ 5,000,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ -	$ -	$ 2,500,000	$ 2,500,000	$ -	$ -	$ -	$ 5,000,000	$ 5,000,000

Project:	**Fondren Access Management and Drainage Improvements on Bellaire Hwy. 59 to Fondren (Combines CIP No. T-2002 + CIP No. T-2005)**	**City Council District**		**Key Map:**	530 C, D, G, H	**WBS.:** T-2005
		Location:	F,J	**Geo. Ref.:**		
		Served:	F,J	**Neighborhood:**	26	
Description:	Drainage in the vicinity of Sharpstown Mall is recommended to be improved from the existing line sizes to larger diameter sizes to relieve short term flooding. Includes Clarewood, Harwini and Westpark Improvements.					
Justification:	Recent and future planned development activities, as well as age of existing infrastructure, validate need for replacement of existing infrastructure to conform to latest drainage requirements.					

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation		Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19Total	Cumulative Total (To Date)
Phase											
1	Planning	184,215	-	-	-	-	-	-	-	$ -	$ 184,215
2	Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3	Design	-	-	-	-	-	-	-	-	$ -	$ -
4	Construction	-	-	-	6,000,000	6,000,000			-	$ 12,000,000	$ 12,000,000
5	Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6	Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7	Other	-	-		-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
		-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:		-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations		$ 184,215	$ -	$ -	$ 6,000,000	$ 6,000,000	$ -	$ -	$ -	$ 12,000,000	$ 12,184,215
Source of Funds											
TIRZ Funds		184,215	-	-	6,000,000	6,000,000	-	-	-	$ 12,000,000	$ 12,184,215
City of Houston		-	-	-	-	-	-	-	-	$ -	$ -
Grants		-	-		-	-	-	-	-	$ -	$ -
Other		-	-	-	-	-	-	-	-	$ -	$ -
Total Funds		$ 184,215	$ -	$ -	$ 6,000,000	$ 6,000,000	$ -	$ -	$ -	$ 12,000,000	$ 12,184,215

Project:	Crain & Lansdale Park	City Council District		Key Map:		WBS.:	T-2006
		Location:	F,J	Geo. Ref.:			
		Served:	F,J	Neighborhood:			
Description:	Improvements to park facilities, landscaping, lighting.						
Justification:	Upgrades needed to bring area parks to standard.						

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	150,000	-	-	-	-	-	-	$ -	$ -
4 Construction	-	850,000	-	910,000	1,000,000	-	-	-	$ 1,910,000	$ 1,910,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-			-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ 1,000,000	$ -	$ 910,000	$ 1,000,000	$ -	$ -	$ -	$ 1,910,000	$ 1,910,000
Source of Funds										
TIRZ Funds	-	1,000,000	-	910,000	1,000,000	-	-	-	$ 1,910,000	$ 1,910,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-		-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ 1,000,000	$ -	$ 910,000	$ 1,000,000	$ -	$ -	$ -	$ 1,910,000	$ 1,910,000

Project:	Sharpstown Park	City Council District		Key Map:		WBS.:	T-2007
		Location:	F,J	Geo. Ref.:			
		Served:	F,J	Neighborhood:			
Description:	Reconstruction of swimming pool.						
Justification:	repair and recondition aged facility, repair leaks.						

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	-	-	-	-	-	-	-	$ -	$ -
4 Construction	-	-	-	1,000,000	1,000,000	-	-	-	$ 2,000,000	$ 2,000,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ 1,000,000	$ 1,000,000	$ -	$ -	$ -	$ 2,000,000	$ 2,000,000
Source of Funds										
TIRZ Funds	-	-	-	1,000,000	1,000,000	-	-	-	$ 2,000,000	$ 2,000,000
City of Houston	-	-	-	-		-	-	-	$ -	$ -
Grants	-	-	-	-	-	-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ -	$ -	$ 1,000,000	$ 1,000,000	$ -	$ -	$ -	$ 2,000,000	$ 2,000,000

Project:	Regional Hike and Bike Trails	**City Council District**		**Key Map:**	530F	**WBS.:**
		Location:	F,J	**Geo. Ref.:**		**T-2008**
		Served:	F,J	**Neighborhood:**	26	
Description:	Improve access to and expansion of the area bike trail system to Buffalo Bayou.					
Justification:	Enhance Buffalo Bayou trail system.					

Operating and Maintenance Costs: ($ Thousands)

	2015	2016	2017	2018	2019	Total
Personnel	-	-	-	-	-	$ -
Supplies	-	-	-	-	-	$ -
Svcs. & Chgs.	-	-	-	-	-	$ -
Capital Outlay	-	-	-	-	-	$ -
Total	$ -	$ -	$ -	$ -	$ -	$ -
FTEs						-

Fiscal Year Planned Expenses

Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19Total	Cumulative Total (To Date)
Phase										
1 Planning	-	-	-	-	-	-	-	-	$ -	$ -
2 Acquisition	-	-	-	-	-	-	-	-	$ -	$ -
3 Design	-	-	-	-	-	200,000	-	-	$ 200,000	$ 200,000
4 Construction	-	-		-	-	300,000	1,000,000	-	$ 1,300,000	$ 1,300,000
5 Equipment	-	-	-	-	-	-	-	-	$ -	$ -
6 Close-Out	-	-	-	-	-	-	-	-	$ -	$ -
7 Other	-	-		-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
	-	-	-	-	-	-	-	-	$ -	$ -
Other Sub-Total:	-	-	-	-	-	-	-	-	$ -	$ -
Total Allocations	$ -	$ -	$ -	$ -	$ -	$ 500,000	$ 1,000,000	$ -	$ 1,500,000	$ 1,500,000
Source of Funds										
TIRZ Funds	-	-	-	-	-	500,000	1,000,000	-	$ 1,500,000	$ 1,500,000
City of Houston	-	-	-	-	-	-	-	-	$ -	$ -
Grants	-	-	-			-	-	-	$ -	$ -
Other	-	-	-	-	-	-	-	-	$ -	$ -
Total Funds	$ -	$ -	$ -	$ -	$ -	$ 500,000	$ 1,000,000	$ -	$ 1,500,000	$ 1,500,000

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/11/2014

MYR-Bay Area Houston of Economics Partnerships

Agenda Item#: 20.

Summary:
ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services to promote Tourism and Economic Development on behalf of the City of Houston; providing a maximum contract amount 3 Years - $150,000.00 - Hotel Occupancy Tax Fund

Background:
SUBJECT: Ordinance approving and authorizing an agreement between the City of Houston and the Bay Area Houston of Economic Partnerships

RECOMMENDATION:
Approve an ordinance approving and authorizing an agreement between the City of Houston and the Bay Area Houston of Economic Partnership

SPECIFIC EXPLANATION:
Bay Area Houston Economic Partnership (BAHEP) is a non-profit organization founded in 1983 with the goal of expanding and diversifying the local economy. It is primarily funded by membership consisting of area governmental entities and the Clear Lake/Bay Area and Houston business community . BAHEP has been under contract with the City since 1999 to provide services to enhance Houston's tourism and economic development. Funding under the proposed contract is to be provided by the City of Houston utilizing hotel occupancy tax proceeds retained by the City as part of its creation of the Houston First Corporation. The contract will be effective October 1, 2014 and extend for a three year term.

In collaboration wit the City's economic development team, with Houston First Corporation, the Greater Houston Partnership Economic Development Division and the Houston First Corporation, BAHEP will seek to expand the existing tourism industry and continue targeted efforts to coordinate and assist projects such as the Clear Lake/NASA Convention & Visitors Bureau, development of new visitor attractions and international marketing of the City of Houston.

BAHEP will pursue the City's targeted industry recruitment strategy, focusing on healthcare and educational facilities, technology companies, program integration, specialty chemical and high-end manufacturing business that are good targets for future expansion. BAHEP will work with the Houston Airport System, under a separate contract, to maximize development opportunities to promote and bring new, viable growth to Ellington Airport and will assist with preserving current activities on Ellington, including military and business activities.

BAHEP will focus on job retention and creation by striving to preserve funding levels for Johnson Space Center and its programs. BAHEP will nurture a technology outreach program by which a network of engineers, scientists and the business community create new business opportunities in the region. The Administration recommends approval of this three year contract with BAHEP as described.

The 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.

The contract includes a 7% goal for MWBE participation.

Amount of Funding:
Maximum Contract Amount: $150,000 (3 years)
Initial Allocation (FY2015): $50,000

Source of Funding:

General Fund

General Fund 1000 (Funded by Hotel Occupancy Tax Only)

Contact Information:
Matthew T. Shailer 832-393-0851

ATTACHMENTS:

	Description	Type
🗋	RCA	Signed Cover sheet

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

SUBJECT: Ordinance approving and authorizing an agreement between the City of Houston and the Bay Area Houston of Economic Partnerships	**Category #**	**Page 1 of 1**	**Agenda Item #**
FROM (Department or other point of origin): Office of the Mayor	**Origination Date** 9/17/14	**Agenda Date**	
DIRECTOR'S SIGNATURE: Andrew F. Icken, Chief Development Officer	**Council District affected:** All		
For additional information contact: Matthew T. Shailer **Phone: 832-393-0851**	**Date and identification of prior authorizing Council action:** None		

RECOMMENDATION: Approve an ordinance authorizing an agreement between the City of Houston and the Bay Area Houston Economic Partnership

Amount & Source of Funding: General Fund (1000) (Funded by Hotel Occupancy Tax Only) Maximum Contract Amount: $150,000 (3 years) Initial Allocation (FY2015): $50,000	

SPECIFIC EXPLANATION: Bay Area Houston Economic Partnership (BAHEP) is a non-profit organization founded in 1983 with the goal of expanding and diversifying the local economy. It is primarily funded by membership consisting of area governmental entities and the Clear Lake/Bay Area and Houston business community. BAHEP has been under contract with the City since 1999 to provide services to enhance Houston's tourism and economic development. Funding under the proposed contract is to be provided by the City of Houston utilizing hotel occupancy tax proceeds retained by the City as part of its creation of the Houston First Corporation. The contract will be effective October 1, 2014 and extend for a three year term.

In collaboration with the City's economic development team, with Houston First Corporation, the Greater Houston Partnership Economic Development Division and the Houston First Corporation, BAHEP will seek to expand the existing tourism industry and continue targeted efforts to coordinate and assist projects such as the Clear Lake/NASA Convention & Visitors Bureau, development of new visitor attractions and international marketing of the City of Houston.

BAHEP will pursue the City's targeted industry recruitment strategy, focusing on healthcare and educational facilities, technology companies, program integration, specialty chemical and high-end manufacturing business that are good targets for future expansion. BAHEP will work with the Houston Airport System, under a separate contract, to maximize development opportunities to promote and bring new, viable growth to Ellington Airport and will assist with preserving current activities on Ellington, including military and business activities.

BAHEP will focus on job retention and creation by striving to preserve funding levels for Johnson Space Center and its programs. BAHEP will nurture a technology outreach program by which a network of engineers, scientists and the business community create new business opportunities in the region. The Administration recommends approval of this three year contract with BAHEP as described.

The 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.

The contract includes a 7% goal for MWBE participation.

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014

Item Creation Date: 9/10/2014

HAS - Contract with BAHEP

Agenda Item#: 21.

Summary:
ORDINANCE approving and authorizing contract between the City of Houston and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services for the Houston Airport System; providing a maximum contract amount - 3 Years - $285,000.00 - Enterprise Fund

Background:
The Bay Area Houston Economic Partnership (BAHEP), located in the Clear Lake area, is a non-profit organization founded in 1983 with a goal of expanding and diversifying the local economy. With close relations to over 260 members businesses, BAHEP has extensive knowledge of trends and upcoming projects and a comprehensive approach to development.

BAHEP will utilize its expertise to undertake specific tasks dedicated to promoting new air service at HAS airports, promoting public and industry awareness of HAS airport facilities and services, and promotional efforts to increase the level of service at HAS airports.

Under the three-year contract, HAS will be provided full membership in BAHEP, including committee participation and the benefits resulting from BAHEP's public relations initiatives. BAHEP will provide the following services at the direction of HAS:

• Promote HAS facilities and services through organization and hosting of the annual State of the Counties event, focusing particularly on the opportunities available at Ellington Airport (EFD) for commercial development.

• Promote HAS facilities and services, particularly commercial opportunities available at EFD, at other BAHEP member events—providing HAS with multiple airport promotion networking opportunities with BAHEP members across a broad range of businesses, focused on those located in or relocating to the Houston area.

• Identify potential new airport tenants domestically and abroad. Such activities will include hosting business briefings for key contacts, promoting HAS properties for development, recruiting new military operations to EFD, and retention of existing military organizations.
• Publicize HAS airports through its business and community briefings, print media, electronic newsletters, website, social media, and committee initiatives.

• Support HAS on key aviation initiatives before the U.S. Congress, federal agencies, the Texas Legislature, and local and state agencies.

The contract has an M/WBE participation goal of 0%.

The 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.

Amount of Funding:
$ 95,000 HAS Revenue Fund (8001) FY15
$190,000 HAS Revenue Fund (8001) Out Years
$285,000 Total

Source of Funding:
Enterprise Fund

Contact Information:

Kathy Elek Phone: 281-233-1826
Saba Abashawl Phone: 281-233-1829

ATTACHMENTS:

Description	Type
HAS - Contract with BAHEP - RCA	Backup Material
HAS - Contract with BAHEP - SRO Doc	Financial Information

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

SUBJECT: Contract with Bay Area Houston Economic Partnership (BAHEP) for Professional Services for the Houston Airport System	**Category #**	**Page 1 of 2**	**Agenda Item #**

FROM (Department or other point of origin): Houston Airport System	**Origination Date** September 10, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** B, E, I	
For additional information contact: Kathy Elek **Phone:** 281-233-1826 Saba Abashawl **Phone:** 281-233-1829	**Date and identification of prior authorizing Council action:** N/A	
AMOUNT & SOURCE OF FUNDING: $ 95,000 HAS Revenue Fund (8001) FY15 $190,000 HAS Revenue Fund (8001) Out Years $285,000 Total	**Prior appropriations:** N/A	

RECOMMENDATION: (Summary)
Enact an ordinance approving and authorizing a contract with the Bay Area Houston Economic Partnership (BAHEP) for professional services for the Houston Airport System.

SPECIFIC EXPLANATION:

The Bay Area Houston Economic Partnership (BAHEP), located in the Clear Lake area, is a non-profit organization founded in 1983 with a goal of expanding and diversifying the local economy. With close relations to over 260 members businesses, BAHEP has extensive knowledge of trends and upcoming projects and a comprehensive approach to development.

BAHEP will utilize its expertise to undertake specific tasks dedicated to promoting new air service at HAS airports, promoting public and industry awareness of HAS airport facilities and services, and promotional efforts to increase the level of service at HAS airports.

Under the three-year contract, HAS will be provided full membership in BAHEP, including committee participation and the benefits resulting from BAHEP's public relations initiatives. BAHEP will provide the following services at the direction of HAS:

- Promote HAS facilities and services through organization and hosting of the annual State of the Counties event, focusing particularly on the opportunities available at Ellington Airport (EFD) for commercial development.
- Promote HAS facilities and services, particularly commercial opportunities available at EFD, at other BAHEP member events—providing HAS with multiple airport promotion networking opportunities with BAHEP members across a broad range of businesses, focused on those located in or relocating to the Houston area.
- Identify potential new airport tenants domestically and abroad. Such activities will include hosting business briefings for key contacts, promoting HAS properties for development, recruiting new military operations to EFD, and retention of existing military organizations.

REQUIRED AUTHORIZATION

Finance Department:	**Other Authorization:**	**Other Authorization:**

- Publicize HAS airports through its business and community briefings, print media, electronic newsletters, website, social media, and committee initiatives.

- Support HAS on key aviation initiatives before the U.S. Congress, federal agencies, the Texas Legislature, and local and state agencies.

The contract has an M/WBE participation goal of 0%.

The 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.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District B, District E, District I

Item Creation Date: 9/9/2014

HAS - Add'l Appropriation for On-Call Services with GCR, Inc., Project 412

Agenda Item#: 22.

Summary:
ORDINANCE appropriating $6,000,000.00 out of airports improvement fund as an additional appropriation to the contract between the City of Houston and **GCR, INC** for Professional Information Technology Services for the Houston Airport System (Project No. 412); amending Ordinance No. 2013-407 to increase the maximum contract amount - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**

Background:
SPECIFIC EXPLANATION:
City Council approved the contract on May 8, 2013 with a term of three years plus two optional one-year extensions. The Houston Airport System (HAS) utilizes On-Call Technology Professional Services in support of its strategic initiatives. The scope of services provided by this contract includes technology planning and studies, application development and hosting, technology design and support, and technology program/project management. Recent projects utilizing professional services under this contract include Automated Passport Control kiosk software, Public Wi-Fi, TSA-reimbursable Advanced Surveillance Program, and passenger queue and wait-time tracking.

HAS continues to have a high demand for technology services to improve efficiency and customer satisfaction, and therefore seeks City Council approval for additional CIP funding. Additional funding will enable HAS to complete a variety of additional projects, including the remaining roll-out of Public Wi-Fi, replacement of airport Public Address (PA) systems, several additional airport security initiatives, safety management system, and automated passport control features for non-U.S. citizens, including a mobile application to allow for the expedited processing of U.S. passengers.

Because of the nature of on-call services, this agreement was partially funded by the initial City Council action, with supplements planned to further align projects and funding to HAS' changing business needs.

HIRE HOUSTON FIRST:
Hire Houston First does not apply to this procurement because it is for telecommunication and information services, which may not be subject to any local preference per state law.

PAY OR PLAY:
The 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 accordance with City policy.

M/WBE PARTICIPATION:
The M/WBE goal for this contract is twenty percent (20%) and will be met by the following certified firms:

Firm	Type of Work
Advarion	Web Development
Mshana Group, LLC (dba AriesPro)	Data Warehouse Development
AviDel Consulting IT	Consulting Services, Project Management
Chaves & Associates	Document Management/Control
Diversified Networking Solutions, LLC	IT Consulting Services
Jacobsen/Daniels Associates, LLC	IT Consulting Services
John Bean Technologies	Asset Management and Reporting
PGA Engineers, Inc.	Design for Communications, IT, and Security Systems
Landry Consulting	Airport Safety Management System Consulting Services
Virtual Intelligence Providers, LLC	IT Project Management

Due to the on-call nature of the work to be performed, the amount of work required of the M/WBE firms listed

will be identified as the scopes of the projects evolve.

GCR, Inc. is currently achieving 18.89% participation. The HAS Office of Business Opportunity will continue to work with the contractor to identify additional opportunities for subcontracting in order to meet or exceed the goal by the end of the agreement.

Prior Council Action:
05/08/2013 (O) 2013-0407

Amount of Funding:
CIP No. A-0138.84 $6,000,000.00 Airport Improvement Fund (8011)

(Prior Appropriations = $6,500,000)

Source of Funding:
Enterprise Fund

Contact Information:
Kathy Elek 281/233-1826
Lisa Kent 281/233-1971

ATTACHMENTS:

	Description	Type
	HAS - Add Approp - GCR, Inc - Project 412 - RCA	Signed Cover sheet
	HAS - Add'l Appropriation for On-Call Services with GCR, Inc., Project 412 - Delinquent Tax Report	Backup Material
	HAS - Add'l Appropriation for On-Call Services with GCR, Inc., Project 412 - Affidavit of Ownership	Backup Material
	HAS - Add'l Appropriation for On-Call Services with GCR, Inc., Project 412 - SAP Docs	Backup Material
	HAS - Add'l Appropriation for On-Call Services with GCR, Inc., Project 412 - Pay or Play	Backup Material
	HAS - Add'l Appropriation for On-Call Services with GCR, Inc., Project 412 - Conflict of Interest	Backup Material

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

SUBJECT: Additional Appropriation for On-Call Technology Professional Services Contract with GCR, Inc. for the Houston Airport System, PN 412 (WBS No. A-000138-0029-3-01-01), Contract No. 4600012149.	**Category #**	**Page** 1 of 2	**Agenda Item #**

FROM (Department or other point of origin): Houston Airport System	**Origination Date** September 9, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** B, E, I	
For additional information, contact: Kathy Elek 281/233-1826 Lisa Kent 281/233-1971	**Date and identification of prior authorizing Council action:** 05/08/2013 (O) 2013-0407	
AMOUNT & SOURCE OF FUNDING: CIP No. A-0138.84 $6,000,000.00 Airport Improvement Fund (8011)	**Prior appropriations:** 05/08/2013.....Total: $6,500,000.00	

RECOMMENDATION: (Summary)
Enact an ordinance approving an additional appropriation and amending Ordinance No. 2013-0407 to increase the maximum contract amount for On-Call Technology Professional Services Contract with GCR, Inc.

SPECIFIC EXPLANATION:
City Council approved the contract on May 8, 2013 with a term of three years plus two optional one-year extensions. The Houston Airport System (HAS) utilizes On-Call Technology Professional Services in support of its strategic initiatives. The scope of services provided by this contract includes technology planning and studies, application development and hosting, technology design and support, and technology program/project management. Recent projects utilizing professional services under this contract include Automated Passport Control kiosk software, Public Wi-Fi, TSA-reimbursable Advanced Surveillance Program, and passenger queue and wait-time tracking.

HAS continues to have a high demand for technology services to improve efficiency and customer satisfaction, and therefore seeks City Council approval for additional CIP funding. Additional funding will enable HAS to complete a variety of additional projects, including the remaining roll-out of Public Wi-Fi, replacement of airport Public Address (PA) systems, several additional airport security initiatives, safety management system, and automated passport control features for non-U.S. citizens, including a mobile application to allow for the expedited processing of U.S. passengers.

Because of the nature of on-call services, this agreement was partially funded by the initial City Council action, with supplements planned to further align projects and funding to HAS' changing business needs.

HIRE HOUSTON FIRST:
Hire Houston First does not apply to this procurement because it is for telecommunication and information services, which may not be subject to any local preference per state law.

REQUIRED AUTHORIZATION		
Finance Department:	**Other Authorization:**	**Other Authorization:**

PAY OR PLAY:

The 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 accordance with City policy.

M/WBE PARTICIPATION:

The M/WBE goal for this contract is twenty percent (20%) and will be met by the following certified firms:

Firm	Type of Work
Advarion	Web Development
Mshana Group, LLC (dba AriesPro)	Data Warehouse Development
AviDel Consulting	IT Consulting Services, Project Management
Chaves & Associates	Document Management/Control
Diversified Networking Solutions, LLC	IT Consulting Services
Jacobsen/Daniels Associates, LLC	IT Consulting Services
John Bean Technologies	Asset Management and Reporting
PGA Engineers, Inc.	Design for Communications, IT, and Security Systems
Landry Consulting	Airport Safety Management System Consulting Services
Virtual Intelligence Providers, LLC	IT Project Management

Due to the on-call nature of the work to be performed, the amount of work required of the M/WBE firms listed will be identified as the scopes of the projects evolve.

GCR, Inc. is currently achieving 18.89% participation. The HAS Office of Business Opportunity will continue to work with the contractor to identify additional opportunities for subcontracting in order to meet or exceed the goal by the end of the agreement.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District B, District E, District I

Item Creation Date: 8/28/2014

HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684

Agenda Item#: 23.

Summary:
ORDINANCE appropriating $6,230,378.00 out of Airports Improvement Fund as additional appropriation for Construction Phase III Services for the Design Build Agreement between the City of Houston and **MICA CORPORATION** (Approved by Ordinance No. 2012-472) for Exterior Way-Finding Roadway Signage at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Airport (Project No. 684); providing funding for contingencies and the Civic Art Program - **DISTRICTS B - DAVIS; E - MARTIN and I - GALLEGOS**

Background:
LOCATION: William P. Hobby Airport (HOU), Ellington Airport (EFD), and George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION: On May 16, 2012, City Council approved a Design Build Agreement with MICA Corporation for Exterior Way-Finding Roadway Signage at George Bush Intercontinental Airport /Houston (IAH) and approved Phase I, Pre-Construction Phase Services. On December 19, 2012, Council approved Phase II, Construction Phase Services at IAH.

The scope of services provided to date or in progress includes design and construction of roadway signage at IAH. Change Order 1 provided two gateway sculptures of HAS logo at IAH and Change Order 2 provides two Welcome-to-Houston dynamic screen signs at IAH.

It is now requested that City Council approve an additional appropriation to provide Phase III, Construction Phase Services at William P. Hobby Airport (HOU), Ellington Airport (EFD) and George Bush Intercontinental Airport/Houston (IAH) to include the following:

HOU
- Manufacture of steel sign structures;
- Manufacture of aluminum sign panels with sign faces of retro reflective sheeting;
- Installation of drilled shaft foundations;
- Erection of steel structures;
- Installation of sign panels;
- Removal of existing sign panels, structures, electrical, and partial foundations;
- Manufacture and installation of one gateway sculpture of HAS logo; and
- Manufacture and installation one Welcome-to-Houston dynamic screen sign

EFD
- Manufacture and installation of one gateway sculpture of HAS logo

IAH
- Modifications to 6 existing airline identification signs to provide space for three additional airline names

Construction documents will be prepared by Reynolds, Smith & Hill, Inc., and the construction term is 400 days.

ENGINEERING SERVICES TESTING: Engineering testing services are being provided by HTS, Inc. under Contract No. 73359.

PAY OR PLAY: The existing Agreement 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.

HIRE HOUSTON FIRST: Hire Houston First (HHF) Ordinance does not apply to this project, as the project was

advertised before the enactment and implementation of HFF.

PROJECT COST: The total appropriation for the increased Construction Services (GMP) is as follows:

$ 5,582,681 Additional GMP Work
$ 550,000 Contingency
$ 97,697 Civic Art (1.75%)
$ 6,230,378 TOTAL ADDITIONAL APPROPRIATION

MWBE PARTICIPATION: The Minority Woman Business Enterprise goal for all Design and Construction Phase Services is ten percent (10%) and will be met by the following certified firms:

Firms Type of Work Amount % of Additional GMP
TAG Electric Company, LP Electrical and Communications $ 250,000 4.50%
M & D Industries Drilled Shaft Foundations $ 317,875 5.70%
Kuo & Associates Surveying $ 65,000 1.20%
Total $ 632,875 11.40%

MICA Corporation is currently achieving 11.52% on the 10% goal.

Prior Council Action:
05/16/2012 (O) 2012-472
12/19/2012 (O) 2012-1126

Amount of Funding:
CIP No. A-0597.04 $ 6,132,681 HAS Arpt Improvement (8011)
CIP No. A-0422.04 $ 97,697 HAS Arpt Improvement (8011)
Total $ 6,230,378

(Previously Appropriated = $20,413,627)

Source of Funding:
Enterprise Fund

Contact Information:
Kathy Elek **Phone**: 281-233-1826
Jeffrey Brown **Phone**: 281-233-1909

ATTACHMENTS:

	Description	Type
	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - RCA	Backup Material
	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - Form A	Backup Material
	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - Affadavit of Ownership & Delinquent Tax Report	Backup Material
	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - SAP Docs	Backup Material
	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - Previous Ordinances	Backup Material
	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - Insurance	Backup Material
	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - Conflict of Interest Questionnaire	Backup Material
	HAS - Additional Appropriation for Design Build Agreement	Backup Material

with MICA Corp, Project 684 - Change Orders

	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - Sec of State	Backup Material
	HAS - Additional Appropriation for Design Build Agreement with MICA Corp, Project 684 - TX Comptroller	Backup Material

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

SUBJECT: Additional Appropriation for the Design Build Agreement with MICA Corporation for Phase III Construction of Roadway Signage at William P. Hobby Airport (HOU), Ellington Airport (EFD), and George Bush Intercontinental Airport/Houston (IAH), Project No. 684 (WBS# A-000597-0003-4-01-01, A-000597-0003-4-01-02 and A-000597-003-4-01-03; Contract No. 4600011557)	**Category #**	**Page** 1 of 2	**Agenda Item #**

FROM (Department or other point of origin): Houston Airport System	**Origination Date** August 28, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** B, E, I	
For additional information contact: Kathy Elek **Phone:** 281-233-1826 Jeffrey Brown 281-233-1909	**Date and identification of prior authorizing Council action:** 05/16/2012 (O) 2012-472 12/19/2012 (O) 2012-1126	

AMOUNT & SOURCE OF FUNDING:

CIP No. A-0597.04 $ 6,132,681 HAS Arpt Improvement (8011)
CIP No. A-0422.04 $ 97,697 HAS Arpt Improvement (8011)
Total $ 6,230,378

Prior appropriations:

05/16/2012.....$1,483,627
12/19/2012.....$16,748,000
HAS Arpt Improvement (8011)
12/19/2012.....$2,182,000
HAS Consd2001 NAMT (8202)
TOTAL $20,413,627

RECOMMENDATION: (Summary) Enact an ordinance to approve an additional appropriation for the Design Build Agreement with MICA Corporation and appropriate the necessary funds to finance the cost of these services.

LOCATION: William P. Hobby Airport (HOU), Ellington Airport (EFD), and George Bush Intercontinental Airport/Houston (IAH)

SPECIFIC EXPLANATION: On May 16, 2012, City Council approved a Design Build Agreement with MICA Corporation for Exterior Way-Finding Roadway Signage at George Bush Intercontinental Airport /Houston (IAH) and approved Phase I, Pre-Construction Phase Services. On December 19, 2012, Council approved Phase II, Construction Phase Services at IAH.

The scope of services provided to date or in progress includes design and construction of roadway signage at IAH. Change Order 1 provided two gateway sculptures of HAS logo at IAH and Change Order 2 provides two Welcome-to-Houston dynamic screen signs at IAH.

It is now requested that City Council approve an additional appropriation to provide Phase III, Construction Phase Services at William P. Hobby Airport (HOU), Ellington Airport (EFD) and George Bush Intercontinental Airport/Houston (IAH) to include the following:

HOU

- Manufacture of steel sign structures;
- Manufacture of aluminum sign panels with sign faces of retro reflective sheeting;
- Installation of drilled shaft foundations;
- Erection of steel structures;
- Installation of sign panels;
- Removal of existing sign panels, structures, electrical, and partial foundations;
- Manufacture and installation of one gateway sculpture of HAS logo; and
- Manufacture and installation one Welcome-to-Houston dynamic screen sign

REQUIRED AUTHORIZATION		
Finance Department:	**Other Authorization:**	**Other Authorization:**

EFD
- Manufacture and installation of one gateway sculpture of HAS logo

IAH
- Modifications to 6 existing airline identification signs to provide space for three additional airline names

Construction documents will be prepared by Reynolds, Smith & Hill, Inc., and the construction term is 400 days.

ENGINEERING SERVICES TESTING: Engineering testing services are being provided by HTS, Inc. under Contract No. 73359.

PAY OR PLAY: The existing Agreement 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.

HIRE HOUSTON FIRST: Hire Houston First (HHF) Ordinance does not apply to this project, as the project was advertised before the enactment and implementation of HFF.

PROJECT COST: The total appropriation for the increased Construction Services (GMP) is as follows:

$ 5,582,681	Additional GMP Work
$ 550,000	Contingency
$ 97,697	Civic Art (1.75%)
$ 6,230,378	TOTAL ADDITIONAL APPROPRIATION

MWBE PARTICIPATION: The Minority Woman Business Enterprise goal for all Design and Construction Phase Services is ten percent (10%) and will be met by the following certified firms:

Firms	Type of Work	Amount	% of Additional GMP
TAG Electric Company, LP	Electrical and Communications	$ 250,000	4.50%
M & D Industries	Drilled Shaft Foundations	$ 317,875	5.70%
Kuo & Associates	Surveying	$ 65,000	1.20%
	Total	$ 632,875	11.40%

MICA Corporation is currently achieving 11.52% on the 10% goal.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District I

Item Creation Date: 6/20/2014

HAS - Lease Agreement with Black Forest for FBO (HOU)

Agenda Item#: 24.

Summary:
ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **BLACK FOREST VENTURES AVIATION RE, LLC**, operated by Wing Aviation Charter Management Services LLC, for certain premises at William P. Hobby Airport - **DISTRICT I - GALLEGOS**

Background:
BLACK FOREST VENTURES AVIATION, R.E., LLC ("Lessee") has requested to lease approximately 19 acres of vacant land located at William P. Hobby Airport (HOU) to construct and operate a new Fixed Base operation (FBO). Lessee will construct an FBO building, aircraft hangars, aircraft ramp and automobile parking.

The pertinent terms and conditions of the Lease are as follows:

1. Leased Premises:	Approximately 19 acres of vacant land located on the south side of HOU
2. Term:	Forty (40) years, unless sooner terminated in accordance with the terms of the Lease. The Agreement may be mutually terminated of Lessee and the Director.
3. New Investment:	Lessee shall expend not less than $17,000,000 to improve the leased premises during the first seven years following the effective date. Lessee shall also expend not less than an additional $5,000,000 prior to year 24.
4. Rent:	Based on appraisals, annual rent is as follows: Right of Entry $23,173.92 Construction Period $115,869.60 Lease Commencement $231,739.20 Following each fifth year of term, the rent shall be increased by approximately 15%.
5. Performance Security:	Lessee will provide a performance bond or an irrevocable Letter of Credit in the amount of $100,000.
6. Use:	Premises may be used by Lessee to construct and operate a Fixed Base Operation (FBO).
7. Maintenance and Utilities:	Lessee shall assume the entire responsibility, cost and expense for all repair and maintenance of the leased premises and shall be responsible for all utilities furnished to the lease premises.
8. Indemnification and insurance	Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the Lease.
9. Other:	Lessee shall comply with all federal, state and local environmental laws and all Airport policies and procedures.

Amount of Funding:
REVENUE: $231,739.20 annually

Contact Information:
Kathy Elek 281-233-1826
Ian Wadsworth 281-233-1682

ATTACHMENTS:

Description	Type
RCA - HAS - Lease Agreement with Black Forest for FBO	Signed Cover sheet

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

SUBJECT: Lease Agreement between the City of Houston and Black Forest Ventures Aviation RE, LLC – William P. Hobby Airport (HOU).	**Category #**	**Page 1 of 2**	**Agenda Item #**

FROM (Department or other point of origin): Houston Airport System	**Origination Date** June 20, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** I	
For additional information contact: Kathy Elek **Phone:** 281/233-1826 Ian Wadsworth 281/233-1682	**Date and identification of prior authorizing Council action:** N/A	
AMOUNT & SOURCE OF FUNDING: **REVENUE:** $231,739.20 annually	**Prior appropriations:** N/A	

RECOMMENDATION: (Summary)

Enact an ordinance approving and authorizing the execution of a Lease Agreement between the City of Houston and Black Forest Ventures Aviation RE, LLC at William P. Hobby Airport (HOU).

SPECIFIC EXPLANATION:

Black Forest Ventures Aviation RE, LLC ("Lessee") has requested to lease approximately 19 acres of vacant land located at William P. Hobby Airport (HOU) to construct and operate a new Fixed Base Operation (FBO). Lessee will construct an FBO building, aircraft hangars, aircraft ramp and automobile parking.

The pertinent terms and conditions of the Lease are as follows:

1. Leased Premises: Approximately 19 acres of vacant land located on the south side of HOU.

2. Term: Forty (40) years, unless sooner terminated in accordance with the terms of the Lease. The Agreement may be mutually terminated by written agreement of Lessee and the Director.

3. New Investment: Lessee shall expend not less than $17,000,000 to improve the leased premises during the first seven years following the effective date. Lessee shall also expend not less than an additional $5,000,000 prior to year 24.

4. Rent: Based on appraisals, annual rent is as follows:

Right of Entry	$23,173.92
Construction Period	$115,869.60
Lease Commencement	$231,739.20

Following each fifth year of term, the rent shall be increased by approximately 15%.

REQUIRED AUTHORIZATION		
Finance Department:	**Other Authorization:**	**Other Authorization:**

5. Performance Security:	Lessee will provide a performance bond or an irrevocable Letter of Credit in the amount of $100,000.
6. Use:	Premises may be used by Lessee to construct and operate a Fixed Base Operation (FBO).
7. Maintenance and Utilities:	Lessee shall assume the entire responsibility, cost and expense for all repair and maintenance of the leased premises and shall be responsible for all utilities furnished to the leased premises.
8. Indemnification and Insurance:	Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the Lease.
9. Other:	Lessee shall comply with all federal, state and local environmental laws and all Airport policies and procedures.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ETJ

Item Creation Date: 9/5/2014

PLN-Generation Park Management District Amend. 1

Agenda Item#: 25.

Summary:
ORDINANCE consenting to the addition of 2,753.092 acres of land to **GENERATION PARK MANAGEMENT DISTRICT,** for inclusion in its district

Background:
Improvement Districts (aka Management Districts) are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce, transportation, water and sewerage improvements, housing, tourism, recreation, arts, entertainment, economic, development, safety and public welfare. Typically, management districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the District to provide improvements and services.

A Management District is intended to supplement, not supplant, existing public services. Creation of these Districts does not release the local county or city from its established obligations to provide services to the areas, nor does it require additional services from the governing body. The local governing body assumes no liability for the debts, obligations or liabilities of the District.

Generation Park Management District was authorized by the Legislature in 2013 and is located in the COH's ETJ just south of the Summerwood Subdivision on the east side of Beltway 8, but west of Lake Houston. The City consented to the creation of the district in January of this year. The District has now returned with a petition to add approximately 2,753 acres of land to the District.

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 COH prior to their construction.

The PWE Utility District Review Committee has reviewed the request and commends approval.

The Planning and Development Department recommends City Council consent to the addition of approximately 2,753 acres of land to the Generation Park Management District.

Prior Council Action:
Ordinance No. 2014-51, January 22, 2014

Amount of Funding:
N/A

Contact Information:
Nicole Smothers 713-837-7856

ATTACHMENTS:

	Description	Type
	Signed RCA	Signed Cover sheet
	Map of area to be added to the District	Backup Material
	Petition for Consent to add land	Backup Material

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

SUBJECT: Ordinance consenting to the addition of 2,753 acres of land to the Generation Park Management District	**Category #**	**Page 1 of 1**	**Agenda Item #**

FROM (Department or other point of origin): Planning and Development	**Origination Date** September 9, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE: for Patrick Walsh, P.E.	**Council District affected:** ETJ	
For additional information contact: Nicole B. Smothers **Phone:** 713-837-7856	**Date and identification of prior authorizing Council action:** 2014-51, January 22, 2014	

RECOMMENDATION: (Summary)
Approval of an ordinance consenting to the addition of 2,753 acres of land to the Generation Park Management District

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

SPECIFIC EXPLANATION:

Improvement Districts (aka Management Districts) are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce, transportation, water and sewerage improvements, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, management districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the District to provide improvements and services.

A Management District is intended to supplement, not supplant, existing public services. Creation of these Districts does not release the local county or city from its established obligations to provide services to the areas, nor does it require additional services from the governing body. The local governing body assumes no liability for the debts, obligations or liabilities of the District.

Generation Park Management District, authorized by the 83rd Legislature in 2013, is located in Houston's ETJ, just south of the Summerwood Subdivision on the east side of Beltway 8, but west of Lake Houston. The City of Houston consented to the creation of the District on January 22, 2014 by Ordinance No. 2014-51. The District has now returned with a petition to add approximately 2,753 acres of land to the District.

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 COH prior to their construction.

The PWE Utility District Review Committee has reviewed the request and recommends approval.

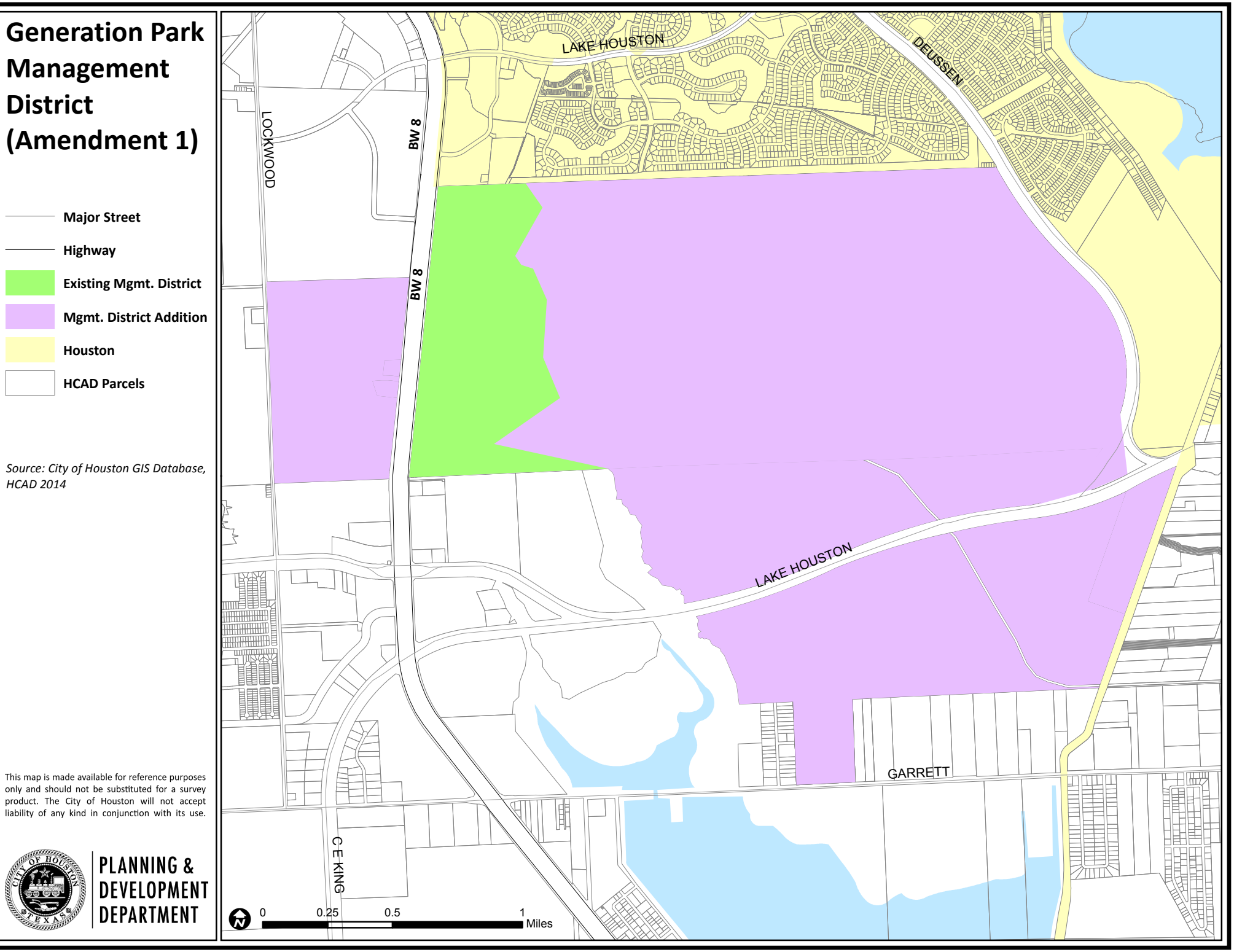
The Planning and Development Department recommends City Council consent to the addition of approximately 2,753 acres of land to the Generation Park Management District.

CC: Marta Crinejo, Agenda Director
David Feldman, City Attorney
Omar Izfar, Assistant City Attorney
Anna Russell, City Secretary

REQUIRED AUTHORIZATION

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

Generation Park Management District (Amendment 1)



Source: City of Houston GIS Database, HCAD 2014

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.

PLANNING & DEVELOPMENT DEPARTMENT

PETITION FOR CONSENT TO INCLUDE ADDITIONAL LAND IN
GENERATION PARK MANAGEMENT DISTRICT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

TO THE HONORABLE MAYOR AND
CITY COUNCIL OF THE CITY OF HOUSTON:

MRA GP WEST, L.P., a Texas limited partnership, MRA NORTHEAST, L.P., a Texas limited partnership, MRA NORTHEAST #2, L.P., a Texas limited partnership, and MRAP 281, L.P., a Texas limited partnership, being the holders of title to a majority in value of the land hereinafter described, as such values are indicated by the tax rolls of the central appraisal district of Harris County, Texas (collectively, "Landowner"), and Generation Park Management District ("District") (Landowner and District hereinafter called "Petitioner"), acting pursuant to the provisions of Section 3916.115, Texas Special District Local Laws Code, respectfully petition for consent to include additional land in the District. In support of this petition, Petitioner shows as follows:

I.

The District, to which the land hereinafter described is sought to be annexed, has been created by an Act of the 83rd Texas Legislature (the "Act") under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas, and exists under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas, Article III, Section 52 and 52-a of the Constitution of Texas, the Act, Chapter 375 of the Texas Local Government Code, and the applicable provisions of Chapter 49 and Chapter 54 of the Texas Water Code, as amended. Landowner is the holder of fee simple title to a majority in value of the land sought to be annexed to the District, as indicated by the tax rolls of the central appraisal district of Harris County, Texas. Landowner represents and warrants that the lienholders consenting to this petition below are the only holders of liens against the land sought to be annexed.

II.

The land sought to be added to the District contains approximately 2,753.092 acres of land, more or less, and lies wholly within Harris County, Texas. Under the provisions of Vernon's Texas Civil Statutes, Local Government Code, Section 42.001 et seq., as amended, said area is within the extraterritorial jurisdiction of the City of Houston and is not within such jurisdiction of any other city. All of the territory to be annexed may properly be annexed to the District.

III.

The land sought to be added to the area of the District is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

IV.

The general nature of the work proposed to be done in the area sought to be annexed shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

(1) provide a water supply for municipal uses, domestic uses and commercial purposes;

(2) collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state;

(3) gather, conduct, divert and control local storm water or other local harmful excesses of water in the District and the payment of organization expenses, operational expenses during construction and interest during construction;

(4) exercise road powers and authority ("Road Powers") pursuant to applicable law and the Act;

(5) promote, develop, encourage and maintain employment, commerce, economic development, safety, and the public welfare in the area within the District;

(6) secure expanded and improved public transportation and parking and pedestrian facilities and systems to benefit land and property within the District;

(7) finance, develop and maintain recreational facilities for the people of the District, as allowed by applicable law and the Act;

(8) finance, develop and maintain rail facilities for the people of the District if and as allowed by applicable law and the Act; and

(9) to provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

V.

The area of the District is urban in nature, is within the growing environs of the City of Houston, and is in close proximity to populous and developed sections of Harris County. The District's area will, within the immediate future, experience a substantial and sustained

commercial and industrial growth. Therefore, there is a necessity for the improvements described above for the following reasons:

(1) The land sought to be added to the District is not supplied with adequate water and sanitary sewer facilities and services, or with adequate drainage facilities nor is it presently economically feasible for such facilities to be added to said land. The health and welfare of the present and future inhabitants of the District, the land sought to be added to the District, and of territories adjacent thereto require the installation and acquisition of adequate water, sanitary sewer, and drainage facilities for and within the land sought to be added to the District.

(2) The present and future inhabitants of the District, the land sought to be added to the District, and of territories adjacent thereto require recreational facilities, as same are necessary and desirable for the health and well-being of such inhabitants. The land sought to be added to the District does not currently include adequate recreational facilities.

(3) The present and future inhabitants of the District, the land sought to be added to the District and of territories adjacent thereto require adequate road facilities, as same are necessary and desirable for the health and welfare of such inhabitants, and for the orderly growth of commercial and industrial development within the area and territories adjacent thereto. Road Powers are of necessity to the land within the District and the land sought to be added to the District as such powers will allow the District to construct, acquire, improve, and provide financing for road facilities that may not otherwise be constructed in a manner that will proactively address safety, capacity, durability, economic feasibility, and regional mobility issues.

(4) The present and future inhabitants of the District, the land sought to be added to the District and of territories adjacent thereto require such additional facilities as may be authorized by the Act and as may be necessary to promote, develop, encourage and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety and the public welfare in the area within the District.

A public necessity exists for the addition of said lands to the District to promote develop, encourage, and maintain employment, commerce, economic development, and the public welfare in the area within the District and to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community, by and through the purchase, construction, extension, improvement, maintenance and operation of a water supply and sanitary sewer system, drainage facilities, recreational facilities, road facilities, rail facilities, parking and transportation facilities, and such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District was created and permitted under state law.

VI.

The Petitioner agrees and hereby covenants that if the requested consent to the annexation of the land to the District is given, the Petitioner will adopt and abide by the conditions set forth in Exhibit "B" and Exhibit "C" attached hereto and incorporated herein for all purposes.

VII.

It is now estimated by the Petitioner from such information as is available at this time, that the amount of bonds necessary to be issued to finance development costs contemplated within the area proposed to be annexed will be approximately $1,974,768,800.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City of Houston give its consent to the annexation of the aforesaid land into said District.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Dated this the 9 day of May, 2014.

MRA GP WEST, L.P.,
a Texas limited partnership

BY: WEST GEN-PAR GP, LLC, a
Texas limited liability company,
its General Partner

By: _____
Frederick R. McCord, Jr.,
President

Petitioner

ATTEST:

By: _____
Name: Frederick R. McCord
Title: Chairman

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 9 day of May, 2014, by FREDERICK R. MCCORD, JR., President of WEST GEN-PAR GP, LLC, a Texas limited liability company, General Partner of MRA GP WEST, L.P., a Texas limited partnership, on behalf of said entities.

CAMERON LYNN BYARS
Notary Public, State of Texas
My Commission Expires
May 10, 2016

(SEAL)

_____
Notary Public in and for
the State of T E X A S

MRA NORTHEAST, L.P.,
a Texas limited partnership

BY: MRA NORTHEAST GP, LLC, a
Texas limited liability company,
its General Partner

By: _____
Frederick R. McCord, Jr.,
President

Petitioner

ATTEST:

By: _____
Name: Frederick R. McCord
Title: Chairman

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 9 day of May, 2014, by FREDERICK R. MCCORD, JR., President of MRA NORTHEAST GP, LLC, a Texas limited liability company, General Partner of MRA NORTHEAST, L.P., a Texas limited partnership, on behalf of said entities.

CAMERON LYNN BYARS
Notary Public, State of Texas
My Commission Expires
May 10, 2016

(SEAL)

_____
Notary Public in and for
the State of T E X A S

MRA NORTHEAST #2, L.P.,
a Texas limited partnership

BY: MRA NORTHEAST #2 GP, LLC, a
Texas limited liability company,
its General Partner

By:_____
Frederick R. McCord, Jr.,
President

Petitioner

ATTEST:

By:_____
Name: Frederick R. McCord
Title: Chairman

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 9 day of May, 2014, by FREDERICK R. MCCORD, JR., President of MRA NORTHEAST #2 GP, LLC, a Texas limited liability company, General Partner of MRA NORTHEAST #2, L.P., a Texas limited partnership, on behalf of said entities.

CAMERON LYNN BYARS
Notary Public, State of Texas
My Commission Expires
May 10, 2016

_____
Notary Public in and for
the State of T E X A S

(SEAL)

MRAP 281, L.P.,
a Texas limited partnership

BY: 281 GEN-PAR GP, LLC, a
Texas limited liability company,
its General Partner

By: _____
Frederick R. McCord, Jr.,
President

Petitioner

ATTEST:

By: _____
Name: Frederick R. McCord
Title: Chairman

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 9 day of May, 2014, by Frederick R. McCord, Jr., President of 281 GEN-PAR GP, LLC, a Texas limited liability company, General Partner of MRAP 281, L.P., a Texas limited partnership, on behalf of said entities.

CAMERON LYNN BYARS
Notary Public, State of Texas
My Commission Expires
May 10, 2016

(SEAL)

_____
Notary Public in and for
the State of T E X A S

GENERATION PARK MANAGEMENT DISTRICT

By:_____
Charles W. Neuhaus
President, Board of Directors

By:_____
Davis K. Rushing
Secretary, Board of Directors

GENERATION PARK MANAGEMENT DISTRICT
TEXAS

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 25th day of March, 2014, by CHARLES W. NEUHAUS, President of GENERATION PARK MANAGEMENT DISTRICT, a political subdivision of the State of Texas, on behalf of said political subdivision.

LINDA L. KNOX
Notary Public, State of Texas
My Commission Expires 01-26-2017

_____
Notary Public in and for
the State of T E X A S

330265

The undersigned, being the holders of liens against the property described in the foregoing Petition for Consent to Include Additional Land in Generation Park Management District hereby acknowledge and consent to said Petition.

Frederick R. McCord

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 9 day of May, 2014, by Frederick R. McCord.

CAMERON LYNN BYARS
Notary Public, State of Texas
My Commission Expires
May 10, 2016
(SEAL)

Notary Public in and for
the State of TEXAS

McCORD CONSOLIDATED, L.P.,
a Texas limited partnership

By: McCORD CONSOLIDATED GP, L.L.C.,
a Texas limited liability company,
its general partner

By:_____
Frederick R. McCord, Jr.
Vice President

ATTEST:

By:_____
Name: Frederick R. McCord
Title: President

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 9 day of May, 2014, by Frederick R. McCord, Jr., Vice President of McCORD CONSOLIDATED GP, L.L.C., a Texas limited liability company, General Partner of McCORD CONSOLIDATED, L.P., a Texas limited partnership, on behalf of said entities.

CAMERON LYNN BYARS
Notary Public, State of Texas
My Commission Expires
May 10, 2016

(SEAL)

_____
Notary Public in and for
the State of TEXAS

330265

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District C

Item Creation Date: 5/6/2014

PLN-Spl Min Lot Size - 100-300 blks of Glenwood Drive, east side - Memorial Drive

Agenda Item#: 26.

Summary:
ORDINANCE establishing the west side of the 100-300 block of Glenwood Drive, between Memorial Drive and Westcott Street, within the City of Houston as a special minimum lot size block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - COHEN**

Background:
Approval of an ordinance designating the **100-300 blocks of Glenwood Street, east side, between Memorial Drive and Westcott Streets** as a Special Minimum Lot Size Block, pursuant to Chapter 42 of the Code of Ordinances.

In accordance with Section 42-197 of the Code of Ordinances, the property owner of **Lot 14, Block 2, of the Glen Cove Subdivision** initiated an application for the designation of a special minimum lot size block. The application includes written evidence of support from the owners of 88% of the area. Notification was mailed to the fourteen (14) property owners indicating that the special minimum lot size block application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Special Minimum Lot Size 13,503 square feet.

Attachments:

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

Contact Information:
Kevin Calfee 713.837.7768

ATTACHMENTS:

	Description	Type
🗋	Spl Min Lot Size - 100-300 blocks Glenwood Drive, east - Memorial	Backup Material

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

SUBJECT: Ordinance designating the 100-300 blocks of Glenwood Drive, east side, between Memorial Drive and Westcott Street as a Special Minimum Lot Size Block	**Category #**	**Page 1 of ____**	**Agenda Item #**

FROM (Department or other point of origin): Patrick Walsh, P.E. Director Planning and Development Department	**Origination Date** April 7, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** C	
For additional information contact: Kevin Calfee **Phone:713.837.7768**	**Date and identification of prior authorizing Council action:N/A**	

RECOMMENDATION: (Summary) Approval of an ordinance designating the 100-300 blocks of Glenwood Drive, east side, between Memorial Drive and Westcott Street as a Special Minimum Lot Size Block, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 13,503 square foot special lot size.

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

SPECIFIC EXPLANATION: In accordance with Section 42-197 of the Code of Ordinances, the property owner of of Lot 14, Block 2, of the Glen Cove Section 2 Subdivision initiated an application for the designation of a special minimum lot size block. The application includes written evidence of support from the owners of 88% of the area. Notification was mailed to the fourteen (14) property owners indicating that the special minimum lot size block application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

The Planning and Development recommends that City Council adopt an ordinance establishing a Special Minimum Lot Size of 13,503 square feet.

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

xc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
David M. Feldman, City Attorney
Gary Dzierlenga, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

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

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

Special Minimum Lot Size Block No. 388
Planning Director's Approval

Planning Director Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		*SMLSB includes all property within at least one block face and no more than two opposing block faces;* **The application is for the 100 - 300 blocks of Glenwood Drive, east side.**
X		*At least 60% of the proposed SMLSB is developed with or is restricted to not more than two single-family residential (SFR) units per lot;* **92% of the proposed application area is developed with not more than two SFR units per property.**
X		*Demonstrated sufficient evidence of support;* **Petition signed by owners of 88% of the SMLSB.**
X		*Establishment of the SMLSB will further the goal of preserving the lot size character of the area; and,* **A minimum lot size of 13,503 square feet exists on ten (10) lots in the blockface.**
X		*The proposed SMLSB has a lot size character that can be preserved by the establishment of a special minimum lot size, taking into account the age of the neighborhood, the age of structures in the neighborhood, existing evidence of a common plan and scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.* **The subdivision was platted in 1941. Most homes originate from the 2000's. The establishment of a 13,503 square foot minimum lot size will preserve the lot size character of the area.**
The minimum lot size for this application was determined by finding the current lot size that represents a minimum standard for at least 70% of the application area. **Ten (10) out of fourteen (14) lots (representing 76% of the application area) are at least 13,503 square feet in size.**		

The Special Minimum Lot Size Block meets the criteria.

Patrick Walsh, P.E.
Director

4-16-14
Date



100 - 300 blocks of Glenwood Dr
Special Minimum Lot Size Block
East side, between Memorial Dr and Westcott St

Source: Harris County Appraisal District
Date: January 21, 2014
Reference: MLS388

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.

Area Under Consideration

PLANNING & DEVELOPMENT DEPARTMENT

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District A

Item Creation Date: 5/5/2014

PLN-Spl Min Bldg Line - 1500 - 1700 blk Wycliffe Drive, west side

Agenda Item#: 27.

Summary:
ORDINANCE establishing the east side of the 1500-1600 block of Wycliffe Drive, between Timberline Drive and Mayfield Road, within the City of Houston as a special minimum building line block pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT A - STARDIG**

Background:
Approval of an ordinance designating the **1500 - 1700 block of Wyciffe Drive, west side between Mayfield Road and Chatterton Drive, and west between Timberline Drive and Chatterton Drive** as a Special Minimum Building Line Block, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 30'-0" special building line.

In accordance with Section 42-170 of the Code of Ordinances, the property owner of **Lot 26, Block E**, **of the Wrenwood Subdivision** initiated an application for the designation of a special minimum building line block. The application includes written evidence of support from the owners of 51% of the block. Notification was mailed to the thirty-three (33) property owners indicating that the special minimum building line application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. One (1) protest was filed. The Houston Planning Commission considered the application and protest at the February 6, 2014 meeting and voted to recommend that City Council establish the Special Minimum Building Line Block.

It is recommended that the City Council adopt an ordinance establishing a 30'-0" Special Minimum Building Line for the block.

Attachment:

- Planning Director's Approval
- Special Minimum Building Line Block Application & Petition
- Evidence of Support
- Map of the Area

ATTACHMENTS:

	Description	Type
🗋	Spl Min Bldg Line - 1500 - 1700 blk Wyciffe Drive	Backup Material

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

SUBJECT: Ordinance designating the 1500 - 1700 block of Wycliffe Drive, east side between Mayfield Road and Chatterton Drive, and west side between Timberline Drive and Chatterton Drive as a Special Minimum Building Line Block	**Category #**	**Page 1 of ____**	**Agenda Item #**

FROM (Department or other point of origin): Patrick Walsh, P.E. Director Planning and Development Department	**Origination Date** April 7, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE:	**Council District affected:** **A**	
For additional information contact: Kevin Calfee **Phone: 713.837.7768**	**Date and identification of prior authorizing Council action:N/A**	

RECOMMENDATION: (Summary) Approval of an ordinance designating the 1500 - 1700 block of Wycliffe Drive, east side between Mayfield Road and Chatterton Drive, and west side between Timberline Drive and Chatterton Drive as a Special Minimum Building Line Block, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 30'-0" special building line.

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

SPECIFIC EXPLANATION: In accordance with Section 42-170 of the Code of Ordinances, the property owner of Lot 62, Block E, of the Wrenwood Subdivision initiated an application for the designation of a special minimum building line block. The application includes written evidence of support from owners of 51% of the area. Notification was mailed to thirty-three (33) property owners indicating that the special minimum building line block application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within thirty days of mailing. One (1) written protest was filed. The Houston Planning Commission considered the application and protest at the February 6, 2014 meeting and voted to recommend the City Council establish the Special Minimum Building Line Block.

The Planning and Development Department and the Houston Planning Commission recommend that City Council adopt an ordinance establishing a 30'-0" Special Building Line for the block.

Attachments: Planning Commission Approval, Special Minimum Building Line Block Application & Petition, Evidence of Support, Map of the Area, Protest Letter

xc: Marta Crinejo, Agenda Director
Anna Russell, City Secretary
David M. Feldman, City Attorney
Gary Dzierlenga, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

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

Finance 011.A REV. 3/94

Special Minimum Building Line Block No. 197
Planning Commission Approval

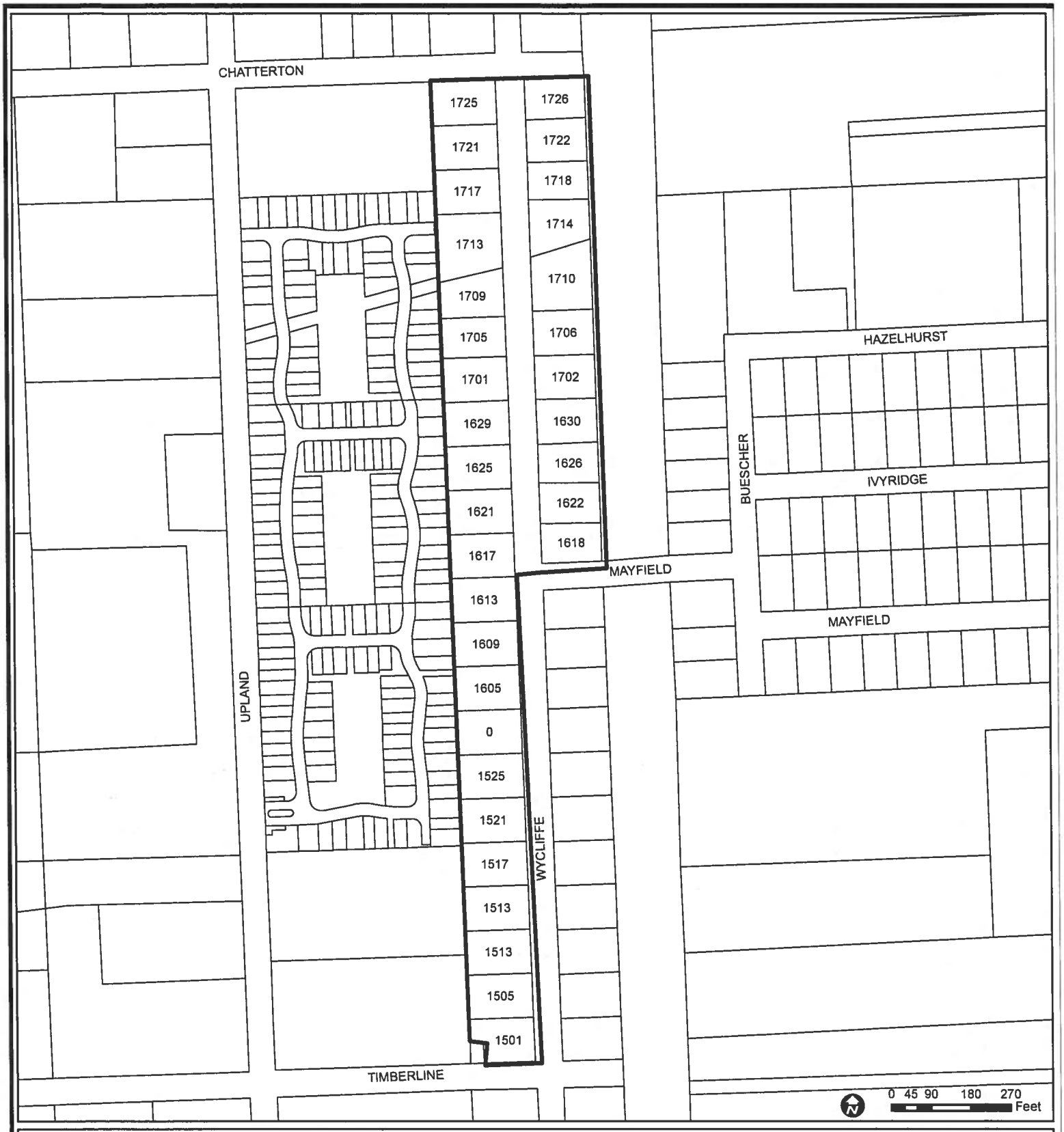
Planning Commission Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		*SMBLB includes all property within at least one block face and no more than two opposing block faces;* **The application is for the 1500-1700 block of Wycliffe Drive, east side between Mayfield Road and Chatterton Drive, and west side between Timberline Drive and Chatterton Drive.**
X		*More than 60% of the proposed SMBLB is developed with or is restricted to not more than two single-family residential (SFR) units per lot;* **91% of the proposed application area is developed with not more than two single-family residential units per property.**
X		*Demonstrated sufficient evidence of support;* **Petition signed by owners of 51% of the SMBLB.**
X		*Establishment of the SMBLB will further the goal of preserving the building line character of the area; and,* **A minimum building line of 30 feet exists on thirty (30) properties in the blockface.**
X		*The proposed SMBLB has a building line character that can be preserved by the establishment of a minimum building line, taking into account the age of the neighborhood, the age and architectural features of structures in the neighborhood, existing evidence of a common plan or scheme of development, and such other factors that the director, commission or city council, respectively as appropriate, may determine relevant to the area.* **The subdivision was platted in 1953. Most homes originate from the 1950's. The establishment of a 30 foot minimum building line will preserve the building line character of the area.**
The minimum building line for this application was determined by finding the current building line that represents a minimum standard for at least 70% of the application area. **Thirty (30) out of thirty-three (33) properties (representing 91% of the application area) have a building line of at least thirty (30) feet.**		

The Special Minimum Building Line Block meets the criteria.

Mark Kilkenny, Chair — Date: 2-20-14

Sonny Garza, Vice-Chair — Date



1500 - 1700 block of Wycliffe
Special Minimum Building Line
East and west sides, between Timberline Drive, Mayfield Road and Chatterton Drive

Area Under Consideration

Source: Harris County Appraisal District
Date: November 26, 2013
Reference: MBL197

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.

PLANNING & DEVELOPMENT DEPARTMENT

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/9/2014

9985 - Approve an Ordinance Awarding a Contract for Boat Maintenance and Repair Services for the Fleet Management Department/S33-L24767

Agenda Item#: 28.

Summary:
ORDINANCE awarding contract to **CLEAR LAKE POWERBOAT SERVICE, INC** for Boat Maintenance and Repair Services for the Fleet Management Department; providing a maximum contract amount - 3 Years with two one-year options - $969,191.31 - Fleet Management Fund

Background:
The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options to Clear Lake Powerboat Service, Inc. on its bid in an amount not to exceed $969,191.31 for Boat Maintenance and Repair Services for the Fleet Management Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

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

Company	Total Amount
1. Gulf Coast Composite Marine Specialist, Inc. dba Gulf Coast Complete Marine Service, Inc.	$773,619.50
2. Clear Lake Powerboat Service, Inc	**$969,191.31**

The lowest responsible bidder was Gulf Coast Composite Marine Specialist, Inc. However, they were not willing to meet the City's mandatory requirement for Workers Compensation Insurance. After giving the vendor multiple opportunities to acquire Workers Compensation Insurance, authorization was granted by the Fleet Management Department to make an award to the next responsible bidder Clear Lake Powerboat Service, Inc.

The scope of work requires the contractor to provide all supervision, labor, replacement parts, equipment, materials, tools, expendable items, supplies, training and transportation necessary to provide maintenance and repair for Safe Boats owned and operated by the Houston Police Department.

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.

Hire Houston First:
The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Attachment: M/WBE Zero-Percentage Goal Document approved by the Mayor's Office of Business Opportunity

Amount of Funding:
$969,191.31 - Fleet Management Fund (1005)

Source of Funding:
Other (Specify)

Fleet Management Fund

Contact Information:

Kenneth Hoglund, FMD Director Phone: 832- 393-6901
Conley Jackson, FIN/SPD Phone: 832-393-8733

ATTACHMENTS:

Description	Type
RCA	Signed Cover sheet
Ordinance- Clear Lake Powerboat	Backup Material
OBO Documents	Signed Cover sheet
Form A (Fair Campaign Ord)	Backup Material
Form B (Fair Campaign Ord)	Backup Material
Delinquent Tax Report	Backup Material
Bid Tab	Backup Material
Departmental Approval	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 9985**

Subject: Approve an Ordinance Awarding a Contract for Boat Maintenance and Repair Services for the Fleet Management Department/S33-L24767	Category # 4	Page 1 of 2	Agenda Item

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Finance Department	**Origination Date** September 08, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE	**Council District(s) affected** All	
For additional information contact: Kenneth Hoglund **Phone:** (832) 393-6901; Conley Jackson **Phone:** (832) 393-8733	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Clear Lake Powerboat Service, Inc. on its bid in an amount not to exceed $969,191.31 for boat maintenance and repair services for the Fleet Management Department.

Maximum Contract Amount: $969,191.31	**Finance Budget**
$969,191.31 - Fleet Management Fund (1005)	

SPECIFIC EXPLANATION:

The Director of the Fleet Management Department and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options to Clear Lake Powerboat Service, Inc. on its bid in an amount not to exceed $969,191.31 for Boat Maintenance and Repair Services for the Fleet Management Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

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

	Company	**Total Amount**
1.	Gulf Coast Composite Marine Specialist, Inc. dba Gulf Coast Complete Marine Service, Inc.	$773,619.50
2.	**Clear Lake Powerboat Service, Inc.**	**$969,191.31**

The lowest responsible bidder was Gulf Coast Composite Marine Specialist, Inc. However, they were not willing to meet the City's mandatory requirement for Workers Compensation Insurance. After giving the vendor multiple opportunities to acquire Workers Compensation Insurance, authorization was granted by the Fleet Management Department to make an award to the next responsible bidder Clear Lake Powerboat Service, Inc.

The scope of work requires the contractor to provide all supervision, labor, replacement parts, equipment, materials, tools, expendable items, supplies, training and transportation necessary to provide maintenance and repair for Safe Boats owned and operated by the Houston Police Department.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

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.

Hire Houston First:

The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Buyer: Conley Jackson

Attachment: M/WBE Zero-Percentage Goal Document approved by the Mayor's Office of Business Opportunity

Estimated Spending Authority

Department	FY15	Out Years	Total Amount
Fleet Management	$30,746.91	$938,444.40	**$969,191.31**
		TOTAL	**$969,191.31**

Controller's Office

To the Honorable Mayor and City Council of the City of Houston, Texas:

I hereby certify, with respect to the money required for the contract, agreement, obligation or expenditure contemplated by the ordinance set out below that:

( ) Funds have been encumbered out of funds previously appropriated for such purpose.

( ) Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.

( ) Funds will be available out of current or general revenue prior to the maturity of any such obligation.

( ) No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.

( ) The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.

( ) A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated hereby by this reference.

( ) Other - Grant Funds Available

Date:_____, 20___City Controller of the City of Houston, Texas

FUND REF: _____AMOUNT: _____ENCUMB. NO. _____

City of Houston, Texas Ordinance No. _____

AN ORDINANCE AWARDING A CONTRACT TO CLEAR LAKE POWERBOAT SERVICE, INC. FOR BOAT MAINTENANCE AND REPAIR SERVICES FOR THE FLEET MANAGEMENT DEPARTMENT; PROVIDING A MAXIMUM CONTRACT AMOUNT; CONTAINING PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.

* * * *

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

Section 1. Having duly advertised for and received competitive bids for the contract described in the title of this ordinance, the City Council hereby finds and determines that the lowest responsible and secure bid was submitted by Clear Lake Powerboat Service, Inc. in the amount of $969,191.31 (which amount is only an estimate if unit prices are included in the bid proposal of said bidder) and that such bid is the most advantageous for the City. Such contract is hereby awarded to said bidder.

Section 2. The City Council hereby approves and authorizes the Contract, agreement or other undertaking described in the title of this Ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor is hereby authorized to execute such document and all related documents (including any related surety bonds) on behalf of the City of Houston. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

Section 3. The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such contract, agreement, or other undertaking in the event of changed circumstances.

Section 4. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council.

Section 5. The total allocation for the contract, agreement or other undertaking approved and authorized hereby shall never exceed **$969,191.31** unless and until this sum is increased by ordinance of City Council.

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 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 _____, 20_____.

APPROVED this _____ day of _____, 20_____.

_____
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 Strategic Purchasing Department, Conley Jackson at Extension 3.8733.

This Ordinance has been reviewed as to form by the undersigned legal assistant and has been found to meet established Legal Department criteria. The Legal Department has not reviewed the content of these documents.

9-9-14
Date

Brenda Wallace
Legal Assistant

(Basic Form GMS159:AWARD-APPROV-SUPP. ALLOCAT. ORD.; Approved by City Attorney 10/95 _____)

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/17/2014

10222- Approve an Ordinance Awarding a Contract to the Best Respondents for the Temporary Employee Services Program for the Human Resources Department/S33-T25055

Agenda Item#: 29.

Summary:
ORDINANCE approving and authorizing contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON, INC**, **AT WORK STAFFING, INC**, **EXECUTEAM STAFFING L.P.**, **ICON INFORMATION CONSULTANTS, L.P.**, **LANESTAFFING, INC**, **SILVER & ASSOCIATES CONSULTING, INC**, **SMITH & DEAN, INC d/b/a DEAN'S PROFESSIONAL SERVICES**, **TOPP KNOTCH PERSONNEL, INC**, and **MSHANA GROUP LLC d/b/a ARIESPRO** for Temporary Employee Staffing Services and Information Technology Staffing Resources; providing a maximum contract amount - 3 Years with two one-year options - $75,000,000.00 - Central Services Revolving Fund

Background:
The Director of the Human Resources Department and City Purchasing Agent recommend City Council approve an ordinance awarding a three-year contract, with two one-year options in an amount not to exceed $75,000,000 for the Temporary Employee Services Program administered by the Human Resources Department. The HR Director may terminate this contract at any time upon 30-days written notice to the contractor.

The HR Department has had responsibility for the temporary employee services program since the early 1980s. HR's Temporary Employee Services Program (HRTES) section assists customer city departments with the acquisition of temporary employees and information technology staffing resources. HRTES performs all acquisition and ongoing contract administration tasks, which allows city departments to focus on their project tasks and deadlines.

The scope of work for the contract requires the contractor to provide all labor, materials and supervision necessary to provide temporary employees to various city departments.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. One-hundred fifty-two (152) prospective bidders downloaded the solicitation document from the Strategic Procurement Division's (SPD) e-bidding system.

Proposals were received from:

22nd Century Technology
A-1 Personnel of Houston
ACRO
Advanced Temporaries
AriesPro
At Work Staffing
Corporate Staffing
Eccentex Corporation
Employment and Training
Enterprise Logic
Everfind
ExecuTeam Staffing
GeoControl Systems
ICON Information Consultants
Isymphony
LaneStaffing
S&R Professionals
Silver & Associates
Smith & Dean
Taylor Smith Consulting
Techcellence

TexcelVision
Topp Knotch Personnel

The Evaluation Committee consisted of eight evaluators from various Departments. The proposals were evaluated based upon the following criteria:

1. Quality of response submitted (all required documents and questions addressed)
2. Strategy to perform the Scope of Work and transitional plan
3. Experience and success in performing similar services for other entities
4. Experience of the proposed managerial and account processing team
5. Ability to timely offer qualified temporary employees
6. Invoicing/Reporting/Technological ability
7. Financial strength of proposer
8. Reasonableness of cost projections
9. Value added services

All proposals were evaluated under a comprehensive set of parameters. The FY15 process selected agencies providing set pay-rolling, regular agency and IT personnel markups. FY15 utilization of $8,000,000 is less than 1 % of total city salary expense.

The evaluation of all proposals submitted by interested agencies resulted in the following recommendation by the HR Department that the City of Houston contract with the following administrative/industrial temporary and information technology staffing agencies.

Administrative / Industrial	**Information Technology**
*A-1 Personnel of Houston, Inc.	*A-1 Personnel of Houston, Inc.
***At Work Staffing, Inc.	**ICON Information Consultants, LP
*ExecuTeam Staffing L.P.	***Smith & Dean, Inc. DBA Dean's Professional Services
**ICON Information Consultants, LP	***Mshana Group LLC DBA AriesPro**
***LaneStaffing, Inc.	
***Silver & Associates Consulting, Inc.	
***Smith & Dean, Inc. DBA Dean's Professional Services	
***Topp Knotch Personnel, Inc.	

*Indicates that these vendors are “graduates” of the city’s MWDBE program.
**Indicates at the time of award these vendors were new to the citywide temporary employee services program.
***Certified M/W/DBE vendor.
The M/W/DBEs (55%) designated agencies are certified by the Office of Business Opportunity.

The recommended agencies will allow the city to continue to utilize the best value pricing and the best low cost bill rate and pay-rolling percentage within the markup parameters. If the agency can supply our demand, then the city obtains the best low cost. If the agency cannot meet our demands, the next agency with the lowest cost is used. The FY15 evaluation process continues to focus on cost, quality personnel, and processing improvements.

All charges for temporaries are billed back to the departments requesting temporaries. Strict monitoring and reporting procedures are in effect to control normal and ordinary utilization of temporary employees.

The proposed mix of recommended agencies provides a comprehensive set of temporary employee services. Other considerations include:
1. Budget neutral as departments must have budget adequacy to utilize contract authority
2. No operational disruptions to the department
3. Continuity of existing projects
4. Risk management and disaster planning considerations
5. A better socio-economic situation when factors such as employee and agency retention are taken into consideration

M/WBE Subcontracting:
This RFP was issued as a goal-oriented contract with a 5% M/WBE participation level. The prime contractors have designated the below-named companies as its certified M/WBE subcontractors.

Prime Contractor	M/WBE Vendor	Type of Work	MWBE %
A-1 Personnel of Houston, Inc.	AK Consulting Services, Inc.	Temporary Services	**5%**
At Work Staffing, Inc.*	Office Effect	Temporary Services	**5%**
ExecuTeam Staffing L.P.	Kingwood Personnel	Temporary Services	**5%**
ICON Information Consultants, LP	Advancetech System 2, Inc	Temporary Services	**5%**
LaneStaffing, Inc.*	Jacobs Business Solutions, Inc.	Temporary Services	**5%**
Mshana Group LLC DBA AriesPro*	Arrati Inc. DBA Texcel Vision	Temporary Services	**5%**
Silver & Associates Consulting, Inc.*	Diverse Consulting Enterprises, Inc.	Temporary Services	**5%**
Smith & Dean, Inc. DBA Dean's Professional Services*	Virtual Intelligence Provider, LLC	Temporary Services	**5%**
Topp Knotch Personnel, Inc.*	4 W Solutions, Inc	Temporary Services	**5%**

***Certified M/WBE vendor**

The Office of Business Opportunity will monitor these contracts.

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' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Estimated Spending Authority

Department	FY15	Out Years	Total Amount
Human Resources	$8,000,000	$67,000,000	$75,000,000

Amount of Funding:
$75,000,000 - Central Services Revolving Fund (1002)

Source of Funding:
Other (Specify)

Central Services Revolving Fund

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
Ramiro Cano, Deputy Director	HR	(832) 393-6060
Conley Jackson, Senior Procurement Specialist	FIN/SPD	(832) 393-8733

ATTACHMENTS:

Description	Type
RCA	Backup Material
Backup Briefing Document	Backup Material

A-1 Fair Campaign	Backup Material
AiresPro Fair Campaign	Backup Material
At Work Fair Campaign	Backup Material
Dean Fair Campaign	Backup Material
Executeam Fair Campaighn	Backup Material
Topp Knotch- Fair Campaign	Backup Material
ICON Fair Campaign	Backup Material
LaneStaffing Fair Campaign	Backup Material
Silver Fair Campaing	Backup Material
Departamental Approval	Backup Material
Form B (Fair Campaign)	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 10222**

Subject: Approve an Ordinance Awarding a Contract to the Best Respondents for the Temporary Employee Services Program for the Human Resources Department/S33-T25055	Category # 4	Page 1 of 3	Agenda Item 29

FROM (Department or other point of origin):	**Origination Date**	**Agenda Date**
Calvin D. Wells City Purchasing Agent Finance Department	September 12, 2014	SEP 24 2014
DIRECTOR'S SIGNATURE Calvin D Wells	**Council District(s) affected** All	
For additional information contact: Ramiro Cano **Phone:** (832) 393-6060 Conley Jackson **Phone:** (832) 393-8733	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve an ordinance awarding contracts for 3 years with 2 additional one year options to multiple vendors for the citywide temporary employee services program administered by the Human Resources Department. Funding for remainder of FY 2015 is $8,000,000 with Out Years of $67,000,000.

Maximum Contract Amount:$75,000,000	**Finance Budget**

$75,000,000 - Central Services Revolving Fund (1002)

SPECIFIC EXPLANATION:

The Director of the Human Resources Department and City Purchasing Agent recommend City Council approve an ordinance awarding a three-year contract, with two one-year options in an amount not to exceed $75,000,000 for the Temporary Employee Services Program administered by the Human Resources Department. The HR Director may terminate this contract at any time upon 30-days written notice to the contractor.

BACKGROUND:

The HR Department has had responsibility for the temporary employee services program since the early 1980s. HR's Temporary Employee Services Program (HRTES) section assists customer city departments with the acquisition of temporary employees and information technology staffing resources. HRTES performs all acquisition and ongoing contract administration tasks, which allows city departments to focus on their project tasks and deadlines.

The scope of work for the contract requires the contractor to provide all labor, materials and supervision necessary to provide temporary employees to various city departments.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. One-hundred fifty-two (152) prospective bidders downloaded the solicitation document from the Strategic Procurement Division's (SPD) e-bidding system.

Proposals were received from:

22nd Century Technology
A-1 Personnel of Houston
ACRO
Advanced Temporaries
AriesPro
At Work Staffing
Corporate Staffing
Eccentex Corporation
Employment and Training
Enterprise Logic
Everfind

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

ExecuTeam Staffing
GeoControl Systems
ICON Information Consultants
Isymphony
LaneStaffing
S&R Professionals
Silver & Associates
Smith & Dean
Taylor Smith Consulting
Techcellence
TexcelVision
Topp Knotch Personnel

The Evaluation Committee consisted of eight evaluators from various Departments. The proposals were evaluated based upon the following criteria:

1. Quality of response submitted (all required documents and questions addressed)
2. Strategy to perform the Scope of Work and transitional plan
3. Experience and success in performing similar services for other entities
4. Experience of the proposed managerial and account processing team
5. Ability to timely offer qualified temporary employees
6. Invoicing/Reporting/Technological ability
7. Financial strength of proposer
8. Reasonableness of cost projections
9. Value added services

All proposals were evaluated under a comprehensive set of parameters. The FY15 process selected agencies providing set pay-rolling, regular agency and IT personnel markups. FY15 utilization of $8,000,000 is less than 1 % of total city salary expense.

The evaluation of all proposals submitted by interested agencies resulted in the following recommendation by the HR Department that the City of Houston contract with the following administrative/industrial temporary and information technology staffing agencies.

Administrative / Industrial	**Information Technology**
*A-1 Personnel of Houston, Inc.	*A-1 Personnel of Houston, Inc.
***At Work Staffing, Inc.	**ICON Information Consultants, LP
*ExecuTeam Staffing L.P.	***Smith & Dean, Inc. DBA Dean's Professional Services
**ICON Information Consultants, LP	***Mshana Group LLC DBA AriesPro**
***LaneStaffing, Inc.	
***Silver & Associates Consulting, Inc.	
***Smith & Dean, Inc. DBA Dean's Professional Services	
***Topp Knotch Personnel, Inc.	

*Indicates that these vendors are "graduates" of the city's MWDBE program.
**Indicates at the time of award these vendors were new to the citywide temporary employee services program.
***Certified M/W/DBE vendor.

The M/W/DBEs (55%) designated agencies are certified by the Office of Business Opportunity.

The recommended agencies will allow the city to continue to utilize the best value pricing and the best low cost bill rate and pay-rolling percentage within the markup parameters. If the agency can supply our demand, then the city obtains the

best low cost. If the agency cannot meet our demands, the next agency with the lowest cost is used. The FY15 evaluation process continues to focus on cost, quality personnel, and processing improvements.

All charges for temporaries are billed back to the departments requesting temporaries. Strict monitoring and reporting procedures are in effect to control normal and ordinary utilization of temporary employees.

The proposed mix of recommended agencies provides a comprehensive set of temporary employee services. Other considerations include:

1. Budget neutral as departments must have budget adequacy to utilize contract authority
2. No operational disruptions to the department
3. Continuity of existing projects
4. Risk management and disaster planning considerations
5. A better socio-economic situation when factors such as employee and agency retention are taken into consideration

M/WBE Subcontracting:
This RFP was issued as a goal-oriented contract with a 5% M/WBE participation level. The prime contractors have designated the below-named companies as its certified M/WBE subcontractors.

Prime Contractor	M/WBE Vendor	Type of Work	MWBE %
A-1 Personnel of Houston, Inc.	AK Consulting Services, Inc.	Temporary Services	5%
At Work Staffing, Inc.*	Office Effect	Temporary Services	5%
ExecuTeam Staffing L.P.	Kingwood Personnel	Temporary Services	5%
ICON Information Consultants, LP	Advancetech System 2, Inc	Temporary Services	5%
LaneStaffing, Inc.*	Jacobs Business Solutions, Inc.	Temporary Services	5%
Mshana Group LLC DBA AriesPro*	Arrati Inc. DBA Texcel Vision	Temporary Services	5%
Silver & Associates Consulting, Inc.*	Diverse Consulting Enterprises, Inc.	Temporary Services	5%
Smith & Dean, Inc. DBA Dean's Professional Services*	Virtual Intelligence Provider, LLC	Temporary Services	5%
Topp Knotch Personnel, Inc.*	4 W Solutions, Inc	Temporary Services	5%

***Certified M/WBE vendor**

The Office of Business Opportunity will monitor these contracts.

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' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Estimated Spending Authority

Department	FY15	Out Years	Total Amount
Human Resources	$8,000,000	$67,000,000	$75,000,000

TEMPORARY EMPLOYEE SERVICES PROGRAM

HUMAN RESOURCES DEPARTMENT
BRIEF AND RECOMMENDATION
FY2015 – FY2020

COUNCIL MEMBER BRIEF
SEPTEMBER 24, 2014

Omar C. Reid, Human Resources Director

City of Houston
Temporary Employee Services Program
Brief and Recommendation
September 24, 2014

1. Program Recommendation for FY2015 through FY2020
2. RFP Evaluation and Selection Process
3. Background
4. Key Points
5. RCA Anticipated Date
6. Frequently Asked Questions (FAQ)

City of Houston
Temporary Employee Services Program
Fiscal Affairs Committee Brief and Recommendation
September 24, 2014

1. **Program Recommendations for FY2015 through FY2020**: The Human Resources (HR) Department is recommending City Council award twelve (12) contracts and approve $15,000,000 annual spending in contract authority to cover a 3 year term with 2 option years to the following temporary employee and information technology staffing agencies.

Administrative / Industrial (1-8)			**Information Technology (9-12)**		
1	LaneStaffing, Inc.	MWDBE	9	A-1 Personnel of Houston, Inc.	*
2	A-1 Personnel of Houston, Inc.	*	10	ICON Information Consultants, LP **	
3	At Work Staffing, Inc.	WBE	11	Mshana Group LLC DBA AriesPro **	MWDBE
4	Topp Knotch Personnel, Inc.	MWDBE	12	Smith & Dean, Inc. DBA Dean's Professional Services **	MWDBE
5	Silver & Associates Consulting, Inc.	MDBE			
6	ICON Information Consultants, LP **				
7	ExecuTeam Staffing L.P.	*			
8	Smith & Dean, Inc. DBA Dean's Professional Services **	MWDBE			

The MWDBEs (55%) designated agencies are certified by the Office of Business Opportunity Department.
***** indicates that these vendors are "graduates" of the city's MWDBE program.
****** indicates that these vendors are new to the citywide temporary employee services program.

Temporary employee and information technology staffing services are provided as requested by departments.

2. **RFP Evaluation and Selection Process**: HR released a Request for Proposals (RFP) on June 13, 2014 for temporary employee staffing and information technology staffing services for the purpose of providing staffing services to city departments on an as-needed-basis.

HR received a total of 29 viable proposals (Admin – 18 proposals, IT – 11 proposals). Proposals were evaluated based on the noted criteria below:

A. Quality of response submitted (all questions addressed)
B. Strategy to perform the scope of work and transitional plan
C. Experience and success in performing similar services for other entities
D. Experience of the proposed managerial and account processing team
E. Ability to timely offer qualified temporary employees
F. Invoicing/reporting/technological ability
G. Financial strength of proposer

H. Value added services

In addition, the vendors were asked to submit a proposal for a turn-key Managed Services Provider Program. This type program manages the entire program with their (agency) personnel. It was determined that having a Managed Services Provider Program would not be cost effective for the City. The internal overhead is 3% to 5% of cost, while one proposal of three indicated a lower overhead %, the markup was significantly higher for the temporary personnel and would still require internal resources to manage.

3. **Background**: The HR Department has had responsibility for the temporary employee services program since the early 1980s. HR's Temporary Employee Services (HRTES) section assists customer city departments with the acquisition of temporary employees and information technology staffing resources. HRTES performs all acquisition and ongoing contract administration tasks, which allows the city departments to focus on their project tasks and deadlines.

   The city departments receive services through (13) existing temporary employee and information technology staffing contract agreements. Six of the agreements (46%) are MWDBE designated agencies. The contracts have an effective date of November 1, 2010 and will expire midnight October 31, 2014. The average annual spending is $12,800,000 (4 years).

   Also, (7) city departments represent 87% of the total temporary employee and information technology staffing services utilization: HHS 30%, PWE 28%; ITD 9%, ARA 6%, HPD 6%, SWD 5%, PRD 3%.

4. **Key Points**: Inherent in the request the following information is presented:

   A. As a revolving fund, temporary employees are charged to the requesting departments and must be within the City Council approved budget level for that department.

   B. The contract authority requested includes a contingency factor for catastrophic events, project and approved initiatives.

5. **RCA – Anticipated September 24, 2014**: In order to continue same and similar temporary employee services in city departments, HR is requesting City Council to approve the award of twelve (12) contracts (3 years plus 2 option years) to provide temporary employee and information technology staffing services to city departments and approve $15,000,000 annual spending in contract authority to cover 3 year terms with 2 option years.

6. **Supplemental Information- Frequently Asked Questions**: (FAQ)

   Q: Where does this funding come from?
   A: From the budget approved by City Council for each department. Department must have the existing budget or transfer dollars from other line items. This is a facilitating program to augment department staffing needs.

   Q: What are the advantages for utilizing temporaries?
   A: In the temporary staffing arrangement, the agencies provide liability, fidelity, and workers' compensation insurance coverage. The agencies also maintain all necessary personnel and payroll records, including drug screens and background checks, if any. In addition, the arrangement provides an immediate resource for recruiting temporaries with the proper skill set and facilitates the temporary employee's termination as well.

Q: What types of temporaries does the City use?

A: There are 2 categories of services an agency may provide:

1. Regular Agency Personnel- Based on a city department's requirement, the agency recruits and places personnel at a specific mark up.
2. Payrolling- The department obtains the person and the agency performs all payroll functions at a specific mark up.

Q: How many temporaries does the City have?

A: At any given time, the City has anywhere from 300 to 500 temporaries. Please note this equates to 200-300 FTEs (Full Time Equivalents). However, in general, temporaries' assignments are for 90 days.

Q: What is the overall average hourly rate?

A: The city averages, including agency mark-up, for all type of classifications, $20.04 an hour. This equates to an annual cost of $41,683 compared to the City average annual salary of $48,000.

Q: What departments utilize temporaries for special projects / initiatives?

A: Current departments/special projects that are utilizing temporary employees at this time are:

Department	**Project Name**
HHS	Immunization program
	Health Presentation/Community Awareness
	HIV Reporting/Surveillance
	MIPPA (Medicare Improvement for Patients & Providers Act)
HPD	Records Mgmt. Systems (RMS)
ITD	Radio Communications Project.
ARA	BARC
PWE	Rebuild Houston
HEC	CO-Op Program
HAS	Hobby New Terminal
	Customs Bureau
PRD	Summer mowing

Q: Is the City unique in the use of temporaries?

A: No, according to the American Staffing Association, virtually all entities use temporaries. Local government agencies routinely issue RFPs for temporary services.

Q: How many agencies does the City contract with and what has been their mark up over the last few years? Which departments account for the most obligation?

A: Agency and Department Utilization Summary:

	FY2015-2020	FY2011-2014	FY2011-2009
Agreements Recommended	**12**	**14**	**12**
Administrative/Industrial	8	7	7
Information Technology	4	7	5
Agency mark-ups (Low-High) *	**%s**	**%s**	**%s**
Payrolling-Administrative	14.70-28.32	14.87-28.32	15.65-30.00
Payrolling-Industrial	21.80-30.12	16.29-34.25	19.55-39.15
Payrolling-Information Technology	13.75-32.40	13.87-21.90	15.65-22.40
Specialized-Administrative	22.37-29.52	22.37-27.00	23.50-37.15
Specialized-Industrial	26.97-31.00	22.79-37.12	23.50-44.15
Specialized-Information Technology	18.37-35.30	18.39-35.30	27.75-30.90
Contract-Administrative		NA	21.92-59.32
Noted Departments account for 86% Utilization	HPD, HHS, PRD, SWD, PWE, ITD, ARA	HHS, HPD, ITD, SWD, PRD	HPD, HHS, PRD, SWD, PWE, HEC, HAS, ITD

***** Markups include all taxes, and insurance required by federal, state or local laws.

Q: How much funding is allocated to each awarded contract?

A: Initially, no funds are allocated to the awarded contracts. Supplemental funds will be allocated to the awarded contracts based on service requests from city department and assignment placements.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/15/2014

HITS-Cyber Security Approp - ORDINANCE

Agenda Item#: 30.

Summary:
ORDINANCE appropriating $3,000,000.00 out of Equipment Acquisition Consolidated Fund for the Information and Cyber Security Program for the Houston Information Technology Services Department

Background:
SPECIFICATION EXPLANATION:
The Chief Information Officer recommends that City Council approve an ordinance to appropriate $3,000,000.00 from the Equipment Acquisition Consolidated Fund (1800) and approve the issuance of purchase orders made through the City's Master Agreement with the Texas Department of Information Resources (DIR)), the US General Services Administration (GSA) IT Schedule 70, and or Texas Association of School Boards, Inc. (BuyBoard) purchasing co-operatives for various professional services, products and hardware supporting the development and implementation of IT Security Controls for the Information & Cyber Security Program.

Tracking potential security threats in real-time, and anticipating advanced persistent threats is critical to protecting sensitive City information and IT systems. In support of the policies, procedures and practices initiated by EO 1-48 and facilitated by Houston IT Services (HITS), the implementation of the following hardware, software and services will provide visibility and protection of critical City assets and citizen information.

The estimated purchases with approximate allocations are provided below.

Hexis Cyber Solutions - This request is for the purchase and implementation of hardware, software and services solution to meet the City security need for an integrated active cyber defense and automated remediation system. This solution is capable of automatically detecting, engaging and removing malware, cyber threats and anomalies when all other security systems have been compromised or have failed to detect the threat. The solution also includes an integrated advanced Data Analytics Platform; providing the powerful analytics, data collection, data warehousing and reporting capabilities required to collect, store and correlate the tremendous amount of security data captured to meet security and compliance needs. As technology expands deeper into all areas of City business, the need to protect critical data becomes more crucial. Houston Information Technology Services is currently working with the Strategic Purchasing Division (SPD) and the Legal Department on finalizing vendor selection. Once the process is finalized, HITS will come back to Council and request purchasing approval. - $1,800,000.00

Bit9 Security Platform - This request is for the purchase and implementation of software and services solution to meet the City's security need for application control. The implementation of the Bit9 Security Platform will provide comprehensive and effective application control by monitoring and recording all activity on protected endpoints and servers to detect and stop potential cyber threats. Each endpoint that connects to the system creates a potential entry point for security threats. Application controls quickly identify unseen applications running in the system and enforce the comprehensive security policies implemented by the City that restrict unauthorized applications, stop malware, process violations, and unsafe changes to system. DIR vendor, Critical Start will provide consulting services to support the implementation of the Bit9 Security Platform Solution - $102,500.00

Core Security - This request is for the purchase and implementation of software, hardware and services solution to meet the City security need to focus limited resources on the most vulnerable points on the City network and applications. Core Insight, through scanning and analysis, is able to simulate attacks on your infrastructure, using their patented attack path planner, by correlating known exploits, attack patterns, network and security data, with identified vulnerabilities. Following simulation, the patented attack engine can be used for automated live testing or targeted manual testing. Operations staff can more efficiently and effectively remediate vulnerabilities to ensure the security of critical business assets. HITS is working with SPD on the purchase of the solution from Core Security. - $119,600.00

Security Policy & Compliance Services - This request is for the appropriation of funds to be utilized for purchase and implementation of software, hardware and services solution to meet the City security need to meet minimum security compliance requirements. These services will include efforts to implement security configurations in Active Directory and on network, server and other endpoint devices. It is important to ensure new and existing custom applications are certified and accredited to provide assurance development has implemented security controls to meet compliance requirements. Existing security tools will be analyzed and used where possible and supplemented where needed to implement the required compliant configurations. Planned cost of for the security solutions are:

- **Application/Web security auditing solution - $250,000**
- **Security Information and Event Management (SIEM) solution - $275,000**
- **Professional services assisting with cyber compliance efforts - $452,900**

Where required HITS will come back to Council for approval - $977,900.00

PROJECTED COSTS:
Once the Information & Cyber Security Program is fully developed and implemented, the annual maintenance and support costs will be budgeted on an annual basis.

Contact Information:
Somayya Scott
Phone: (832) 393-0082

ATTACHMENTS:

	Description	Type
🗋	HITS - Cyber Security Appropriation RCA	Signed Cover sheet

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 2014LS13

Subject: Approve an Ordinance to Appropriate Funds from the FY15 Equipment Acquisition Consolidated Fund (1800) for the Information & Cyber Security Program for Houston IT Services	Category # 1	Page 1 of 2	Agenda Item

FROM (Department or other point of origin):	**Origination Date**	**Agenda Date**
Charles T. Thompson Chief Information Officer Houston Information Technology Services	September 15, 2014	
DIRECTORS SIGNATURE	**Council District(s) affected**	
	All	
For additional information contact:	**Date and Identification of prior authorizing Council Action:**	
Somayya Scott **Phone:** (832) 393-0082		

RECOMMENDATION: (Summary)
Approve an ordinance to appropriate $3,000,000.00 from the FY15 Equipment Acquisition Consolidated Fund (1800) for the Information & Cyber Security Program for Houston IT Services

Award Amount : N/A	**Finance Budget**

Funding:
$3,000,000.00 - FY15 Equipment Acquisition Consolidated Fund (1800)

SPECIFICATION EXPLANATION:
The Chief Information Officer recommends that City Council approve an ordinance to appropriate $3,000,000.00 from the Equipment Acquisition Consolidated Fund (1800) for the development and implementation of IT Security Controls for the Information & Cyber Security Program.

Tracking potential security threats in real-time, and anticipating advanced persistent threats is critical to protecting sensitive City information and IT systems. In support of the policies, procedures and practices initiated by EO 1-48 and facilitated by Houston IT Services (HITS), the implementation of the following hardware, software and services will provide visibility and protection of critical City assets and citizen information.

The planned vendors and proposed actions are provided below.

Hexis Cyber Solutions - This request is for the purchase and implementation of hardware, software and services solution to meet the City security need for an integrated active cyber defense and automated remediation system. This solution is capable of automatically detecting, engaging and removing malware, cyber threats and anomalies when all other security systems have been compromised or have failed to detect the threat. The solution also includes an integrated advanced Data Analytics Platform; providing the powerful analytics, data collection, data warehousing and reporting capabilities required to collect, store and correlate the tremendous amount of security data captured to meet security and compliance needs. As technology expands deeper into all areas of City business, the need to protect critical data becomes more crucial. Houston Information Technology Services is currently working with the Strategic Purchasing Division (SPD) and the Legal Department on finalizing vendor selection. Once the process is finalized, HITS will come back to Council and request purchasing approval - $1,800,000.00.

Bit9 Security Platform - This request is for the purchase and implementation of software and services solution to meet the City's security need for application control. The implementation of the Bit9 Security Platform will provide comprehensive and effective application control by monitoring and recording all activity on protected endpoints and servers to detect and stop potential cyber threats. Each endpoint that connects to the system creates a potential entry point for security threats. Application controls quickly identify unseen applications running in the system and enforce the comprehensive security policies implemented by the City that restrict unauthorized applications, stop malware, process violations, and unsafe changes to system. The Bit9 Security Platform Solution will be procured via

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

DIR vendor, Critical Start. This item will not come back to Council as it does not exceed the DIR approval threshold - $102,500.00.

Core Security - This request is for the purchase and implementation of software, hardware and services solution to meet the City security need to focus limited resources on the most vulnerable points on the City network and applications. Core Insight, through scanning and analysis, is able to simulate attacks on your infrastructure, using their patented attack path planner, by correlating known exploits, attack patterns, network and security data, with identified vulnerabilities. Following simulation, the patented attack engine can be used for automated live testing or targeted manual testing. Operations staff can more efficiently and effectively remediate vulnerabilities to ensure the security of critical business assets. HITS is working with SPD and Legal on the purchase of the solution from Core Security. Once the process is finalized, HITS will come back to Council and request purchasing approval - $119,600.

Security Policy & Compliance Services - This request is for the appropriation of funds to be utilized for purchase and implementation of software, hardware and services solution to meet the City security need to meet minimum security compliance requirements. These services will include efforts to implement security configurations in Active Directory and on network, server and other endpoint devices. It is important to ensure new and existing custom applications are certified and accredited to provide assurance development has implemented security controls to meet compliance requirements. Existing security tools will be analyzed and used where possible and supplemented where needed to implement the required compliant configurations. Planned cost of for the security solutions are:

- **Application/Web security auditing solution - $250,000**
- **Security Information and Event Management (SIEM) solution - $275,000**
- **Professional services assisting with cyber compliance efforts - $452,900**

Based on purchasing limits, HITS will come back to Council for approval - $977,900.00

PROJECTED COSTS:

Once the Information & Cyber Security Program is fully developed and implemented, the annual maintenance and support costs will be budgeted on an annual basis.

WBS # X-680005

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/5/2014

9980-Selex ES Inc - Automatic License Plate Recognition Solution

Agenda Item#: 31.

Summary:
ORDINANCE approving and authorizing contract between City of Houston and **SELEX ES INC** for an Automatic License Plate Recognition Solution for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - $514,221.25 - General and Asset Forfeiture Funds

Background:
The Chief of Police for the Houston Police Department and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options to Selex ES, Inc. in the amount not to exceed $514,221.25 for Automated License Plate Readers for the Houston Police Department (HPD). The Chief of Police or the City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all personnel, management, supervision, labor, materials, equipment, parts, transportation and incidentals necessary to operate and maintain the Automated License Plate Readers and systems that will be installed in various HPD patrol vehicles. The contractor will provide a customized back office software system (BACK OFFICE) so that HPD can manage all of the data collected by the various automated license plate reader deployments. The software will provide HPD with the capability to manage the database functions and the user administration functions.

The Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. One hundred nineteen prospective proposers downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from: HD Protect, PCS Mobile, Motorola, Fleet Safety Equipment, Inc., Visual Pro 360, L-3 Comm Mobile Vision, 3M. ARC, and Selex ES, Inc. The evaluation committee consisted of subject matter experts from HPD. The proposals were evaluated based upon the following criteria:

• Conformance to Scope of Work
• Cost
• Financial Strength of Proposer
• Expertise, Experience and Qualifications
• M/WBE Participation

Selex ES, Inc. received the highest overall score.

M/WBE Subcontracting:
This RFP was issued as a goal-oriented contract with an 11% M/WBE participation level. However, Selex ES, Inc. was unable to achieve the desire participation amount and submitted to the Office of Business Opportunity (OBO) good-faith documents that explained the 7.6% referenced below. OBO reviewed and approved the contractors request to reduce the participation level from 11% to 7.6%. Attached is a copy of OBO's approval.

Subcontractor	Type of Work	Agreed Amount	Percentage
HAF Inc.	**Installation Services**	$31,264.65	**7.6%**

The contract will be monitored by OBO.

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 ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Estimated Spending Authority

Department	FY15	Out Years	Total Amount
Houston Police Department	**$411,377.00**	**$102,844.25***	**$514,221.25**

***25% contingency for the remaining contract years**

Amount of Funding:
Maximum Contract Amount: $514,221.25

$411,377.00 - Assest Forteiture Fund (2204)
$102,844.25 - General Fund (1000)*

$514,221.25

*25% contingency for the remaining contract years

Contact Information:

Contact	Phone
Joseph A. Fenninger	(713) 308-1770
Joyce Hays	(832) 393-8723

ATTACHMENTS:

Description	Type
9980-Selex ES, Inc RCA	Backup Material
OBO Documents	Backup Material
HPD Selex ES Inc. CAPTION	Ordinance/Resolution/Motion
Form A (Fair Campaign Ord)	Backup Material
Form B	Backup Material
Delinquent Tax Report	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 9980**

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Automated License Plate Readers for the Houston Police Department/S33-T24598	Category # 4	Page 1 of 2	Agenda Item

FROM (Department or other point of origin):	**Origination Date**	**Agenda Date**
Calvin D. Wells City Purchasing Agent Finance Department	September 15, 2014	
DIRECTOR'S SIGNATURE Calvin D. Wells	**Council District(s) affected** All	
For additional information contact: Joseph A. Fenninger **Phone:** (713) 308-1770 Joyce Hays **Phone:** (832) 393-8723	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Selex ES, Inc. in the amount not to exceed $514,221.25 for automated license plate readers for the Houston Police Department.

Maximum Contract Amount: $514,221.25

Finance Budget

$411,377.00 - Asset Forfeiture Fund (2204)
$102,844.25 - General Fund - (1000)*
$514,221.25

*25% contingency for the remaining contract years

SPECIFIC EXPLANATION:

The Chief of Police for the Houston Police Department and the City Purchasing Agent recommend that City Council approve an ordinance awarding a three-year contract, with two one-year options to Selex ES, Inc. in the amount not to exceed $514,221.25 for Automated License Plate Readers for the Houston Police Department (HPD). The Chief of Police or the City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all personnel, management, supervision, labor, materials, equipment, parts, transportation and incidentals necessary to operate and maintain the Automated License Plate Readers and systems that will be installed in various HPD patrol vehicles. The contractor will provide a customized back office software system (BACK OFFICE) so that HPD can manage all of the data collected by the various automated license plate reader deployments. The software will provide HPD with the capability to manage the database functions and the user administration functions.

The Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. One hundred nineteen prospective proposers downloaded the solicitation document from SPD's e-bidding website and as a result, proposals were received from: HD Protect, PCS Mobile, Motorola, Fleet Safety Equipment, Inc., Visual Pro 360, L-3 Comm Mobile Vision, 3M. ARC, and Selex ES, Inc. The evaluation committee consisted of subject matter experts from HPD. The proposals were evaluated based upon the following criteria:

- Conformance to Scope of Work
- Cost
- Financial Strength of Proposer
- Expertise, Experience and Qualifications
- M/WBE Participation

Selex ES, Inc. received the highest overall score.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

M/WBE Subcontracting:

This RFP was issued as a goal-oriented contract with an 11% M/WBE participation level. However, Selex ES, Inc. was unable to achieve the desire participation amount and submitted to the Office of Business Opportunity (OBO) good-faith documents that explained the 7.6% referenced below. OBO reviewed and approved the contractors request to reduce the participation level from 11% to 7.6%. Attached is a copy of OBO's approval.

Subcontractor	Type of Work	Agreed Amount	Percentage
HAF Inc.	**Installation Services**	$31,264.65	**7.6%**

The contract will be monitored by OBO.

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 ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Buyer: Conley Jackson

Estimated Spending Authority

Department	FY15	Out Years	Total Amount
Houston Police Department	**$411,377.00**	**$102,844.25***	**$514,221.25**

*25% contingency for the remaining contract years

Jackson, Conley - FIN

From: Bolden, Latanja - OBO
Sent: Wednesday, September 10, 2014 6:15 PM
To: craig.duncan@elsagna.com
Cc: Jackson, Conley - FIN; Murray, Marsha E. - OBO
Subject: Good Faith Efforts Response for Automatic License Plate Reader T24598

Craig, the Office of Business Opportunity would like to inform you that SELEX-ES's Good Faith Efforts request for the Automatic License Plates Reader T24598 has been approved. A copy of this e-mail will be forwarded to Conley Jackson in the Strategic Purchasing Division. Thanks.

LaTanja Bolden
Procurement Specialist
T. 832.393.0635
F. 832.393.0646
latanja.bolden@houstontx.gov

CITY OF HOUSTON
BUSINESS OPPORTUNITY

You

The Mayor's Office of Business Opportunity is committed to creating a competitive and diverse business environment in the City of Houston by promoting the growth and success of local small businesses, with special emphasis on historically underutilized groups by ensuring their meaningful participation in the government procurement process.

Learn more about the Mayor's Office of Business Opportunity by visiting http://www.houstontx.gov/**obo**

Selex ES
A Finmeccanica Company

September 5, 2014

Mr. Conley Jackson
Sr. Procurement Specialist
City of Houston
901 Bagby, B513
Houston, TX 77002

Dear Mr. Jackson,

In response to RFP S33-T24598 Automatic License Plate Reader (ALPR) Technology, SELEX-ES,Inc. Set forth to achieve or exceed the 11% MWBE goal as set by the City of Houston procurement department for this project. SELEX-ES did do a due dilligence query with our existing vendor base and came up with no MWBE owned businesses that were currently suppliers. Understanding that the SELEX-ES ALPR hardware is all custom hand made in Greensboro, NC with parts sourced nationally, the only other option at that point was to find a Houston local MWBE partner for the hardware installation and service of the program. Shelly Richardson at HAF, Inc. was contacted and engaged as a woman owned business currently doing work with the City of Houston. The specifics of the SELEX-ES/HAF Inc. relationship and contract amounts have previously been spelled out on the MWBE forms A&B on how SELEX-EX reached the 7.6% of the 11% goal.

Kindest Regards,

Craig Duncan
Southern Regional Field Operations Manager
SELEX-ES,Inc.

ELSAG North America Automatic License Plate Recognition (ALPR) Business
Selex ES Inc.
7 Sutton Place
Brewster NY 10509 USA
Tel +1 845 278 5425
Fax + 1 336 379 7164

A Selex ES International Ltd Company
Finmeccanica Group

205 H Creek Ridge Road
Greensboro, NC 27406
Tel +1 877 773 5724

Controller's Office

To the Honorable Mayor and City Council of the City of Houston, Texas:

I hereby certify, with respect to the money required for the contract, agreement, obligation or expenditure contemplated by the ordinance set out below that:

( ) Funds have been encumbered out of funds previously appropriated for such purpose.

( ) Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.

( ) Funds will be available out of current or general revenue prior to the maturity of any such obligation.

( ) No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.

( ) The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.

( ) A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated herein by this reference.

( ) Other - Grant Funds Available

Date:_____, 20___ **City Controller of the City of Houston, Texas**

FUND REF: AMOUNT: ENCUMB. NO.:

City of Houston, Texas Ordinance No. _____

AN ORDINANCE APPROVING AND AUTHORIZING A CONTRACT BETWEEN CITY OF HOUSTON AND SELEX ES INC. FOR AN AUTOMATIC LICENSE PLATE RECOGNITION SOLUTION FOR THE HOUSTON POLICE DEPARTMENT; PROVIDING A MAXIMUM CONTRACT AMOUNT; CONTAINING PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.

*** * * ***

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

Section 1. The City Council hereby appropriates the sum of money set out in the title of this Ordinance out of the respective fund or funds set out in such title purpose or purposes set out in such title.

Section 2. The City Council hereby approves and authorizes the contract, agreement, or other undertaking described in the title of this Ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor is hereby authorized to execute such document and all related documents on behalf of the City of Houston. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

Section 3. The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such undertaking described in the title of this ordinance, in the event of changed circumstances.

Section 4. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said undertaking without further authorization from Council.

Section 5. The total allocation for the contract, agreement, or other undertaking approved and authorized hereby shall never exceed $514,221.25 unless and until this sum is increased by ordinance of City Council.

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 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 _____, 2014.

APPROVED this _____ day of _____, 2014.

_____
Mayor of the City of Houston, Texas

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

_____
City Secretary

(Prepared by Legal Dept. _____)
(FDL:fdl 09.03.14) Sr. Assistant City Attorney
(Requested by Calvin D. Wells, City Purchasing Agent, Strategic Purchasing Division)
(Requested by Charles McClelland, Chief of Police, Houston Police Department)
(L.D. File No. 0621400216001)

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CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/10/2014

10199 - Health Benefits Programs for THE SEGAL COMPANY

Agenda Item#: 32.

Summary:
ORDINANCE approving and authorizing an agreement between the City of Houston and **THE SEGAL COMPANY (WESTERN STATES), INC, known as SEGAL WATERS CONSULTING** for Human Resources Consulting Services; providing a maximum contract amount - 3 Years with two one-year options

Background:
The City Purchasing Agent and the Director of Human Resources recommend that City Council approve ordinances awarding three year contracts with two one-year options, respectively, to 1) Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, in the amount of $117,975, 2) Gallagher Benefit Services, Inc., in the amount of $1,278,000, and 3) The Segal Company (Western States), Inc., known as Segal Waters Consulting, in the amount of $2,045,500, respectively, for Health Benefits Programs for the Human Resources Department. The Director of Human Resources may terminate the contracts at any time upon 30-days written notice to the other contractors.

The scope of services requires the contractors to provide services for various projects to manage program costs, as well as specific projects attributable to health benefits:

1. Preparation and analysis of Requests for Proposal for:

• Third Party Administrator / Pharmacy Benefit Management Services
• Medicare Advantage / Medicare Supplement / Medicare Part D
• Dental
• Vision
• Life Insurance (Basic and Voluntary)
• Long-term Disability
• Short-term Disability
• Supplemental Insurance
• Third Party Administrator Services for Flexible Spending Accounts (Health and Dependent Care)

2. Program / vendor management and ongoing consulting for the Health Benefits Delivery system (to include analysis of plan utilization, contribution strategy, plan design, cost control methods, analysis of contract renewals);

3. Actuarial valuations for:

• Self-insured medical and pharmacy claims
• Self-insured workers' compensation claims
• Calculation of GASB-45 liability and alternative solutions to mitigate liability of post-retirement benefits
• Retiree Drug Subsidy program (RDS)

4. Dependent eligibility audit;

5. Procedures audits to ensure timely, accurate claims processing and contract compliance. Auditable plans include:

• Flexible Spending Accounts (FSA) for medical and dependent care
• Long-term Disability
• Medical / Third Party Administrator Services
• Pharmacy
• Performance Guarantees

6. Member satisfaction surveys.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws, and as a result, proposals were received from eleven firms: Aon Risk Consultants, Inc., Buck Consultants, Chapman Schewe, Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, Gallagher Benefit Services, Inc., Hay Group, Holmes Murphy, Sigma Risk Management, Six Degrees, The Segal Company (Western States), Inc., known as Segal Waters Consulting, and StarSoft Solutions. Initially, the RFP included a scope of services for Workers' Compensation and a Data Warehouse. Due to the long-term costs of the Data Warehouse, a decision was made not to implement one at this time; however an RFP may be issued at a later date. Also, due to the disparity among cost quotes, the Workers' Compensation projects will be re-bid in the near future. The evaluation committee consisted of Human Resources Department subject-matter experts and they evaluated the proposals based upon the following criteria:

A. Qualifications /Previous History/Project Experience of Proposer & Staff
B. Service Delivery / Technical Requirements
C. Price
D. Systems Security and Confidentiality
E. Financial Strength
F. M/WBE Participation

Frost Insurance Agency, Inc. d/b/a Frost HR Consulting received the highest overall score for the Long Term Disability actuarial analysis, and Gallagher Benefit Services, Inc. received the highest overall scores for medical claims audits and prescription drug plan review. The Segal Company (Western States), Inc. received the highest overall scores for Program Management/Ongoing Consulting, Member Satisfaction Surveys, some auditing services, and the Long Term Disability Request for Proposal. Aon Risk Consultants, Inc. received the highest overall scores for the preparation and analysis of Requests for Proposals and actuarial valuations; however, Aon did not execute the Agreement with the City due to their objections to city-required contract language; therefore, Aon's projects were re-allocated to Segal and Gallagher. Frost did not propose on those projects or did not have professional expertise to complete them.

Consulting Firm	$ Value of Projects Allocated	% of Projects Allocated
Frost HR Consulting	$117,975	3.43%
Gallagher Benefit Services Inc.	$1,278,000	37.14%
The Segal Company (Western States), Inc.	$2,045,500	59.44%
TOTAL:	**$3,441,475**	**100.00%**

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 contractors will provide health benefits to eligible employees in compliance with City policy.

M/WBE Subcontracting:
This RFP was issued with a 24% goal for M/WBE participation. The selected vendors have designated the below-named companies as their certified M/WBE subcontractors:

Consulting Firm	MWDBE Vendor	Type Of Work	Dollar Amount	Percentage
Gallagher Benefits Services, Inc.	Lacey Newday Consulting	Employee Benefits Consulting	$306,720	24%
The Segal Company (Western States), Inc.**	Decision Information Resources	Member Surveys Assistance	$49,092	2.4%
Frost HR Consulting*	N/A	Actuarial Analysis	N/A	0%

TOTAL:		**$355,812**

The Mayor's Office of Business Opportunity will monitor the contracts.

*Attachment: M/WBE Zero-Percentage Goal Document for Frost Insurance Agency, Inc. d/b/a Frost HR Consulting and 2.4 Percentage Goal Document for The Segal Company (Western States), Inc. approved by the Office of Business Opportunity.

** The Segal Company is re-evaluating the scope of services in relation to the MWBE participation goal and will make a good faith effort to meet the 24% goal.

Hire Houston First:
The proposed contracts require compliance with the City's "Hire Houston First" ordinance that promotes economic opportunity for Houston businesses while supporting job creation. In this case, the proposed contractors do not meet the requirements of Hire Houston First, and no Hire Houston First firms were within three percent.

Human Resources Estimated Spending Authority

Breakdown by Consultant	FY 2015	OUT YEARS	TOTAL
Frost HR Consulting	$22,000	$95,975	$117,975
Gallagher Benefit Services	$243,500	$1,034,500	$1,278,000
The Segal Company (Western States), Inc.	$504,500	$1,541,000	$2,045,500
TOTAL	**$770,000**	**$2,671,475**	**$3,441,475**

Amount of Funding:
Maximum Contract Amount: $3,441,475.00

$3,204,000.00 - Benefits Fund (9000)
$ 237,475.00 - Long Term Disability Fund (9001)

$3,441,475.00 - TOTAL

Source of Funding:
Other (Specify)

Benefits Fund Long Term Disability Fund

Contact Information:
Gerri R. Walker, Assistant Director (HR) Phone: 832-393-6058
Joyce Hays, Sr. Procurement Specialist (SPD) Phone: 832-393-8723

ATTACHMENTS:

Description	Type
RCA#10199	Signed Cover sheet
OBO Documents	Backup Material
Form A (Fair Campaign Ord)	Backup Material
Form B (Fair Campign Ord)	Backup Material
Delinquent Tax Reports	Backup Material

Departamental approval	Backup Material
Pay or Play Program	Backup Material

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

20JRW20-AFA 1st Amend - TxDOT - Houston TranStar Center

Agenda Item#: 33.

Summary:
ORDINANCE allocating the amount of $196,685.00 from the Greater Houston Transportation & Emergency Management Center Fund; approving and authorizing first amendment to the Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for funding the construction of building expansion at the Houston TranStar Center (Approved by Ordinance 1993-451)

Background:
SPECIFIC EXPLANATION: The State of Texas changed its policy after Hurricane Rita to de-centralize evacuation management during disasters and to let local governments participate in managing those evacuation activities. Asa result, the Transportation Policy Council to HGAC authorized federal funding to construct improvements to the Houston TranStar so that the agencies housed there could respond better during disasters.

In 2009, the City of Houston collected funds from METRO and Harris County and then executed an Advanced funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) to fund this construction. The AFA sets 85% of the costs of construction to be paid by TxDOT and the Federal Highway Administration. The remaining 15% is to be paid from City Fund 2402 which holds all contributions from the local TranStar partner agencies.

The action of this RCA increases the original construction costs from $8,338,766 TO $9,600,000 to pay for mitigation of unanticipated environmental expenses that were discovered after construction had begun and structural increases to address hurricane force winds. Since this amendment to the original AFA only requires 15% of the increase from the local agencies (Fund 2402), this action authorizes the payment to TxDOT not to exceed $196,685.00.

The additional work requiring this amendment ensures safe drinking water in the areas surrounding the TranStar campus by modifying the structural foundation of the new construction to avoid penetrating multiple water tables found on campus after construction had begun and ensures compliance with the direction given by the Texas Commission on Environmental Quality.

Prior Council Action:
Ordinance 2009-304 passed 04/15/09
Ordinance 94-741 passed 07/27/94
Ordinance 93-451 passed 05/21/93

Amount of Funding:
City of Houston
$1,96,685.00 from Greater Houston Transportation & Emergency Management Center Fund 2402

Contact Information:
John R. Whaley, P.E.
Senior Assistant Director
Phone: (713) 881-3000

ATTACHMENTS:

	Description	Type
	20JRW20-AFA 1st Amend - TxDOT - Houston TranStar Center RCA	Signed Cover sheet
	20JRW20-AFA 1st Amend - TxDOT - Houston TranStar Center CAPTION	Backup Material
	20JRW20-AFA 1st Amend - TxDOT - Houston TranStar Center Prior Council Action	Backup Material

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

SUBJECT: Approve an Ordinance Authorizing a First Amendment to the Advance Funding Agreement between the City and Texas Department of Transportation (TxDOT) for funding the construction of building expansion at the Houston TranStar Center.	**Category**	**Page 1 of ___**	**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:** All	
For additional information contact: John R. Whaley John R. Whaley, P.E. **Phone:** (713) 881-3000 Senior Assistant Director	**Date and identification of prior authorizing Council action:** Ordinance 2009-304 passed 04/15/09 Ordinance 94-741 passed 07/27/94 Ordinance 93-451 passed 05/21/93	

RECOMMENDATION: (Summary) That City Council approves an Ordinance authorizing a First Amendment to the existing Advanced Funding Agreement between with TxDOT for building improvements at the Houston TranStar Center and allocate funds.

Amount and Source of Funding: City of Houston
$196,685.00 from Greater Houston Transportation & Emergency Management Center Fund 2402.

9/12/14

SPECIFIC EXPLANATION: The State of Texas changed its policy after Hurricane Rita to de-centralize evacuation management during disasters and to let local governments participate in managing those evacuation activities. As a result, the Transportation Policy Council at HGAC authorized federal funding to construct improvements to the Houston TranStar center so that the agencies housed there could respond better during disasters.

In 2009, the City of Houston collected funds from METRO and Harris County and then executed an Advanced Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) to fund this construction. The AFA sets 85% of the costs of construction to be paid by TxDOT and the Federal Highway Administration. The remaining 15% is to be paid from City Fund 2402 which holds all contributions from the local TranStar partner agencies.

The action of this RCA increases the original construction costs from $8,338,766 to $9,600,000 to pay for mitigation of unanticipated environmental expenses that were discovered after construction had begun and structural increases to address hurricane force winds. Since this amendment to the original AFA only requires 15% of the increase from the local agencies (Fund 2402), this action authorizes the payment to TxDOT not to exceed $196,685.00.

The additional environmental work requiring this amendment ensures safe drinking water in the areas surrounding the TranStar campus by modifying the structural foundations of the new construction to avoid penetrating multiple water tables found on campus after construction had begun and ensures compliance with the direction given by the Texas Commission on Environmental Quality.

LTS# 12786 REQUIRED AUTHORIZATION **CUIC ID #20JRW20**

Finance Department:	**Other Authorization:**	**Other Authorization:** 9/12/14 Jeffrey S. Weatherford, P.E., PTOE Deputy Director Traffic Operations Division

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ETJ

20IPB137-Untreated Water Supply Contract - IP Investments, L.L.C.

Agenda Item#: 34.

Summary:
ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **IP INVESTMENTS, LLC** - Revenue

Background:
IP Investments, L.L.C. has requested to enter into a standard form Untreated Water Supply Contract for the City to supply untreated water to their facility for use in their industrial processes. This contract will charge rates for untreated water as specified in City of Houston Code of Ordinances, Section 47-85, currently $0.6232 per thousand gallons.

The standard form contract contains a maximum daily use quantity that, if the customer exceeds by more than 10%, assesses a 5% surcharge on the consumption above the maximum. A telephone Dial-Inbound Automatic Meter Reading System allows PWE to monitor daily usage.

IP Investments, L.L.C.'s maximum quantity will be twenty-five thousand gallons per day. Yearly revenue to the City from this contract is expected to be approximately $5,686.00.

The untreated water will be supplied to the IP Investments, L.L.C. facility via the Trinity River water supply system which is managed by the Coastal Water Authority.

The City of Houston Infrastructure Planning Branch has evaluated the request and found that the water supply and delivery system is adequate to provide the requested quantities.

Amount of Funding:
NO FUNDS REQUIRED; REVENUE CONTRACT FOR UNTREATED WATER

Contact Information:
Carol Ellinger Haddock
Senior Assistant Director
Phone: (832) 395-2686

ATTACHMENTS:

	Description	Type
🗋	20IPB137-IP INVESTMENTS, LLC CAPTION	Ordinance/Resolution/Motion

City of Houston, Texas Ordinance No. _____

AN ORDINANCE APPROVING AND AUTHORIZING AN UNTREATED WATER SUPPLY CONTRACT BETWEEN THE CITY OF HOUSTON AND IP INVESTMENTS, LLC; CONTAINING PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.

* * * *

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

Section 1. The City Council hereby approves and authorizes the contract, agreement or other undertaking described in the title of this Ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor, or, in the absence of the Mayor, the Mayor Pro Tem is hereby authorized to execute such document and all related documents on behalf of the City of Houston. The City Secretary, or in the absence of the City Secretary, any Assistant City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

Section 2. The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking described in the title of this ordinance, in the event of changed circumstances.

Section 3. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council.

Section 4. 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 _____, 20_____.

APPROVED this _____ day of _____, 20_____.

_____
Mayor of the City of Houston, Texas

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

_____
City Secretary

(Prepared by Legal Dept. _____)
(ALC/dg 9/18/14) Assistant City Attorney
(Requested by Daniel W. Krueger, P.E., Director, Department of Public Works & Engineering)
(L.D. File No. 0801400067001)
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CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District H

20HA296-Huff & Mitchell, Inc - Airline Drive Drainage Improvements Segment 1

Agenda Item#: 35.

Summary:
ORDINANCE approving payment of $64,565.32 to **HUFF & MITCHELL, INC** under contract with the City for Airline Drive Drainage Improvements authorized by Ordinance No. 2010-0062 **DISTRICT H - GONZALEZ**

Background:
PROJECT NOTICE/JUSTIFICATION: This project was part of the Storm Drainage Capital Improvement Plan (CIP) program and was required to provide drainage improvements to reduce the risk of structural flooding. Improvements include modification of street conveyance and sheet flow, and provide detention as needed for mitigation. Construction of the project was funded by the Texas Department of Rural Affairs through the Texas Community Development Block Grant Disaster Recovery Entitlement Grand Funds.

DESCRIPTION/SCOPE: The project consisted of the construction of approximately 3,120 linear feet of 24-inch to 84-inch reinforced concrete pipe storm sewers, approximately 3,570 linear feet of 10' X 10' to 14' to 10' reinforced concrete box storm sewers including an outfall and all appurtenances. Klotz Associates designed to project with 365 calendar days allowed for construction. The project was awarded to Huff & Mitchell, Inc. with an original Concrete Amount of $6,611,379.10 and an additional appropriation of $259,458.50 for a revised total Contract Amount of $6,870,837.60.

LOCATION: The project is generally bounded by Luther Street on the north, Veenstra Street on the south, McGallion Street on the east, and Barrett Street on the west in the Key Map Grids 453B and 453C.

CONTRACT COMPLETION and COST: The Contractor last performed work under the Contract on 01/29/2013, a date 15 days beyond the established completion date for the project, and no further work by Contractor is contemplated. Money remains encumbered under the Contract. Recommended action will authorize PWE to administratively close this Contract and to pay $64,565.32, an amount earned by Contractor less amounts which are due per this Contract to the City for liquidated damages (15 days at $1,500.00/day = $22,500.00) and adjustments in favor of the City as determined by the City Engineer.

The City notified Contractor of the City's intention to close the project by letter date April 25, 2014.

Council's approval will allow PWE to make all payments due to the Contractor, without any further action or stipulation by the Contractor, and nothing in the ordinance shall be deemed to be an acceptance of Contractor's work or a waiver of any claims the City may have under Contract.

M/SBE PARTICIPATION: The M/WBE goal established for this project was 16%. According to Office of Business Opportunity, the participation was 10.78%. Contractor's M/WBE performance evaluation was rated Unsatisfactory.

Prior Council Action:
Ord. # 2010-0062 dated 01/27/2010
Ord. # 2011-0544 dated 06/22/2011

Amount of Funding:
No Additional funding required.
Total (original) appropriation of $7,580,000.00 with $6,611,379.10 from Reimbursement of Equipment/Project No. 1850 and $968,620.90 from Drainage Improvement Commercial Paper Series F Fund No. 4030. Additional appropriation of $259,458.50 from Street and Traffic Control and Storm Drainage DDSRF No. 4042 for a total appropriation of $7,839,458.50.

Contact Information:
Joseph T. Myers, P.E.
Senior Assistant Director
Phone: (832)395-2355

ATTACHMENTS:

	Description	Type
	20HA296-Huff & Mitchell, Inc - Airline Drive Drainage Improvements Segment 1 RCA	Backup Material
	20HA296-Huff & Mitchell, Inc - Airline Drive Drainage Improvements Segment 1 MAP	Backup Material
	20HA296-Huff & Mitchell, Inc - Airline Drive Drainage Improvements Segment 1 CAPTION	Backup Material
	20HA296-Huff & Mitchell, Inc - Airline Drive Drainage Improvements Segment 1 OBO	Backup Material
	20HA296-Huff & Mitchell, Inc - Airline Drive Drainage Improvements Segment 1 Change Order	Backup Material
	20HA296-Huff & Mitchell, Inc - Airline Drive Drainage Improvements Segment 1 Prior Council Action	Backup Material

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

SUBJECT: Adopt an Ordinance approving payment of certain contract funds to Huff & Mitchell, Inc. for Airline Drive Drainage Improvements Segment 1 (Tidwell Outfall); WBS No. M-000284-0001-4.	**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:** H	
For additional information contact: Mayor T. Myers 9/3/14 Joseph T. Myers, P.E. Senior Assistant Director **Phone**: (832) 395-2355	**Date and identification of prior authorizing Council action:** Ord. # 2010-0062 dated: 01/27/2010 Ord. # 2011-0544 dated:06/22/2011	

RECOMMENDATION: (Summary) Adopt an Ordinance approving payment of certain contract funds in the amount of $64,565.32 to Huff & Mitchell, Inc. for Airline Drive Drainage Improvements Segment 1 (Tidwell Outfall); WBS No. M-000284-0001-4.

Amount and Source of Funding: No Additional funding required.
Total (original) appropriation of $7,580,000.00 with $6,611,379.10 from Reimbursement of Equipment/ Project Fund No. 1850 and $968,620.90 from Drainage Improvement Commercial Paper Series F Fund No. 4030. Additional appropriation of $259,458.50 from Street and Traffic Control and Storm Drainage DDSRF No. 4042 for a total appropriation of $7,839,458.50.

PROJECT NOTICE/JUSTIFICATION: This project was part of the Storm Drainage Capital Improvement Plan (CIP) program and was required to provide drainage improvements to reduce the risk of structural flooding. Improvements include modification of street conveyance and sheet flow, and provide detention as needed for mitigation. Construction of the project was funded by the Texas Department of Rural Affairs through the Texas Community Development Block Grant Disaster Recovery Entitlement Grand funds.

DESCRIPTION/SCOPE: The project consisted of the construction of approximately 3,120 linear feet of 24-inch to 84-inch reinforced concrete pipe storm sewers, approximately 3,570 linear feet of 10'X 10' to 14'X10' reinforced concrete box storm sewers including an outfall and all appurtenances. Klotz Associates designed the project with 365 calendar days allowed for construction. The project was awarded to Huff & Mitchell, Inc. with an original Contract Amount of $6,611,379.10 and an additional appropriation of $259,458.50 for a revised total Contract Amount of $6,870,837.60

LOCATION: The project is generally bounded by Luther Street on the north, Veenstra Street on the south, McGallion Street on the east, and Barrett Street on the west in the Key Map Grids 453B and 453C.

CONTRACT COMPLETION AND COST: The Contractor last performed work under the Contract on 01/29/2013, a date 15 days beyond the established completion date for the project, and no further work by Contractor is contemplated. Money remains encumbered under the Contract. Recommended action will authorize PWE to administratively close this Contract and to pay $64,565.32, an amount earned by Contractor less amounts which are due per this Contract to the City for liquidated damages (15 days at $1,500.00/day = $22,500.00) and adjustments in favor of the City as determined by the City Engineer.

The City notified Contractor of the City's intention to close the project by letter date April 25, 2014.

LTS # 12976 **REQUIRED AUTHORIZATION** **20HA296**

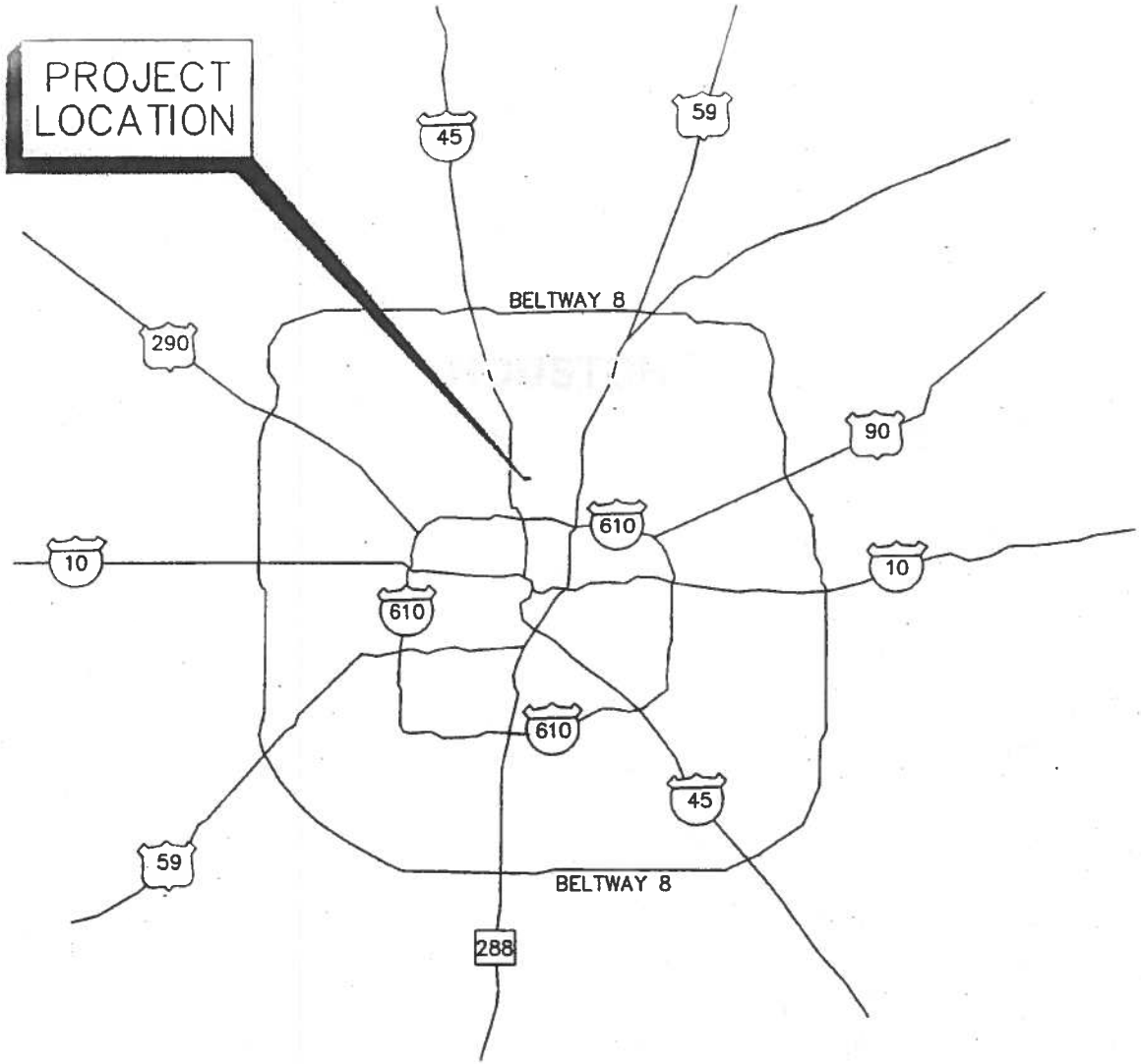
Finance Department:	**Other Authorization:**	**Other Authorization:**
		Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

Council's approval will allow PWE to make all payments due to the Contractor, without any further action or stipulation by the Contractor, and nothing in the ordinance shall be deemed to be an acceptance of Contractor's work or a waiver of any claims the City may have under Contract.

M/SBE PARTICIPATION: The M/SBE goal established for this project was 16%. According to Office of Business Opportunity, the participation was 10.78%. Contractor's M/SBE performance evaluation was rated Unsatisfactory.

DAR:DRM:JTM:RJM:JC:ha

H:\E&C Construction\North Sector\PROJECT FOLDER\M-000284-0001-4 (Airline Drive Drainage Improvements Segment 1)\RCA\RCA - Closeout .doc



LEGEND

PROJECT LIMITS

klotz associates

AIRLINE DRIVE DRAINAGE IMPROVEMENTS SEGMENT 1 (TIDWELL OUTFALL) VICINITY MAP

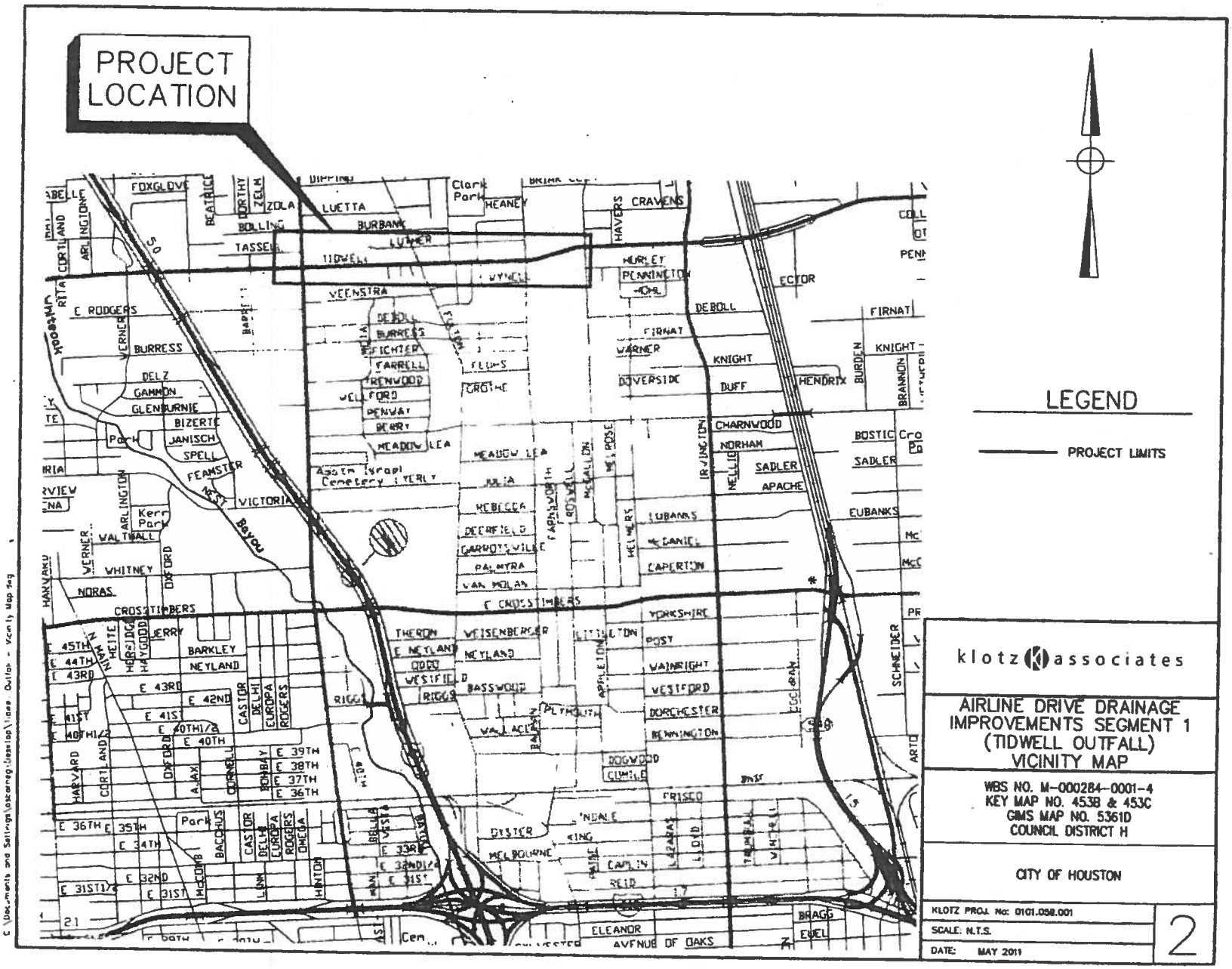
WBS NO. M-000284-0001-4
KEY MAP NO. 453B & 453C
GIMS MAP NO. 5361D
COUNCIL DISTRICT H

CITY OF HOUSTON

KLOTZ PROJ. No: 0101.058.001
SCALE: N.T.S.
DATE: MAY 2011

1

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PROJECT LOCATION
LEGEND
PROJECT LIMITS
klotz associates
AIRLINE DRIVE DRAINAGE IMPROVEMENTS SEGMENT 1 (TIDWELL OUTFALL) VICINITY MAP
WBS NO. M-000284-0001-4
KEY MAP NO. 453B & 453C
GIMS MAP NO. 5361D
COUNCIL DISTRICT H
CITY OF HOUSTON
KLOTZ PROJ. No: 0101.058.001
SCALE: N.T.S.
DATE: MAY 2011
2
Clark Park
Kerr Park
Park
Aldine Israel Cemetery
Bayou
FOXGLOVE
LUETTA
ZOLA
BURBANK
TIDWELL
HEANEY
CRAVENS
HAVERS
HURLEY
PENNINGTON
ECTOR
FIRNAT
KNIGHT
DEBOLL
BURGESS
E RODGERS
VEENSTRA
WARNER
DOVERSIDE
DUFF
HENDRIX
BURDEN
BRANNON
CHARNWOOD
NORHAM
SADLER
APACHE
BOSTIC
EUBANKS
IRVINGTON
NELLIE
MEADOW LEA
MEBECCA
DEERFIELD
GARROTTSVILLE
PALMYRA
VAN NOLAN
CAPERTON
MCDANIEL
HELMERS
MCALLEN
POSEY
FAIRSWORTH
ROSWELL
E CROSSTIMBERS
NORAS
WHITNEY
WALTHALL
VICTORIA
FEAMSTER
SPELL
JANISCH
BIZERTE
GLENBURNIE
GAMMON
DELZ
FARRELL
FLUMS
CROOKE
WELLFORD
PENWAY
BERRY
ARLINGTON
VERNER
DIXFORD
HAYGOOD
JERRY
BARKLEY
NEYLAND
E 43RD
E 42ND
E 41ST
E 40TH 1/2
E 40TH
E 39TH
E 38TH
E 37TH
E 36TH
E 35TH
E 34TH
E 33RD
E 32ND 1/2
E 32ND
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HARVARD
CORTLAND
THERON
WEISENBERGER
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ODEO
WESTFIELD
BASSWOOD
RIGGS
PLYMOUTH
WALLACE
RALPH
APPLETON
LITTLETON
POST
WAINWRIGHT
WESTFORD
DORCHESTER
BENNINGTON
DOGWOOD
CUMMINS
YORKSHIRE
SCHNEIDER
EGGLESTON
FRISCO
DISTER
MELBOURNE
KING
CAPLIN
SEID
ALDINE
LAZARUS
LLOYD
TIDWELL
ELEANOR
AVENUE OF OAKS
BRAGG
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ARTO
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I-45

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District B, ETJ

20CDR50-Northeast Transmission 108-inch Water Line Easement Acquisition Project

Agenda Item#: 36.

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 Northeast Transmission 108-inch Water Line Easement Acquisition Project (from Smith Road to Lee Road); authorizing the acquisition of fee simple title interest in or easement to eighteen parcels of land required for the project and situated in the Samuel Upshaw Survey, Abstract No. 818, and the Thomas Norments Survey, Abstract No. 601, in Harris County, Texas, said parcels of land being located along the north and south lines of Aldine Bender Road and along the easterly line of the H.E. & W.T. Railroad easement between Lee Road and Smith Road in Houston, Harris County, Texas, by gift, dedication, purchase and the use of eminent domain and further authorizing payment of the costs of such purchases and/or eminent domain proceedings and associated costs for relocation assistance, appraisal fees, title policies/services, recording fees, court costs, and expert witness fees in connection with the acquisition of fee simple title interest in or easement to the eighteen parcels of land required for the project - **DISTRICT B - DAVIS**

Background:
The NORTHEAST TRANSMISSION 108-INCH WATER LINE EASEMENT ACQUISITION PROJECT (FROM SMITH ROAD TO LEE ROAD) provides for the design and construction of transmission and distribution lines to convey treated water from surface water facilities. This project is a part of the City's regionalization program and is in compliance with the Harris-Galveston Subsidence District requirement to implement the City's long range water supply plan. The subject water line parcels are needed for the Northeast Transmission Line segment of the program.

This action authorizes payment for costs of land purchases/condemnation, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases, finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a 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 rights-of-way and easement for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase consideration that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the NORTHEAST TRANSMISSION 108-INCH WATER LINE EASEMENT ACQUISITION PROJECT (FROM SMITH ROAD TO LEE ROAD).

Key Map 374Z & 375S,W

Prior Council Action:
Ordinance 2013-0537, passed June 5, 2013

Contact Information:
Nancy P. Collins
Senior Assistant Director - Real Estate
Planning and Development Services Division
Phone: (832) 395-3130

ATTACHMENTS:

	Description	Type
	20CDR50-Northeast Transmission 108-inch Water Line Easement Acquisition Project RCA	Backup Material
	20CDR50-Northeast Transmission 108-inch Water Line Easement Acquisition Project MAP	Backup Material
	20CDR50-Northeast Transmission 108-inch Water Line Easement Acquisition Project CAPTION	Backup Material

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

SUBJECT: Recommendation that an ordinance for the NORTHEAST TRANSMISSION 108-INCH WATER LINE EASEMENT ACQUISITION PROJECT (FROM SMITH ROAD TO LEE ROAD) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS S-000900-0126-2-01	**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:** B & ETJ Key Map 374Z & 375 S,W	
For additional information contact: Nancy P. Collins NPC Phone: (832) 395-3130 Senior Assistant Director – Real Estate Planning and Development Services Division	**Date and identification of prior authorizing Council Action:** Ordinance 2013-0537, passed June 5, 2013	

RECOMMENDATION: (Summary)
An ordinance for the NORTHEAST TRANSMISSION 108-INCH WATER LINE EASEMENT ACQUISITION PROJECT (FROM SMITH ROAD TO LEE ROAD) be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

Amount and Source of Funding: No additional funding required (Funds were appropriated under Ordinance 2013-0537) 09/09/2014

SPECIFIC EXPLANATION:
The NORTHEAST TRANSMISSION 108-INCH WATER LINE EASEMENT ACQUISITION PROJECT (FROM SMITH ROAD TO LEE ROAD) provides for the design and construction of transmission and distribution lines to convey treated water from surface water facilities. This project is a part of the City's regionalization program and is in compliance with the Harris-Galveston Subsidence District requirement to implement the City's long range water supply plan. The subject water line parcels are needed for the Northeast Transmission Line segment of the program.

This action authorizes payment for costs of land purchases/condemnations, relocation assistance expenses, appraisal fees, title policies/services, recording fees and other acquisition costs in connection with negotiations to settle purchases; finds a public necessity for the project; and approves and authorizes the condemnation of the land and improvements thereon. If negotiations to acquire the property cannot be concluded as a 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 rights-of-way and easements for said purposes and authorizes payment for the Award of Special Commissioners and court costs associated with condemnation proceedings. Payments for purchase considerations that exceed the spending authority threshold set by State law will be submitted to City Council as they are finalized. This will expedite the process of acquiring land in support of the NORTHEAST TRANSMISSION 108-INCH WATER LINE EASEMENT ACQUISITION PROJECT (FROM SMITH ROAD TO LEE ROAD).

DAR:NPC:cr

cc: Marta Crinejo

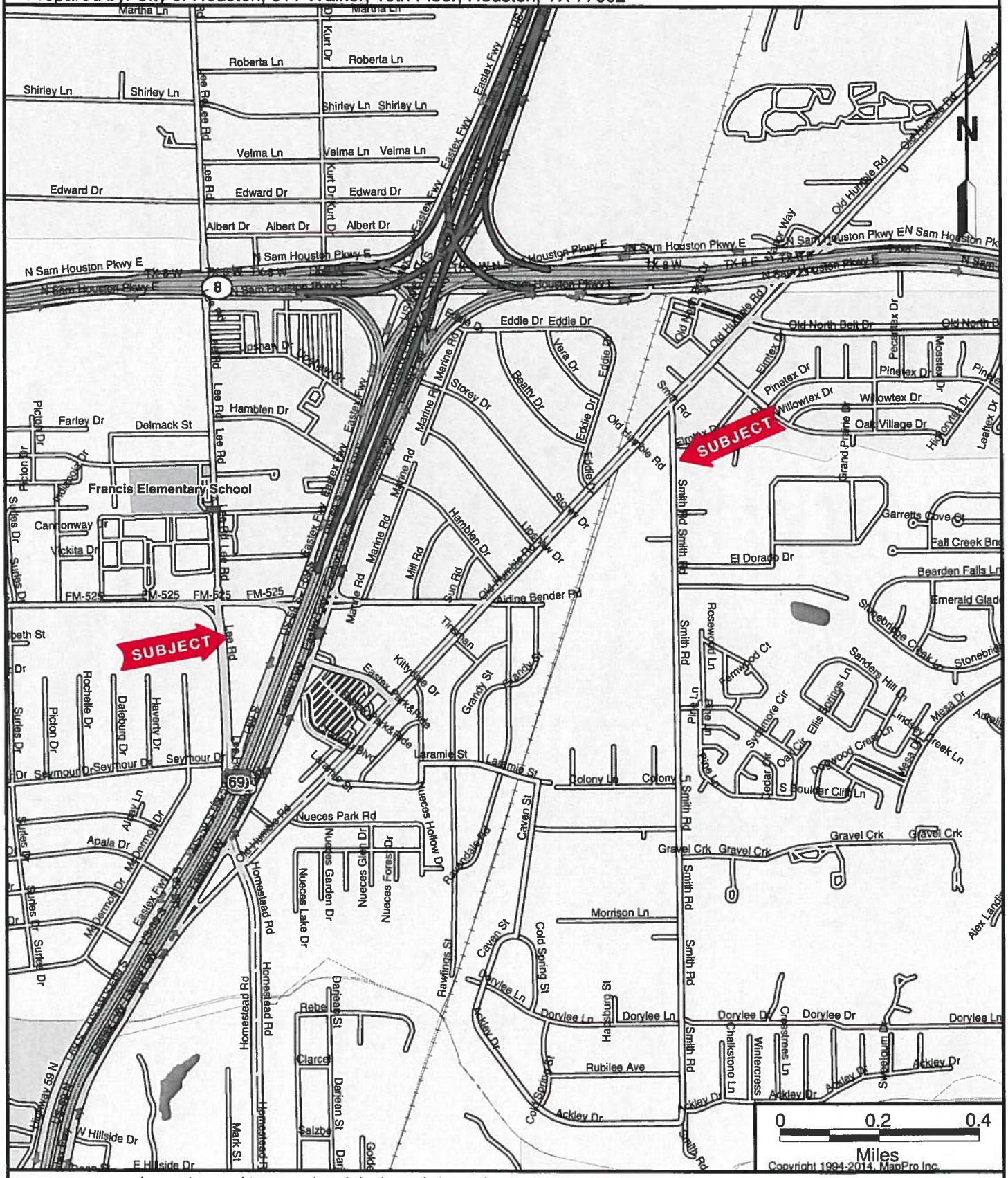
LTS No. 12041 **CUIC #20CDR50**

REQUIRED AUTHORIZATION

Other Authorization:	**Other Authorization:**	**Other Authorization:**
	for Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division

LOCATION MAP

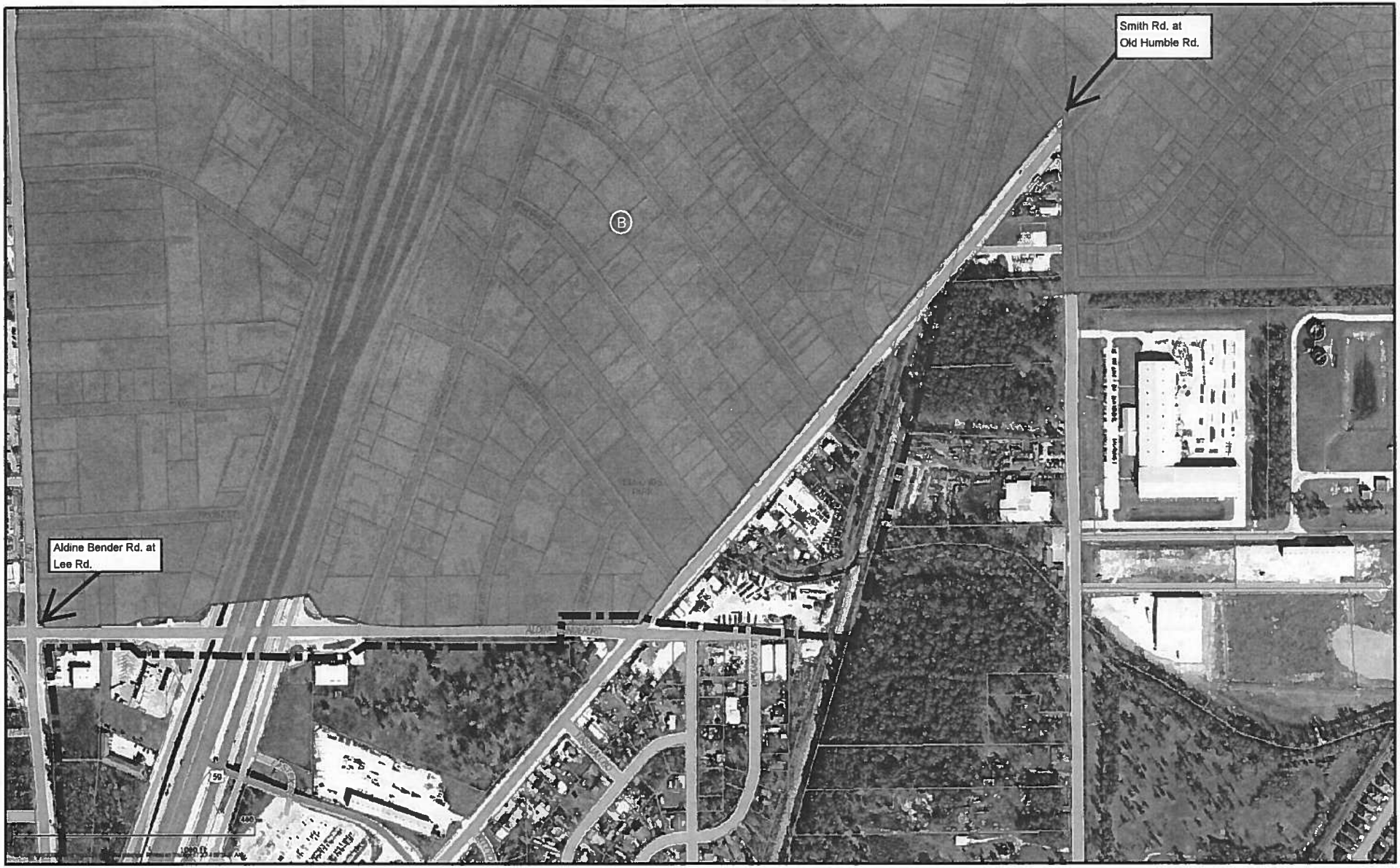
Description: Northeast Transmission 108-Inch Water Line Easement Acquisition Project
(from Smith Road to Lee Road)
WBS S-000900-0126-2-01
Prepared by: City of Houston, 611 Walker, 19th Floor, Houston, TX 77002



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

Prepared by City of Houston using MapPro Service. MapPro Inc., PO Box 37427, Houston, TX 77237 1-866-3MAPPRO.

Council District B



City of Houston

Generated by the My City Application

Disclaimer:
The map is only for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes and does not represent an on-the-ground survey and only represents the approximate relative location of property boundaries

City of Houston, Texas, Ordinance No. 2014-_____

AN 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 NORTHEAST TRANSMISSION 108-INCH WATER LINE EASEMENT ACQUISITION PROJECT (FROM SMITH ROAD TO LEE ROAD); AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE INTEREST IN OR EASEMENT TO EIGHTEEN PARCELS OF LAND REQUIRED FOR THE PROJECT AND SITUATED IN THE SAMUEL UPSHAW SURVEY, ABSTRACT NO. 818, AND THE THOMAS NORMENTS SURVEY, ABSTRACT NO. 601, IN HARRIS COUNTY, TEXAS, SAID PARCELS OF LAND BEING LOCATED ALONG THE NORTH AND SOUTH LINES OF ALDINE BENDER ROAD AND ALONG THE EASTERLY LINE OF THE H.E. & W.T. RAILROAD EASEMENT BETWEEN LEE ROAD AND SMITH ROAD IN HOUSTON, HARRIS COUNTY, TEXAS, BY GIFT, DEDICATION, PURCHASE AND THE USE OF EMINENT DOMAIN AND FURTHER AUTHORIZING PAYMENT OF THE COSTS OF SUCH PURCHASES AND/OR EMINENT DOMAIN PROCEEDINGS AND ASSOCIATED COSTS FOR RELOCATION ASSISTANCE, APPRAISAL FEES, TITLE POLICIES/SERVICES, RECORDING FEES, COURT COSTS, AND EXPERT WITNESS FEES IN CONNECTION WITH THE ACQUISITION OF FEE SIMPLE TITLE INTEREST IN OR EASEMENT TO THE EIGHTEEN PARCELS OF LAND REQUIRED FOR THE PROJECT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City Council of the City of Houston, Texas, deems it necessary, proper and in the best interests of the public to acquire by gift, dedication, purchase, or if necessary, to authorize the use of eminent domain to acquire, the real property interests in certain real property located in Harris County, Texas, as described in Exhibits "A" through "R", attached hereto, for the construction, use, maintenance and operation of the Northeast Transmission 108-inch water line easement acquisition project (from Smith Road to Lee Road) (the "Project"); and

WHEREAS, the Project is a part of the City's regionalization program and is in compliance with the Harris-Galveston Subsidence District requirement to implement the City's long range water supply plan. The subject water line parcels are needed for the Northeast Transmission Line Segment of the program; and

WHEREAS, the City Council finds that public convenience and necessity exist for the acquisition of the real property described in Exhibits "A" through "R" for the purpose of providing the design and construction of transmission and distribution lines to convey treated water from surface water facilities in accordance with the Project plans; and

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014

Review on Record - Prestige Collision

Agenda Item#: 37.

Summary:
REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Jonathan E. Bruce, Attorney at Law, on behalf of Ibrahim Eter - Sarah Investments, Inc., d/b/a Prestige Collision, 9001 Bellflower Street, Houston, Texas, 77063, regarding the revocation of license and application

Background:
Review on Record

ATTACHMENTS:

	Description	Type
	Correspondence	Backup Material
	Transcript	Backup Material

CITY OF HOUSTON

Legal Department

Interoffice

Correspondence

To: Anna Russell
City Secretary

From: Tracy Calabrese TBC
Section Chief
General Counsel Section

Date: September 2, 2014

Subject: Automotive Board Appeal - Ibrahim Eter - Sarah Investments, Inc. d\b\a Prestige Collision

By the attached correspondence, you have requested the Legal Department to advise whether the appeal of the revocation of Ibrahim Eter - Sarah Investments, Inc., d\b\a as Prestige Collision's facility license and application. The appeal is timely filed and may be granted.

Pursuant to § 8-57 (b) of the City Code of Ordinances, an appeal from a decision of the Automotive Board to the City Council may be perfected by filing a written request in the Office of the City Secretary within 10 days after the action of the Board suspending the license. The notice of appeal states that the license was revoked on Tuesday, August 12, 2014. The notice of appeal was dated August 22, 2014. The notice of appeal was filed with the City Secretary on August 22, 2014. Therefore, the appeal is timely and may be granted.

Please also advise Lt. Hitzman, Houston Police Department, Secretary to the Automotive Board (832)394-4800, so that any exhibits or other written portions of the record in the possession of the Automotive Board may also be submitted to you for distribution to the City Council.

If you have any questions concerning this memorandum, please advise.

cc: Lt. Hitzman, HPD



CITY OF HOUSTON

City Secretary

Interoffice

Correspondence

To: Dave Feldman
City Attorney

From: Anna Russell
City Secretary

Date: July 18, 2014

Subject: **APPEAL**

Attached is copy of Notice of Appeal to the Houston City Council of the City of Houston from the decision of the Houston Automotive Board to revoke the license of Eid's Car Care, from Mr. Craig Stewart, Attorney for Eid's Care Care, Paul Kubosh and Associates, 1619 Lubbock St., Houston, Texas 77007.

Please advise if the appeal is timely and if the applicant should be granted an appeal.

Anna Russell, City Secretary

AR/bg

Attachments: letter

cc: Mr. Craig Stewart, Attorney
Paul Kubosh and Associates,
1619 Lubbock St.
Houston, Texas 77007.

9/9/14
TRANSCRIPTS 9/5/14
Received
aRussell

In the matter of Eid's Car Care	§	City of Houston City Council
	§	
vs.	§	Houston, Texas
	§	
Houston Automotive Board	§	



Appeal of the Decision of the Houston Automotive Board to the Houston City Council

Comes now Eid's Car Care to appeal the July 8, 2014 decision of the Houston Automotive Board to revoke his license for a car repair facility in the City of Houston

There were 5 original violations that brought Eid's Car Care before the Houston Automotive Board, and it is agreed that 4 of the 5 were properly corrected and that Eid's Car Care is in total and uncontested compliance with those 4 requirements. Eid's Car Care has made stringent and extensive corrections to abide by all regulations of the City of Houston.

The 5th violation that brought Eid's Car Care before the Houston Automotive Board was the requirement of City of Houston Ordinance 8-30, with which Eid's Car Care is also in compliance.

Eid's Car Care is in total compliance for several reasons.

1. The Ordinance Only Applies to Certain Vehicles

The relevant part of the ordinance only applies to "discarded, abandoned, junked, wrecked, or otherwise disabled automotive vehicles." Houston, Texas, Municipal Code of Ordinances, Ch. 8, art. II, §30(d) (2014). So only vehicles meeting these conditions are required to be stored within the type of fence required by 8-30(d) and described in 8-30(e). None of the vehicles that are outside of either Eid's Car Care's physical indoors work area or his fenced-in area meet the criterion of discarded, abandoned, junked, wrecked, or otherwise disabled.

Eid's Car Care has had numerous vehicles towed away and removed from the premises, or completed work on cars that have been there longer than 30 days.

Any cars outside the fenced-in or indoor work areas are cars are in working condition and only parked for short periods of time. Eid's Car Care has dramatically reduced even the number of even *these* vehicles however, though they are not forbidden by the Ordinance at all, because the Automotive Board did not like them.

2. Eid's Fencing Meets the Ordinance Requirements

Eid previously installed a privacy screen with metal grommets for his solid fence which substantially complies with the purpose of the City of Houston fencing ordinance as elucidated

by the Chairman of the Automotive Board - to shield the neighborhood from the view of certain vehicles described in the ordinance and to provide a uniform and nice exterior appearance. This should be sufficient to prevent any problems with the city, however, Eid's Car Care has installed fencing which not just in substantial compliance with the ordinance restrictions, but is in explicit and total compliance under 8-30(e). The new fencing is a chain link fence with slats, exactly as described in 8-30(e).

In sum, Eid's Car Care has spent copious time, money, and effort to totally comply with the City of Houston Ordinances, and is in total compliance therewith. As such, we would humbly request that the Houston City Council overrule the decision of the Houston Automotive Board and reinstate Eid Car Care's ability to do business as a car repair facility in Houston.

Note: We are filing FOIA requests for all documents related to the Automotive Board hearing and have requested a transcript from the court reporter who transcribed the hearing. The transcripts will be provided to City Council when they are available.

Craig Stewart
Attorney for Eid's Car Care
Paul Kubosh and Associates
1619 Lubbock St.
Houston, TX 77007
713.222.0880
Texas Bar 24083907

CITY OF HOUSTON	) AUTOMOTIVE BOARD
V.	) COUNTY OF HARRIS
IBRAHIM ETER, PRESTIGE COLLISION	) STATE OF TEXAS

****

REVOCATION OF LICENSE HEARING

VOLUME 1 OF 1

AUGUST 12, 2014

****

BEFORE THE CITY OF HOUSTON AUTOMOTIVE BOARD, the above-styled matter came to be heard on the 12th day of August, 2014, from 10:07 a.m. to 11:23 a.m., proceedings reported in machine shorthand by Cylena Korkmas, Certified Shorthand Reporter No. 8304 in and for the State of Texas, at the Houston Permitting Center, 1002 Washington Avenue, Basement Level, Room B2, Houston, Texas.

TAXABLE COST:
PAID BY:
TBA. NO:
JOB NUMBER:

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A P P E A R A N C E S

THE CITY OF HOUSTON AUTOMOTIVE BOARD MEMBERS:

Mr. Ken Ulmer
CHAIRMAN

Ms. Erma Palmer
BOARD MEMBER

Ms. Shelly Richardson
BOARD MEMBER

Mr. Robert Knapp
BOARD MEMBER

Mr. Tim Straney
BOARD MEMBER

Lieutenant D.F. Hitzman
SECRETARY

Mr. Benjamin K. Sanchez
BOARD MEMBER

Mr. Thomas Griffin
BOARD MEMBER

COUNSEL FOR IBRAHIM ETER/PRESTIGE COLLISION:

Mr. Jonathan Bruce, Attorney at Law
Law Offices of Jonathan E. Bruce
12810 Traviata Drive
Houston, Texas 77024
Telephone: (713) 782-6857
Fax: (713) 808-9852
Email: Jbrucelaw@gmail.com

P R O C E E D I N G S

MR. GRIFFIN: Now, this is -- this is really for the new board members' education. Occasionally, we will -- auto dealers will bring people's businesses to the board because of repeated violations over extended periods of time that they refuse to correct.

So this isn't based on criminal history violation, as you're going to see for the remainder of the day and this first gentleman here. So this is auto dealers going in and identifying problems and over time if the problem doesn't get fixed or it gets works, then we bring this to the board and this is for the revocation of a business license today.

For everyone who's going to testify today, will you raise your right hand? Do you swear to tell the truth, the whole truth, and nothing but the truth?

THE WITNESS: I do.

MR. ULMER: And, I guess, for the court reporter, would you like everybody to identify themselves? Would you all identify yourselves as we go around?

OFFICER CARTER: I'm Officer Carter, Houston Police Department, Auto Dealers' Detail.

OFFICER MARTINEZ: Officer Martinez,

Houston Police Department Auto Dealers' detail.

MR. BRUCE: Jonathan Bruce, attorney for Mr. Eter.

MS. FLORES: Dawn Flores, office manager for Prestige Auto Collision.

MR. ULMER: Ma'am, did you want you us -- the board members to identify themselves, also or --

THE REPORTER: No, sir. I'm good.

MR. ULMER: We're ready.

MR. GRIFFIN: We're ready if y'all are ready.

MR. ULMER: Okay. Let's begin.

OFFICER CARTER: This business is being brought before the board today for the following Chapter A Code violations: Automotive parts on the ground, illegal dumping, open storage of tires, and engaging in business other than specifically licensed for; and basically, that's the storage lot license.

According to the auto dealer's records, this business has been in operation since March the 6th, 2001. On the dates listed on the exhibit sheet, this business was inspected on all of those dates. On July 24th, 2014, the manager who was there and Dawn Flores were both presented and hand-delivered the necessary paperwork from the automotive board because of

reoccurring violations.

So if you look at your exhibit sheet, Exhibit A is just going to be the Automotive Dealers' Letter and the notice of the violations, the Notice to Appear, the Notice of Rights to Appeal.

A copy of the Exhibit B is a Notice to Appear. Exhibit C is going to be a Notice to Rights of Appeal. Exhibit D is going to be a copy of the Automotive Repair Facility Application and Deed Restrictions. Exhibit E is going to be a copy of the Certificate of Occupancy and the D/B/A. Exhibit F is going to be a copy of the current license. So basically, I would like to start with -- start my case off by going there; and I understand it's kind of quick. So I'll go slow so you guys can follow along with me.

On December 17th, which is Exhibit G that I'm speaking about.

MS. RICHARDSON: What's that exhibit number?

OFFICER CARTER: "G," as in "George."

Basically, this complaint was received by Oscar Sambrano with press -- Progressive Insurance Company. He's a special investigator. This complaint was received from him, alleging several allegations due to a very expensive luxury car that entered the facility

for repair. After continuous investigation, I found most of the allegations to be true and also additional allegations. Basically, they were being charged -- they were charging his client storage of $4,335.50; and this business did not have a storage-lot license.

MR. BRUCE: Well, we're going to object to Exhibit G, in that our copy given to us is not the same copy as the -- that's in here.

OFFICER CARTER: This is the complaint.

MR. BRUCE: I understand.

OFFICER CARTER: You don't have the complaint, sir.

MR. BRUCE: Well, this is -- this is -- okay. Fair enough. Go ahead.

MR. GRIFFIN: So is this --

OFFICER CARTER: Would you like me to explain it?

MR. ULMER: Go ahead.

MR. GRIFFIN: The first -- the complaint is actually "G" --

MR. BRUCE: Okay.

MR. GRIFFIN: -- and all the inspections are --

MR. BRUCE: Okay. Got you.

MR. GRIFFIN: -- go with "G," too.

MR. BRUCE: Okay. Fair enough. Fair enough.

OFFICER CARTER: Do you want me to try --

MR. BRUCE: Go ahead. I'm sorry. Go ahead, Officer. I didn't mean to interrupt you. Well, I did mean to but --

OFFICER CARTER: Okay.

So basically, as I was saying, they were charged storage for $4,335.50, as you can see here on the second page. There was a storage-fee charge. There were also some allegations about component parts being missing, receipts for these parts being found; and we could not locate any of the receipts.

There was also evidence of new parts being put on the car and we could not find the evidence of those parts being put on the vehicle, nor could we find receipts for those.

So basically, in conclusion, Prestige Collision reduced the charge from $47,988 to $29,000; and all of that can be found in this packet. So that's one example of the storage that was being charged.

MS. PALMER: There was storage on the property?

OFFICER CARTER: No, ma'am, not the repairs. There was many allegations on it but

basically, today, I'm just focusing on the storage; but in order to present the whole complaint, I was just going through what was in the file that was alleged in the complaint.

MS. PALMER: Okay.

OFFICER CARTER: On August the 20th, I received a call from another investigator with Progressive County Mutual Insurance Company, who stated that Prestige is refusing to release one of their client's vehicles because they claim they have a license to provide storage.

MR. ULMER: Is that "G(3)" --

OFFICER CARTER: We're going --

MR. ULMER: -- so we can follow --

OFFICER CARTER: -- to be on "G(2)."

MR. ULMER: -- or "G(2)"?

OFFICER CARTER: Uh-huh. You will see here that I went out to investigate this complaint. When I arrived, the owner was not at the location. I asked the receptionist, who was Vicki at the time -- it wasn't Dawn. She wasn't working there yet. I asked Vicki to call the owner, Ibrahim. So I checked the license again to see if they had applied for a storage-lot license because the last time I was there at the location on the first previous complaint, myself and

Sergeant Clark advised the owner that they could not charge for storage on 12/17.

The owner was told how to apply for a body-shop and storage-lot privileges and told where to find it at, and he had not applied for one yet. I did not observe -- I did not observe the license on the wall for a city/state -- city or state storage license lot -- city or state storage-lot license. However, the owner did tell me that he had a state license; but at the time of the inspection, we could not find it.

After reviewing the file, which is -- if you go to G(3) in the file -- and after observing, I conducted -- I conducted a small, random audit at that time; and the audit is going to be listed in Exhibit G(3). I asked for random files. The clerk -- I mean, the secretary there just -- Vicki, she picked four random files for me. I looked through those files, which are here listed on G(3); and as you could see, all of them had storage on it.

So if you're on G(3) -- if you want to follow with me -- the first one is a 2001 White Dodge. It has storage for $100. The next one is a 2010 Ford. It has storage for $775. The black Mercedes, '04 --

MR. ULMER: I think that's actually 275; isn't it?

OFFICER CARTER: Oh, I'm sorry. Yes, sir, 275.

MR. ULMER: Okay.

OFFICER CARTER: And if you look, I kind of put, like, a little arrow pointing to the storage lot so you can kind of follow along with it.

On the '04 Mercedes, $875 of storage. The next one is a '06 black Ford, $525 storage. Then you see a letter here still saying that they're charging storage. The business had been reminded on the previous occasions to take down all signs and all paperwork that indicate that they would be charging storage fees because they did not have a storage-lot license. So that was on 12/17, and this is still occurring.

The 2006 black Mercedes, $900 in storage. Then you have another letter that's indicating the storage again, and this is just slips within the file. Also, on this inspection on Exhibit G(2), they were given the inspection form, saying that they were engaged in business other than specifically licensed for a body shop with storage-lot privileges and the licenses that I'm referring to.

They had automotive parts on the ground, and they failed to maintain accurate records. They also had open storage of tires.

MR. ULMER: Officer Carter --

OFFICER CARTER: Yes, sir.

MR. ULMER: -- while you're going through these, can you clarify something in G(3)? There are some road-aid towing bills that are toward the back.

OFFICER CARTER: That was all part of the file.

MR. ULMER: Okay. Well, I'm referring to this very first one of $950.

OFFICER CARTER: If I'm not mistaken -- you can correct me if I'm wrong -- this is supposed to be from an accident scene from home and the person was supposed to live in San Antonio or something, they told me.

MR. BRUCE: I'm sorry. Which one is that?

OFFICER CARTER: The first tow bill on the -- the tow number on it is 1463, Road A towing. I'm sorry. 14630.

THE WITNESS: That's not our tow slip.

OFFICER CARTER: I know; but didn't you tell me something about this person's legal consent in San Antonio?

THE WITNESS: Yeah, the car --

OFFICER CARTER: It was from an accident scene in Houston -- because I wrote my notes on the

second page -- and they were going to San Antonio is the reason why they said the bill was so high.

Lots of the records there, they were not accurate. So when we wanted to see certain things and it needed to be a continuation of what was actually the original receipt or bill, we -- we couldn't find it.

MR. ULMER: It looks like there's a few bills from Road A Towing.

OFFICER CARTER: Uh-huh.

MR. ULMER: Is anybody going to take a look at Road A Towing?

MR. GRIFFIN: They're in San Antonio.

OFFICER CARTER: They called him, yeah. Yeah, they're in San Antonio. According to -- didn't they call them or something, you told me? Because I remember --

THE WITNESS: Yeah. The customer wanted to bring the car to the shop. So they had Road A towing tow their car from San Antonio to our facility --

MR. ULMER: Oh, the accident was in San Antonio?

MR. BRUCE: If you don't -- if you know, you know. Do you know where the accident was?

THE WITNESS: No.

MR. ULMER: Okay.

OFFICER CARTER: I do remember talking to them about it --

MR. ULMER: Okay.

OFFICER CARTER: -- because it was kind of different.

All right. So let's move on to Exhibit G(4).

MR. ULMER: Okay.

OFFICER CARTER: All right. G(4). All right. So on G(4), I received this complaint from Safeway Insurance Company. Mr. Mark was basically saying he was upset because there was a teardown fee charged that was not authorized, and a 25-dollar-a-day storage that was being charged. So, again, we're charging storage on a third time after being warned.

So when I first went to the business, I -- first, I called Mr. Eter; and I asked him could he fax me over the invoice sheet because when I originally had the complaint, there was no VIN number or anything in it. So I was just asking him for a description of that vehicle and on that day, he wouldn't find it and I couldn't get in contact with the insurance agent, Mr. Mark right away.

So once I got there, he said he would fax it over to me; but he couldn't find it. So once I got

all the information on the vehicle from Mr. Mark, I went -- myself and Officer Fong -- later that evening on overtime, we went to the business and conducted an inspection.

We looked for this file for over an hour -- myself, Officer Fong, and the staff. We couldn't find it. We went through over approximately a hundred files. The file could not be found. At that time, I advised Mr. Eter about record-keeping and the occupational code and how he needed to keep records of certain vehicle repair sales and purchases on file and readily available.

About 40 percent of those files were incomplete, that we observed. They had detailed information missing like the VIN plates, the license plate, the customer's name, information. All of that information had been missing.

On 5/26, I called them. The file still hadn't been located. On 5/27 she called me back and said that she had not located the file and the customer signed everything and took a rental car. She basically said that, because of the inconvenience, that they would refund the storage fee and the teardown fee in question.

So if you go to -- past all of my information, you'll see that Prestige returned a check

of $775, returning the storage fee and the teardown fee; and they wrote that check on 6/25.

At that time, again, they were warned to stop charging storage. And this Exhibit G(6) is, basically, just the inspection that we did when we went there -- me and Officer Fong -- and you can see when we did the audit, we just pulled certain files; and you could see, again, that they were charging storage on 5/19.

So if you go to 5/19, they inspected on 5/19 -- Exhibit G(7). On the first one, it's a 2008 Nissan. They charged a hundred-dollar storage for four days. The next one, it's $460. The next one, they charged $400. The next one, they charged $325. This one is a Silver -- it's not -- they charged a hundred dollars; but if you just take a look at the file, you can see the file is still not accurate. There's no phone number. There's no year of the car. There's only the customer's name. There's no license plate, no VIN.

The '93 white Toyota, 500-dollar storage. This is an '07 silver Jeep. They charged -- this is -- this was questionable to me because, first, they told me it was a teardown fee, a flat fee of $500. This says $825. I'm not sure why that changed but --

MR. ULMER: It looks like they marked out

the storage and wrote 825 for the storage.

OFFICER CARTER: Yeah. The next one is $800 for a 2012 black Volkswagon. $70.50. $360, the next one. 207 -- I mean, 2007 green Ford is -- I guess that's charged 220, I think -- 220. The 2003 blue Honda, $800. If you go to the next one, it's is for a 1999 Honda. And I think you guys get the point now, but it's just continuous storage being charged. So I want to move on to Exhibit H and make it --

MR. ULMER: G8, G10, all those are the same?

OFFICER CARTER: I'm sorry?

MR. ULMER: G8 and G10, are those all the same?

MR. GRIFFIN: They're just more examples of them charging storage when they're not supposed to.

MR. ULMER: How many more are there? How many examples of them charging storage are there?

OFFICER CARTER: Ken, I'm not exactly sure of the number. I know one time I got four and I know one time I got 12, but I'm not exactly sure of the number.

MR. ULMER: Okay.

OFFICER CARTER: Okay. So I'm going to let Officer Martinez take over now because he did the

inspection on 7/23, and he took the pictures.

OFFICER MARTINEZ: Can you go ahead and do it?

OFFICER CARTER: Okay. I'll do it.

Okay. So on Exhibit G, H, Officer Martinez went out there on 7/23; and if you could get your picture on Exhibit H and kind of go back and forth with me and compare to the inspection form.

MS. PALMER: Which inspection forms are they?

OFFICER CARTER: "G," as in "George" and the Number 8. I'm sorry. They're kind of all running together. And then if you would look at Exhibit H, I just kind of want to compare the two.

MR. ULMER: Okay.

OFFICER CARTER: Okay. So on 7/23, Officer Martinez went out to the location and found automotive parts on the ground; and as you can see in the first picture and the second picture on the top row -- one, two, and three -- he has parts on the ground.

And if you look on the second row, the middle picture, there's a battery on the ground; and if you look at the third row, the middle picture, there's a door on the ground.

MS. PALMER: And Officer Carter, the first row, third picture --

OFFICER CARTER: Yes, ma'am.

MS. PALMER: -- is that some kind of fluid or --

OFFICER MARTINEZ: That's -- it looks like some kind of hydraulic fluid or transmission fluid.

OFFICER CARTER: They also failed to construct and maintain a solid fence. They had open storage of tires, as you can see the tires on the second row and the third row, the first picture. They also had an accumulation of transmission fluid, which Ms. Palmer was just speaking on, on the first row, third picture; and they had storage of batteries on the ground, which is on the second row, the second picture. And on the back, they also had some parts on the ground.

You can see with where they failed to construct and maintain a solid fence, and vehicles have been parked there over 30 days. So they would need a solid fence. That's the reason being. And -- they also had building materials on the ground.

MS. RICHARDSON: So they met within the 300-foot rule? There's no residential areas or anything like that?

MR. GRIFFIN: The 300-foot rule doesn't

apply to auto-repair facilities, only storage and salvage.

MS. RICHARDSON: Yes, you're right; but by looking at this, it looks like -- I don't see any automotive repair. I see a body shop.

MR. GRIFFIN: Well, it carries the same license. We don't differentiate between mechanics and body shops. It's just an auto-repair-facility license.

MS. RICHARDSON: So an auto-repair-facility license can also be a body shop?

MR. GRIFFIN: Correct. Now, we have an internal designation so that we know which one it is; but the license itself is just an A.R.F. license.

Well -- yeah. Ms. Duran just informed me that she wanted me to remind you that, yes, if -- the separate license that he is alleged to have not gotten is a body-shop-with-storage-lot-privilege --

MS. RICHARDSON: Right.

MR. GRIFFIN: -- license --

MS. RICHARDSON: Yes.

MR. GRIFFIN: -- in which case, the 300-foot rule would come into play.

MS. RICHARDSON: Would come into play? Okay.

Officer Carter, do they have a paint

booth?

OFFICER MARTINEZ: They do have a paint booth. They do have an area --

MS. RICHARDSON: They do have a paint booth? Because I haven't seen it in any of the photos. They have an area, or they have a paint booth?

OFFICER MARTINEZ: They have a paint booth -- a state-of-the-art paint booth. They do.

MR. ULMER: But we ought to actually limit our discussion to actual points in the complaint.

Does that conclude your case?

OFFICER CARTER: No, sir. He's going to have to present the last exhibit --

OFFICER MARTINEZ: On Exhibit G10 --

OFFICER CARTER: -- G10.

OFFICER MARTINEZ: With respect to G10, I inspected it yesterday.

MR. ULMER: Hold on. Let us find G10. You've got a lot of exhibits.

OFFICER CARTER: I'm sorry.

MR. ULMER: No, that's find.

OFFICER MARTINEZ: The tires have been moved and put under cover. They cleaned up the fluid and picked up most of the parts; but as you can see on the second photo in the first row, there's still some

bumpers on the ground. And on the first photo on the first row, that is a bed liner, which is also an automotive part and it's on the ground and it's full of body parts.

I went over that with him yesterday and also -- we had mentioned it before -- but you can see in the second row, the first photo, those are two big oil containers there that are -- that are not diked; and we went over that, as well, yesterday. But as far as the tires, those have been put under cover and removed from the area and a lot of the parts have been picked up.

MR. GRIFFIN: Mr. Bruce, the pictures that you provided to the board, who took those? They were passed around. They were taken yesterday?

MR. BRUCE: They were taken yesterday.

OFFICER CARTER: Some yesterday and some after the first inspection.

MR. GRIFFIN: Okay. So they're there for y'all to peruse?

MR. BRUCE: And I think -- and I may be just a ahead on this -- but since we're going around, the one where they showed that bed liner here, there's actually a picture of that; and that -- all that in this little area is now gone. And if you look on the one with the bumpers on the ground, they are actually on a

pallet. So they are off -- off the ground, unlike the officer's pictures.

MR. ULMER: Okay. So, in other words, we took some photos after we corrected some of the officers' issues?

MR. BRUCE: As the officer testified, they've been -- since this is kind of the start of the hearing -- they've been cleaning up the establishment. Those -- our pictures have been taken kind of as they've been doing the cleanup. The officer did a reinspection yesterday, pointed out the bed liner with the parts on it --

MR. ULMER: Okay.

MR. BRUCE: -- and that was immediately removed, and that's why we brought that picture.

MR. ULMER: So it was corrected after yesterday's inspection?

MR. BRUCE: Yes, it was corrected after.

MR. ULMER: Okay. That's what I was wondering.

MR. BRUCE: Yeah. They were thinking because it was in a bed liner, that it was off the ground; but I understand that didn't mean that. So -- but, yes, our pictures of kind of a series of pictures showing cleanup in progress. There's also some invoices

in there showing oil being picked up; also, a battery disposal and things like that.

MS. RICHARDSON: You have a manifest?

MR. BRUCE: Those are the invoices we have today. They turned in the batteries, and the -- and the -- that -- the batteries were shown being put up -- up on racks and things.

MS. RICHARDSON: And you picked up the oil?

OFFICER CARTER: Did you show me a manifest?

MR. BRUCE: I think we did show you a manifest.

OFFICER CARTER: He showed me a manifest on one of the inspections. I think it was the --

MR. ULMER: Again, but that's not anything that's noted on the violation. I'm just --

MR. BRUCE: Right. I know we jumped a little bit ahead here, Officer. I'm not defending this. I'm --

OFFICER MARTINEZ: That's fine.

MR. BRUCE: If I could go ahead and proceed with the officer?

MR. ULMER: Absolutely.

MR. BRUCE: Just to be clear, we're not --

you're not claiming that he didn't have a -- that he violated the Vehicle Storage Facility Act, as far as the storage because that doesn't really apply in this case; correct? You had mentioned the Occupations Code; but since they're not a vehicle storage facility and they're not -- there's no nonconsent storage going on there, they don't have to have a state license; correct?

OFFICER CARTER: No, no, no. What I was saying is: When I was there, the owner told me they had a state license there at the facility; but I couldn't find it and it didn't matter whether he did or didn't.

MR. BRUCE: I understand. But we're not here -- I mean, there's no -- because there's no nonconsensual storage.

OFFICER CARTER: Uh-huh.

MR. BRUCE: -- which would make the Occupations Code apply really. You had mentioned that they weren't complying with the Occupational Code; but that doesn't really apply here because there's no nonconsent storage.

OFFICER MARTINEZ: She mentioned that because of the records. They have to keep the records by the Occupation Code of the vehicles that are repaired.

MR. BRUCE: Not for -- under the Vehicle

Storage Facility Act because they're not a V.S.F.; and that only applies to nonconsensual storage. If you read the V.S.F. Act --

OFFICER CARTER: I have.

MR. BRUCE: -- the Vehicle Storage Facility Act, it says it applies to nonconsensual storage. If you do consensual storage, the state law doesn't apply to you; and body shops, by definition, do consensual storage.

OFFICER CARTER: Well --

(simultaneous talking)

MR. BRUCE: And in the Act, you'll see this only applies to nonconsensual storage.

It's in the definition section of the Act.

OFFICER CARTER: I'm sorry?

MR. BRUCE: I was just saying in the definition section of the Vehicle Storage Facility Act, it only applies to nonconsensual storage.

OFFICER CARTER: This is for repairs.

MR. BRUCE: Okay. But -- but under -- under the Vehicle Storage Facility Act?

OFFICER CARTER: No. I'm not -- no.

MR. BRUCE: Okay.

OFFICER CARTER: If you go to my inspection form, I bring printed it out. You can check

it out.

MR. BRUCE: I understand it might be a city -- a municipal regulation here, but there's no state regulation.

OFFICER CARTER: I wasn't referring to --

MR. BRUCE: Okay.

OFFICER CARTER: -- the State.

MR. BRUCE: Okay. And I just wanted to make sure.

OFFICER CARTER: Under Chapter 8.

MR. BRUCE: Yes, I understand that; but we're also not doing any state violations because you said Occupations Code, and that's under the State.

OFFICER CARTER: Yeah, I was doing all legal records.

MR. BRUCE: Now -- and just to make clear, too, as far as the transfer fees, when you have some -- or -- not transfer fees, teardown fees, you have some complaints about that, which prompted one of these investigations.

The City doesn't regulate those rates; do they?

OFFICER CARTER: No. What I said was: I didn't have a complaint. It was that the insurance agency had a complaint; and I said when I went there --

MR. BRUCE: Uh-huh.

OFFICER CARTER: -- Mr. Eter told me that they were only -- I asked them, "What is your carry-on fee?"

MR. BRUCE: Right.

OFFICER CARTER: He told me $500. And when we went through the exhibits, I saw one for 800-and-something dollars. So I did question him about that one. So that was my question about it. I didn't try to regulate his transfer fee.

(Simultaneous talking)

MR. BRUCE: You mean his teardown fee?

OFFICER CARTER: I mean, his teardown fee. Because I asked him what was the fee and he said that was the flat fee of $500; and when I saw in the records it was 850, I wanted to know what made the change.

MR. BRUCE: Okay. But that might have been actually for storage? I think we --

MR. ULMER: Correct me if I'm wrong, but the Notice of Violations doesn't include anything about teardown fees; correct?

OFFICER CARTER: I'm sorry?

MR. ULMER: The Notice of Violations doesn't include anything about teardown fees; correct?

OFFICER CARTER: No, it does not. No.

No. That was their complaint --

MR. ULMER: Okay.

OFFICER CARTER: -- that the insurance agent had --

MR. ULMER: All right.

OFFICER CARTER: -- with them saying that her customer --

MR. ULMER: But I would have noticed a violation from the City if it were to include any teardown fees?

(Simultaneous talking)

OFFICER CARTER: No, sir.

MR. ULMER: Okay.

MR. BRUCE: And, Mr. Chairman, the only reason I brought that up is because the officer mentioned it; and I just wanted to make sure that it's on the record.

MR. ULMER: Okay.

MR. BRUCE: Now, I noticed that most of these storage violations -- charges were done prior to Dawn becoming the shop manager -- correct -- in April? I think in late April she became the shop manager; correct?

OFFICER CARTER: Correct.

MR. BRUCE: Okay. And since -- let's say,

start, you know, after a couple of weeks of her working there, have you seen any storage fees being charged?

OFFICER CARTER: Since Dawn has been working there?

MR. BRUCE: Yeah. Her files -- since she owned up -- and I understand that there's a couple of names -- there's so many names that --

OFFICER CARTER: Oh, I can say: When Dawn was there, you were --

Were you there when me and Officer Fong were there?

MS. FLORES: Yes.

OFFICER CARTER: Okay.

MS. FLORES: And that's the last time.

OFFICER CARTER: Okay. And right behind you, over your head -- I don't have photo, but I can get Officer Fong's to testify to this if I need to -- there was still a sign up there saying that they were charging storage and I asked you -- I said, "Why is that there? I need that down."

She took that down, but she was aware at the time that the storage thing -- this storage thing was still going on; but since that day, no.

MR. BRUCE: And my point is -- and I'm going to say to the board here right now -- is that

there was storage charged, and there shouldn't be.

I'm not going to say that there wasn't. When there was asked for a refund to be made, a refund was made. I think we submitted a copy of the check; and like the records indicate, this shop has been in business since 2001. If you can see the very front picture that I provided, it's a modern shop. It's a nice facility. This is not, you know, an old warehouse, you know, filled with parts everywhere. Dawn has come back in. She has -- what -- 10, 15 years in the automotive/body shop business to kind of set the ship right again; and unfortunately, this shop got off-course.

You had managers in there that didn't understand the law, didn't understand the fact that they were supposed to have a body shop with a storage-lot license; and that's no excuse. I'm not going to say it is.

It was wrong and they did it and they stand ready to make any refunds that H.P.D. wants. The ones that have been requested, have been requested -- have been made. With regard to the shop getting a little out of -- messy, unfortunately, yes, it got messy; but they've cleaned it up. They made an effort to get it cleaned up.

They're -- our pictures show, you know, and as the officer testified, they're moving along, getting things done correctly. Things are on pallets. The garbage has been removed.

You know, it just -- every now and then, a business has to stop because you don't get money cleaning up. You make money when you're repairing vehicles; but every now and then, somebody has to stop and say, "Hey we need to get this shop cleaned up. We have to do something about this. I know we're not going to make any money here today for the next couple of days."

And it just kind of got to that point, and it's unfortunate that it did; but it did. So as I -- I think we're making progress towards there. Can we get everything done overnight? Some things are going to take a little time; but they have got -- you know, made a lot of progress.

With regards to the fence, they will certainly try to get a bid on getting the fence enclosed in and I think the plan is going to be to move vehicles. So they're not going to be there for 30 days, and that would -- that would take us out of the requirements for the fence.

With reference to Mr. Ibrahim not being

here, he has been on vacation. This -- this is his son right here, who is kind of starting to try to take over the business and trying to learn the business and this has kind of been a shock treatment -- you know, shock -- learning experience for him.

Along with Dawn's help, you know, he's going to start, you know -- you know, learning more about that this; but Mr. Ibrahim is overseas. He could not be -- come back to this. It was not planned. That's why I'm hear, and I can speak for him.

Do I have any questions from the board or H.P.D.?

MR. ULMER: I have some questions.

MR. BRUCE: Okay.

MR. ULMER: As you know, one of the huge problems for the automotive industry is automotive-repair facilities that solicit or gain business from accident scenes through some shape, form, or fashion, who do virtually no repairs or minimal repairs or claim to do teardowns and then charge these exorbitant fees.

I count a total of 25 instances here where storage is charged and in every case where Officer Carter made the statement -- very clearly told them they can't do this. She told them, they can't do this.

Every single time and even up until her last inspection, they still had that sign up that said, We are going to charge storage.

So is there anyone here that can speak to why that sign was never taken down and why you continued to charge storage in 25 cases?

And how many times did you actually go out there, Officer Carter? I failed to count that when I was going through all these cases.

OFFICER CARTER: I've been out other times --

MR. ULMER: About five instances?

OFFICER CARTER: Yes, five; but I've been out other times when we were trying to (inaudible) --

I want to make this correction. I think that was 5/19 when the storage -- when the sign was still up. The last inspection I went was on -- let's see that last inspection -- when I delivered the letter actually was 7/24. I didn't see the sign then, but the last time I saw it was on 5/19. But I've been out there a lot of times.

I've probably been out there about seven or eight times. I mean, some, dealing with this. Some, dealing with the past infractions because there have been some issues with that because she was new coming

in. So I was helping her a lot with that, but I've been out there probably seven or eight times.

MR. ULMER: Let me ask you about the tow service agreement. That had nothing to do with your complaint?

OFFICER CARTER: Yeah. Right.

MR. BRUCE: Let me ask you this, Officer: Has Dawn shown a willingness to work with you to try and get this shop back in shape?

OFFICER CARTER: Yes, she has. Both of them have, actually.

MR. BRUCE: In the last three years, there's been three different managers out there at different times; correct? If you know, how many have been out there?

OFFICER CARTER: I've just been out there a year. I mean, since I've been out there, I've just seen Vicki and Dawn.

MR. BRUCE: Okay. I'll let Mr. Eter tell you that there has been three managers.

And was that a bad management, you know, tactic? Yes, it was. That's why they brought Dawn back in to get this shop back on the road. The storage has stopped. I mean, that's -- that's their -- the sign is down. The charging storage on these vehicles is

stopped. We can't undo the past. All we can do is go forward and make sure we're in compliance. And, you know, the shop clean-up, that's something easily done and should be done and the storage has stopped.

And we'll be happy to make refunds if the board wants, happy to go on some type of probationary period and say, "Okay. Look. We'll beat the six months. Let's come back, reinspect, and everything like that; but I think that the ultimate -- taking this shop's license away is basically a death penalty sentence to them because they wouldn't be able to operate. It would be a little severe here without -- since they are trying to get back in compliance, and that's why we hired Dawn back to do that.

MR. ULMER: Let me just ask you this, Mr. Bruce: Why do you think that would be so severe?

I mean, it's obvious that H.P.D. has -- on five occasions -- gone out there and said, "Hey, you're charging storage; and you can't."

I saw one or two refunds and all the rest of them, the shop just kept the money; and some of them are pretty substantial storage rates that were illegal to take to begin with.

So, I mean,is there somebody sitting here and saying, "We heard her; but we didn't understand we

couldn't charge storage?" I mean, that's my biggest problem is that they kept on going.

MR. BRUCE: I understand and, you know, your -- your shop or your -- your business is only as good as the people you have running it. And the people they had running it before just really didn't get it, just to be honest. I think there were three managers within a year's time period, who did things wrong and I'm not going make excuses for them. I mean, that would be wrong.

They shouldn't have done that; but, you know, it's righting the ship right now, getting things back on course. We stand ready to make, you know, any refunds that the board wants or H.P.D. wants to go back to -- to go back and be on, I guess, maybe a probationary period so, say, you know, we can get into compliance. We think we've hired a manager now that can take care of the everyday business of the shop and make sure it's done right and make it work.

MR. ULMER: So let me ask you this, Mr. Bruce or Mr. Eter or whoever would like to answer this: Every one of these instances with the exception of one, there were no repairs done to the vehicles.

MR. BRUCE: No. I think they were -- there were.

MR. ULMER: I say one, the Ferrari had some repairs; but all the rest of them, it appears, just had teardown fees and storage fees. It appears they left.

MR. BRUCE: Right. And, you know, this is an issue within the industry right now in the body shop industry --

MR. ULMER: Absolutely.

MR. BRUCE: -- in that you have one -- there's a huge issue going on -- we're getting a little off-case -- with Geico Insurance right now and who has a huge problem with these teardown fees; but on the -- from the body shop perspective, they have a huge problem with insurance companies steering the business out of there.

So it's a battle between the body shop industry saying, "Okay. If you're not going to have your car repaired here, we're going to charge you these storage and teardown fees. If you do have your car repaired here, we're going to lower those, versus the insurance companies who are steering the vehicles to their preferred shops because they know --

MR. ULMER: And there, again --

MR. BRUCE: And we're getting offtrack.

MR. ULMER: My point being: I'm not

specifically saying teardown fees.

MR. BRUCE: Right.

MR. ULMER: I'm not simply saying any of that. I'm saying: These invoices don't have anything in them other than the fact that they were being charged some fees --

MR. BRUCE: Right.

MR. ULMER: -- but not repairing the vehicle; correct?

MR. BRUCE: Correct. But I think --

MR. ULMER: All right.

MR. BRUCE: There are people -- I mean, these -- these are, you know, contractual issues between the vehicle owner and --

MR. ULMER: Right. But my point is -- the point I'm trying to get is: These vehicles were not actually repaired or fixed by this body shop. These were charges that were charged because the consumer happened to come in contact with the body shop.

MR. BRUCE: Right. But on -- on the -- on the other side of that -- on the other side of that argument is -- yes, you know, they -- if the vehicle was torn done, there is a fee for that. I understand that they're not supposed to teardown -- I mean, charge storage; but in a sense -- and essentially, they are

providing the storage service.

As you can see in the pictures, there are a few vehicles stored within a fenced in area. Certainly, if anything happened to that vehicle during the time it was on the premises, Prestige Collision would be liable. If the vehicle was broken into, damaged in such way. And so, again, I'm not going to argue they shouldn't have been charging storage; but there is a service being provided at the time.

MR. ULMER: Okay. Well, let me ask this question. Let me ask the question this way and maybe Mr. Eter can answer this question: How did these vehicles end up at Prestige Collision?

THE WITNESS: They came from an accident scene.

MR. ULMER: Okay. So they were towed from an accident scene?

So all of these consumers said, "Hey, I like Prestige Collision. I want my car to go there."

Is that how they got there?

THE WITNESS: Yes, sir.

MR. ULMER: All of these consumers? So every one of these consumers --

THE WITNESS: Some, I don't know exactly because -- again, we have wrecker drivers. So they

usually just bring their cars to our shop.

MR. ULMER: Right. And how do the wrecker drivers know -- that's what I'm getting at. How does the wrecker driver know to bring the car to your shop?

THE WITNESS: They get to an accident first or they match and they bring the car. I mean, I don't really know the answer.

MR. ULMER: So how do -- how does -- how does it get to your shop? Does the customer just say, "I heard about Prestige Collision down the street and I want my car to go there"? And in all 25 cases, is that how the car wound up at Prestige Collision?

MR. BRUCE: I don't know if he really knows how each one of these vehicles got there.

MR. GRIFFIN: I have a better question.

MR. BRUCE: And we're veering off a little bit.

MR. KNAPP: How many wreckers do you have?

THE WITNESS: Like, around nine.

MR. KNAPP: So is your wrecker drivers -- it's his wrecker drivers picking them up?

MR. ULMER: Is that the case, your record drivers are picking them up?

THE WITNESS: In certain cases, and then sometimes people bring their cars in from different

wrecker services and pick them up.

MR. GRIFFIN: And those wreckers are supposed to take it to a storage lot.

MR. ULMER: That was the point that I was trying to get at is: If those cars are winding up at your storage facility, someone is soliciting those cars; right?

MR. BRUCE: That's -- well --

MR. ULMER: And I agree that's not one of the --

MR. BRUCE: Well --

MR. ULMER: But that's the way these cars are winding up here and you know very well, Mr. Bruce -- you know my reputation in this industry. You know this is one of things that I really think destroys our industry. I really believe that this puts a black eye on our entire industry and our automotive industry is affected by this and the reality is: A violation of City Ordinance is taking place in these vehicles winding up at a facility that that consumer didn't say, "Hey, that's where I wanted to go" -- because that's really the contention there.

And then the facility is trying to recoup the amount of money that they paid as a bounty to get that car there by charging admin fees, teardown fees,

storage fees, and all these things.

Obviously, the transfer fees and the teardown fees and the admin fees, we can't control. So you're right. Those are fees that are just out there and they are rampant in whatever way they are; but the storage fees, we can control. And I think it's pretty clear that this business has been told, "You can't do that," on multiple occasions; and it's continuing to occur.

MR. BRUCE: I would point out -- and, again, I know it's off issue and topic a little bit -- but on each one of these, they had a transfer fee.

So -- so to me, and in my understanding of the industry, that means that the vehicle actually went to a V.S.F. at first and then was taken to a vehicle storage facility from the accident scene and then was transferred from the V.S.F. to the body shop.

So the question is: Were they soliciting at the scene, or did they not -- did they go directly from the police scene to the body shop? The tickets or the vehicle invoices seem to indicate differently because there wouldn't be a transfer -- transfer fee charged. And --

MR. ULMER: Well, it says: "Transfer to hold" it.

MR. BRUCE: Yeah, transfer to hold it.

MR. ULMER: So is that after the fact? That sounds like after the fact.

MR. BRUCE: I'm not sure. I'm just saying that they're --

MR. ULMER: Is there someone here who can answer that, though, as to what that actually is?

MR. BRUCE: Without the actual vehicle -- vehicle files on each one of these, I don't want to harbor a guess on that; and I just don't want to -- I don't want to say it. If I had -- if I had that chance to pull each one of these files, we could find out how, you know, how all that worked.

MR. ULMER: Additional questions from board?

MR. BRUCE: And -- go ahead. I'm sorry.

MR. ULMER: Do I have additional questions from the police department?

OFFICER MARTINEZ: I just want to make a statement that where they're keeping these vehicles isn't actually at their shop. They own the property across the street. If you look at the pictures, the picture with the bed liner in it --

MR. ULMER: Uh-huh.

OFFICER MARTINEZ: -- that address is

9000 Bellflower, and that's whether they take the vehicles and do the teardown and hold them for the insurance company to come do an estimate.

I explained to Dawn on both occasions that that property required a license, as well as an occupancy permit, because they were doing automotive repairs by tearing the vehicles down. So the vehicles were being held at 9000 Bellflower, not at 9001, which where the actual body shop is.

MR. ULMER: Okay.

OFFICER MARTINEZ: And if you look at the bottom picture on Exhibit H on the second page, that's the vehicle at 9000 Bellflower that's been taken apart.

MS. RICHARDSON: And as of right now, they do not have a license?

OFFICER MARTINEZ: They do not have a license at that location nor do they have an occupancy at that location.

MR. BRUCE: I'm going to -- let me ask a question of the auto dealers: Is that because it's all being operated under one business name? It's not a separate business name; correct?

OFFICER CARTER: It's a different address.

OFFICER MARTINEZ: Licenses are location-specific, and so is occupancy.

MR. BRUCE: And I understand, Officer --
(Simultaneous talking)
MR. ULMER: Well, and there again, we would probably need to address that in a separate --
(Simultaneous talking)
OFFICER MARTINEZ: Yeah.
(Simultaneous talking by multiple parties)
MR. ULMER: -- this complaint is based on one address.
(Simultaneous talking by multiple parties)
OFFICER MARTINEZ: Yeah, because I believe that's where the vehicles -- (inaudible simultaneous talking by multiple parties). If they're charging a transfer from holding after moving them from -- whether it be the storage lot or the body shop -- they're being moved to another location.
MR. ULMER: Okay. So your answer came up based on the fact that Mr. Bruce made the statement about the vehicles being transferred?
OFFICER CARTER: Yeah. That's -- he has that in the special form.
(Simultaneous talking by multiple parties)
OFFICER MARTINEZ: I didn't notify them about that.
MR. ULMER: Okay. So there may be an

additional occasion, then, that you guys may need to go out there and take a look at?

OFFICER CARTER: Uh-huh.

MR. ULMER: Additional questions from the board?

MS. RICHARDSON: Did you have a question?

MR. ULMER: Did you have a question, sir?

MR. GRIFFIN: No, Mr. Knapp actually asked it for me.

MR. ULMER: Additional statements from you, Mr. Bruce, or from any of your clients? Any witness statements or anything along any of those lines?

MR. BRUCE: Just a couple.

Dawn, when did you become the manager out there?

MS. FLORES: Last weekend of April.

MR. BRUCE: Okay. And what did you find when you went out there?

MS. FLORES: That they were charging storage and things were falling behind and that's why he brought me back there, was to straighten things out.

MR. BRUCE: Okay. And how long have you been in the automotive business?

MS. FLORES: Since 2001.

MR. BRUCE: Okay. And you've been a shop

manager?

MS. FLORES: Yes.

MR. BRUCE: Okay. And how many different locations --

MS. FLORES: I've been a licensed adjustor even.

MR. BRUCE: Okay. Was that with an insurance company?

MS. FLORES: Yes.

MR. BRUCE: Okay. What is your plan for the business right now?

MS. FLORES: I would like to comply with everybody's rules, not -- I mean, the City of Houston has their rules. The State of Texas has their rules. And I just want to maintain a good business and have a good reputation. We do have a good reputation.

MR. BRUCE: Do you with understand you can't charge storage?

MS. FLORES: Absolutely. Absolutely.

MR. BRUCE: And even -- and because of the 300-foot rule, this shop could not get a storage --

MS. FLORES: That -- I was told on different occasions that can be changed; but what I can't do is I can't get either street to be a major thoroughfare. So I could never have a body shop with

storage-lot privileges.

MR. BRUCE: Okay. And is the shop prepared to make any refunds on --

MS. FLORES: Yep.

MR. BRUCE: -- the storage that it's charged?

MS. FLORES: Yes.

MR. BRUCE: With regards to cleaning up the -- there was a -- what -- we haven't even discussed about it here, but there was -- in the complaint it talked about possible rats or a rat infestation. Did you -- have y'all had any of that?

MS. FLORES: I have never seen a rat or droppings or not even a cockroach for that matter.

MR. BRUCE: Okay. And you think as far as the cleanup, are the tires covered now?

MS. FLORES: Yes.

MR. BRUCE: We show a rack in one of our pictures. Is -- I don't -- can you see the -- I don't know if you can even see it, but the overhang of those tires are on a rack; correct?

MS. FLORES: Yes.

MR. BRUCE: Have you talked -- talked with the people about cleaning up the shop and even the interior of the shop?

MS. FLORES: The interior, the exterior. I've been in contact with Flex Oil so we can put those large oil containers where they need to be where everybody can -- because they have to come and service those. They empty them and they fill them. So...

MR. BRUCE: That's all the questions I have.

MS. RICHARDSON: I can under -- understand your frustration about getting, you know, the shop cleaned up. It's just as easy to put that part down over here as it is to put it in a container, you know. I've had that problem at my shop, you know.

So if you're going to throw it down --

MS. FLORES: Right.

MS. RICHARDSON: -- and that's why I just -- I want to -- then, "Don't put it there."

MS. FLORES: Yeah.

MS. RICHARDSON: "Put it where it's supposed to go so if someone is going to come in and inspect you."

MS. FLORES: Right. Well, we went and bought a few more racks, where you hang the bumpers and the fenders; and I got my body man complying so far.

MS. RICHARDSON: Now, if the owner comes in, though, and says -- Okay. You have your game plan

in here that you have been hired to do; and if the owner comes in just like he's going to be taking over -- and I feel like you have more knowledge than he does -- and he says, "Well, this is what I want you to do." You know, like, "Charge a duplicate ticket"; and, you know, "Throw the other ticket away."

How are you going to feel about that?

MS. FLORES: I am not willing to lose my license over anybody's suggestion. I would rather lose my job. I am a very forward person. I like everything black and white. I don't like the gray area. So I would not break a law. I would not make a duplicate ticket. I would not charge somebody that I did not feel like they needed to be charged. So...

MR. BRUCE: And -- and -- and my response is: When I asked, you know, if we're maybe under some type of six-month probationary period or something like that to say, you know -- you know, to kind of -- you know, have that hanging over -- I mean, instead of not having to go through all this again but just basically a -- a six-month probationary period where H.P.D. can come in and, you know -- and inspect those files again and see, you know, are you getting all this done so I'm not down here arguing that, "Oh, we're trying to comply.

You know, we've been given that chance

under probation. We know the spotlight is on us, and we need to be in compliance all the time and certainly get this shop back in order in the next six months and continue on that way."

MS. PALMER: Question: Ms. Dawn, you said earlier that they brought you back?

MS. FLORES: Yes, ma'am.

MS. PALMER: You were there prior to your --

MS. FLORES: I was. I left there for two-and-a-half years for breast cancer; and when I was there prior, before my two-and-a-half-year vacation, we were not charging storage then.

MS. PALMER: Okay. Two things: The refunds, how -- how are you going to get a number with any refunds that they would have to pay back?

And what is your recommendation, Officer Martinez and Officer Carter?

OFFICER CARTER: You know, to be honest, if we wouldn't have gotten these complaints, they would have been charging people millions of dollars. We wouldn't have ever known. Now that we've been there and we've told them not to -- you know, not to do it, all of the files there -- I'm going to say 90 percent of the files they had had storage on them.

If they could give me all those files, I'd be happy to go through every one of them and give everybody their money back if that is what we could do. I mean, I don't have a problem with that; but, I mean, a lot of the files don't even have the people's names or telephone number or any way to contact them to even -- address to even contact them to give their money back. A lot of them do and I'm willing to --

MR. ULMER: Which is one of the violations -- if I'm not mistaken -- is the business records.

Is that one of the violations listed on the Notices of Violation?

OFFICER CARTER: I don't think I put it on -- on my violation. I don't think I did. I think I put it on the inspection form.

MR. BRUCE: I think it was on the inspection only.

OFFICER CARTER: It was on the inspection only.

MR. ULMER: So just based on the records that I've looked at that we've got here, it looks like a substantial number of them are not complete enough to do a refund based on the 25 (inaudible) that we have.

MR. BRUCE: We have -- I mean, I think

there are some, you know, with VIN numbers, license plates, insurance companies and things like that at the time. I think that Mr. Eter could make an effort to find out on the -- who was the owner of the vehicle at the time.

MS. PALMER: So the people that were there prior to you coming back there the second time, are they still there to show you where everything -- where they put things or show you things that need to be changed?

MS. FLORES: No, ma'am. I only kind of came in and redid everything. I have the files. I changed the paperwork. None of our papers -- our work order, our release form, any kind of -- any form that we use, it does not have the word "storage" on it anymore. I have changed that completely.

MS. PALMER: Well, Officer Carter, and Martinez, I want to thank you for your thorough investigation and for pointing this out.

And Officer Martinez, do you have something you want to say?

OFFICER MARTINEZ: Yes, ma'am. I'd like to make a statement. She just said that their paperwork doesn't have that "storage" on it anymore. If you look on G8, I did pull some records and it shows that they're not still charging them, but it still -- that's dated

July 16th. It's an invoice on the 2008 white Hyundai. Right under the teardown fee, there's still a space for "storage."

MR. ULMER: Yep. Sure is.

MS. RICHARDSON: I would say you need to redo your forms.

MS. FLORES: It's not up there.

MR. BRUCE: When was this form written up? I'm sorry. Which one is it?

OFFICER CARTER: July 14th, 2014.

OFFICER MARTINEZ: It's Exhibit G8. If you go to the -- the invoice, it's the invoice for a 2008 white Hyundai.

MR. BRUCE: Do you know when it came in?

OFFICER MARTINEZ: The date on it was July 14th, 2014.

MR. BRUCE: But when did it come in?

OFFICER MARTINEZ: I don't know.

OFFICER CARTER: We don't have it on here.

MR. BRUCE: Yeah, I mean, it says --

OFFICER CARTER: It doesn't have it on the paperwork.

MR. BRUCE: It may have been on an old form from before she would have come in.

OFFICER MARTINEZ: But Dawn just made the

statement that when she came in, she changed the paperwork.

(Simultaneous talking by multiple parties)

MS. FLORES: (Inaudible) You would have seen that there's no storage on any of those invoices or any of the paperwork.

MR. ULMER: Yeah, but I think what the officer is saying is that this is dated 7/16/14, and it's got "storage" on that paperwork.

MS. RICHARDSON: And this one dated July the 22nd has got --

MR. BRUCE: I'm just saying -- I mean, you know, as far as when it was written up, the actual invoice --

OFFICER MARTINEZ: The date's on the top, sir.

MR. BRUCE: Yeah, but I'm just saying, you know, that that's when the vehicle came in to the --

(Simultaneous talking by multiple parties)

MS. RICHARDSON: And there is storage pay out. Look at this.

(Simultaneous talking by multiple parties)

MR. ULMER: Right. Well, that's pay out. They made that out to somebody else.

OFFICER MARTINEZ: Their forms still have

"storage" written on them.

MR. ULMER: Right.

OFFICER MARTINEZ: And they're still trying the transfer and holding --

MR. BRUCE: No. The transfer and hold is not regulated by the City.

OFFICER CARTER: But what does "holding" mean? What is your definition of "holding"?

MR. BRUCE: Of "transfer"?

OFFICER CARTER: What is your definition of "holding"?

MR. GRIFFIN: I guess, for me, it's the implication that it's a storage fee by another name.

MR. BRUCE: By another name. I don't -- I think it's being transferred to hold. I mean, that's just how they -- they --

MR. ULMER: It says, "transfer and hold."

MR. BRUCE: Transfer and hold? It's just -- it's "transfer to hold." "Transfer to hold."

OFFICER CARTER: Okay. But they can't do anything like that because as we stated here earlier, that lot does no have a Certificate of Occupancy. It does not have storage-lot privileges. It does not have --

(Simultaneous talking by multiple parties)

MR. ULMER: I think that direction -- lot needs to be looked it at.

OFFICER CARTER: And we just found this out at the end that they were doing this on Martinez's last inspection.

MS. PALMER: So if they've been in business for -- since 2001, how come no Certificate of Occupancy?

MR. ULMER: It's a different address. Their address at 9001 does have a -- (inaudible due to simultaneous talking).

MS. PALMER: Oh, you're talking about --

(Simultaneous talking by multiple parties)

MR. ULMER: It's not referenced in today's complaint.

MS. RICHARDSON: So that has to be for another time.

MR. BRUCE: So would they need a second license or -- you know, under the same shop and under the same name?

MR. ULMER: It's another physical address.

MR. BRUCE: Okay.

MADAM SECRETARY: It could have the same name, but they would have to add another address.

MR. BRUCE: So this is just a matter of

adding another address to it? Okay.

MR. ULMER: Additional questions from the board? Additional concerns from the board? Any additional statements from the --

MR. BRUCE: No.

MR. ULMER: -- plaintiff? Do y'all charge an enviromental fee?

MS. RICHARDSON: It looks like, to me, there's still some -- maybe some -- still little loose ends. Maybe we should put them on probation for a couple of months or what --

MR. ULMER: Well, I don't know about you; but it looks to me like a whole bunch of people got charged some fees that they shouldn't have ever been charged --

OFFICER CARTER: Well --

MR. ULMER: -- at least on 25 invoices.

MS. RICHARDSON: I have that, too.

MS. PALMER: This is a revocation; right?

MR. ULMER: This is a revocation hearing, yes. Yes, it is, to revoke the automotive privileges of their license.

MR. STRANEY: The City ordinance is clear that we can't operate in a business other than what we're licensed for because if we do, we run the risk of

losing our license for the business that we're licensed.

MR. BRUCE: And I -- I know -- I'm not going to disagree with that. I'm just -- all I know is, we're trying to -- you know, this is a big shop that employs a lot of people. I understood what you said before. You know, that's not -- but a revocation is a -- is a death-penalty sentence; and I'm saying we have done -- what the whole point of coming before this -- if I was to look at the board -- is to get in compliance. You know, you made -- you know, everybody makes mistakes. Get in -- get in compliance.

They're trying to do what it takes to get in compliance right now. I'm happy to make -- they're happy to make the refunds, however much that may be.

No way, if we're revocated, no consumers are going to get their money back because of the revocation. So if there's any chance for consumers to get their money back and for this shop to continue on -- and that's fine if the spotlight is on us for the next six, seven months or however long the board deems -- but to right this ship and correct the wrongs that have happened here, they do need to continue on with business.

MR. ULMER: So let me ask you this: When was the first time that you went to this shop?

OFFICER CARTER: December 17th.

MR. ULMER: 2013?

OFFICER CARTER: Uh-huh.

MR. ULMER: So let me just ask you this, Mr. Bruce: Would Prestige Collision be willing to do a refund of all storage fees collected since they ever opened?

MR. BRUCE: I don't know. I mean, I'm going to assume, yes.

MR. ULMER: Since 2001?

MR. BRUCE: We don't have those records.

MR. ULMER: They're required to have records for the last five years. Are they willing to do it for the last five years?

MR. BRUCE: For the last five years, yes.

MR. ULMER: So we're needing a motion from the board.

MS. PALMER: Right.

MR. ULMER: The complainant has made an indication they're willing to go back five years in their records and make a refunds of all storage charges that have been charged to any consumer or insurance company or anyone else for the previous five years. Is that something the board would --

MS. PALMER: I have a quick question for

-- your name is Eter?

THE WITNESS: Yes, ma'am.

MS. PALMER: Are you familiar with what we're talking about? I know you're just coming onboard; but did you know all of this was going on?

THE WITNESS: No, ma'am.

MS. PALMER: So you haven't been physically at this location working?

THE WITNESS: I just come to, like, run the business and you know, I just maybe started to come, like, about a year ago, year-and-a-half ago, two years.

MS. RICHARDSON: You're there every day?

THE WITNESS: I come -- yeah, sometimes between 9:00 to, like, 2:00 or 3:00.

MR. BRUCE: How old are you?

THE WITNESS: I'm 23.

MADAM SECRETARY: Have these officers spoken with you on their visits?

THE WITNESS: Yes.

MADAM SECRETARY: So you are aware of these incidents that occurred?

MR. BRUCE: I remember when I first started representing his company when he was grade-school age. He's trying to learn the business, but he's going to probably learn it more from Dawn than

anybody else.

MR. ULMER: So officers Carter and Martinez, who have you spoken to at the location that's taking responsibility?

MS. PALMER: Since 2013.

OFFICER CARTER: I spoke to his father one time. His father is always out of the country. That's one of the big problems that I have with the business is because the owner is never accountable and when I tell Mr. Eter something, he accepts it well and he says he's going to do it; but then I come back again and, still, storage is being charged.

And I understand maybe he's not looking over the clerk -- I mean, the secretaries or who -- whatever all those ladies are in the front. I don't know the correct title for them; but at the same time, when I'm telling you, Mr. Eter, that storage is being charged, do you, acting as the manager -- because you always come to the manager -- you should come and go and make sure that these storages -- storage fees are gone when I say it.

We talk about that and you receive me well; but then when I come back and I see the same thing, you know, that's an issue now.

MR. ULMER: So, Officer Carter, this is

the person you've been dealing with since December of 2013?

OFFICER CARTER: Not him. I spoke with his dad on December the 13th. I didn't speak with him. I mean, December 17th, on Friday, of 2013. I spoke with his dad, Mr. Ibrahim. Since then, I have been speaking to him.

MR. BRUCE: And, again, I know we're kind of coming full circle here. That's why they brought Dawn on because he's just -- I mean, I'm going to be real honest. He's 23. So he's just --

MR. ULMER: So my big concern, I guess, is -- now my concern is kind of moving in a little bit of, "Who is actually taking care of the business?"

MR. BRUCE: Dawn is. That's why she's here.

MR. ULMER: And -- but she's only been there since April; right?

MR. BRUCE: Yeah, I understand that. But -- and I have to be honest here. Since April, since dawn has gotten there, we see that things are getting done and corrected; and I can certainly agree to any condition of probation that Dawn has to stay on to get this ship ready.

MR. ULMER: I don't know that we can

require an employee to stay on.

MR. BRUCE: I agree. I know, but what we're offering is a condition -- it is somewhat of a contractual relationship with the City, in that we're -- I mean, we're offering that as a condition assuming Dawn wants to say here.

MR. STRANEY: If we revoke their license, could they not go and apply for a new license and start over?

MR. ULMER: Not with the same ownership.

MADAM SECRETARY: But he could have his son come in.

MR. ULMER: But it doesn't sound like there is any ownership here right now; is there?

MR. BRUCE: There is. Actually, the company is owned by Sarah Investments, Inc. The license is personal; but, yes, we could reapply and this would all be -- you know, we could start off with a clean slate. And, again, there's no chance that that money is ever going to be funded.

From a financial standpoint, they're going to be out of -- they're going to have to stop working for two to three months while the application goes through. And we could have the son's name, change the wording on the sign a little bit, and we could, you

know, wipe -- I mean, go with a clean slate.

We're trying to make it right with consumers and the board.

MR. STRANEY: Mr. Chairman, I have a motion to go ahead and revoke their license; and then they could go and start over and reapply for a new license and get all their stuff straightened out.

MR. ULMER: Mr. Straney has a motion to revoke the license.

MS. PALMER: I have another question.

MR. ULMER: You have another question before we move on with the Motion?

MS. PALMER: Yes.

MR. ULMER: Okay.

MS. PALMER: You said that the business belongs to -- not Prestige, but a company --

MR. BRUCE: It's a corporation.

MS. PALMER: It's a corporation?

MR. BRUCE: Yes.

MS. PALMER: Okay.

MR. ULMER: So we have a Motion on the table to revoke the license by Mr. Straney, and we're looking for a second on that Motion or a Motion in its place.

MS. RICHARDSON: I guess I'll second that.

MR. ULMER: Okay. We have a Motion and a second to revoke the license. All in favor of revoking the license today? Opposed to revoking the license today?

MR. KNAPP: I'm opposed.

MR. ULMER: You're opposed?

Erma, where are you?

MS. PALMER: I'm going to go --

MR. ULMER: Okay. I'm going to go over it one more time. All in favor of revoking the license today? Opposed to revoking the license today? I'm actually opposed, but the Motion carries because three people voted for it; right? No, it doesn't. It has to be a majority of the actual numbers here.

MR. GRIFFIN: You are a voting member.

MR. ULMER: Okay. So their license has been revoked then. So the Motion has been made. The Motion carries then. The license has been revoked. So in order to go forward, Mr. Bruce, he can explain it to you; but no further work is to go on except for the cars that are physically there right now.

(Proceedings concluded at 11:23 a.m.)

CITY OF HOUSTON) AUTOMOTIVE BOARD

V.) COUNTY OF HARRIS

IBRAHIM ETER, PRESTIGE COLLISION) STATE OF TEXAS

REVOCATION OF LICENSE HEARING
VOLUME 1 OF 1
AUGUST 12, 2014

I, Cylena Korkmas, Certified Shorthand Reporter in and for the State of Texas, hereby certify that at the time and place stated, the above proceedings were taken in shorthand by me, later to reduced to typewriting under my direction, and the preceding pages represent a true and accurate transcription of these proceedings.

I further certify that I am neither counsel for, related to, nor employed by any of the parties in the action in which this proceeding was taken, and further, that I am not financially or otherwise interested in the outcome of the action.

GIVEN under my hand and seal of office on this _____day of _____, 2014.

_____
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CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/10/2014

20SWB12-2014 National Electrical Code (NEC)

Agenda Item#: 38.

Summary:
ORDINANCE adopting the 2014 National Electrical Code and amendments thereto, as the City of Houston Electrical Code, and containing other provisions; containing findings; providing an effective date; providing for severability
TAGGED BY COUNCIL MEMBERS STARDIG and PENNINGTON
This was Item 11 on Agenda of September 17, 2014

Background:
SUBJECT: An ordinance adopting the 2014 National Electrical Code and amendments thereto , as the City of Houston Electrical Code, and containing other provisions; containing findings; providing an effective date; providing for severability; and declaring an emergency.

RECOMMENDATIONS: (Summary)
Approve an ordinance to adopt the updated version of the City of Houston Electrical Code, which comprises the 2014 National Electrical Code with amendments to include local administrative provisions-for new construction of single family homes and commercial buildings.

SPECIFIC EXPLANATION:
PROJECT: I NOTICE/JUSTIFICATION
The adoption of the *2014 National Electrical Code* (NEC) along with proposed amendments will continue setting the minimum standards for the installation of electrical work in residential and commercial buildings and structures.

The NEC is published by the National Fire Protection Association, the national standard for the Electrical industry. This Electrical Code is also adopted by State Law, Chapter 1305-Title 8 of the Texas Occupations Code for the installation, maintenance, and repair of electrical work.

The proposed amendments were reviewed and approved by the Electrical Committee of the Construction Industry Council during a series of meetings. The amendments establish the administrative procedures for the permitting, inspection, licensing and registration of local electricians.

The adoption of this code would ensure compliance with the state law and continue to establish local administrative rules. This code is being presented separately from the other construction codes because the rules of the Texas Department of Licensing and Regulation will adopt this code for the state effective September 1, 2014.

Highlights of the changes include the following:

- New Ground Fault Circuit Interrupter requirements for dwelling kitchens, laundry rooms and dormitories
- New Arc Fault Circuit Interrupter requirements for dwelling kitchens, laundry rooms and dormitories
- Single family dwellings will be required to install at least one receptacle for each car space
- Increased number of outlet requirements for health care facilities
- Meter disconnect required before a self-contained meter with further amendment to add local exception
- Local amendment to require new construction of swimming pools be installed with wiring less than 50 volts
- Modify immediate hazard to potential imminent hazard for authority to disconnect utilities

- Update to the permit expiration period to be consistent with state law

Contact Information:
Thomas Hosey, C.B.O., 832-394-9088

ATTACHMENTS:

	Description	Type
	RCA	Backup Material
	20SWB12-2014 National Electrical Code (NEC) ORDINANCE	Ordinance/Resolution/Motion
	NEC-redline	Backup Material
	20SWB12-2014 National Electrical Code (NEC) Final Provisions	Ordinance/Resolution/Motion

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

SUBJECT: An ordinance adopting the 2014 National Electrical Code and amendments thereto, as the City of Houston Electrical Code, and containing other provisions; containing findings; providing an effective date; providing for severability; and declaring an emergency.	**Category #**	**Page 1 of 1**	**Agenda Item #**

FROM (Department or other point of origin): Department of Public Works and Engineering	**Origination Date** 8/29/14	**Agenda Date**
DIRECTOR'S SIGNATURE: Dale A. Rudick, P.E., Director Dale A. Rudick	**Council District affected:** All	
For additional information contact: Thomas Hosey, C.B.O., CASp **Phone:** (832) 394-9088 Building Official 9/2/14	**Date and identification of prior authorizing Council action:** None	

RECOMMENDATION: (Summary) Approve an ordinance to adopt the updated version of the City of Houston Electrical Code, which comprises the 2014 National Electrical Code with amendments to include local administrative provisions for new construction of single family homes and commercial buildings.

Amount and Source of Funding: N/A

SPECIFIC EXPLANATION:

PROJECT: I NOTICE/JUSTIFICATION

The adoption of the *2014 National Electrical Code* (NEC) along with proposed amendments will continue setting the minimum standards for the installation of electrical work in residential and commercial buildings and structures.

The NEC is published by the National Fire Protection Association, the national standard for the Electrical industry. This Electrical Code is also adopted by State Law, Chapter 1305 - Title 8 of the Texas Occupations Code for the installation, maintenance, and repair of electrical work.

The proposed amendments were reviewed and approved by the Electrical Committee of the Construction Industry Council during a series of meetings. The amendments establish the administrative procedures for the permitting, inspection, licensing and registration of local electricians.

The adoption of this code would ensure compliance with the state law and continue to establish local administrative rules. This code is being presented separately from the other construction codes because the rules of the Texas Department of Licensing and Regulation will adopt this code for the state effective September 1, 2014.

Highlights of the changes include the following:

- New Ground Fault Circuit Interrupter requirements for dwelling kitchens, laundry rooms and dormitories
- New Arc Fault Circuit Interrupter requirements for dwelling kitchens, laundry rooms and dormitories
- Single family dwellings will be required to install at least one receptacle for each car space
- Increased number of outlet requirements for health care facilities
- Meter disconnect required before a self-contained meter with further amendment to add local exception
- Local amendment to require new construction of swimming pools be installed with wiring less than 50 volts
- Modify immediate hazard to potential imminent hazard for authority to disconnect utilities
- Updates to the permit expiration period to be consistent with state law

REQUIRED AUTHORIZATION CUIC# 20SWB12

Finance Department:	**Other Authorization:**	**Other Authorization:**

City of Houston, Texas, Ordinance No. 2014-_____

AN ORDINANCE ADOPTING THE 2014 NATIONAL ELECTRICAL CODE AND AMENDMENTS THERETO, AS THE CITY OF HOUSTON ELECTRICAL CODE, AND CONTAINING OTHER PROVISIONS; CONTAINING FINDINGS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the State of Texas is adopting the 2014 National Electric Code; and

WHEREAS, the City seeks to be in compliance with state minimum standards for the installation of electrical work in residential and commercial buildings and structures; and

WHEREAS, the local amendments further ensure the safety of electrical work within the City; **NOW, THEREFORE,**

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

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

Section 2. That the *City of Houston Electrical Code* consisting of the 2011 Edition of the *National Electrical Code* and the 2011 Administrative Code Provisions, as adopted by Ordinance No. 2011-0673 on September 1, 2012, and amended by Ordinances Nos. 2011-1087, 2011-1213, and 2013-0252, is hereby replaced with the *National Electrical Code*, 2014 Edition, as published by the National Fire Protection Association, on file with the City Secretary's Office and incorporated herein as **Exhibit A,** and is adopted as modified, including any codes, pamphlets, or specifications adopted by reference, by the document entitled *2014 Administrative Code Provisions for the National Electrical Code*, which is incorporated herein as **Exhibit A-1**.

Section 3. That the City Council hereby authenticates the copy of the Houston

Electrical Code that has been placed on file in the Office of the City Secretary in connection with the adoption of this Ordinance. New standards may be added and current standards amended from time to time.

Section 4. That the *City of Houston Electrical Code*, as adopted herein is based upon a model code promulgated by a recognized national code organization, which has been identified above. Local modifications have been made to various provisions of the model code solely to address imminent threats of destruction of property or injury to persons, permitting and licensing, and compliance with state and local laws. However, to the extent that any such local modification provision is determined to be unenforceable for purposes of Chapter 245 of the Texas Local Government Code, then it is the intent of the City Council that the corresponding provision of the corresponding model national code be enforced in its place. For that limited purpose, the model national code is also adopted in its entirety without Houston modifications. However, to the extent that any such local modification provision is determined to be unenforceable because of a conflicting state or federal law, then it is the intent of the City Council that the corresponding state or federal law be enforced in its place.

Section 5. That the *City of Houston Electrical Code* may be amended from time to time, in the same manner provided in Section 1-4 of the Code of Ordinances, City of Houston, Texas, provided that the amendment shall refer to the *City of Houston Electrical Code* and the particular volume thereof that is to be amended. The provisions of Section 1-5 of the Code of Ordinances shall be applicable in the event of the repeal of any portion of the *City of Houston Electrical Code*, as adopted herein.

Section 6. That copies of the *City of Houston Electrical Code* shall be retained in the care, custody and control of the Office of the City Secretary and preserved in such form as the City Secretary may consider to be the most expedient.

Section 7. That the adoption of this amendment to the *City of Houston Electrical Code* shall not be construed to remove from office any member of any City Board recreated under the provisions of Ordinance No. 2011-0673, as amended, and each member of any City Board so created shall continue to serve for the duration of his or her term of office in the corresponding position on the Board as recreated in the *City of Houston Electrical Code*, as amended by this Ordinance.

Section 8. That the provisions of the former City of Houston Electrical Code, as adopted pursuant to Ordinance No. 2005-943, as previously amended, shall remain in full force and effect for the trial and punishment of all criminal violations thereof occurring before the effective date of this Ordinance and for the recovery of penalties and forfeitures incurred thereunder, and for the preservation of rights, privileges, obligations, liabilities and remedies established, accrued, accorded or incurred thereunder before the effective date of this Ordinance. All technical provisions thereof relating to the manner and methods of design, equipment and construction of any building or structure for which a completed building permit application is received in the Building Official's Office before the effective date of this Ordinance shall continue to apply to the construction work performed pursuant to the building permit, regardless of whether the building permit is issued before or after the effective date of this Ordinance.

Section 9. 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 10. 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.

PASSED AND APPROVED this ___ day of _____, 2014.

_____
Mayor of the City of Houston

Prepared by Legal Dept.
YSC:asw 8/26/14 Assistant City Attorney
Requested by, P.E., Director, Department of Public Works & Engineering
L.D. File No. 0641400034001

CITY OF HOUSTON

ELECTRICAL CODE

~~2011~~ 2014 ADMINISTRATIVE CODE PROVISIONS for the NATIONAL ELECTRICAL CODE

Adopted by Ord. No. 2014-

Effective September 1, ~~2011~~2014

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Chapter 1
TITLE AND GENERAL

SECTION 101—TITLE

These regulations shall be known as the *City of Houston Electrical Code,* may be cited as such and will be referred to herein as "this code." This code shall be considered as a part of the *City of Houston Construction Code.*

The *City of Houston Construction Code* collectively includes this volume and certain other codes, pamphlets, specifications and documents that are adopted in or by reference through the Adopting Ordinance, which appears in the preamble of the *Building Code.*

All electrical licensing requirements shall be in accordance with this code or the Texas Electrical Safety and Licensing Act (*Texas Occupations Code*, Chapter 1305) and the Administrative Rules of the Texas Department of Licensing and Regulation, 16 *Texas Administrative Code*, Chapter 73.

SECTION 102—APPLICATION TO EXISTING ELECTRICAL SYSTEMS AND EQUIPMENT

102.1 Additions, Alterations or Repairs. Additions, alterations or repairs may be made to any electrical system and equipment without requiring the existing electrical system and equipment to comply with all the requirements of this code, provided the additions, alterations or repairs conform to that required for a new electrical system and equipment and provided further that no hazard to life, health or safety will be created by the additions, alterations or repairs.

Minor additions, alterations and repairs to existing electrical systems and equipment may be made in accordance with the law in effect at the time the original installation was made, when approved by the building official, if it is found that no hazard to life, health or safety will be created by the additions, alterations or repairs.

102.2 Existing Installations. Electrical systems and equipment lawfully in existence at the time of the adoption of this code may have their use, maintenance and repair continued if the use, maintenance and repair is in accordance with the original design and no hazard to life, health or property has been created by the electrical system and equipment.

102.3 Changes in Building Occupancy. Electrical systems and equipment that are part of any building or structure undergoing a change in use or occupancy, as defined in the *Building Code*, shall comply with all requirements of this code that may be applicable to the new use or occupancy.

102.4 Maintenance. All electrical systems and equipment, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards that are required by this code shall be maintained in conformance with this code. The owner shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the building official may cause any electrical system to be reinspected whenever there is reason to believe that the system is not being maintained in accordance with this section.

102.5 Moved Building. Electrical systems and equipment that are a part of buildings or structures moved into or within the city shall comply with the provisions of this code for new installations.

SECTION 103—DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context in which they are used. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

APPRENTICE ELECTRICIAN is a person undertaking "electrical work," as defined in this code, under the direct, personal supervision and control of either a licensed master electrician, line master electrician, sign master electrician, journeyman electrician, journeyman lineman, sign journeyman electrician, residential journeyman electrician or maintenance electrician.

APPROVED, as to materials, equipment and method of construction, refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities or technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official after he or she finds that the agency provides reliable testing or inspection services.

BUILDING is a structure that stands alone or is cut off from adjoining structures by fire walls or one ~~two~~-hour fire barriers with all openings therein protected by approved fire-resistance rated assemblies.

BUILDING CODE is the *City of Houston Building Code.*

BUILDING OFFICIAL is the ~~city's~~ jurisdiction's Director of Public Works and Engineering, or a duly authorized representative.

CITY is the City of Houston, being the jurisdiction that has adopted this code.

CITY CODE is the *Code of Ordinances, Houston, Texas.*

CONTRACTOR is a person, firm or corporation engaged in the business of performing electrical maintenance work, electrical work, outside electrical work, residential electrical work or sign electrical work.

ELECTRICAL DIVISION is the Electrical Division of the city's Public Works and Engineering Department.

ELECTRICAL DIVISION MANAGER is the person designated by the building official to be the Electrical Division Manager.

ELECTRICAL MAINTENANCE WORK is the keeping in safe repair of electrical installations, apparatus and equipment. The term "electrical maintenance work" shall include the repair or replacement of fixed motors, transformers, devices or fixed appliances of the same type and rating in the same location. The term does not include the installation of additional electrical work, electrical equipment or electrical apparatus.

EXISTING PERMIT is a permit that is not finaled.

ELECTRICAL WORK is the installing, maintaining, altering, repairing or erecting of any wiring apparatus, devices, appliances, fixtures or equipment under the terms and provisions of this code, except poles and guy anchors installed by a telephone, telegraph, signal and/or electric utility company as a part of its distribution system.

FIREWALL, for the purposes of this code, shall mean a minimum one hour fire barrier as defined in the *Building Code*.

JOURNEYMAN ELECTRICIAN is a person undertaking "electrical work," as defined in this code, under the supervision, direction and control of a licensed master electrician.

JOURNEYMAN LINEMAN is a person undertaking "outside electrical work," as defined in this code, under the supervision, direction and control of a licensed master or line master electrician.

LINE MASTER ELECTRICIAN is a person who is the holder of a line master electrician license issued under Chapter 4 of this code.

LINE MASTER ELECTRICIAN OF RECORD is a line master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

LISTED and **LISTING** are terms referring to equipment and materials that are shown in a list published by an approved agency, which listing states that the equipment complies with recognized safety standards.

MAINTENANCE ELECTRICIAN is a person who is the holder of a maintenance electrician license issued under Chapter 4 of this code.

MASTER ELECTRICIAN is a person who is the holder of a master electrician license.

MASTER ELECTRICIAN OF RECORD is a master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

MULTIPLE OCCUPANCY BUILDING is a building that has more than one tenant regardless of whether the tenants' uses are of the same or different occupancy classifications or use groups as classified by the *Building Code*.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

OUTSIDE ELECTRICAL WORK is the assembly, maintenance, installation and erection of all electrical equipment and appurtenances that are part of an outside distribution system generally located outside of any building. Work performed under this term shall include, but not be limited to, the installation, repair or maintenance of substations, street lighting, pole lines, underground duct banks, electrical decorations, traffic signals and parking lot lighting.

POOL is an outdoor or indoor structure intended for swimming or recreational bathing, including an in ground structure, aboveground structure, hot tub, spa, portable spa, or non-portable wading pool.

POOL-RELATED ELECTRICAL DEVICE is equipment for a pool that:
(a) Is installed as a unit;
(b) Is directly connected to an electrical circuit; and
(c) Performs a specific function.

POOL-RELATED ELECTRICAL MAINTENANCE is electrical work that is limited to the connection or disconnection of a pool-related electrical device to an existing electrical circuit other than by inserting or removing a plug from an electrical outlet.

POTENTIAL IMMINENT HAZARD is more likely than not that a condition or a combination of several different conditions regulated by the City of Houston Construction Code within or on the property, poses a hazardous condition to the occupants or integrity of the structure, as determined by the Building Official.

PERSON is an individual, partnership, corporation or other legal entity.

RESIDENTIAL APPLIANCE is equipment, including a pool-related electrical device, that is installed as a unit in a single family or multifamily dwelling that does not exceed four stories, is directly connected to an electrical circuit, and performs a specific function.

RESIDENTIAL APPLIANCE INSTALLATION is electrical work that is limited to the connection or disconnection of a residential appliance, including a pool-related electrical device, to an existing electrical circuit other than by inserting or removing a plug from an electrical outlet.

RESIDENTIAL APPLIANCE INSTALLATION CONTRACTING is the business of residential appliance installation, including pool-related electrical maintenance.

RESIDENTIAL APPLIANCE INSTALLATION CONTRACTOR is a business entity, other than an electrical contractor or electrical sign contractor, that is engaged in residential appliance installation contracting, including pool-related electrical maintenance.

RESIDENTIAL APPLIANCE INSTALLER is a person, other than a licensed electrician, who is licensed to perform residential appliance installation, including pool-related electrical maintenance.

RESIDENTIAL ELECTRICAL WORK is the installation, maintenance, alteration, repair or erection of any wiring apparatus, devices, appliances, fixtures or equipment that by ordinance can be wired with nonmetallic sheathed cable. This work will be limited to single family or multifamily dwellings (and their accessory structures) of wood frame construction not exceeding four stories.

RESIDENTIAL WIREMAN (RESIDENTIAL JOURNEYMAN ELECTRICIAN) is a person undertaking "residential electrical work" as defined in this code, under the supervision, direction and control of a licensed master electrician.

SERVICE CABLE TAP BOX is an enclosure designed with busbars for the purpose of terminating service conductors from the electric utility point of supply and terminating service conductors to individual tenant services.

SIGN ELECTRICAL WORK is the manufacture or installation, or both, of electric signs, conductors and equipment for signs, outline lighting, and inside lighting with high-voltage gas tubes as defined in the *National Electrical Code*.

SIGN JOURNEYMAN ELECTRICIAN is a person undertaking "sign electrical work," as defined in this code, under the supervision, direction and control of a licensed master or sign master electrician.

SIGN MASTER ELECTRICIAN is a person who is the holder of a sign master electrician license issued under Chapter 4 of this code.

SIGN MASTER ELECTRICIAN OF RECORD is a sign master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

STATE ELECTRICAL LICENSE is a license issued or recognized by the Texas Electrical Safety and Licensing Act (*Texas Occupations Code*, Chapter 1305).

TDLR is the Texas Department of Licensing and Regulation.

SECTION 104—CONFLICTING PROVISIONS

Where, in any specific case, different sections of the *City Code,* the *Building Code,* the *City of Houston Mechanical Code,* the *City of Houston Plumbing Code,* the *Residential Code for One- and Two-Family Dwellings of the City of Houston,* the *City of Houston Commercial Energy Conservation Code,* the *City of Houston Residential Energy Conservation Code,* the *City of Houston Fire Code* and this code specify different materials, methods of construction or other requirements, the most restrictive shall

govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

In any case where the City of Houston Electrical Code differs from the National Electrical Code, the City of Houston Electrical Code shall apply.

SECTION 105—ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION

The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided an alternate has been approved and its use authorized by the building official. The building official shall approve an alternate, provided he or she finds that the proposed design is satisfactory and complies with the provisions of this code and that the materials, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability and safety.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the use of alternates. The details of any action granting approval of an alternate shall be recorded and entered in the files of the building official.

SECTION 106—MODIFICATIONS

Whenever there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases upon determining that: (1) a special individual reason makes the strict letter of this code technically impractical; (2) the modification is in conformity with the intent and purpose of this code; and (3) the modification does not lessen health, life safety and fire safety requirements. The details of actions granting modifications shall be recorded and entered in the files of the building official.

SECTION 107—TESTS

Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that materials or construction do not conform to the requirements of this code, the building official may require tests as evidence of compliance to be made at no expense to the city.

Test methods shall be as specified by this code or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures that are reasonably reliable and designate the use thereof.

All tests shall be made by an approved agency. Reports of tests shall be retained by the building official for the period required for the retention of public records.

SECTION 108—HEARING PROCEDURES

108.1 Hearing Notices. Whenever notice is to be given to any person concerning the right to a hearing, the notice may be given by personal delivery or by certified mail, return receipt requested.

If the notice relates to work being performed under a permit issued under this code, then the notice shall be given to the master electrician, line master electrician or sign master electrician who obtained the permit, as well as the contractor and the owner of the building.

If notice is being given to a building owner or to a tenant therein, and the building official is unable to determine the name or address of the person after checking the building and the applicable records of the

Public Works and Engineering Department, the records of the County Appraisal District, and the records of the electrical utility company, notice shall be mailed to the billing address of the building as shown on the records of the electrical utility company and shall be posted on or in view of each entrance to the building. Additionally, if any notice is mailed to a building owner or a building tenant and is returned without delivery, notice shall be effective if posted on or in view of each entrance to the building.

108.2 Hearings. Except where otherwise specifically provided, all hearings held pursuant to this code shall be conducted by the director of Public Works and Engineering or a representative, who shall hereinafter be referred to as the hearing official. The director shall not designate any person to be a hearing official under this code who has taken any part in the investigation of the matter that is the subject of the hearing, nor any person who directly supervised the investigation. The hearing official shall consider only the evidence presented at the hearing in rendering a decision. The decision of the hearing official shall be set forth in writing and shall be served on each party in the same manner as a notice of a right to a hearing.

SECTION 109—PENALTIES

Any person who violates or causes a violation of any provision of this code shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than $2,000.00 nor less than $400.00 unless otherwise specified herein; provided, however, if a person is convicted of any offense under this code that is also a violation of the penal laws of the State of Texas, the person shall be subject to the penalties set out in the penal laws of Texas for the offense. Each day that any violation continues shall constitute and be punishable as a separate offense.

Chapter 2
ORGANIZATION AND ENFORCEMENT

SECTION 201—POWERS AND DUTIES

201.1 General. The building official is hereby authorized and directed to enforce all provisions of this code.

201.2 Deputies. In accordance with procedures prescribed by law, the building official may appoint technical officers and inspectors and such other employees as shall be authorized from time to time.

201.3 Right of Entry. When it is necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this code that makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at all reasonable times to inspect the same or to perform any duty imposed on the building official by this code, provided that if the building or premises is occupied, the building official shall first present proper credentials and request entry. If entry is refused, the building official or an authorized representative shall have recourse to every remedy provided by law to secure entry.

When, due to emergency, immediate entry is necessary to protect life or property, or when the building official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

201.4 Stop Order. Whenever any work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing the work to be done, and the persons shall forthwith stop the work until authorized by the building official to proceed with the work. At the time a stop order is issued, the person doing the work and the permit holder shall be given notice of a right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be held within three business days unless the permit holder or the person doing the work requests an extension of time.

A stop order shall remain in effect pending any hearing that has been requested, unless the stop order is withdrawn by the building official.

201.5 Authority to Disconnect Utilities in Emergencies. The building official shall have the authority to have the utility company disconnect any electric power or energy service supplied to a building or any electrical system or equipment regulated by this code in case of emergency when necessary to eliminate ~~an immediate~~ potential imminent hazard to life or property. The building official shall, whenever possible, notify the serving utility and the owner and occupant of the building (or user of the electrical system or equipment if the owner is not located in a building) of the decision prior to the disconnection and shall notify those persons in writing of the disconnection immediately thereafter. The notice shall also inform the owner and occupant of the building (or the user if the electrical system or equipment is not within a building) of a right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be conducted within three business days unless the owner requests an extension of time.

201.6 Authority to Condemn Electrical System and Equipment. Whenever the building official ascertains that any electrical system or equipment regulated by this code has become hazardous to life, health or property, the building official ~~shall~~ may order in writing that the electrical system or equipment be either removed or restored to a safe condition, as appropriate. The written notice itself shall fix a time limit for compliance with the order and shall inform the owner and the occupant of the right to a hearing

pursuant to Section 108 of this code. No person shall use or maintain any defective electrical system or equipment after receiving a notice.

When equipment or installation is to be disconnected, a written notice of the disconnection and causes therefor shall be given within 24 hours to the serving utility and to the owner and occupant of the building, structure or premises. The notice shall inform the owner and occupant of the right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be conducted within three business days unless the owner requests an extension.

When any electrical system or equipment is maintained in violation of this code, and in violation of a notice issued pursuant to this section, the building official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

201.7 Connection after Order to Disconnect. No person shall either make connections from any energy source or power supply or supply power to any electrical system or equipment that has been disconnected or ordered to be discontinued by the building official, until the building official authorizes the reconnection and use of the electrical system or equipment.

201.8 Liability. Except as otherwise provided by law, the building official shall not personally be liable in damages for any act or omission arising out of any official action taken to implement and enforce the provisions of this code. Additionally, except as otherwise provided by law, the building official shall not personally be liable in damages for any action or omission taken in the course and scope of employment. Where and to the extent consistent with the provisions of Article X of Chapter 2 of the *City Code*, the city shall provide legal representation and indemnification for any suit brought against the building official or other employees because of acts or omissions performed in the enforcement of this code.

201.9 Cooperation of Other Officials and Officers. The building official may request, and shall receive so far as is required in the discharge of their duties, the assistance and cooperation of other officials of the city.

SECTION 202—UNSAFE ELECTRICAL SYSTEMS OR EQUIPMENT

All electrical systems or equipment regulated by this code that are unsafe, or that constitute a fire hazard, have sustained disaster damage or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of electrical systems or equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment is, for the purpose of this section, an unsafe use.

All unsafe electrical systems or equipment shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth by law for the abatement of dangerous buildings. As an alternative, the building official or another employee or official of the city as designated by the governing body may institute any other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 203—ELECTRICAL BOARD

203.1 Electrical Board Composition. There is hereby created an Electrical Board consisting of 11 members. Position Nos. 1 through 10 shall be filled by persons appointed by the mayor and confirmed by the City Council. Each of the 11 positions of the board shall be numbered. The mayor shall designate a member to be chairman.

Position Nos. 1, 2, 3 and 4 shall be filled by duly licensed master electricians.

Position No. 5 shall be filled by an electrical engineer in the employ of an electric utility company operating under a city franchise.

Position Nos. 6 and 7 shall be filled by consulting or practicing engineers who are directly connected with the electrical construction industry and are licensed professional engineers of the State of Texas.

Position Nos. 8, 9 and 10 shall be filled by representatives from the city at large.

Position No. 11 shall be filled by the Electrical Division Manager, who shall serve as secretary of the Electrical Board. The Electrical Division Manager, from time to time, may designate, in writing, a member of the city's Electrical Inspection Section to act as his or her duly authorized representative. The representative shall be entitled to all rights and privileges of the position. A copy of the designation, specifying the dates the person shall act as representative of the Electrical Division Manager shall be filed with the minutes of the Board.

203.2 Eligibility of Board Members. A person who meets the qualifications for the positions set forth in Section 203.1 shall not be disqualified from serving on the Board or from performing any duties of board membership because the person is employed by the IBEW, IEC, NECA or any other labor or trade organization that provides or sponsors electrician training. The provisions of this section shall be regarded as an exception to Section 18-3 of the *City Code*.

203.3 Compensation and Terms. Each member of the Board shall receive $50 per diem for services while attending meetings of the Board. A member of the board who is employed by the city shall be paid only for those meetings he or she attends that are neither held during, nor continue beyond, regular working hours.

The terms of office for appointees to Position Nos. 1, 3, 5, 7 and 9 shall expire on the 2nd day of January of odd-numbered years, and the terms of office for appointees to Position Nos. 2, 4, 6, 8 and 10 shall expire on the 2nd day of January of even-numbered years. However, each member shall continue in office until a successor has been appointed and qualified. The adoption of this code shall not terminate the term of office of any person currently serving on the Board. Any person who is currently serving on the Board shall continue to serve in the position for which he or she was appointed and confirmed until a successor is appointed and qualified.

203.4 Methods of Transacting Business. Half of the members then serving on the Board present at any meeting shall constitute a quorum for the transaction of any business of the Board. A majority vote of the members present at any meeting at which a quorum is present shall prevail.

203.5 Legal Counsel. Any board meeting and hearing shall be attended by an attorney from the city's legal staff when requested by the Board. The attorney's sole duty shall be to advise the Board members of legal matters that may arise.

203.6 Duties of the Board. The duties and responsibilities of the Board shall include the following:

1. Hear all cases involving revocation of a license or registration.

2. Conduct those hearings and appeals that are provided in this code to be conducted by the Electrical Board.

3. Hear appeals from decisions of the building official concerning interpretation of this code and the use of alternate materials and wiring methods; provided, however, the Board shall not have jurisdiction to hear any matter that is the subject of any case pending before the municipal courts.

203.7 Appeals to Electrical Board. Any interested person dissatisfied with a decision of the building official concerning interpretations of this code or the use of alternate materials and wiring methods shall have the right to appeal to the Board pursuant to the following procedures. Petitions for hearings before the Board shall be in writing and filed with the secretary of the Board. A hearing on the matter shall be

held by the Board within 30 calendar days of the date the petition was filed. The Board shall affirm, modify or reverse the action or decision of the building official and shall render all decisions and findings in writing to the building official who shall cause a duplicate copy to be mailed to the appellant.

Any interested person aggrieved and affected by a decision of the Board may appeal to the City Council by delivering a written notice of appeal to the City Secretary within 10 calendar days from the date of deposit of the decision of the Board in the mail. Appeals are subject to and shall be made as provided by City Council Rule 12. See Section 2-2 of the *City Code*.

SECTION 204—FAILURE TO CORRECT WORK

If any electrical contractor, master electrician, line master electrician or sign master electrician fails to correct any defect, error or deficiency in any of his or her work installed under the authority of an electrical permit within 10 calendar days after written notification thereof, the building official may serve the master and contractor with notice that a hearing will be held by the Electrical Board at which time the building official will seek either the suspension or revocation of the contractor's and master's licenses. In the notice, the building official shall specify the grounds on which he or she will rely in seeking the suspension or revocation of the licenses. This section shall be cumulative of all other remedies provided for under the laws of the State of Texas and ordinances of the city and may be applied in addition to prosecution for any applicable crimes committed.

SECTION 205—TAMPERING

It shall be unlawful for any person to bridge, tamper with or change from its original installation, any fuse of any type installed in any panelboard, main switch or switchboard, or to alter or change any circuit breaker so that the fuse or circuit breaker will not function properly. It is a defense to prosecution under this section that the work was done upon previous approval of the building official.

SECTION 206—DISPLAY OF LICENSE

A contractor shall display the contractor's business name and the number of the license issued by the state or the city on each vehicle owned or operated by the contractor.

The information required to be displayed must be:

1. Printed in letters and numbers that are at least two inches high and 3/8 inches in width and in a color that contrasts with the color of the background surface; and

2. Permanently affixed in conspicuous places on both sides of the vehicle.

Chapter 3
PERMITS AND INSPECTIONS

SECTION 301—PERMITS

301.1 Permits Required. It shall be unlawful for any person to install, alter, repair, replace or remodel any electrical system or equipment regulated by this code, except as specified in Section 301.2, or cause the same to be done, unless the person has a current permit for the work or is working under the supervision of a person who has a permit.

301.2 Exempt Work. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances.

An electrical permit shall not be required for the following:

1. Motors, office furnishings (as defined by NFPA 70, Article 605) or other appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when the cord or cable is permitted by this code. Note: This exception does not apply to manufactured wiring systems as defined in NFPA 70, Article 604.

2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

3. Temporary decorative lighting, which shall not be in place more than 90 calendar days.

4. Repair or replacement of current-carrying parts of a switch, contactor or control device.

5. Reinstallation of attachment plug receptacles, but not the outlets therefor.

6. Repair or replacement of any overcurrent device of the same capacity in the same location.

7. Installation of temporary wiring, apparatus, devices, appliances or equipment used by a recognized electrical training school or college for the purpose of training, which installation shall not be in place more than 90 calendar days.

8. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 50 volts and not capable of supplying or controlling more than 50 watts of power.

9. Sound equipment, private or public telephone system, thermostat wiring or burglar alarm system, provided, however, a permit shall be required to wire any such system to the source of electricity.

10. Installation and maintenance of railway crossing signal devices, when performed by due authority of the railroad in accordance with the standards of the American Railroad Association, and in collaboration with and with the approval of the Director of the Department of Public Works and Engineering of the city.

11. The installation, maintenance or alteration of electrical wiring, apparatus, devices, appliances or equipment to be installed by an electric utility company for its own use in the generation, transmission, distribution, sale or utilization of electrical energy. However, no electric utility company shall do any wiring on a customer's premises other than wiring that is a part of the company's distribution system, which shall be construed to include metering equipment, wherever located, and transformer vaults in which the company's transformers are located; nor shall any of its employees do any work other than that done for said company as provided for herein by virtue of this exception.

12. Erection, assembly, installation, repair, maintenance or servicing of elevator equipment, X-ray equipment, proton therapy equipment, and medical electronic equipment, other than for the power wiring

connection of the first component, provided that the components of the equipment can be rendered safe from fire and shock hazards during operation by disconnection from electrical power sources.

13. Removal of electrical wiring.

301.3 Franchised Work. Except as otherwise provided by law, no person or electric utility company that does not operate under a franchise granted by the city shall have the right to install any electrical conduit, wires, ducts, poles or equipment of any character for the transmission, distribution or utilization of electric energy, or for the operation of signals or the transmission of intelligence on, over or under the streets in the city, without first obtaining from the City Council a franchise right or grant for the particular installation so desired to be made, and any installation so made under a franchise or grant shall be in strict conformity with all rules, regulations and ordinances of the city pertaining thereto. Compliance with this provision shall not be construed to excuse compliance with any other provision of the ordinances of the city.

301.4 Annual Maintenance Permit. Upon making written application and payment of all applicable fees, a person having ownership or control over property may obtain an annual maintenance permit for the keeping in safe repair of any and all electrical maintenance work as defined by this code on existing electrical installations, apparatus and equipment in the building and on the property on which the building is located if ~~he or she~~ the applicant employs a person as a full-time employee who will actually perform the electrical maintenance work. A "full-time employee" shall mean an employee who works for the maintenance permit holder at least 36 hours per week. A permit for maintenance electrical work shall be valid for only one premises

The fee for an annual maintenance permit ~~stated for this provision~~ shall be as specified in the city fee schedule and shall be paid to the building official. An annual maintenance permit shall expire on September 30th of each year.

301.4.1 Maintenance Records. Each time that an electrical maintenance employee working under an annual maintenance permit performs electrical maintenance work, the employee shall make a record of the work. The records shall be maintained in a location agreed upon by the owner and the building official and made available upon request for inspection and copying by the building official and must be held on file for at least two years. These records shall contain the following information:

1. Name and address where work is performed.
2. Name of owner.
3. Date.
4. General nature of work performed.

301.5 Permits Issued to Licensed Contractor. No permit shall be issued under any master electrician license or registration unless the master electrician is in compliance with the requirements of Section 403 of this code or is employed by an electrical contractor who is in compliance with that section.

SECTION 302—ELECTRICAL PERMITS

302.1 Application. To obtain an electrical permit, the applicant shall first file an application on a form furnished by the Building Inspection Division for that purpose. Each application shall:

1. Identify and describe the work to be covered by the permit for which the application is made.

2. Describe the land on which the proposed work is to be done by the legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use or occupancy for which the proposed work is intended.

4. Be accompanied by plans, diagrams, computations and other data as required in Section 302.2.

5. Be signed or authorized electronically by the properly licensed master electrician, line master electrician or sign master electrician, as applicable.

6. Give such other data and information as may be required by the building official.

7. Identify the name of the electrical contractor who has contracted for the work.

A master electrician may apply for a permit for any electrical work. A line master electrician may apply only for a permit relating to outside electrical work. A sign master electrician may apply only for a permit relating to sign electrical work.

302.2 Plans and Specifications. Plans, calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The building official may require all plans, computations and specifications to be prepared by a master electrician of record and/or prepared and sealed by a professional engineer licensed in the State of Texas in compliance with The Texas Engineering Practice Act (*Texas Occupations Code*, Chapter 1001).

> **EXCEPTION:** The building official may waive the submission of plans, calculations, etc., if he determines that the nature of the work is such that review of plans is not necessary to obtain compliance with this code.

302.3 Information on Plans. Plans shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

SECTION 303—PERMIT ISSUANCE

303.1 Issuance. The application, plans and specifications and other data filed by an applicant for a permit shall be reviewed by the building official. The plans may be reviewed by other departments of the city to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that all applicable fees have been paid, the building official shall issue a permit therefor to the applicant.

When the building official issues a permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications "APPROVED." Approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the approved plans.

The building official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of the permit shall proceed at his or her own risk without assurance that the permit for the entire building, structure or building service will be granted.

303.2 Retention of Plans. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized by the permit is in progress. One set of approved plans, specifications and computations shall be retained by the building official until final approval of the work.

303.3 Validity of Permit. The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of

any other applicable law. No permit presuming to give authority to violate or cancel the provisions of law shall be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other applicable law.

303[CY-LI].**4 Expiration.** For purposes of this subsection, the determination of whether work has commenced under a permit or whether work has been abandoned under a permit shall be based upon whether the permit holder requests an inspection of the work performed under the permit by the building official. If work is not commenced under a permit within ~~180 days of~~ two years after the date of issuance or is abandoned at any time for a period of ~~180 consecutive days~~ two years, the permit shall ~~lapse~~ expire. ~~An elapsed permit shall expire 180 days following the date that it lapsed unless, before the 180th day following the date that the permit lapsed, the permit holder obtains reactivation of the permit by:~~

~~1. Requesting reactivation of the permit by the building official and~~

~~2. Requesting an inspection of work performed under the permit by the building official.~~

~~A permit may only be reactivated one time, and it shall expire if the work is again abandoned for a period of 180 consecutive days.~~ In order to recommence work under an expired permit, the permit holder shall pay the full permit fee applicable and submit plans that comply with this code for the previously uninspected portion of the work.

> **EXCEPTION:** The building official may, upon request, perform a final inspection of work for which the permit has expired or reactivate a permit for the purpose of issuing a certificate of occupancy or a certificate of compliance.

303.5 Validity. A permit shall be valid only for work done under the ~~supervision of the~~ master electrician, line master electrician or sign master electrician who signed the application. A new permit must be obtained if the person who signed the application ceases to ~~supervise the work~~ have a contractor-master relationship as stated in Section 403.6. The cost of the new permit shall be ~~50 percent of the original fee pursuant to the city fee schedule~~ charged at no fee except for the administrative fee~~.~~ as ~~In the case of the death of the master, each permit will be transferred to the new master at a fee equal to the minimum permit fee~~ established for this provision in the city fee schedule. Failure to re-permit any applicable work within the timeframes established by this code shall be subject to full permit fees.

303.6 Suspension or Revocation. The building official may, in writing, suspend or revoke a permit and may revoke approval of any plans issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or law. Any suspension or revocation shall be accompanied by notice of a right to a hearing as provided in Section 108 of this code. Upon written request, the hearing shall be afforded within three business days from receipt of the request.

SECTION 304—FEES

304.1 Permit Fees. The fee for each permit shall be as set forth in the city fee schedule.

Additions to existing work shall be charged for at the same rate as for new work. The moving and relocating of electrical equipment for which a permit inspection fee is not otherwise provided for in Section 117 of the *Building Code*, will be charged at the minimum fee.

304.2 Plan Review Fees. Where plans are lost or changed so as to require an additional plan review or when a plan review is required and there is no building permit is required, a plan review fee shall be charged at the rate provided for in the city fee schedule.

304.3 Expiration of Plan Review. Applications for which no permit is issued within 180 calendar days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 calendar days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans.

304.4 Investigation Fees: Work without a Permit.

1. **Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work.

2. **Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee, which is intended to cover additional costs associated with inspection of work commenced without a permit, shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued, subject to applicable minimum investigation fees stated in the city fee schedule. The payment of an investigation fee shall not exempt any person from compliance with all other provisions of this code or from any criminal penalty prescribed by law.

304.5 Fee Refunds.

1. The building official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected if the fee has been paid or collected because of an error made by one or more city employees. This provision shall not be applicable if the error was caused by incorrect information provided by the applicant.

2. The building official may authorize the refunding of not more than 90 percent of the amount in excess of the permit fee paid when no work has been done under a permit issued in accordance with this code. If work has been done under the permit, no refund may be authorized. The administrative fee established by ~~Section 117 of the *Building Code*~~ the city fee schedule shall not be refundable.

3. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee no later than 180 calendar days after payment of the fee.

304.6 Registration Fees. The fee for each registration shall be as set forth in the city fee schedule.

304.7 License or Registration Suspension. When the building official has authorized work to begin prior to the issuance of a permit due to an emergency situation, any failure on the part of the contractor to pay all applicable permit fees within 20 calendar days of the date the building official has authorized the work to begin shall be grounds for the suspension of the contractor's and master's licenses or registrations. At least 10 calendar days prior to the suspension, the building official shall give the contractor and master notice of the date the licenses will be suspended if the fees are not paid and inform the contractor and master that they may have a hearing before the Electrical Board if either or both of them submit a written request therefor to the secretary of the Board at least three business days prior to the date the suspension will become effective. If the contractor and/or master timely requests a hearing, the suspension shall not become effective until the Board has heard the matter and rendered its decision as to whether all applicable permit fees have been paid. If the board finds that all applicable permit fees have not been paid, the contractor's and master's licenses or registrations shall be suspended until they

have been paid. If the contractors's and master's licenses or registrations remain suspended for six months, the licenses or registrations shall automatically be revoked.

SECTION 305—INSPECTIONS

305.1 General. All electrical systems and equipment installed under provisions of this code shall be subject to inspection by the building official. No portion of any electrical system intended to be concealed shall be concealed until inspected and approved. Neither the building official nor the city shall be liable for expenses entailed in the removal or replacement of any material required to allow inspection. When the installation of the electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the building official.

305.2 Operation of Electrical Equipment. The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The Building Inspection Division shall endeavor to inspect work within three working days following the receipt of a request. In any instance in which the inspection is not made within three working days, the requestor may submit a written notice of inspection request to the Electrical Division Manager who shall ensure that the inspection is completed by the end of the next city work day following receipt of the written request.

305.3 Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the building official that the work is ready for inspection.

305.4 Other Inspections. In addition to the called inspections required by this code, the building official may make or require other inspections of any work to ascertain compliance with the provisions of this code and other applicable laws. If a permit has not been issued for the work and city inspectors are refused permission to inspect, they may obtain a search warrant as authorized by law to make the inspections.

305.5 Moving and Relocating of Work. The moving and relocating of electrical equipment for which a permit inspection is required shall require the payment of a fee that, if not otherwise provided for in Section 117 of the *Building Code* or the city fee schedule, will be charged at the minimum fee.

305.6 Reinspections. TheA reinspection fee provided forin the amount specified in the city fee schedule and established in Section 117 of the *Building Code* shall be assessed for each inspection or reinspection when the portion of work for which inspection is called is not complete or when corrections called for are not made.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

SECTION 306—CONNECTION APPROVAL

306.1 Energy Connections. Any electrical system or equipment regulated by this code shall not be connected to a source of energy or power until approved by the building official.

306.2 Temporary Connections. The building official may authorize the temporary connection, with proper permits, of electrical systems or equipment to a source of energy or power for the purpose of testing the equipment, or for use under a temporary certificate of occupancy.

EXCEPTION: In an emergency situation where power is inadvertently interrupted, the Building Official may authorize a temporary connection, subject to later permitting and inspection.

No permit for temporary use shall be valid for a period longer than 90 calendar days. Except as otherwise provided below, at expiration of the authorized period, the building official shall issue written instructions to the electric utility company or other person having control of the supply of energy to the installation to disconnect service to the temporary installation, unless he or she has granted a permanent approval or an additional temporary approval. At least 10 calendar days prior to the proposed date of disconnection, the building official shall give written notice to the electric utility company or other person having control of the supply of power to the temporary installation and to the owner of the building, setting forth the date that the electricity will be disconnected unless permanent approval of the connection has been obtained or an additional permit for temporary use has been issued. The notice shall be posted on or in view of each principal entrance to the building for the information of all persons who occupy the building. Any person affected by the proposed disconnection of electricity may request a hearing on the matter. The request shall be in writing and delivered to the office of the Electrical Division Manager at least three city work days prior to the proposed date of disconnection. If a hearing is requested, a hearing date shall be set by the building official, and the hearing shall be held prior to the disconnection of the electricity, unless the person asking for the hearing requests a delay in that hearing.

Chapter 4
LICENSING AND REGISTRATION REQUIREMENTS

SECTION 401—LICENSE OR REGISTRATION REQUIRED

401.1 General. There is hereby established a city licensing or registration requirement for contractors and for persons performing electrical maintenance work, electrical work, outside electrical work, residential electrical work and sign electrical work.

401.2 Required. It shall be unlawful for any person who does not hold a current and valid applicable city license or registration issued under this chapter or an applicable state electrical license to perform electrical work, electrical maintenance work, outside electrical work, residential electrical work or sign electrical work.

It shall be unlawful for any person to employ or utilize any person who does not hold a current and valid applicable city license or registration issued under this chapter or an applicable state electrical license to perform electrical work, electrical maintenance work, outside electrical work, residential electrical work or sign electrical work.

The city shall not issue new electrical licenses other than contractor licenses. A person who holds a current and valid city electrical license may renew such license as provided in this code.

A person who holds a current valid state electrical license is not *required* to hold a city registration, provided that a holder of a state electrical contractor license or a state electrical sign contractor license must hold a city registration to perform work as a contractor.

401.3 Contractors. Any licensed or registered electrical contractor may contract with another licensed or registered electrical contractor for electrical work. A licensed or registered electrician employed by the prime electrical contractor may have direct, personal supervision and control of the project.

401.4 Documentation. A holder of a state electrical license, a city license, or a city registration must carry such documentation on his or her person at all times while performing the work for which he or she is licensed or registered.

SECTION 402—LICENSES AND REGISTRATIONS

402.1 Applications. Applications for all licenses and registrations shall be made in writing to the Electrical Division, stating the name and address of the applicant, the applicant's appropriate state electrical license, if applicable, and such other relevant information as may be required by the Electrical Division.

Before a license or registration is issued under this code, the applicant must pay the fee required for the license or registration as set forth in the city fee schedule.

402.2 Duration of City License or Registration. Any city license issued under previous versions of the *City of Houston Electrical Code* prior to September 1, 2004, and valid as of such date, shall remain in effect until September 1, 2006, unless renewed for successive one-year terms. Any registration issued under this chapter shall expire on the expiration date of the registrant's state electrical license or upon suspension of such license.

402.3 License or Registration Issuance. Upon determining that an applicant meets all of this chapter's requirements for a license or registration, the Electrical Division shall issue the license or registration. No license or registration issued in accordance with the provisions of this chapter shall be assignable or

transferable. Any registration issued under this chapter shall expire on the expiration date of the registrant's state license or upon suspension of such license.

402.4 Revoked License or Registration. City licenses issued under previous versions of the *City of Houston Electrical Code* and licenses and registrations issued under this chapter may be revoked for any reason defined in this code, provided, however, if the Electrical Board finds that the public interest will be adequately protected by the issuance of a warning or by a suspension of the license or registration for a definite period of time not exceeding one year, it shall issue a warning or order a suspension. If a registration is revoked, the Electrical Board shall not accept an application from that person for a new registration for one year following the date of revocation. Notice shall be sent to TDLR of any disciplinary action taken by the Electrical Board against any master or contractor.

402.5 Revocation Reasons. Following 10 calendar days' notice by personal delivery or certified mail and after a hearing before the Electrical Board, at which the person may be accompanied by an attorney at law of their choice, the Electrical Board may revoke or suspend that person's license or registration for any of the following reasons:

1. Fraud or misrepresentation in obtaining a city license, registration, or permit.

2. Violating on more than one occasion, either willfully or maliciously, or by reason of incompetence, any provision of this code.

3. Defrauding of any person for whom a service has been rendered, or contracted to be rendered.

4. Securing a permit for electrical work not actually performed by the master electrician, line master electrician, or sign master electrician ("master") or by licensed employees under the master's control, supervision, direction and responsibility. (This is intended to prevent a master from securing a permit for the purpose of evading the spirit and intent of this code by entering into any simulated scheme, transaction or device whereby electrical work will be done by persons who are not employees of the master or employees of the master's employer.)

5. Securing a permit under any pretext for an installation concerning which the applicant has no valid contract. (This is intended to prevent a master electrician, line master electrician or sign master electrician from securing a permit for the purpose of evading the spirit and intent of this code by any simulated scheme, transaction or device, or performing electrical work without a valid permit.)

6. Performing any electrical work as defined herein for which no electrical permit has been obtained.

7. For failure of any master electrician, line master electrician or sign master electrician to provide full-time active participation and day-to-day management of all electricians performing work under all permits issued under his or her signature.

8. Acting as a master electrician, line master electrician or sign master electrician for more than one electrical contractor (including him- or herself if self employed) at one time, unless the master owns more than 50 percent of the electrical contracting business.

The Electrical Division may withhold the issuance of a registration to an applicant by the same process used for revocation or suspension as described above. In addition to constituting grounds for revocation or suspension of a license or registration, violation of any of Items 1-8 are declared to be unlawful. Criminal prosecution shall not preclude administrative action by the Electrical Division or Electrical Board and vice versa.

402.6 License or Registration Transfer. No master electrician, line master electrician or sign master electrician shall assign or in any way convey his or her city license or registration, use thereof or any rights thereunder to anyone by power of attorney or any other process or become involved in any type of agreement, assignment or use whereby he or she will not have supervision, direction, control or

responsibility for the electrical work for which an electrical permit has been obtained under his or her city license or registration.

402.7 City License. A person who holds a license issued pursuant to this code may renew his or her city license by paying the annual renewal fee provided in the city fee schedule.

SECTION 403—CONTRACTOR REGISTRATION OR LICENSE

403.1 General. No person shall undertake any work as a contractor unless that person has been registered with the city as a contractor or unless that person holds a current and valid city license as a contractor.

An applicant for a contractor registration must have a valid state license as an electrical contractor, an electrical sign contractor, or a residential appliance installation contractor.

403.2 Contractor's Responsibility. The licensed or registered contractor will be responsible for ensuring that all work performed under his or her license or registration is properly permitted, that all personnel working under his or her license are properly licensed or registered, and that all work is performed in accordance with this code.

403.3 Scope of License or Registration. In the event that the applicant is or has employed a line master electrician or a sign master electrician in lieu of a master electrician, the scope of the contractor license or registration will be restricted to that work for which the applicant or the master is licensed.

403.4 Contractor's Records. For purpose of enforcing this section, the building official may, during normal working hours, examine and make copies of contracts, employment records, and payroll records for the preceding 24 months. Should the contractor fail or refuse to make a full, true and accurate disclosure of these records, the building official may, after written notification by certified mail, withhold the issuance of electrical permits to that contractor and master electrician until there has been a full and accurate disclosure of the records. This provision shall be cumulative of all other remedies provided herein.

403.5 Termination of Master-Contractor Relationship. Upon the death or termination of the designated master electrician, sign master electrician or line master electrician, the contractor shall be permitted to continue operating under the master's license or registration for a period not to exceed 30 calendar days from the date of the termination of the relationship. When the relationship terminates ~~due to the death of the master electrician, sign master electrician or line master electrician~~, no additional permits will be granted until a new master is employed and all active permits under the ~~deceased~~ terminated master-contractor relationship are repermitted. ~~When the relationship terminates due to termination of the master electrician, sign master electrician or line master electrician, no additional permits will be granted until a new master is employed and all existing permits, active and inactive, under the former master are repermitted.~~

403.6 Master-Contractor Relationship. The master and the contractor shall register with the Electrical Division. Upon termination of the master-contractor relationship, notice shall be given by the master or the contractor to the building official within five city work days. The termination of the master shall cause all permits taken out under the terminated master's license to be voided 30 calendar days after the date of termination. No additional permits will be granted until a new master is employed and all existing active permits under the previous master are repermitted. The master must play an active role in the business for which he or she is the registered master. This section in no way shall be construed as preventing the master from having other sources of income.

403.7 Contractor Business Location. To apply for a registration, an applicant must provide to the city a physical address (not a post office box).

403.8 Insurance. To apply for a city contractor's license, an applicant must provide evidence of the following to the Electrical Division :

1. That the applicant is a city licensed master electrician, line master electrician or sign master electrician or has such a person in his or her employment as a full-time employee.

2. That applicant is in compliance with Section 1305.159(a)(3) of the Texas Occupations Code regarding workers' compensation coverage.

SECTION 404—MASTER ELECTRICIAN

A master electrician may:

1. Perform all electrical work, including electrical work performed by a sign master electrician and a line master electrician.

2. Supervise an electrician.

3. Serve as a master electrician of record for a contractor.

SECTION 405—LINE MASTER ELECTRICIAN

405.1 A line master electrician may:

1. Perform outside electrical work as defined in this code.

2. Supervise an electrician performing outside electrical work.

3. Serve as a line master electrician of record for a contractor.

405.2 License. A line master electrician license shall authorize only outside electrical work. The line master electrician will otherwise be under the same rules, regulations, rights, privileges and duties imposed on or enjoyed by a master electrician.

SECTION 406—SIGN MASTER ELECTRICIAN

406.1 General. A sign master electrician may:

1. Perform sign electrical work.

2. Supervise an electrician performing sign electrical work.

3. Serve as a sign master electrician of record for a contractor.

406.2 License or Registration. Sign master electricians shall also comply with requirements as set out in the Sign Code, Chapter 46 of the *Building Code*. The sign master electrician license shall authorize only electrical sign work. The sign master electrician will otherwise be under the same rules, regulations, rights, privileges and duties imposed on or enjoyed by a master electrician.

406.3 Scope of Work. A sign master electrician shall be permitted to manufacture, install and do wiring that is required to connect the sign, outline lighting or inside lighting to an existing circuit or circuits that have been approved by the building official for connection of the specific load covered by the permit issued. Should the available circuit or circuits not be adequate for the specific sign and outline lighting load to be connected, then a contractor shall be employed by the owner or the owner's agent to install the necessary wiring required to provide the required capacity and circuits for the proposed signs and outline lighting. However, a sign master electrician shall be permitted to install the necessary service and circuits for an isolated sign and/or outline lighting installation.

406.4 Isolated Sign. For the purposes of this section, an isolated sign and/or outline lighting installation shall be defined as an installation in which neither the meter nor service supplying the installation or any of the signs or outline lighting are mounted on or in any building or structure that is not a part of the signs or outline lighting.

406.5 Circuits. As applied in this section, signs or outline lighting on the exterior of a building must have the circuit or circuits available on the exterior of the building. Nothing herein is intended to limit or repeal the effect of the Sign Code, but shall be cumulative thereof.

406.6 Shop Inspection. All work performed and materials, apparatus, devices, appliances, fixtures or equipment used shall conform with the full requirements of this chapter. Any electric sign built within the city, that is not listed and labeled, for installation within the city shall have a shop inspection by the building official before the sign is shipped out of the shop. The shop inspection fee shall be separate from and shall be double that required for signs as specified in the *Building Code.* After approval by the building official, an inspector shall attach an approval label or stamp to the sign. Signs constructed outside the city, but erected within the city, shall be subject to the same rules and regulations as apply to signs constructed within the city, except that inspections shall be performed by an approved agency.

> **EXCEPTION:** When unlisted component parts are utilized to reconfigure or construct a sign, the licensed sign contractor will assume liability.

SECTION 407—JOURNEYMAN ELECTRICIAN

No person shall undertake any work as a journeyman electrician unless the person has received a city or state electrical license as a journeyman electrician.

SECTION 408—JOURNEYMAN LINEMAN

No person shall undertake any work as a journeyman lineman unless the person has received a state or city electrical license as a journeyman electrician or a journeyman lineman.

SECTION 409—SIGN JOURNEYMAN ELECTRICIAN

No person shall undertake any work as a sign journeyman electrician unless the person has received a state or city electrical license as a sign journeyman electrician or a journeyman electrician.

SECTION 410—RESIDENTIAL WIREMAN (RESIDENTIAL JOURNEYMAN ELECTRICIAN)

No person shall undertake any work as a residential wireman (residential journeyman electrician) unless the person has received a state or city electrical license as a residential wireman or a journeyman electrician.

SECTION 411—APPRENTICE ELECTRICIAN

411.1 General. No person shall undertake any work as an apprentice electrician unless the person has received a state or city electrical license as an apprentice electrician.

411.2 Work Performed. An apprentice electrician licensed under this section shall be permitted to perform work as an apprentice, an apprentice lineman, a sign apprentice electrician, residential apprentice

and an apprentice maintenance electrician under the supervision of a master electrician, journeyman electrician, maintenance electrician, or a residential wireman.

SECTION 412—MAINTENANCE ELECTRICIAN

412.1 General. No person shall undertake work as a maintenance electrician unless the person has received a state or city electrical license as a maintenance electrician or a journeyman electrician.

412.2 Work Performed. A maintenance electrician licensed under this section shall be permitted to perform electrical maintenance work under the general supervision of a master electrician, on behalf of an electrical contractor.

412.3 Exempt work. A maintenance electrician license is not required if:

1. The work is performed by a person who does not engage in electrical work for the public;

2. The work is performed by a person regularly employed as a maintenance person or maintenance electrician for a business; and

3. The electrical work does not involve the installation of electrical equipment during new construction as defined by rules adopted under Chapter 151 of the *Texas Tax Code*.

SECTION 413—RESIDENTIAL APPLIANCE INSTALLER

413.1 General. No person shall undertake work as a residential appliance installer unless the person has received a state electrical license as a residential appliance installer or any other license recognized for such purpose in this code.

413.2 Work Performed. A residential appliance installer listed under this section shall be permitted to perform work defined as residential appliance installation.

SECTION 414—APPEALS FROM LICENSING DECISIONS OF ELECTRICAL BOARD

Any holder of a license or registration whose license or registration has been revoked, placed on probation, or suspended shall have the right of appeal to City Council as provided in Section 203.7 of this code. The City Council shall affirm, modify or reverse the action and/or decision of the Electrical Board. The action of the City Council shall be final. If no appeal is taken within the time and in the manner herein above provided, the ruling of the Electrical Board shall be final. The action of the Electrical Board shall be in effect during the appeal process before City Council and will remain in effect until modified or reversed by action of City Council on the appeal. The action of the Electrical Board shall remain in effect unless and/or until reversed or modified as provided for herein. In the event of suspension or revocation of licenses or registrations, the effective date will be 10 calendar days immediately following the action of the Electrical Board. A master whose license or registration has been suspended or revoked will not be issued any new permits after the action of the Electrical Board or during the 10 calendar day period following the action of the Electrical Board. All licenses and registrations shall be submitted to the secretary of the Electrical Board within 10 calendar days after the date of revocation or suspension.

SECTION 415—REGISTRATION FEES

To obtain a registration, an applicant shall pay the applicable registration fee as stated in the city fee schedule.

All fees shall be prorated for each month the license is to be in effect based on a 12 month period.

An administrative fee payable pursuant to Section 117~~.1.2~~ of the Building Code shall be charged upon the preparation of each fee or deposit receipt issued by the building official. This fee shall apply regardless of whether the fee or deposit is payable pursuant to this code or the *City Code*. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit.

SECTION 416—LICENSE AND RENEWAL FEES

To obtain a contractor license or renew an existing city license the applicant shall pay the applicable city license fee set forth for this provision in the city fee schedule.

All fees shall be prorated for each month the license is to be in effect based on a 12 month period.

An administrative fee payable pursuant to Section 117~~.1.2~~ of the Building Code shall be charged upon the preparation of each fee or deposit receipt issued by the building official. This fee shall apply regardless of whether the fee or deposit is payable pursuant to this code or the *City Code*. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit.

SECTION 417—CONTINUING EDUCATION FOR CITY LICENSE RENEWAL

417.1 General. Master, journeyman, ~~and~~ apprentice, and maintenance electricians shall annually complete a four hour code review course, approved by the ~~city or~~ state, based on the *National Electrical Code*.

EXCEPTION: Apprentice electricians in an approved apprenticeship training program.

Chapter 5
BUILDING STANDARDS

SECTION 501—WIRING SYSTEMS

501.1 General. Any type of wiring or wiring systems may be used in the city as approved in the *National Electrical Code* adopted in Section 502, except where specifically provided herein.

Refer to Section 403 of the *Building Code* for high-rise building requirements and to Chapter 46 of the *Building Code* for the Sign Code.

501.2 Electric Utility Company. All changes in the service standards and area practices that are promulgated by the electric utility company shall be submitted to the Electrical Board for review and comment at least 30 calendar days prior to enactment.

For the purposes of this code, the distribution system of any electric, telephone, telegraph, signal and/or electric utility company shall not extend to any electrical apparatus or equipment that the company does not own or control.

If a licensed or registered contractor needs access to metering and service equipment under control of an electric utility company to perform certain electrical work, the electric utility company must unlock and/or make accessible all metering and service equipment within four hours of the time the contractor requests the action, if possible. Licensed or registered contractors may access metering and service equipment.

SECTION 502—ADOPTED STANDARDS

The following codes, pamphlets and specifications are hereby adopted, authentic copies of which are filed with the City Secretary as part of this code, and shall govern and be observed and followed in all electrical wiring and in the construction, installation, repair, alteration, operation and maintenance of electrical wiring apparatus or fixtures:

(1) The *National Fire Protection Association Pamphlet No.* 70, *National Electrical Code,* ~~2011~~ 2014 Edition.

(2) The ~~*2007*~~ *2012 National Electrical Safety Code.* When the provisions of the *National Electrical Safety Code* and the *National Electrical Code* are in conflict, the *National Electrical Code* shall prevail.

In case of conflict between the provisions of the standards listed in the above paragraphs and the provisions of this code, the provisions of this code shall prevail.

SECTION 503—METERS

503.1 General. The meter cabinets and electrical metering equipment through which service is rendered by the electric utility company to domestic establishments and buildings combining domestic establishments with commercial or industrial usage shall be installed where readily accessible on the exterior of the building. Fireproof meter cabinets or meters sockets shall be approved by the electric utility company and installed by the master electrician performing the work, said meter cabinets to be located so the center of the opening of the meter dial shall not be less than 5 feet (1524 mm) nor more than 6 feet (1829 mm) above mean ground level so that the cabinet is readily accessible to the electric utility company for service. On apartment buildings, where space limitations will not permit placing all meters at the same height, they may be arranged in two tiers, with the openings for the meter dials in lower tiers as near as practicable to 5 feet (1524 mm) above the mean ground level and second tier placed

as near as practicable above the first. Where space limitations will not permit placing of meter cabinets as outlined above, the electric utility company, subject to the approval of the building official, may determine the arrangement to be used. All service outlets shall be located so as to permit placing the electric utility company's service wires on the wall of the building next to the supply. Locations may also be modified with the approval of the building official for occupancies intended primarily for handicapped persons.

503.2 Location of Meters. Meters will be located on a building so as to be accessible as determined by the electric utility company and may only be placed on the front or street side of the building with the written consent of the owners filed with the building official.

503.3 Relocation of Meters. Where meters are installed in inaccessible places in houses or buildings and the electric utility company desires to relocate said meter loops for convenience in the rendering of its service, it may, upon request to the building official, have a licensed or registered contractor reinstall meter loops to a point where the same would be located if the house or building were having a new system of wiring installed, and all the work done at the request of the electric utility company shall be performed without cost to the owner unless the location is the result of the wiring having been condemned by the building official for practices in violation of the provisions of this code or any applicable city ordinance.

503.4 Separate Meters. No permit, certificate or other authorization issued by the city under the provisions of this code for the construction or occupancy of a new apartment house or conversion to a condominium shall be issued unless the construction plan submitted by the applicant as part of the process for the approval of the permit, certificate or other authorization provides for individual electric metering by the utility company or submetering by the owner of each dwelling unit for the measurement of the quantity of electricity, if any, consumed by the occupants within that dwelling unit in accordance with the provisions of Chapter 184 of the *Texas Utilities Code* and regulations issued thereunder.

SECTION 504—SERVICES AND FEEDERS

504.1 General. All services, feeders, and underground branch circuits shall be installed in raceways, busways, or metal sheath cables approved by this code.

EXCEPTIONS:

1. Type SE multi-conductor cable having a bond wire and an insulated neutral wire will be permitted for feeders on wood-frame residential occupancies, provided the conductors have a disconnecting means and are protected by an approved current-limiting device. Each feeder shall be installed only in a location or in a manner that is not subject to mechanical damage and shall also be installed in accordance with other sections of this code and the *National Electrical Code*.
2. Aerial feeders.
3. Feeders in cable trays.

504.1.1 Available Fault Current Labeling. In lieu of the maximum available fault current marking as required by 110.24, a permanently affixed label shall be applied with the available fault current at the time of installation and calculation. The label shall be 2" x 3" in size and shall be blue lettering on a contrasting background. This label shall also include the date of the calculation.

504.2 Service Disconnect. Service disconnecting means shall be located so that the height to the center of the operating handle shall not be less than 4 feet (1219 mm) and not more than 6 feet 7 inches (2.0 m) above the floor of finish grade, except as installed in freestanding or building-type switchgear built to the National Electrical Manufacturers Association's specifications. When necessary to install tiered metering

on multifamily dwellings, it shall be permissible to vary the heights of the disconnecting means within 2 feet 6 inches to 6 feet 6 inches (762 mm to 2.0 m) above finished grade.

504.2.1 Meter Disconnect/Service Disconnect. Where approved, in existing spaces or configurations where there is insufficient space to provide the additional disconnect, the service disconnect and the meter disconnect may be permitted to be the same.

504.3 Grounding Electrode System. All grounding electrodes as described in the *National Electrical Code*, ~~2011~~ 2014 Edition, Section 250.52(A)(1) through (A)(6), that are present at each building or structure served shall be bonded together to form the grounding electrode system. Grounding electrodes as described in the *National Electrical Code*, ~~2011~~ 2014 Edition, Sections 250.52 (A)(1), (A)(2), (A)(3), and (A)(7), shall be supplemented with a rod electrode as described in Section 250.52 (A)(5)(b). Where no other grounding electrode is present a rod electrode shall be permitted to be the sole grounding electrode.

> **EXCEPTION:** Concrete-encased electrodes of existing buildings or structures shall not be required to be part of the grounding electrode system where the steel reinforcing bars or rods are not accessible for use without disturbing the concrete.

504.4 Multi-tenant services. In structures designed for multiple tenants, where additional services are likely, a buss conductor service cable tap box shall be required. The service cable tap box shall be weatherproof and comply with the following:

1. The service cable tap box shall be lockable with provisions to accept the utility locks.
2. Covers shall be fastened with machine screws or bolts. Hinged covers shall not be permitted.
3. Covers shall have two handles for cover removal.
4. Busbars shall be protected from physical damage and held firmly in place.
5. Busbars shall be sized to physically accommodate the maximum number of tenant services anticipated and predrilled.
6. Busbars shall be stepped.
7. The phase arrangement on 3-phase horizontal common power and vertical buses shall be A, B, C from front to back, top to bottom, or left to right, as viewed from the front of the service cable tap box. The B phase shall be that phase having the higher voltage to ground on 3-phase, 4-wire, delta-connected systems. The phases shall be permanently marked.
8. The bottom of the service cable tap box shall be a minimum of 6 inches above finished grade.
9. The service cable tap box shall be in compliance with Utility Service Standards.

   ~~a.~~ **EXCEPTION:** Residential Occupancies.

10. All other requirements of the Uutility provider.

SECTION 505—NONMETALLIC SHEATHED CABLE

505.1 ~~Temporary~~ Approved installations. Nonmetallic sheathed cable shall be permitted for temporary installations in addition to those allowed by Article 334.

SECTION 506—CONDUIT

Electrical metallic tubing (EMT) shall not be buried in ground or embedded in concrete supported by earth. Flexible or pliable raceways shall be used only for temporary work, branch circuits, and for permanent connections to vibrating, rotating and movable equipment and fixtures.

SECTION 507—TEMPORARY SAW POLES

Temporary saw poles shall be constructed of weatherproof electrical materials consisting of a minimum of 60-ampere switch or circuit breaker panel and grounded receptacle mounted on at least a solid 4-inch by 4-inch (102 mm by 102 mm) timber or equivalent wood structure. Service conductors shall be 6 AWG or larger installed in conduit.

SECTION 508—ELECTRICAL MATERIAL AND EQUIPMENT

No electrical materials, apparatus, devices, appliances, fixtures, or equipment shall be sold or installed in the city unless they are in conformance with the provisions of this code, the laws of the State of Texas and any applicable rules and regulations issued under the authority of the state statutes.

The maker's name, trademark, or other identification symbol shall be placed on all electrical materials, apparatus, devices, appliances, fixtures, and equipment used or installed under the provisions of this code.

All electrical materials and equipment shall be listed and labeled for intended use and shall be included in a list published by an approved agency.

EXCEPTION: Proton therapy equipment, when in its experimental stage.

SECTION 509—ELECTRICAL FENCES

This code does not regulate electrically charged fences installed in accordance with Section 28-10 of the *City Code*.

SECTION 510—LOCATION

510.1 Except as otherwise provided in this Code, no electrical system, or part thereof, shall be located in any lot other than the lot that is the site of the building, structure, or premises served by such facilities unless the electrical system, or part thereof, is located in an easement.

SECTION 511—TAMPER RESISTANT RECEPTACLES

511.1 When tamper-resistant receptacles are required by this code, they will not be required when the building is wired with aluminum wiring.

SECTION 512 – SWIMMING POOLS

512.1 Swimming pools. Equipment or lighting over 50 volts shall not be installed in newly constructed swimming pools.

SECTION 513—FULL CUTOFF FIXTURES

513.1 For purposes of this section, abutting development shall have the definition ascribed to it by Section 42-1 of the *City Code*. Full cutoff fixtures as defined in the Building Code shall be required for any wall mounted outdoor fixtures installed on an abutting development installed within 30 feet of an abutting single-family residential property. All pole mounted fixtures installed on an abutting development within 30 feet of an abutting single-family residential property shall be full cutoff fixtures with house side shields.

SECTION ~~512~~ 514—ARTICLES NOT ADOPTED

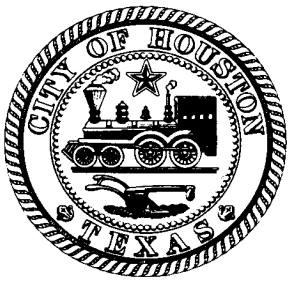
~~**512.1**~~ **514.1** The following provisions of the *National Electrical Code, ~~2011~~ 2014 Edition* are not adopted.

1. Sections 210.12(A)(2), (3), (4). ~~Exceptions 1 and 2 and Section 210.12 (B) regarding AFCI protection~~;
2. Section 240.91(B), regarding protection of conductors;
3. Section 312.5(c), regarding where cables are secured (exceptions to 312.5 are to remain); and
4. ~~Section 406.4 (D)(4) regarding receptacle replacement; and~~
5. ~~—~~Section 645.25 regarding engineering supervision.

Exhibit A-1

CITY OF HOUSTON

ELECTRICAL CODE



2014 ADMINISTRATIVE CODE PROVISIONS for the NATIONAL ELECTRICAL CODE

Adopted by Ord. No. 2014-

Effective September 1, 2014

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Chapter 1
TITLE AND GENERAL

SECTION 101—TITLE

These regulations shall be known as the *City of Houston Electrical Code*, may be cited as such and will be referred to herein as "this code." This code shall be considered as a part of the *City of Houston Construction Code.*

The *City of Houston Construction Code* collectively includes this volume and certain other codes, pamphlets, specifications and documents that are adopted in or by reference through the Adopting Ordinance, which appears in the preamble of the *Building Code*.

All electrical licensing requirements shall be in accordance with this code or the Texas Electrical Safety and Licensing Act (*Texas Occupations Code*, Chapter 1305) and the Administrative Rules of the Texas Department of Licensing and Regulation, 16 *Texas Administrative Code*, Chapter 73.

SECTION 102—APPLICATION TO EXISTING ELECTRICAL SYSTEMS AND EQUIPMENT

102.1 Additions, Alterations or Repairs. Additions, alterations or repairs may be made to any electrical system and equipment without requiring the existing electrical system and equipment to comply with all the requirements of this code, provided the additions, alterations or repairs conform to that required for a new electrical system and equipment and provided further that no hazard to life, health or safety will be created by the additions, alterations or repairs.

Minor additions, alterations and repairs to existing electrical systems and equipment may be made in accordance with the law in effect at the time the original installation was made, when approved by the building official, if it is found that no hazard to life, health or safety will be created by the additions, alterations or repairs.

102.2 Existing Installations. Electrical systems and equipment lawfully in existence at the time of the adoption of this code may have their use, maintenance and repair continued if the use, maintenance and repair is in accordance with the original design and no hazard to life, health or property has been created by the electrical system and equipment.

102.3 Changes in Building Occupancy. Electrical systems and equipment that are part of any building or structure undergoing a change in use or occupancy, as defined in the *Building Code*, shall comply with all requirements of this code that may be applicable to the new use or occupancy.

102.4 Maintenance. All electrical systems and equipment, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards that are required by this code shall be maintained in conformance with this code. The owner shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the building official may cause any electrical system to be reinspected whenever there is reason to believe that the system is not being maintained in accordance with this section.

102.5 Moved Building. Electrical systems and equipment that are a part of buildings or structures moved into or within the city shall comply with the provisions of this code for new installations.

SECTION 103—DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context in which they are used. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

APPRENTICE ELECTRICIAN is a person undertaking "electrical work," as defined in this code, under the direct, personal supervision and control of either a licensed master electrician, line master electrician, sign master electrician, journeyman electrician, journeyman lineman, sign journeyman electrician, residential journeyman electrician or maintenance electrician.

APPROVED, as to materials, equipment and method of construction, refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities or technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official after he or she finds that the agency provides reliable testing or inspection services.

BUILDING is a structure that stands alone or is cut off from adjoining structures by fire walls or one -hour fire barriers with all openings therein protected by approved fire-resistance rated assemblies.

BUILDING CODE is the *City of Houston Building Code.*

BUILDING OFFICIAL is the jurisdiction's Director of Public Works and Engineering, or a duly authorized representative.

CITY is the City of Houston, being the jurisdiction that has adopted this code.

CITY CODE is the *Code of Ordinances, Houston, Texas.*

CONTRACTOR is a person, firm or corporation engaged in the business of performing electrical maintenance work, electrical work, outside electrical work, residential electrical work or sign electrical work.

ELECTRICAL DIVISION is the Electrical Division of the city's Public Works and Engineering Department.

ELECTRICAL DIVISION MANAGER is the person designated by the building official to be the Electrical Division Manager.

ELECTRICAL MAINTENANCE WORK is the repair or replacement of fixed motors, transformers, devices or fixed appliances of the same type and rating in the same location. The term does not include the installation of additional electrical work, electrical equipment or electrical apparatus.

EXISTING PERMIT is a permit that is not finaled.

ELECTRICAL WORK is the installing, maintaining, altering, repairing or erecting of any wiring apparatus, devices, appliances, fixtures or equipment under the terms and provisions of this code, except poles and guy anchors installed by a telephone, telegraph, signal and/or electric utility company as a part of its distribution system.

FIREWALL, for the purposes of this code, shall mean a minimum one hour fire barrier as defined in the *Building Code*.

JOURNEYMAN ELECTRICIAN is a person undertaking "electrical work," as defined in this code, under the supervision, direction and control of a licensed master electrician.

JOURNEYMAN LINEMAN is a person undertaking "outside electrical work," as defined in this code, under the supervision, direction and control of a licensed master or line master electrician.

LINE MASTER ELECTRICIAN is a person who is the holder of a line master electrician license issued under Chapter 4 of this code.

LINE MASTER ELECTRICIAN OF RECORD is a line master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

LISTED and **LISTING** are terms referring to equipment and materials that are shown in a list published by an approved agency, which listing states that the equipment complies with recognized safety standards.

MAINTENANCE ELECTRICIAN is a person who is the holder of a maintenance electrician license issued under Chapter 4 of this code.

MASTER ELECTRICIAN is a person who is the holder of a master electrician license.

MASTER ELECTRICIAN OF RECORD is a master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

MULTIPLE OCCUPANCY BUILDING is a building that has more than one tenant regardless of whether the tenants' uses are of the same or different occupancy classifications or use groups as classified by the *Building Code*.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

OUTSIDE ELECTRICAL WORK is the assembly, maintenance, installation and erection of all electrical equipment and appurtenances that are part of an outside distribution system generally located outside of any building. Work performed under this term shall include, but not be limited to, the installation, repair or maintenance of substations, street lighting, pole lines, underground duct banks, electrical decorations, traffic signals and parking lot lighting.

POOL is an outdoor or indoor structure intended for swimming or recreational bathing, including an inground structure, aboveground structure, hot tub, spa, portable spa, or non-portable wading pool.

POOL-RELATED ELECTRICAL DEVICE is equipment for a pool that:

(a) Is installed as a unit;
(b) Is directly connected to an electrical circuit; and
(c) Performs a specific function.

POOL-RELATED ELECTRICAL MAINTENANCE is electrical work that is limited to the connection or disconnection of a pool-related electrical device to an existing electrical circuit other than by inserting or removing a plug from an electrical outlet.

POTENTIAL IMMINENT HAZARD is a condition or a combination of several different conditions regulated by the City of Houston Construction Code, within or on the property, that are more likely than not to pose a hazard to the occupants or integrity of the structure, as determined by the Building Official.

PERSON is an individual, partnership, corporation or other legal entity.

RESIDENTIAL APPLIANCE is equipment, including a pool-related electrical device, that is installed as a unit in a single family or multifamily dwelling that does not exceed four stories, is directly connected to an electrical circuit, and performs a specific function.

RESIDENTIAL APPLIANCE INSTALLATION is electrical work that is limited to the connection or disconnection of a residential appliance, including a pool-related electrical device, to an existing electrical circuit other than by inserting or removing a plug from an electrical outlet.

RESIDENTIAL APPLIANCE INSTALLATION CONTRACTING is the business of residential appliance installation, including pool-related electrical maintenance.

RESIDENTIAL APPLIANCE INSTALLATION CONTRACTOR is a business entity, other than an electrical contractor or electrical sign contractor, that is engaged in residential appliance installation contracting, including pool-related electrical maintenance.

RESIDENTIAL APPLIANCE INSTALLER is a person, other than a licensed electrician, who is licensed to perform residential appliance installation, including pool-related electrical maintenance.

RESIDENTIAL ELECTRICAL WORK is the installation, maintenance, alteration, repair or erection of any wiring apparatus, devices, appliances, fixtures or equipment that by ordinance can be wired with nonmetallic sheathed cable. This work will be limited to single family or multifamily dwellings (and their accessory structures) of wood frame construction not exceeding four stories.

RESIDENTIAL WIREMAN (RESIDENTIAL JOURNEYMAN ELECTRICIAN) is a person undertaking "residential electrical work" as defined in this code, under the supervision, direction and control of a licensed master electrician.

SERVICE CABLE TAP BOX is an enclosure designed with busbars for the purpose of terminating service conductors from the electric utility point of supply and terminating service conductors to individual tenant services.

SIGN ELECTRICAL WORK is the manufacture or installation, or both, of electric signs, conductors and equipment for signs, outline lighting, and inside lighting with high-voltage gas tubes as defined in the *National Electrical Code*.

SIGN JOURNEYMAN ELECTRICIAN is a person undertaking "sign electrical work," as defined in this code, under the supervision, direction and control of a licensed master or sign master electrician.

SIGN MASTER ELECTRICIAN is a person who is the holder of a sign master electrician license issued under Chapter 4 of this code.

SIGN MASTER ELECTRICIAN OF RECORD is a sign master electrician who is engaged in a master-contractor relationship, as provided by Chapter 4 of this code.

STATE ELECTRICAL LICENSE is a license issued or recognized by the Texas Electrical Safety and Licensing Act (*Texas Occupations Code*, Chapter 1305).

TDLR is the Texas Department of Licensing and Regulation.

SECTION 104—CONFLICTING PROVISIONS

Where, in any specific case, different sections of the *City Code*, the *Building Code*, the *City of Houston Mechanical Code*, the *City of Houston Plumbing Code*, the *Residential Code for One- and Two-Family Dwellings of the City of Houston*, the *City of Houston Commercial Energy Conservation Code*, the *City of Houston Residential Energy Conservation Code*, the *City of Houston Fire Code* and this code specify different materials, methods of construction or other requirements, the most restrictive shall

govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

In any case where the City of Houston Electrical Code differs from the National Electrical Code, the City of Houston Electrical Code shall apply.

SECTION 105—ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION

The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided an alternate has been approved and its use authorized by the building official. The building official shall approve an alternate, provided he or she finds that the proposed design is satisfactory and complies with the provisions of this code and that the materials, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability and safety.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the use of alternates. The details of any action granting approval of an alternate shall be recorded and entered in the files of the building official.

SECTION 106—MODIFICATIONS

Whenever there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases upon determining that: (1) a special individual reason makes the strict letter of this code technically impractical; (2) the modification is in conformity with the intent and purpose of this code; and (3) the modification does not lessen health, life safety and fire safety requirements. The details of actions granting modifications shall be recorded and entered in the files of the building official.

SECTION 107—TESTS

Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that materials or construction do not conform to the requirements of this code, the building official may require tests as evidence of compliance to be made at no expense to the city.

Test methods shall be as specified by this code or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures that are reasonably reliable and designate the use thereof.

All tests shall be made by an approved agency. Reports of tests shall be retained by the building official for the period required for the retention of public records.

SECTION 108—HEARING PROCEDURES

108.1 Hearing Notices. Whenever notice is to be given to any person concerning the right to a hearing, the notice may be given by personal delivery or by certified mail, return receipt requested.

If the notice relates to work being performed under a permit issued under this code, then the notice shall be given to the master electrician, line master electrician or sign master electrician who obtained the permit, as well as the contractor and the owner of the building.

If notice is being given to a building owner or to a tenant therein, and the building official is unable to determine the name or address of the person after checking the building and the applicable records of the

Public Works and Engineering Department, the records of the County Appraisal District, and the records of the electrical utility company, notice shall be mailed to the billing address of the building as shown on the records of the electrical utility company and shall be posted on or in view of each entrance to the building. Additionally, if any notice is mailed to a building owner or a building tenant and is returned without delivery, notice shall be effective if posted on or in view of each entrance to the building.

108.2 Hearings. Except where otherwise specifically provided, all hearings held pursuant to this code shall be conducted by the director of Public Works and Engineering or a representative, who shall hereinafter be referred to as the hearing official. The director shall not designate any person to be a hearing official under this code who has taken any part in the investigation of the matter that is the subject of the hearing, nor any person who directly supervised the investigation. The hearing official shall consider only the evidence presented at the hearing in rendering a decision. The decision of the hearing official shall be set forth in writing and shall be served on each party in the same manner as a notice of a right to a hearing.

SECTION 109—PENALTIES

Any person who violates or causes a violation of any provision of this code shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than $2,000.00 nor less than $400.00 unless otherwise specified herein; provided, however, if a person is convicted of any offense under this code that is also a violation of the penal laws of the State of Texas, the person shall be subject to the penalties set out in the penal laws of Texas for the offense. Each day that any violation continues shall constitute and be punishable as a separate offense.

Chapter 2
ORGANIZATION AND ENFORCEMENT

SECTION 201—POWERS AND DUTIES

201.1 General. The building official is hereby authorized and directed to enforce all provisions of this code.

201.2 Deputies. In accordance with procedures prescribed by law, the building official may appoint technical officers and inspectors and such other employees as shall be authorized from time to time.

201.3 Right of Entry. When it is necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this code that makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at all reasonable times to inspect the same or to perform any duty imposed on the building official by this code, provided that if the building or premises is occupied, the building official shall first present proper credentials and request entry. If entry is refused, the building official or an authorized representative shall have recourse to every remedy provided by law to secure entry.

When, due to emergency, immediate entry is necessary to protect life or property, or when the building official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

201.4 Stop Order. Whenever any work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing the work to be done, and the persons shall forthwith stop the work until authorized by the building official to proceed with the work. At the time a stop order is issued, the person doing the work and the permit holder shall be given notice of a right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be held within three business days unless the permit holder or the person doing the work requests an extension of time.

A stop order shall remain in effect pending any hearing that has been requested, unless the stop order is withdrawn by the building official.

201.5 Authority to Disconnect Utilities in Emergencies. The building official shall have the authority to have the utility company disconnect any electric power or energy service supplied to a building or any electrical system or equipment regulated by this code in case of emergency when necessary to eliminate potential imminent hazard to life or property. The building official shall, whenever possible, notify the serving utility and the owner and occupant of the building (or user of the electrical system or equipment if the owner is not located in a building) of the decision prior to the disconnection and shall notify those persons in writing of the disconnection immediately thereafter. The notice shall also inform the owner and occupant of the building (or the user if the electrical system or equipment is not within a building) of a right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be conducted within three business days unless the owner requests an extension of time.

201.6 Authority to Condemn Electrical System and Equipment. Whenever the building official ascertains that any electrical system or equipment regulated by this code has become hazardous to life, health or property, the building official may order in writing that the electrical system or equipment be either removed or restored to a safe condition, as appropriate. The written notice itself shall fix a time limit for compliance with the order and shall inform the owner and the occupant of the right to a hearing

pursuant to Section 108 of this code. No person shall use or maintain any defective electrical system or equipment after receiving a notice.

When equipment or installation is to be disconnected, a written notice of the disconnection and causes therefor shall be given within 24 hours to the serving utility and to the owner and occupant of the building, structure or premises. The notice shall inform the owner and occupant of the right to a hearing pursuant to Section 108 of this code. Upon request, a hearing shall be conducted within three business days unless the owner requests an extension.

When any electrical system or equipment is maintained in violation of this code, and in violation of a notice issued pursuant to this section, the building official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

201.7 Connection after Order to Disconnect. No person shall either make connections from any energy source or power supply or supply power to any electrical system or equipment that has been disconnected or ordered to be discontinued by the building official, until the building official authorizes the reconnection and use of the electrical system or equipment.

201.8 Liability. Except as otherwise provided by law, the building official shall not personally be liable in damages for any act or omission arising out of any official action taken to implement and enforce the provisions of this code. Additionally, except as otherwise provided by law, the building official shall not personally be liable in damages for any action or omission taken in the course and scope of employment. Where and to the extent consistent with the provisions of Article X of Chapter 2 of the *City Code*, the city shall provide legal representation and indemnification for any suit brought against the building official or other employees because of acts or omissions performed in the enforcement of this code.

201.9 Cooperation of Other Officials and Officers. The building official may request, and shall receive so far as is required in the discharge of their duties, the assistance and cooperation of other officials of the city.

SECTION 202—UNSAFE ELECTRICAL SYSTEMS OR EQUIPMENT

All electrical systems or equipment regulated by this code that are unsafe, or that constitute a fire hazard, have sustained disaster damage or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of electrical systems or equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment is, for the purpose of this section, an unsafe use.

All unsafe electrical systems or equipment shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth by law for the abatement of dangerous buildings. As an alternative, the building official or another employee or official of the city as designated by the governing body may institute any other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 203—ELECTRICAL BOARD

203.1 Electrical Board Composition. There is hereby created an Electrical Board consisting of 11 members. Position Nos. 1 through 10 shall be filled by persons appointed by the mayor and confirmed by the City Council. Each of the 11 positions of the board shall be numbered. The mayor shall designate a member to be chairman.

Position Nos. 1, 2, 3 and 4 shall be filled by duly licensed master electricians.

Position No. 5 shall be filled by an electrical engineer in the employ of an electric utility company operating under a city franchise.

Position Nos. 6 and 7 shall be filled by consulting or practicing engineers who are directly connected with the electrical construction industry and are licensed professional engineers of the State of Texas.

Position Nos. 8, 9 and 10 shall be filled by representatives from the city at large.

Position No. 11 shall be filled by the Electrical Division Manager, who shall serve as secretary of the Electrical Board. The Electrical Division Manager, from time to time, may designate, in writing, a member of the city's Electrical Inspection Section to act as his or her duly authorized representative. The representative shall be entitled to all rights and privileges of the position. A copy of the designation, specifying the dates the person shall act as representative of the Electrical Division Manager shall be filed with the minutes of the Board.

203.2 Eligibility of Board Members. A person who meets the qualifications for the positions set forth in Section 203.1 shall not be disqualified from serving on the Board or from performing any duties of board membership because the person is employed by the IBEW, IEC, NECA or any other labor or trade organization that provides or sponsors electrician training. The provisions of this section shall be regarded as an exception to Section 18-3 of the *City Code*.

203.3 Compensation and Terms. Each member of the Board shall receive $50 per diem for services while attending meetings of the Board. A member of the board who is employed by the city shall be paid only for those meetings he or she attends that are neither held during, nor continue beyond, regular working hours.

The terms of office for appointees to Position Nos. 1, 3, 5, 7 and 9 shall expire on the 2nd day of January of odd-numbered years, and the terms of office for appointees to Position Nos. 2, 4, 6, 8 and 10 shall expire on the 2nd day of January of even-numbered years. However, each member shall continue in office until a successor has been appointed and qualified. The adoption of this code shall not terminate the term of office of any person currently serving on the Board. Any person who is currently serving on the Board shall continue to serve in the position for which he or she was appointed and confirmed until a successor is appointed and qualified.

203.4 Methods of Transacting Business. Half of the members then serving on the Board present at any meeting shall constitute a quorum for the transaction of any business of the Board. A majority vote of the members present at any meeting at which a quorum is present shall prevail.

203.5 Legal Counsel. Any board meeting and hearing shall be attended by an attorney from the city's legal staff when requested by the Board. The attorney's sole duty shall be to advise the Board members of legal matters that may arise.

203.6 Duties of the Board. The duties and responsibilities of the Board shall include the following:

1. Hear all cases involving revocation of a license or registration.

2. Conduct those hearings and appeals that are provided in this code to be conducted by the Electrical Board.

3. Hear appeals from decisions of the building official concerning interpretation of this code and the use of alternate materials and wiring methods; provided, however, the Board shall not have jurisdiction to hear any matter that is the subject of any case pending before the municipal courts.

203.7 Appeals to Electrical Board. Any interested person dissatisfied with a decision of the building official concerning interpretations of this code or the use of alternate materials and wiring methods shall have the right to appeal to the Board pursuant to the following procedures. Petitions for hearings before the Board shall be in writing and filed with the secretary of the Board. A hearing on the matter shall be

held by the Board within 30 calendar days of the date the petition was filed. The Board shall affirm, modify or reverse the action or decision of the building official and shall render all decisions and findings in writing to the building official who shall cause a duplicate copy to be mailed to the appellant.

Any interested person aggrieved and affected by a decision of the Board may appeal to the City Council by delivering a written notice of appeal to the City Secretary within 10 calendar days from the date of deposit of the decision of the Board in the mail. Appeals are subject to and shall be made as provided by City Council Rule 12. See Section 2-2 of the *City Code*.

SECTION 204—FAILURE TO CORRECT WORK

If any electrical contractor, master electrician, line master electrician or sign master electrician fails to correct any defect, error or deficiency in any of his or her work installed under the authority of an electrical permit within 10 calendar days after written notification thereof, the building official may serve the master and contractor with notice that a hearing will be held by the Electrical Board at which time the building official will seek either the suspension or revocation of the contractor's and master's licenses. In the notice, the building official shall specify the grounds on which he or she will rely in seeking the suspension or revocation of the licenses. This section shall be cumulative of all other remedies provided for under the laws of the State of Texas and ordinances of the city and may be applied in addition to prosecution for any applicable crimes committed.

SECTION 205—TAMPERING

It shall be unlawful for any person to bridge, tamper with or change from its original installation, any fuse of any type installed in any panelboard, main switch or switchboard, or to alter or change any circuit breaker so that the fuse or circuit breaker will not function properly. It is a defense to prosecution under this section that the work was done upon previous approval of the building official.

SECTION 206—DISPLAY OF LICENSE

A contractor shall display the contractor's business name and the number of the license issued by the state or the city on each vehicle owned or operated by the contractor.

The information required to be displayed must be:

1. Printed in letters and numbers that are at least two inches high and 3/8 inches in width and in a color that contrasts with the color of the background surface; and

2. Permanently affixed in conspicuous places on both sides of the vehicle.

Chapter 3
PERMITS AND INSPECTIONS

SECTION 301—PERMITS

301.1 Permits Required. It shall be unlawful for any person to install, alter, repair, replace or remodel any electrical system or equipment regulated by this code, except as specified in Section 301.2, or cause the same to be done, unless the person has a current permit for the work or is working under the supervision of a person who has a permit.

301.2 Exempt Work. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances.

An electrical permit shall not be required for the following:

1. Motors, office furnishings (as defined by NFPA 70, Article 605) or other appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when the cord or cable is permitted by this code. Note: This exception does not apply to manufactured wiring systems as defined in NFPA 70, Article 604.

2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

3. Temporary decorative lighting, which shall not be in place more than 90 calendar days.

4. Repair or replacement of current-carrying parts of a switch, contactor or control device.

5. Reinstallation of attachment plug receptacles, but not the outlets therefor.

6. Repair or replacement of any overcurrent device of the same capacity in the same location.

7. Installation of temporary wiring, apparatus, devices, appliances or equipment used by a recognized electrical training school or college for the purpose of training, which installation shall not be in place more than 90 calendar days.

8. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 50 volts and not capable of supplying or controlling more than 50 watts of power.

9. Sound equipment, private or public telephone system, thermostat wiring or burglar alarm system, provided, however, a permit shall be required to wire any such system to the source of electricity.

10. Installation and maintenance of railway crossing signal devices, when performed by due authority of the railroad in accordance with the standards of the American Railroad Association, and in collaboration with and with the approval of the Director of the Department of Public Works and Engineering of the city.

11. The installation, maintenance or alteration of electrical wiring, apparatus, devices, appliances or equipment to be installed by an electric utility company for its own use in the generation, transmission, distribution, sale or utilization of electrical energy. However, no electric utility company shall do any wiring on a customer's premises other than wiring that is a part of the company's distribution system, which shall be construed to include metering equipment, wherever located, and transformer vaults in which the company's transformers are located; nor shall any of its employees do any work other than that done for said company as provided for herein by virtue of this exception.

12. Erection, assembly, installation, repair, maintenance or servicing of elevator equipment, X-ray equipment, proton therapy equipment, and medical electronic equipment, other than for the power wiring

connection of the first component, provided that the components of the equipment can be rendered safe from fire and shock hazards during operation by disconnection from electrical power sources.

13. Removal of electrical wiring.

301.3 Franchised Work. Except as otherwise provided by law, no person or electric utility company that does not operate under a franchise granted by the city shall have the right to install any electrical conduit, wires, ducts, poles or equipment of any character for the transmission, distribution or utilization of electric energy, or for the operation of signals or the transmission of intelligence on, over or under the streets in the city, without first obtaining from the City Council a franchise right or grant for the particular installation so desired to be made, and any installation so made under a franchise or grant shall be in strict conformity with all rules, regulations and ordinances of the city pertaining thereto. Compliance with this provision shall not be construed to excuse compliance with any other provision of the ordinances of the city.

301.4 Annual Maintenance Permit. Upon making written application and payment of all applicable fees, a person having ownership or control over property may obtain an annual maintenance permit for the keeping in safe repair of any and all electrical maintenance work as defined by this code on existing electrical installations, apparatus and equipment in the building and on the property on which the building is located if the applicant employs a person as a full-time employee who will actually perform the electrical maintenance work. A "full-time employee" shall mean an employee who works for the maintenance permit holder at least 36 hours per week. A permit for maintenance electrical work shall be valid for only one premises.

The fee for an annual maintenance permit specified in the city fee schedule shall be paid to the building official. An annual maintenance permit shall expire on September 30th of each year.

301.4.1 Maintenance Records. Each time that an electrical maintenance employee working under an annual maintenance permit performs electrical maintenance work, the employee shall make a record of the work. The records shall be maintained in a location agreed upon by the owner and the building official and made available upon request for inspection and copying by the building official and must be held on file for at least two years. These records shall contain the following information:

1. Name and address where work is performed.
2. Name of owner.
3. Date.
4. General nature of work performed.

301.5 Permits Issued to Licensed Contractor. No permit shall be issued under any master electrician license or registration unless the master electrician is in compliance with the requirements of Section 403 of this code or is employed by an electrical contractor who is in compliance with that section.

SECTION 302—ELECTRICAL PERMITS

302.1 Application. To obtain an electrical permit, the applicant shall first file an application on a form furnished by the Building Inspection Division for that purpose. Each application shall:

1. Identify and describe the work to be covered by the permit for which the application is made.

2. Describe the land on which the proposed work is to be done by the legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use or occupancy for which the proposed work is intended.

4. Be accompanied by plans, diagrams, computations and other data as required in Section 302.2.

5. Be signed or authorized electronically by the properly licensed master electrician, line master electrician or sign master electrician, as applicable.

6. Give such other data and information as may be required by the building official.

7. Identify the name of the electrical contractor who has contracted for the work.

A master electrician may apply for a permit for any electrical work. A line master electrician may apply only for a permit relating to outside electrical work. A sign master electrician may apply only for a permit relating to sign electrical work.

302.2 Plans and Specifications. Plans, calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The building official may require all plans, computations and specifications to be prepared by a master electrician of record and/or prepared and sealed by a professional engineer licensed in the State of Texas in compliance with The Texas Engineering Practice Act (*Texas Occupations Code*, Chapter 1001).

> **EXCEPTION:** The building official may waive the submission of plans, calculations, etc., if he determines that the nature of the work is such that review of plans is not necessary to obtain compliance with this code.

302.3 Information on Plans. Plans shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

SECTION 303—PERMIT ISSUANCE

303.1 Issuance. The application, plans and specifications and other data filed by an applicant for a permit shall be reviewed by the building official. The plans may be reviewed by other departments of the city to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that all applicable fees have been paid, the building official shall issue a permit therefor to the applicant.

When the building official issues a permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications "APPROVED." Approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the approved plans.

The building official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of the permit shall proceed at his or her own risk without assurance that the permit for the entire building, structure or building service will be granted.

303.2 Retention of Plans. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized by the permit is in progress. One set of approved plans, specifications and computations shall be retained by the building official until final approval of the work.

303.3 Validity of Permit. The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of

any other applicable law. No permit presuming to give authority to violate or cancel the provisions of law shall be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other applicable law.

303.4 Expiration. For purposes of this subsection, the determination of whether work has commenced under a permit or whether work has been abandoned under a permit shall be based upon whether the permit holder requests an inspection of the work performed under the permit by the building official. If work is not commenced under a permit within two years after the date of issuance or is abandoned at any time for a period of two years, the permit shall expire.

In order to recommence work under an expired permit, the permit holder shall pay the full permit fee applicable and submit plans that comply with this code for the previously uninspected portion of the work.

> **EXCEPTION:** The building official may, upon request, perform a final inspection of work for which the permit has expired or reactivate a permit for the purpose of issuing a certificate of occupancy or a certificate of compliance.

303.5 Validity. A permit shall be valid only for work done under the master electrician, line master electrician or sign master electrician who signed the application. A new permit must be obtained if the person who signed the application ceases to have a contractor-master relationship as stated in Section 403.6. The cost of the new permit shall be charged at no fee except for the administrative fee established in the city fee schedule. Applicants who fail to re-permit any applicable work within the timeframes established by this code shall be subject to permit fees in the amount stated in the City fee schedule.

303.6 Suspension or Revocation. The building official may, in writing, suspend or revoke a permit and may revoke approval of any plans issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or law. Any suspension or revocation shall be accompanied by notice of a right to a hearing as provided in Section 108 of this code. Upon written request, the hearing shall be afforded within three business days from receipt of the request.

SECTION 304—FEES

304.1 Permit Fees. The fee for each permit shall be as set forth in the city fee schedule.

Additions to existing work shall be charged for at the same rate as for new work. The moving and relocating of electrical equipment for which a permit inspection fee is not otherwise provided for in Section 117 of the *Building Code*, will be charged at the minimum fee.

304.2 Plan Review Fees. Where plans are lost or changed so as to require an additional plan review or when a plan review is required and there is no building permit is required, a plan review fee shall be charged at the rate provided for in the city fee schedule.

304.3 Expiration of Plan Review. Applications for which no permit is issued within 180 calendar days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 calendar days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action

from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans.

304.4 Investigation Fees: Work without a Permit.

1. **Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work.

2. **Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee, which is intended to cover additional costs associated with inspection of work commenced without a permit, shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued, subject to applicable minimum investigation fees stated in the city fee schedule. The payment of an investigation fee shall not exempt any person from compliance with all other provisions of this code or from any criminal penalty prescribed by law.

304.5 Fee Refunds.

1. The building official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected if the fee has been paid or collected because of an error made by one or more city employees. This provision shall not be applicable if the error was caused by incorrect information provided by the applicant.

2. The building official may authorize the refunding of not more than 90 percent of the amount in excess of the permit fee paid when no work has been done under a permit issued in accordance with this code. If work has been done under the permit, no refund may be authorized. The administrative fee established by the city fee schedule shall not be refundable.

3. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee no later than 180 calendar days after payment of the fee.

304.6 Registration Fees. The fee for each registration shall be as set forth in the city fee schedule.

304.7 License or Registration Suspension. When the building official has authorized work to begin prior to the issuance of a permit due to an emergency situation, any failure on the part of the contractor to pay all applicable permit fees within 20 calendar days of the date the building official has authorized the work to begin shall be grounds for the suspension of the contractor's and master's licenses or registrations. At least 10 calendar days prior to the suspension, the building official shall give the contractor and master notice of the date the licenses will be suspended if the fees are not paid and inform the contractor and master that they may have a hearing before the Electrical Board if either or both of them submit a written request therefor to the secretary of the Board at least three business days prior to the date the suspension will become effective. If the contractor and/or master timely requests a hearing, the suspension shall not become effective until the Board has heard the matter and rendered its decision as to whether all applicable permit fees have been paid. If the board finds that all applicable permit fees have not been paid, the contractor's and master's licenses or registrations shall be suspended until they have been paid. If the contractor's and master's licenses or registrations remain suspended for six months, the licenses or registrations shall automatically be revoked.

SECTION 305—INSPECTIONS

305.1 General. All electrical systems and equipment installed under provisions of this code shall be subject to inspection by the building official. No portion of any electrical system intended to be concealed shall be concealed until inspected and approved. Neither the building official nor the city shall be liable for expenses entailed in the removal or replacement of any material required to allow inspection.

When the installation of the electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the building official.

305.2 Operation of Electrical Equipment. The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The Building Inspection Division shall endeavor to inspect work within three working days following the receipt of a request. In any instance in which the inspection is not made within three working days, the requestor may submit a written notice of inspection request to the Electrical Division Manager who shall ensure that the inspection is completed by the end of the next city work day following receipt of the written request.

305.3 Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the building official that the work is ready for inspection.

305.4 Other Inspections. In addition to the called inspections required by this code, the building official may make or require other inspections of any work to ascertain compliance with the provisions of this code and other applicable laws. If a permit has not been issued for the work and city inspectors are refused permission to inspect, they may obtain a search warrant as authorized by law to make the inspections.

305.5 Moving and Relocating of Work. The moving and relocating of electrical equipment for which a permit inspection is required shall require the payment of a fee that, if not otherwise provided for in Section 117 of the *Building Code* or the city fee schedule, will be charged at the minimum fee.

305.6 Reinspections. A reinspection fee in the amount specified in the city fee schedule and established in Section 117 of the *Building Code* shall be assessed for each inspection or reinspection when the portion of work for which inspection is called is not complete or when corrections called for are not made.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

SECTION 306—CONNECTION APPROVAL

306.1 Energy Connections. Any electrical system or equipment regulated by this code shall not be connected to a source of energy or power until approved by the building official.

306.2 Temporary Connections. The building official may authorize the temporary connection, with proper permits, of electrical systems or equipment to a source of energy or power for the purpose of testing the equipment, or for use under a temporary certificate of occupancy.

> **EXCEPTION:** In an emergency situation where power is inadvertently interrupted, the Building Official may authorize a temporary connection, subject to later permitting and inspection.

No permit for temporary use shall be valid for a period longer than 90 calendar days. Except as otherwise provided below, at expiration of the authorized period, the building official shall issue written instructions to the electric utility company or other person having control of the supply of energy to the installation to disconnect service to the temporary installation, unless he or she has granted a permanent approval or an additional temporary approval. At least 10 calendar days prior to the proposed date of disconnection, the building official shall give written notice to the electric utility company or other person having control of the supply of power to the temporary installation and to the owner of the building, setting forth the date that the electricity will be disconnected unless permanent approval of the connection has been obtained or an additional permit for temporary use has been issued. The notice shall be posted on or in view of each principal entrance to the building for the information of all persons who occupy the

building. Any person affected by the proposed disconnection of electricity may request a hearing on the matter. The request shall be in writing and delivered to the office of the Electrical Division Manager at least three city work days prior to the proposed date of disconnection. If a hearing is requested, a hearing date shall be set by the building official, and the hearing shall be held prior to the disconnection of the electricity, unless the person asking for the hearing requests a delay in that hearing.

Chapter 4
LICENSING AND REGISTRATION REQUIREMENTS

SECTION 401—LICENSE OR REGISTRATION REQUIRED

401.1 General. There is hereby established a city licensing or registration requirement for contractors and for persons performing electrical maintenance work, electrical work, outside electrical work, residential electrical work and sign electrical work.

401.2 Required. It shall be unlawful for any person who does not hold a current and valid applicable city license or registration issued under this chapter or an applicable state electrical license to perform electrical work, electrical maintenance work, outside electrical work, residential electrical work or sign electrical work.

It shall be unlawful for any person to employ or utilize any person who does not hold a current and valid applicable city license or registration issued under this chapter or an applicable state electrical license to perform electrical work, electrical maintenance work, outside electrical work, residential electrical work or sign electrical work.

The city shall not issue new electrical licenses other than contractor licenses. A person who holds a current and valid city electrical license may renew such license as provided in this code.

A person who holds a current valid state electrical license is not *required* to hold a city registration, provided that a holder of a state electrical contractor license or a state electrical sign contractor license must hold a city registration to perform work as a contractor.

401.3 Contractors. Any licensed or registered electrical contractor may contract with another licensed or registered electrical contractor for electrical work. A licensed or registered electrician employed by the prime electrical contractor may have direct, personal supervision and control of the project.

401.4 Documentation. A holder of a state electrical license, a city license, or a city registration must carry such documentation on his or her person at all times while performing the work for which he or she is licensed or registered.

SECTION 402—LICENSES AND REGISTRATIONS

402.1 Applications. Applications for all licenses and registrations shall be made in writing to the Electrical Division, stating the name and address of the applicant, the applicant's appropriate state electrical license, if applicable, and such other relevant information as may be required by the Electrical Division.

Before a license or registration is issued under this code, the applicant must pay the fee required for the license or registration as set forth in the city fee schedule.

402.2 Duration of City License or Registration. Any city license issued under previous versions of the *City of Houston Electrical Code* prior to September 1, 2004, and valid as of such date, shall remain in effect until September 1, 2006, unless renewed for successive one-year terms. Any registration issued under this chapter shall expire on the expiration date of the registrant's state electrical license or upon suspension of such license.

402.3 License or Registration Issuance. Upon determining that an applicant meets all of this chapter's requirements for a license or registration, the Electrical Division shall issue the license or registration. No license or registration issued in accordance with the provisions of this chapter shall be assignable or

transferable. Any registration issued under this chapter shall expire on the expiration date of the registrant's state license or upon suspension of such license.

402.4 Revoked License or Registration. City licenses issued under previous versions of the *City of Houston Electrical Code* and licenses and registrations issued under this chapter may be revoked for any reason defined in this code, provided, however, if the Electrical Board finds that the public interest will be adequately protected by the issuance of a warning or by a suspension of the license or registration for a definite period of time not exceeding one year, it shall issue a warning or order a suspension. If a registration is revoked, the Electrical Board shall not accept an application from that person for a new registration for one year following the date of revocation. Notice shall be sent to TDLR of any disciplinary action taken by the Electrical Board against any master or contractor.

402.5 Revocation Reasons. Following 10 calendar days' notice by personal delivery or certified mail and after a hearing before the Electrical Board, at which the person may be accompanied by an attorney at law of their choice, the Electrical Board may revoke or suspend that person's license or registration for any of the following reasons:

1. Fraud or misrepresentation in obtaining a city license, registration, or permit.

2. Violating on more than one occasion, either willfully or maliciously, or by reason of incompetence, any provision of this code.

3. Defrauding of any person for whom a service has been rendered, or contracted to be rendered.

4. Securing a permit for electrical work not actually performed by the master electrician, line master electrician, or sign master electrician ("master") or by licensed employees under the master's control, supervision, direction and responsibility. (This is intended to prevent a master from securing a permit for the purpose of evading the spirit and intent of this code by entering into any simulated scheme, transaction or device whereby electrical work will be done by persons who are not employees of the master or employees of the master's employer.)

5. Securing a permit under any pretext for an installation concerning which the applicant has no valid contract. (This is intended to prevent a master electrician, line master electrician or sign master electrician from securing a permit for the purpose of evading the spirit and intent of this code by any simulated scheme, transaction or device, or performing electrical work without a valid permit.)

6. Performing any electrical work as defined herein for which no electrical permit has been obtained.

7. For failure of any master electrician, line master electrician or sign master electrician to provide full-time active participation and day-to-day management of all electricians performing work under all permits issued under his or her signature.

8. Acting as a master electrician, line master electrician or sign master electrician for more than one electrical contractor (including him- or herself if self employed) at one time, unless the master owns more than 50 percent of the electrical contracting business.

The Electrical Division may withhold the issuance of a registration to an applicant by the same process used for revocation or suspension as described above. In addition to constituting grounds for revocation or suspension of a license or registration, violation of any of Items 1-8 are declared to be unlawful. Criminal prosecution shall not preclude administrative action by the Electrical Division or Electrical Board and vice versa.

402.6 License or Registration Transfer. No master electrician, line master electrician or sign master electrician shall assign or in any way convey his or her city license or registration, use thereof or any rights thereunder to anyone by power of attorney or any other process or become involved in any type of agreement, assignment or use whereby he or she will not have supervision, direction, control or

responsibility for the electrical work for which an electrical permit has been obtained under his or her city license or registration.

402.7 City License. A person who holds a license issued pursuant to this code may renew his or her city license by paying the annual renewal fee provided in the city fee schedule.

SECTION 403—CONTRACTOR REGISTRATION OR LICENSE

403.1 General. No person shall undertake any work as a contractor unless that person has been registered with the city as a contractor or unless that person holds a current and valid city license as a contractor.

An applicant for a contractor registration must have a valid state license as an electrical contractor, an electrical sign contractor, or a residential appliance installation contractor.

403.2 Contractor's Responsibility. The licensed or registered contractor will be responsible for ensuring that all work performed under his or her license or registration is properly permitted, that all personnel working under his or her license are properly licensed or registered, and that all work is performed in accordance with this code.

403.3 Scope of License or Registration. In the event that the applicant is or has employed a line master electrician or a sign master electrician in lieu of a master electrician, the scope of the contractor license or registration will be restricted to that work for which the applicant or the master is licensed.

403.4 Contractor's Records. For purpose of enforcing this section, the building official may, during normal working hours, examine and make copies of contracts, employment records, and payroll records for the preceding 24 months. Should the contractor fail or refuse to make a full, true and accurate disclosure of these records, the building official may, after written notification by certified mail, withhold the issuance of electrical permits to that contractor and master electrician until there has been a full and accurate disclosure of the records. This provision shall be cumulative of all other remedies provided herein.

403.5 Termination of Master-Contractor Relationship. Upon the death or termination of the designated master electrician, sign master electrician or line master electrician, the contractor shall be permitted to continue operating under the master's license or registration for a period not to exceed 30 calendar days from the date of the termination of the relationship. When the relationship terminates, no additional permits will be granted until a new master is employed and all active permits under the terminated master-contractor relationship are repermitted.

403.6 Master-Contractor Relationship. The master and the contractor shall register with the Electrical Division. Upon termination of the master-contractor relationship, notice shall be given by the master or the contractor to the building official within five city work days. The termination of the master shall cause all permits taken out under the terminated master's license to be voided 30 calendar days after the date of termination. No additional permits will be granted until a new master is employed and all existing active permits under the previous master are repermitted. The master must play an active role in the business for which he or she is the registered master. This section in no way shall be construed as preventing the master from having other sources of income.

403.7 Contractor Business Location. To apply for a registration, an applicant must provide to the city a physical address (not a post office box).

403.8 Insurance. To apply for a city contractor's license, an applicant must provide evidence of the following to the Electrical Division :

1. That the applicant is a city licensed master electrician, line master electrician or sign master electrician or has such a person in his or her employment as a full-time employee.

2. That applicant is in compliance with Section 1305.159(a)(3) of the Texas Occupations Code regarding workers' compensation coverage.

SECTION 404—MASTER ELECTRICIAN

A master electrician may:

1. Perform all electrical work, including electrical work performed by a sign master electrician and a line master electrician.

2. Supervise an electrician.

3. Serve as a master electrician of record for a contractor.

SECTION 405—LINE MASTER ELECTRICIAN

405.1 A line master electrician may:

1. Perform outside electrical work as defined in this code.

2. Supervise an electrician performing outside electrical work.

3. Serve as a line master electrician of record for a contractor.

405.2 License. A line master electrician license shall authorize only outside electrical work. The line master electrician will otherwise be under the same rules, regulations, rights, privileges and duties imposed on or enjoyed by a master electrician.

SECTION 406—SIGN MASTER ELECTRICIAN

406.1 General. A sign master electrician may:

1. Perform sign electrical work.

2. Supervise an electrician performing sign electrical work.

3. Serve as a sign master electrician of record for a contractor.

406.2 License or Registration. Sign master electricians shall also comply with requirements as set out in the Sign Code, Chapter 46 of the *Building Code*. The sign master electrician license shall authorize only electrical sign work. The sign master electrician will otherwise be under the same rules, regulations, rights, privileges and duties imposed on or enjoyed by a master electrician.

406.3 Scope of Work. A sign master electrician shall be permitted to manufacture, install and do wiring that is required to connect the sign, outline lighting or inside lighting to an existing circuit or circuits that have been approved by the building official for connection of the specific load covered by the permit issued. Should the available circuit or circuits not be adequate for the specific sign and outline lighting load to be connected, then a contractor shall be employed by the owner or the owner's agent to install the necessary wiring required to provide the required capacity and circuits for the proposed signs and outline lighting. However, a sign master electrician shall be permitted to install the necessary service and circuits for an isolated sign and/or outline lighting installation.

406.4 Isolated Sign. For the purposes of this section, an isolated sign and/or outline lighting installation shall be defined as an installation in which neither the meter nor service supplying the installation or any

of the signs or outline lighting are mounted on or in any building or structure that is not a part of the signs or outline lighting.

406.5 Circuits. As applied in this section, signs or outline lighting on the exterior of a building must have the circuit or circuits available on the exterior of the building. Nothing herein is intended to limit or repeal the effect of the Sign Code, but shall be cumulative thereof.

406.6 Shop Inspection. All work performed and materials, apparatus, devices, appliances, fixtures or equipment used shall conform with the full requirements of this chapter. Any electric sign built within the city, that is not listed and labeled, for installation within the city shall have a shop inspection by the building official before the sign is shipped out of the shop. The shop inspection fee shall be separate from and shall be double that required for signs as specified in the *Building Code.* After approval by the building official, an inspector shall attach an approval label or stamp to the sign. Signs constructed outside the city, but erected within the city, shall be subject to the same rules and regulations as apply to signs constructed within the city, except that inspections shall be performed by an approved agency.

> **EXCEPTION:** When unlisted component parts are utilized to reconfigure or construct a sign, the licensed sign contractor will assume liability.

SECTION 407—JOURNEYMAN ELECTRICIAN

No person shall undertake any work as a journeyman electrician unless the person has received a city or state electrical license as a journeyman electrician.

SECTION 408—JOURNEYMAN LINEMAN

No person shall undertake any work as a journeyman lineman unless the person has received a state or city electrical license as a journeyman electrician or a journeyman lineman.

SECTION 409—SIGN JOURNEYMAN ELECTRICIAN

No person shall undertake any work as a sign journeyman electrician unless the person has received a state or city electrical license as a sign journeyman electrician or a journeyman electrician.

SECTION 410—RESIDENTIAL WIREMAN (RESIDENTIAL JOURNEYMAN ELECTRICIAN)

No person shall undertake any work as a residential wireman (residential journeyman electrician) unless the person has received a state or city electrical license as a residential wireman or a journeyman electrician.

SECTION 411—APPRENTICE ELECTRICIAN

411.1 General. No person shall undertake any work as an apprentice electrician unless the person has received a state or city electrical license as an apprentice electrician.

411.2 Work Performed. An apprentice electrician licensed under this section shall be permitted to perform work as an apprentice, an apprentice lineman, a sign apprentice electrician, residential apprentice and an apprentice maintenance electrician under the supervision of a master electrician, journeyman electrician, maintenance electrician, or a residential wireman.

SECTION 412—MAINTENANCE ELECTRICIAN

412.1 General. No person shall undertake work as a maintenance electrician unless the person has received a state or city electrical license as a maintenance electrician or a journeyman electrician.

412.2 Work Performed. A maintenance electrician licensed under this section shall be permitted to perform electrical maintenance work under the general supervision of a master electrician, on behalf of an electrical contractor.

412.3 Exempt work. A maintenance electrician license is not required if:

1. The work is performed by a person who does not engage in electrical work for the public;

2. The work is performed by a person regularly employed as a maintenance person or maintenance electrician for a business; and

3. The electrical work does not involve the installation of electrical equipment during new construction as defined by rules adopted under Chapter 151 of the *Texas Tax Code*.

SECTION 413—RESIDENTIAL APPLIANCE INSTALLER

413.1 General. No person shall undertake work as a residential appliance installer unless the person has received a state electrical license as a residential appliance installer or any other license recognized for such purpose in this code.

413.2 Work Performed. A residential appliance installer listed under this section shall be permitted to perform work defined as residential appliance installation.

SECTION 414—APPEALS FROM LICENSING DECISIONS OF ELECTRICAL BOARD

Any holder of a license or registration whose license or registration has been revoked, placed on probation, or suspended shall have the right of appeal to City Council as provided in Section 203.7 of this code. The City Council shall affirm, modify or reverse the action and/or decision of the Electrical Board. The action of the City Council shall be final. If no appeal is taken within the time and in the manner herein above provided, the ruling of the Electrical Board shall be final. The action of the Electrical Board shall be in effect during the appeal process before City Council and will remain in effect until modified or reversed by action of City Council on the appeal. The action of the Electrical Board shall remain in effect unless and/or until reversed or modified as provided for herein. In the event of suspension or revocation of licenses or registrations, the effective date will be 10 calendar days immediately following the action of the Electrical Board. A master whose license or registration has been suspended or revoked will not be issued any new permits after the action of the Electrical Board or during the 10 calendar day period following the action of the Electrical Board. All licenses and registrations shall be submitted to the secretary of the Electrical Board within 10 calendar days after the date of revocation or suspension.

SECTION 415—REGISTRATION FEES

To obtain a registration, an applicant shall pay the applicable registration fee as stated in the city fee schedule.

All fees shall be prorated for each month the license is to be in effect based on a 12 month period.

An administrative fee payable pursuant to Section 117 of the Building Code shall be charged upon the preparation of each fee or deposit receipt issued by the building official. This fee shall apply regardless

of whether the fee or deposit is payable pursuant to this code or the *City Code*. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit.

SECTION 416—LICENSE AND RENEWAL FEES

To obtain a contractor license or renew an existing city license the applicant shall pay the applicable city license fee set forth for this provision in the city fee schedule.

All fees shall be prorated for each month the license is to be in effect based on a 12 month period.

An administrative fee payable pursuant to Section 117 of the Building Code shall be charged upon the preparation of each fee or deposit receipt issued by the building official. This fee shall apply regardless of whether the fee or deposit is payable pursuant to this code or the *City Code*. This fee shall be in addition to all other applicable fees or deposits. When paid for a deposit or fee receipt, this fee shall neither constitute nor be refundable as a part of the deposit.

SECTION 417—CONTINUING EDUCATION FOR CITY LICENSE RENEWAL

417.1 General. Master, journeyman, ~~and~~ apprentice, and maintenance electricians shall annually complete a four hour code review course, approved by the state, based on the *National Electrical Code*.

EXCEPTION: Apprentice electricians in an approved apprenticeship training program.

Chapter 5
BUILDING STANDARDS

SECTION 501—WIRING SYSTEMS

501.1 General. Any type of wiring or wiring systems may be used in the city as approved in the *National Electrical Code* adopted in Section 502, except where specifically provided herein.

Refer to Section 403 of the *Building Code* for high-rise building requirements and to Chapter 46 of the *Building Code* for the Sign Code.

501.2 Electric Utility Company. All changes in the service standards and area practices that are promulgated by the electric utility company shall be submitted to the Electrical Board for review and comment at least 30 calendar days prior to enactment.

For the purposes of this code, the distribution system of any electric, telephone, telegraph, signal and/or electric utility company shall not extend to any electrical apparatus or equipment that the company does not own or control.

If a licensed or registered contractor needs access to metering and service equipment under control of an electric utility company to perform certain electrical work, the electric utility company must unlock and/or make accessible all metering and service equipment within four hours of the time the contractor requests the action, if possible. Licensed or registered contractors may access metering and service equipment.

SECTION 502—ADOPTED STANDARDS

The following codes, pamphlets and specifications are hereby adopted, authentic copies of which are filed with the City Secretary as part of this code, and shall govern and be observed and followed in all electrical wiring and in the construction, installation, repair, alteration, operation and maintenance of electrical wiring apparatus or fixtures:

(1) The *National Fire Protection Association Pamphlet No.* 70, *National Electrical Code,* 2014 Edition.

(2) The *2012 National Electrical Safety Code.* When the provisions of the *National Electrical Safety Code* and the *National Electrical Code* are in conflict, the *National Electrical Code* shall prevail.

In case of conflict between the provisions of the standards listed in the above paragraphs and the provisions of this code, the provisions of this code shall prevail.

SECTION 503—METERS

503.1 General. The meter cabinets and electrical metering equipment through which service is rendered by the electric utility company to domestic establishments and buildings combining domestic establishments with commercial or industrial usage shall be installed where readily accessible on the exterior of the building. Fireproof meter cabinets or meters sockets shall be approved by the electric utility company and installed by the master electrician performing the work, said meter cabinets to be located so the center of the opening of the meter dial shall not be less than 5 feet (1524 mm) nor more than 6 feet (1829 mm) above mean ground level so that the cabinet is readily accessible to the electric utility company for service. On apartment buildings, where space limitations will not permit placing all meters at the same height, they may be arranged in two tiers, with the openings for the meter dials in lower tiers as near as practicable to 5 feet (1524 mm) above the mean ground level and second tier placed

as near as practicable above the first. Where space limitations will not permit placing of meter cabinets as outlined above, the electric utility company, subject to the approval of the building official, may determine the arrangement to be used. All service outlets shall be located so as to permit placing the electric utility company's service wires on the wall of the building next to the supply. Locations may also be modified with the approval of the building official for occupancies intended primarily for handicapped persons.

503.2 Location of Meters. Meters will be located on a building so as to be accessible as determined by the electric utility company and may only be placed on the front or street side of the building with the written consent of the owners filed with the building official.

503.3 Relocation of Meters. Where meters are installed in inaccessible places in houses or buildings and the electric utility company desires to relocate said meter loops for convenience in the rendering of its service, it may, upon request to the building official, have a licensed or registered contractor reinstall meter loops to a point where the same would be located if the house or building were having a new system of wiring installed, and all the work done at the request of the electric utility company shall be performed without cost to the owner unless the location is the result of the wiring having been condemned by the building official for practices in violation of the provisions of this code or any applicable city ordinance.

503.4 Separate Meters. No permit, certificate or other authorization issued by the city under the provisions of this code for the construction or occupancy of a new apartment house or conversion to a condominium shall be issued unless the construction plan submitted by the applicant as part of the process for the approval of the permit, certificate or other authorization provides for individual electric metering by the utility company or submetering by the owner of each dwelling unit for the measurement of the quantity of electricity, if any, consumed by the occupants within that dwelling unit in accordance with the provisions of Chapter 184 of the *Texas Utilities Code* and regulations issued thereunder.

SECTION 504—SERVICES AND FEEDERS

504.1 General. All services, feeders, and underground branch circuits shall be installed in raceways, busways, or metal sheath cables approved by this code.

EXCEPTIONS:

1. Type SE multi-conductor cable having a bond wire and an insulated neutral wire will be permitted for feeders on wood-frame residential occupancies, provided the conductors have a disconnecting means and are protected by an approved current-limiting device. Each feeder shall be installed only in a location or in a manner that is not subject to mechanical damage and shall also be installed in accordance with other sections of this code and the *National Electrical Code*.
2. Aerial feeders.
3. Feeders in cable trays.

504.1.1 Available Fault Current Labeling. In lieu of the maximum available fault current marking as required by 110.24, a permanently affixed label shall be applied with the available fault current at the time of installation and calculation. The label shall be 2" x 3" in size and shall be blue lettering on a contrasting background. This label shall also include the date of the calculation.

504.2 Service Disconnect. Service disconnecting means shall be located so that the height to the center of the operating handle shall not be less than 4 feet (1219 mm) and not more than 6 feet 7 inches (2.0 m) above the floor of finish grade, except as installed in freestanding or building-type switchgear built to the National Electrical Manufacturers Association's specifications. When necessary to install tiered metering

on multifamily dwellings, it shall be permissible to vary the heights of the disconnecting means within 2 feet 6 inches to 6 feet 6 inches (762 mm to 2.0 m) above finished grade.

504.2.1 Meter Disconnect/Service Disconnect. Where approved, in existing spaces or configurations where there is insufficient space to provide the additional disconnect, the service disconnect and the meter disconnect may be permitted to be the same.

504.3 Grounding Electrode System. All grounding electrodes as described in the *National Electrical Code*, 2014 Edition, Section 250.52(A)(1) through (A)(6), that are present at each building or structure served shall be bonded together to form the grounding electrode system. Grounding electrodes as described in the *National Electrical Code*, 2014 Edition, Sections 250.52 (A)(1), (A)(2), (A)(3), and (A)(7), shall be supplemented with a rod electrode as described in Section 250.52 (A)(5)(b). Where no other grounding electrode is present a rod electrode shall be permitted to be the sole grounding electrode.

> **EXCEPTION:** Concrete-encased electrodes of existing buildings or structures shall not be required to be part of the grounding electrode system where the steel reinforcing bars or rods are not accessible for use without disturbing the concrete.

504.4 Multi-tenant services. In structures designed for multiple tenants, where additional services are likely, a buss conductor service cable tap box shall be required. The service cable tap box shall be weatherproof and comply with the following:

1. The service cable tap box shall be lockable with provisions to accept the utility locks.
2. Covers shall be fastened with machine screws or bolts. Hinged covers shall not be permitted.
3. Covers shall have two handles for cover removal.
4. Busbars shall be protected from physical damage and held firmly in place.
5. Busbars shall be sized to physically accommodate the maximum number of tenant services anticipated and predrilled.
6. Busbars shall be stepped.
7. The phase arrangement on 3-phase horizontal common power and vertical buses shall be A, B, C from front to back, top to bottom, or left to right, as viewed from the front of the service cable tap box. The B phase shall be that phase having the higher voltage to ground on 3-phase, 4-wire, delta-connected systems. The phases shall be permanently marked.
8. The bottom of the service cable tap box shall be a minimum of 6 inches above finished grade.
9. The service cable tap box shall be in compliance with Utility Service Standards.

   EXCEPTION: Residential Occupancies.
10. All other requirements of the utility provider.

SECTION 505—NONMETALLIC SHEATHED CABLE

505.1 Approved installations. Nonmetallic sheathed cable shall be permitted for temporary installations in addition to those allowed by Article 334.

SECTION 506—CONDUIT

Electrical metallic tubing (EMT) shall not be buried in ground or embedded in concrete supported by earth. Flexible or pliable raceways shall be used only for temporary work, branch circuits, and for permanent connections to vibrating, rotating and movable equipment and fixtures.

SECTION 507—TEMPORARY SAW POLES

Temporary saw poles shall be constructed of weatherproof electrical materials consisting of a minimum of 60-ampere switch or circuit breaker panel and grounded receptacle mounted on at least a solid 4-inch by 4-inch (102 mm by 102 mm) timber or equivalent wood structure. Service conductors shall be 6 AWG or larger installed in conduit.

SECTION 508—ELECTRICAL MATERIAL AND EQUIPMENT

No electrical materials, apparatus, devices, appliances, fixtures, or equipment shall be sold or installed in the city unless they are in conformance with the provisions of this code, the laws of the State of Texas and any applicable rules and regulations issued under the authority of the state statutes.

The maker's name, trademark, or other identification symbol shall be placed on all electrical materials, apparatus, devices, appliances, fixtures, and equipment used or installed under the provisions of this code.

All electrical materials and equipment shall be listed and labeled for intended use and shall be included in a list published by an approved agency.

EXCEPTION: Proton therapy equipment, when in its experimental stage.

SECTION 509—ELECTRICAL FENCES

This code does not regulate electrically charged fences installed in accordance with Section 28-10 of the *City Code*.

SECTION 510—LOCATION

510.1 Except as otherwise provided in this Code, no electrical system, or part thereof, shall be located in any lot other than the lot that is the site of the building, structure, or premises served by such facilities unless the electrical system, or part thereof, is located in an easement.

SECTION 511—TAMPER RESISTANT RECEPTACLES

511.1 When tamper-resistant receptacles are required by this code, they will not be required when the building is wired with aluminum wiring.

SECTION 512 – SWIMMING POOLS

512.1 Swimming pools. Equipment or lighting over 50 volts shall not be installed in newly constructed swimming pools.

SECTION 513—FULL CUTOFF FIXTURES

513.1 For purposes of this section, abutting development shall have the definition ascribed to it by Section 42-1 of the *City Code*. Full cutoff fixtures as defined in the Building Code shall be required for any wall mounted outdoor fixtures installed on an abutting development installed within 30 feet of an

abutting single-family residential property. All pole mounted fixtures installed on an abutting development within 30 feet of an abutting single-family residential property shall be full cutoff fixtures with house side shields.

SECTION 514—ARTICLES NOT ADOPTED

514.1 The following provisions of the *National Electrical Code, 2014 Edition* are not adopted.

1. Sections 210.12(A)(2), (3), (4);
2. Section 240.91(B), regarding protection of conductors;
3. Section 312.5(c), regarding where cables are secured (exceptions to 312.5 are to remain); and
4. Section 645.25 regarding engineering supervision.

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/10/2014

10199 - Health Benefits Programs for FROST INSURANCE AGENCY, INC

Agenda Item#: 39.

Summary:
ORDINANCE approving and authorizing an agreement between the City of Houston and **FROST INSURANCE AGENCY, INC d/b/a FROST HR CONSULTING** for Human Resources Consulting Services; providing a maximum contract amount - 3 Years with two one-year options
TAGGED BY COUNCIL MEMBERS STARDIG and MARTIN
This was Item 19 on Agenda of September 17, 2014

Background:
The City Purchasing Agent and the Director of Human Resources recommend that City Council approve ordinances awarding three year contracts with two one-year options, respectively, to 1) Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, in the amount of $117,975, 2) Gallagher Benefit Services, Inc., in the amount of $1,278,000, and 3) The Segal Company (Western States), Inc., known as Segal Waters Consulting, in the amount of $2,045,500, respectively, for Health Benefits Programs for the Human Resources Department. The Director of Human Resources may terminate the contracts at any time upon 30-days written notice to the other contractors.

The scope of services requires the contractors to provide services for various projects to manage program costs, as well as specific projects attributable to health benefits:

1. Preparation and analysis of Requests for Proposal for:

• Third Party Administrator / Pharmacy Benefit Management Services
• Medicare Advantage / Medicare Supplement / Medicare Part D
• Dental
• Vision
• Life Insurance (Basic and Voluntary)
• Long-term Disability
• Short-term Disability
• Supplemental Insurance
• Third Party Administrator Services for Flexible Spending Accounts (Health and Dependent Care)

2. Program / vendor management and ongoing consulting for the Health Benefits Delivery system (to include analysis of plan utilization, contribution strategy, plan design, cost control methods, analysis of contract renewals);

3. Actuarial valuations for:

• Self-insured medical and pharmacy claims
• Self-insured workers' compensation claims
• Calculation of GASB-45 liability and alternative solutions to mitigate liability of post-retirement benefits
• Retiree Drug Subsidy program (RDS)

4. Dependent eligibility audit;

5. Procedures audits to ensure timely, accurate claims processing and contract compliance. Auditable plans include:

• Flexible Spending Accounts (FSA) for medical and dependent care
• Long-term Disability
• Medical / Third Party Administrator Services
• Pharmacy

• Performance Guarantees

6. Member satisfaction surveys.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws, and as a result, proposals were received from eleven firms: Aon Risk Consultants, Inc., Buck Consultants, Chapman Schewe, Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, Gallagher Benefit Services, Inc., Hay Group, Holmes Murphy, Sigma Risk Management, Six Degrees, The Segal Company (Western States), Inc., known as Segal Waters Consulting, and StarSoft Solutions. Initially, the RFP included a scope of services for Workers' Compensation and a Data Warehouse. Due to the long-term costs of the Data Warehouse, a decision was made not to implement one at this time; however an RFP may be issued at a later date. Also, due to the disparity among cost quotes, the Workers' Compensation projects will be re-bid in the near future. The evaluation committee consisted of Human Resources Department subject-matter experts and they evaluated the proposals based upon the following criteria:

A. Qualifications /Previous History/Project Experience of Proposer & Staff
B. Service Delivery / Technical Requirements
C. Price
D. Systems Security and Confidentiality
E. Financial Strength
F. M/WBE Participation

Frost Insurance Agency, Inc. d/b/a Frost HR Consulting received the highest overall score for the Long Term Disability actuarial analysis, and Gallagher Benefit Services, Inc. received the highest overall scores for medical claims audits and prescription drug plan review. The Segal Company (Western States), Inc. received the highest overall scores for Program Management/Ongoing Consulting, Member Satisfaction Surveys, some auditing services, and the Long Term Disability Request for Proposal. Aon Risk Consultants, Inc. received the highest overall scores for the preparation and analysis of Requests for Proposals and actuarial valuations; however, Aon did not execute the Agreement with the City due to their objections to city-required contract language; therefore, Aon's projects were re-allocated to Segal and Gallagher. Frost did not propose on those projects or did not have professional expertise to complete them.

Consulting Firm	$ Value of Projects Allocated	% of Projects Allocated
Frost HR Consulting	$117,975	3.43%
Gallagher Benefit Services Inc.	$1,278,000	37.14%
The Segal Company (Western States), Inc.	$2,045,500	59.44%
TOTAL:	**$3,441,475**	**100.00%**

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 contractors will provide health benefits to eligible employees in compliance with City policy.

M/WBE Subcontracting:
This RFP was issued with a 24% goal for M/WBE participation. The selected vendors have designated the below-named companies as their certified M/WBE subcontractors:

Consulting Firm	MWDBE Vendor	Type Of Work	Dollar Amount	Percentage
Gallagher Benefits Services, Inc.	Lacey Newday Consulting	Employee Benefits Consulting	$306,720	24%
The Segal Company (Western States),	Decision Information	Member Surveys Assistance	$49,092	2.4%

Inc.**	Resources			
Frost HR Consulting*	N/A	Actuarial Analysis	N/A	0%
TOTAL:			**$355,812**	

The Mayor's Office of Business Opportunity will monitor the contracts.

*Attachment: M/WBE Zero-Percentage Goal Document for Frost Insurance Agency, Inc. d/b/a Frost HR Consulting and 2.4 Percentage Goal Document for The Segal Company (Western States), Inc. approved by the Office of Business Opportunity.

** The Segal Company is re-evaluating the scope of services in relation to the MWBE participation goal and will make a good faith effort to meet the 24% goal.

Hire Houston First:
The proposed contracts require compliance with the City's "Hire Houston First" ordinance that promotes economic opportunity for Houston businesses while supporting job creation. In this case, the proposed contractors do not meet the requirements of Hire Houston First, and no Hire Houston First firms were within three percent.

Human Resources Estimated Spending Authority

Breakdown by Consultant	FY 2015	OUT YEARS	TOTAL
Frost HR Consulting	$22,000	$95,975	$117,975
Gallagher Benefit Services	$243,500	$1,034,500	$1,278,000
The Segal Company (Western States), Inc.	$504,500	$1,541,000	$2,045,500
TOTAL	**$770,000**	**$2,671,475**	**$3,441,475**

Amount of Funding:
Maximum Contract Amount: $3,441,475.00

$3,204,000.00 - Benefits Fund (9000)
$ 237,475.00 - Long Term Disability Fund (9001)

$3,441,475.00 - TOTAL

Source of Funding:
Other (Specify)

Benefits Fund Long Term Disability Fund

Contact Information:
Gerri R. Walker, Assistant Director (HR) Phone: 832-393-6058
Joyce Hays, Sr. Procurement Specialist (SPD) Phone: 832-393-8723

ATTACHMENTS:

Description	Type
RCA (revised pg. 4)	Backup Material
OBO Documents	Backup Material
Form A (Fair Campaign Ord)	Backup Material

Form B (Fair Campign Ord)	Backup Material
Delinquent Tax Reports	Backup Material
Departamental approval	Backup Material
Pay or Play Program	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 10199**

Subject: Ordinances Awarding Contracts to the Best Respondents for the Health Benefits Programs for the Human Resources Department	**Category #** 4	**Page 1 of 4**	**Agenda Item**

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Finance Department	**Origination Date** September 08, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE Calvin D Wells	**Council District(s) affected** All	
For additional information contact: Gerri R. Walker **Phone:** (832) 393-6058; Joyce Hays **Phone:** (832) 393-8723	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve ordinances awarding contracts to 1) Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, in the amount of $117,975, 2) Gallagher Benefit Services, Inc., in the amount of $1,278,000, and 3) The Segal Company (Western States), Inc., known as Segal Waters Consulting in the amount of $2,045,500, respectively, for the Health Benefits Programs for the Human Resources Department.

Maximum Contract Amount: $3,441,475.00	**Finance Budget**

$3,204,000.00 - Benefits Fund (9000)
$ 237,475.00 - Long Term Disability Fund (9001)

$3,441,475.00 - TOTAL

SPECIFIC EXPLANATION:

The City Purchasing Agent and the Director of Human Resources recommend that City Council approve ordinances awarding three year contracts with two one-year options, respectively, to 1) Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, in the amount of $117,975, 2) Gallagher Benefit Services, Inc., in the amount of $1,278,000, and 3) The Segal Company (Western States), Inc., known as Segal Waters Consulting, in the amount of $2,045,500, respectively, for Health Benefits Programs for the Human Resources Department. The Director of Human Resources may terminate the contracts at any time upon 30-days written notice to the other contractors.

The scope of services requires the contractors to provide services for various projects to manage program costs, as well as specific projects attributable to health benefits:

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   - Medicare Advantage / Medicare Supplement / Medicare Part D
   - Dental
   - Vision
   - Life Insurance (Basic and Voluntary)
   - Long-term Disability
   - Short-term Disability
   - Supplemental Insurance

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

- Third Party Administrator Services for Flexible Spending Accounts (Health and Dependent Care)

2. Program / vendor management and ongoing consulting for the Health Benefits Delivery system (to include analysis of plan utilization, contribution strategy, plan design, cost control methods, analysis of contract renewals);

3. Actuarial valuations for:
   - Self-insured medical and pharmacy claims
   - Self-insured workers' compensation claims
   - Calculation of GASB-45 liability and alternative solutions to mitigate liability of post-retirement benefits
   - Retiree Drug Subsidy program (RDS)

4. Dependent eligibility audit;

5. Procedures audits to ensure timely, accurate claims processing and contract compliance. Auditable plans include:
   - Flexible Spending Accounts (FSA) for medical and dependent care
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   - Pharmacy
   - Performance Guarantees

6. Member satisfaction surveys.

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the highest overall scores for Program Management/Ongoing Consulting, Member Satisfaction Surveys, some auditing services, and the Long Term Disability Request for Proposal. Aon Risk Consultants, Inc. received the highest overall scores for the preparation and analysis of Requests for Proposals and actuarial valuations; however, Aon did not execute the Agreement with the City due to their objections to city-required contract language; therefore, Aon's projects were re-allocated to Segal and Gallagher. Frost did not propose on those projects or did not have professional expertise to complete them.

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Consulting Firm	MWDBE Vendor	Type Of Work	Dollar Amount	Percentage
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TOTAL:			**$355,812**	

The Mayor's Office of Business Opportunity will monitor the contracts.

*Attachment: M/WBE Zero-Percentage Goal Document for Frost Insurance Agency, Inc. d/b/a Frost HR Consulting and 2.4 Percentage Goal Document for The Segal Company (Western States), Inc. approved by the Office of Business Opportunity.

** The Segal Company is re-evaluating the scope of services in relation to the MWBE participation goal and will make a good faith effort to meet the 24% goal.

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The proposed contracts require compliance with the City's "Hire Houston First" ordinance that promotes economic opportunity for Houston businesses while supporting job creation. In this case, the proposed contractors do not meet the requirements of Hire Houston First, and no Hire Houston First firms were within three percent.

Buyer: Joyce Hays

Revised

Date: 9/8/2014	Subject: Ordinances Awarding Contracts to the Best Respondents for the Health Benefits Programs for the Human Resources Department	Originator's Initials JH	Page 4 of 4

Human Resources Estimated Spending Authority

Breakdown by Consultant	FY 2015	OUT YEARS	TOTAL
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The Segal Company (Western States), Inc.	$504,500	$1,541,000	$2,045,500
TOTAL	**$770,000**	**$2,671,475**	**$3,441,475**

CONSULTING FIRM	BENEFITS FUND (9000)	LTD FUND (9001)	TOTAL
Frost HR Consulting	$0	$117,975	**$117,975**
Gallagher Benefit Services, Inc.	$1,278,000	$0	**$1,278,000**
The Segal Company (Western States), Inc.	$1,926,000	$119,500	**$2,045,500**
TOTAL	**$3,204,000**	**$237,475**	**$3,441,475**

Hays, Joyce - FIN

From: Bolden, Latanja - OBO
Sent: Wednesday, August 20, 2014 10:31 AM
To: KKubicek@frosthrconsulting.com
Cc: Hays, Joyce - FIN; Murray, Marsha E. - OBO
Subject: M/WBE Waiver APPROVED_Frost

Jim Stone, the Office of Business Opportunity would like to inform you of the response to Frost Consulting's Good Faith Efforts request for Part 3 of the Consulting Services and Data Warehouse RFP: Frost Consulting's Good Faith Efforts Request has been **approved**. Thanks.

LaTanja Bolden
Procurement Specialist
T. 832.393.0635
F. 832.393.0646
latanja.bolden@houstontx.gov

CITY OF HOUSTON
OFFICE of BUSINESS OPPORTUNITY

The Mayor's Office of Business Opportunity is committed to creating a competitive and diverse business environment in the City of Houston by promoting the growth and success of local small businesses, with special emphasis on historically underutilized groups by ensuring their meaningful participation in the government procurement process.

Learn more about the Mayor's Office of Business Opportunity by visiting http://www.houstontx.gov/obo

Frost

Frost HR Consulting

401 Congress Avenue, 14th Floor
Austin, Texas 78701

August 13, 2014

Ms. Joyce Hays

Sr. Procurement Specialist

City of Houston

Finance Department

Dear Ms. Hays:

Frost HR Consulting is unable to meet the MWBE goal due to the nature of the services we are providing.

Frost has been engaged to measure the liabilities associated with the City employees' long term disability benefit plan, and provide the information required for financial reporting. This requires the services of a qualified and properly credentialed actuary, and very specialized technology. These resources are available in our office and there are no other resources required that could be delegated to another organization.

Our initial response to the RFP did include a MWBE partner that met the qualifications for this project. However, that firm has sold to a large international brokerage firm and they no longer qualify as an approved MWBE for the City of Houston. We have reviewed other approved MWBE companies but have not found anyone that meets all of the requirements for this specialized service. The scope of the project and the additional requirements/scrutiny of the City of Houston's outside public auditing company put us in a position of liability that we would not want to use anyone that does not meet the full experience, required actuarial credentials and technology needed for the project.

Please let me know if you have any further questions.

Regards,

James E Stone

Market President

Bolden, Latanja - OBO

To: Elliot R Susseles
Cc: Hays, Joyce - FIN; Murray, Marsha E. - OBO
Subject: Consulting Services & Data Warehouse T24838 Good Faith Efforts

Mr. Susseles, the Office of Business Opportunity would like to inform you that Segal Waters Consulting's Good Faith Efforts request for: **Consulting Services & Data Warehouse T24838** has been approved.

LaTanja Bolden
Procurement Specialist
T. 832.393.0635
F. 832.393.0646
latanja.bolden@houstontx.gov

CITY OF HOUSTON
OFFICE of BUSINESS OPPORTUNITY

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Notice of Intent

THIS AGREEMENT IS SUBJECT TO MEDIATION AND CAN BE INITIATED BY THE COMPANIES SIGNED BELOW OR THE OFFICE OF BUSINESS OPPORTUNITY.

To: City of Houston
Administering Department

Date: 7/30/2014

Project Name and Number **S37-T24838 for Consulting Services for the Human Resources Department**

Bid Amount: **$1,324,500.00** M/W/SBE Goal: **24%**

The Segal Company (Western States), Inc., agrees to enter into a contractual agreement
Prime Contractor

with **Decision Information Resources**, who will provide the following goods/
MWSBE Subcontractor

services in connection with the above referenced contract:
Assistance with member surveys

for an estimated amount of $_____ or **2.4** % of the total contract value.

Decision Information Resources is currently certified with the City of Houston's
(M/W/SBE Subcontractor) Office of Business Opportunity to function in the aforementioned capacity.

The Segal Company
Prime Contractor

Decision Information Resources
M/W/SBE Subcontractor

intend to work on the above-named contract in accordance with the M/W/DBE Participation Section of the City of Houston Bid Provisions, contingent upon award of the contract to the aforementioned Prime Contractor.

Signed (Prime Contactor)

Signed (M/W/SBE Subcontractor)

Elliot R. Susseles
Printed Signature

Russell H. Jackson
Printed Signature

Senior Vice President **8/01/2014**
Title Date

Pres. Dec 8/1/14
Title Date

Vendor Information

CLOSE WINDOW

HELP

Vendor Information

Business Name	**Decision Information Resources, Inc.**
Owner	**Russell Jackson**
Address > Map This Address	**2600 Southwest Freeway, Suite 900 Houston, TX 77098**
Phone	**713-650-1425**
Fax	**713-650-1576**
Email	**rjackson@dir-online.com**
Website	**http://www.dir-online.com**

Certification Information

Certifying Agency	**City of Houston**
Certification Type	**MBE - Minority Business Enterprise**
Renewal/Anniversary Date	**1/31/2015**
Certified Business Description	**Statistical Analysis, Phone Surveying, Research, and Data Collections**

Commodity Codes

NAICS 541720 Social science research and development services (More)

Additional Information

Category	**Business Services & Support/Creative Products & Services**

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Segal Waters Consulting

10740 North Gessner Drive, Suite 320 Houston, TX 77064-1187
T (281) 671-5600 F (281) 754-4722 www.segalco.com

August 11, 2014

Ms. Joyce Hays
Senior Procurement Specialist
Finance Department
Strategic Procurement Division
City of Houston

Re: Request for Proposal (RFP): S37-T24838 for Consulting Services and Data Warehouse for the Human Resources Department

Dear Joyce:

We are in receipt of your letter dated August 7, 2014 regarding the MWBE status for (RFP): S37-T24838. Segal Waters Consulting is supportive of the City's interest in providing opportunities for MWBE participation in City projects. Our original response to Proposal (RFP): S37-T24838 for Consulting Services and Data Warehouse for the Human Resources Department, dated January 29, 2014, contained documentation (see attached copies) of our outreach to potential MWBE subcontractors.

The Scope of Services, per Exhibit "A" of the draft agreement are as follows:

A. Medical Benefits Deliver System
B. Program Management/Ongoing Consulting
C. Member Satisfaction Surveys in Health Benefits
D. Long Term Disability (LTD) Request for Proposal
E. Long Term Disability Procedures Audit
F. Health Plan Performance Guarantees Audit
G. Audit Flexible Spending Account Administration for Health and dependent Care

Ideally, Segal Waters anticipated working with Foundation Strategies as our MWBE subcontractor, however, they were conflicted out because of their association with Cigna, the City's health vendor. Additionally, the nature of our proprietary actuarial tools and the confidentiality of the employee health information contained in the Scope of Services tasks A., B., D., E., F., and G limit the ability to subcontract these services.

Segal Waters has signed a "Notice of Intent" (see attached) with Decision Information Resources, a MWBE subcontractor, to assist with task C – Member Satisfaction Surveys in Health Benefits.

Segal Waters has demonstrated proof of good faith in compliance with Chapter 15, Article V, Section 15-85 of the City of Houston's Code of Ordinances by:

1. Conducting outreach to contract with MWBE's on select city-approved minority vendor lists and provided documentation as such (see attached Exhibit II – Attachment "A": Schedule of M/WBE Participation, which demonstrates our good faith effort.

2. Selecting an approved minority vendor and submitting an executed Letter of Intent, on City forms, prior to August 15, 2014 (see attached).

I hope the information contained with the letter will be sufficient. Please contact me with any additional questions.

Sincerely,

Elliot R. Susseles
Senior Vice President

EXHIBIT II – ATTACHMENT "B": M/WBE LETTER OF INTENT

SOLICITATION NO.: S37-T24838

EXHIBIT II – ATTACHMENT "B": M/WBE LETTER OF INTENT

THIS AGREEMENT IS SUBJECT TO BINDING ARBITRATION ACCORDING TO THE TEXAS GENERAL ARBITRATION ACT.

TO: **City of Houston**
City Purchasing Agent

MINORITY/WOMEN BUSINESS ENTERPRISE (M/WBE) AND SUPPLIER

LETTER OF INTENT

Contract Bid Number: S37-T24838

Bid Title: Human Resources Consulting Services and Data Warehouse

Bid Amount: _____

M/WBE Participation Amount: $___TBD based on actual contract award

M/WBE GOAL __24_____%

1. _Lacey Newday Consulting_____ agrees to perform work/supply goods and/or
(Name of Minority/Women Business Enterprise)
Services in connection with the above-named contract and Gallagher Benefit Services Inc._____ as:
Name of Prime Contractor

(a) _____ An Individual

(b) _____ A Partnership

(c) ____X____ A Corporation

(d) _____ A Joint Venture

2. Lacey Newday Consulting_____ status is confirmed by M/WBE Directory made
(Name of Minority/Women Business Enterprise)
available through the City of Houston Office of Business Opportunity. Certificate No.: _____.

3. Gallagher Benefit Services_____ and __Lacey Newday Consulting_____
(Name of Prime Contractor(**(Minority/Women Business Enterprise)**
intend to work on the above-named contract in accordance with the M/WBE Participation Section of the City of Houston Contract Bid Provision.

The Terms & Conditions of Attachment "C" attached hereto are incorporated into this Letter of Intent for all purposes.

R White
(Signed -- Prime Contractor)

Area President
(Title)

(Signed -- Minority/Women Business Enterprise)

Director/Principal
(Title)

EXHIBIT II – ATTACHMENT "B": M/WBE LETTER OF INTENT

SOLICITATION NO.: S37-T24838

EXHIBIT II – ATTACHMENT "B": M/WBE LETTER OF INTENT

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TO: **City of Houston**
City Purchasing Agent

MINORITY/WOMEN BUSINESS ENTERPRISE (M/WBE) AND SUPPLIER

LETTER OF INTENT

Contract Bid Number: _S37-T24838_____

Bid Title: Human Resources Consulting Services and Data Warehouse

Bid Amount: _____

M/WBE Participation Amount: $___TBD by award___ **M/WBE GOAL** __24%_____%

1. Foundation Strategies, Inc._____ agrees to perform work/supply goods and/or
(Name of Minority/Women Business Enterprise)
Services in connection with the above-named contract and ___Gallagher Benefit Services, Inc___ as:
Name of Prime Contractor

(a) _____ An Individual

(b) _____ A Partnership

(c) _____X_____ A Corporation

(d) _____ A Joint Venture

2. _ Foundation Strategies, Inc _____ status is confirmed by M/WBE Directory made
(Name of Minority/Women Business Enterprise)
available through the City of Houston Office of Business Opportunity. Certificate No.: 12-06-907.

3. Gallagher Benefit Services, Inc._____ and Foundation Strategies, Inc _____
(Name of Prime Contractor(**(Minority/Women Business Enterprise)**
intend to work on the above-named contract in accordance with the M/WBE Participation Section of the City of Houston Contract Bid Provision.

The Terms & Conditions of Attachment "C" attached hereto are incorporated into this Letter of Intent for all purposes.

R White
(Signed -- Prime Contractor)

Area President
(Title)

01/27/14
(Date)

Shelly Coonrod
(Signed -- Minority/Women Business Enterprise)

President
(Title)

01-27-2014
(Date)

Vendor Information

CLOSE WINDOW

HELP

Vendor Information

Business Name	**Lacey Newday Consulting, LLC**
Owner	**Sidney Lacey**
Address > Map This Address	**1414 1/2 Gustav St.** **HOUSTON, TX 77023-1909**
Phone	**713-446-5970**
Fax	**713-236-8663**
Email	**slacey@lnchouston.com**
Website	**http://www.lnchouston.com/**

Certification Information

Certifying Agency	**City of Houston**
Certification Type	**DBE - Disadvantaged Business Enterprise**
Renewal/Anniversary Date	**2/28/2015**
Certified Business Description	**Bookeeping, Financial Management, and Audit (SOX Testing)**

Commodity Codes

NAICS 541219	Bookkeeping services (More)
NAICS 541611	Business management consulting services (More)
NAICS 541611	Financial management consulting (except investment advice) services (More)

Additional Information

Category	**Legal, Financial & Insurance & Real Estate Services**

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Vendor Information

CLOSE WINDOW

HELP

Vendor Information

Business Name	**Foundation Strategies, Inc.**
Owner	**Shelly Lang Coonrod**
Address > Map This Address	**6701 Highway Blvd., Suite 212** **Katy, TX 77494**
Phone	**281-391-8633 Ext. 1311**
Fax	**281-391-5616**
Email	**scoonrod@foundation-strategies.com**
Website	**www.foundation-strategies.com**

Certification Information

Certifying Agency	**City of Houston**
Certification Type	**WBE - Women Business Enterprise**
Renewal/Anniversary Date	**6/30/2015**
Certified Business Description	**Insurance Services And Employee Benefits**

Commodity Codes

NAICS 524210 Insurance Agencies and Brokerages (More)

Additional Information

Category	**Other Services**

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CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 9/10/2014

10199 - Health Benefits Programs for GALLAGHER BENEFIT SERVICES, INC

Agenda Item#: 40.

Summary:
ORDINANCE approving and authorizing an agreement between the City of Houston and **GALLAGHER BENEFIT SERVICES, INC** for Human Resources Consulting Services; providing a maximum contract amount - 3 Years with two one-year options
TAGGED BY COUNCIL MEMBERS STARDIG and MARTIN
This was Item 20 on Agenda of September 17, 2014

Background:
The City Purchasing Agent and the Director of Human Resources recommend that City Council approve ordinances awarding three year contracts with two one-year options, respectively, to 1) Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, in the amount of $117,975, 2) Gallagher Benefit Services, Inc., in the amount of $1,278,000, and 3) The Segal Company (Western States), Inc., known as Segal Waters Consulting, in the amount of $2,045,500, respectively, for Health Benefits Programs for the Human Resources Department. The Director of Human Resources may terminate the contracts at any time upon 30-days written notice to the other contractors.

The scope of services requires the contractors to provide services for various projects to manage program costs, as well as specific projects attributable to health benefits:

1. Preparation and analysis of Requests for Proposal for:

• Third Party Administrator / Pharmacy Benefit Management Services
• Medicare Advantage / Medicare Supplement / Medicare Part D
• Dental
• Vision
• Life Insurance (Basic and Voluntary)
• Long-term Disability
• Short-term Disability
• Supplemental Insurance
• Third Party Administrator Services for Flexible Spending Accounts (Health and Dependent Care)

2. Program / vendor management and ongoing consulting for the Health Benefits Delivery system (to include analysis of plan utilization, contribution strategy, plan design, cost control methods, analysis of contract renewals);

3. Actuarial valuations for:

• Self-insured medical and pharmacy claims
• Self-insured workers' compensation claims
• Calculation of GASB-45 liability and alternative solutions to mitigate liability of post-retirement benefits
• Retiree Drug Subsidy program (RDS)

4. Dependent eligibility audit;

5. Procedures audits to ensure timely, accurate claims processing and contract compliance. Auditable plans include:

• Flexible Spending Accounts (FSA) for medical and dependent care
• Long-term Disability
• Medical / Third Party Administrator Services
• Pharmacy

• Performance Guarantees

6. Member satisfaction surveys.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws, and as a result, proposals were received from eleven firms: Aon Risk Consultants, Inc., Buck Consultants, Chapman Schewe, Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, Gallagher Benefit Services, Inc., Hay Group, Holmes Murphy, Sigma Risk Management, Six Degrees, The Segal Company (Western States), Inc., known as Segal Waters Consulting, and StarSoft Solutions. Initially, the RFP included a scope of services for Workers' Compensation and a Data Warehouse. Due to the long-term costs of the Data Warehouse, a decision was made not to implement one at this time; however an RFP may be issued at a later date. Also, due to the disparity among cost quotes, the Workers' Compensation projects will be re-bid in the near future. The evaluation committee consisted of Human Resources Department subject-matter experts and they evaluated the proposals based upon the following criteria:

A. Qualifications /Previous History/Project Experience of Proposer & Staff
B. Service Delivery / Technical Requirements
C. Price
D. Systems Security and Confidentiality
E. Financial Strength
F. M/WBE Participation

Frost Insurance Agency, Inc. d/b/a Frost HR Consulting received the highest overall score for the Long Term Disability actuarial analysis, and Gallagher Benefit Services, Inc. received the highest overall scores for medical claims audits and prescription drug plan review. The Segal Company (Western States), Inc. received the highest overall scores for Program Management/Ongoing Consulting, Member Satisfaction Surveys, some auditing services, and the Long Term Disability Request for Proposal. Aon Risk Consultants, Inc. received the highest overall scores for the preparation and analysis of Requests for Proposals and actuarial valuations; however, Aon did not execute the Agreement with the City due to their objections to city-required contract language; therefore, Aon's projects were re-allocated to Segal and Gallagher. Frost did not propose on those projects or did not have professional expertise to complete them.

Consulting Firm	$ Value of Projects Allocated	% of Projects Allocated
Frost HR Consulting	$117,975	3.43%
Gallagher Benefit Services Inc.	$1,278,000	37.14%
The Segal Company (Western States), Inc.	$2,045,500	59.44%
TOTAL:	**$3,441,475**	**100.00%**

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 contractors will provide health benefits to eligible employees in compliance with City policy.

M/WBE Subcontracting:
This RFP was issued with a 24% goal for M/WBE participation. The selected vendors have designated the below-named companies as their certified M/WBE subcontractors:

Consulting Firm	MWDBE Vendor	Type Of Work	Dollar Amount	Percentage
Gallagher Benefits Services, Inc.	Lacey Newday Consulting	Employee Benefits Consulting	$306,720	24%
The Segal Company (Western States),	Decision Information	Member Surveys Assistance	$49,092	2.4%

Inc.**	Resources			
Frost HR Consulting*	N/A	Actuarial Analysis	N/A	0%
TOTAL:			**$355,812**	

The Mayor's Office of Business Opportunity will monitor the contracts.

*Attachment: M/WBE Zero-Percentage Goal Document for Frost Insurance Agency, Inc. d/b/a Frost HR Consulting and 2.4 Percentage Goal Document for The Segal Company (Western States), Inc. approved by the Office of Business Opportunity.

** The Segal Company is re-evaluating the scope of services in relation to the MWBE participation goal and will make a good faith effort to meet the 24% goal.

Hire Houston First:
The proposed contracts require compliance with the City's "Hire Houston First" ordinance that promotes economic opportunity for Houston businesses while supporting job creation. In this case, the proposed contractors do not meet the requirements of Hire Houston First, and no Hire Houston First firms were within three percent.

Human Resources Estimated Spending Authority

Breakdown by Consultant	FY 2015	OUT YEARS	TOTAL
Frost HR Consulting	$22,000	$95,975	$117,975
Gallagher Benefit Services	$243,500	$1,034,500	$1,278,000
The Segal Company (Western States), Inc.	$504,500	$1,541,000	$2,045,500
TOTAL	**$770,000**	**$2,671,475**	**$3,441,475**

Amount of Funding:
Maximum Contract Amount: $3,441,475.00

$3,204,000.00 - Benefits Fund (9000)
$ 237,475.00 - Long Term Disability Fund (9001)

$3,441,475.00 - TOTAL

Source of Funding:
Other (Specify)

Benefits Fund Long Term Disability Fund

Contact Information:
Gerri R. Walker, Assistant Director (HR) Phone: 832-393-6058
Joyce Hays, Sr. Procurement Specialist (SPD) Phone: 832-393-8723

ATTACHMENTS:

Description	Type
RCA (revised pg.4)	Backup Material
OBO Documents	Backup Material
Form A (Fair Campaign Ord)	Backup Material

Form B (Fair Campign Ord)	Backup Material
Delinquent Tax Reports	Backup Material
Departamental approval	Backup Material
Pay or Play Program	Backup Material

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 10199**

Subject: Ordinances Awarding Contracts to the Best Respondents for the Health Benefits Programs for the Human Resources Department	**Category #** 4	**Page 1 of 4**	**Agenda Item**

FROM (Department or other point of origin): Calvin D. Wells, City Purchasing Agent, Finance Department	**Origination Date** September 08, 2014	**Agenda Date**
DIRECTOR'S SIGNATURE Calvin D Wells	**Council District(s) affected** All	
For additional information contact: Gerri R. Walker **Phone:** (832) 393-6058; Joyce Hays **Phone:** (832) 393-8723	**Date and Identification of prior authorizing Council Action:**	

RECOMMENDATION: (Summary)

Approve ordinances awarding contracts to 1) Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, in the amount of $117,975, 2) Gallagher Benefit Services, Inc., in the amount of $1,278,000, and 3) The Segal Company (Western States), Inc., known as Segal Waters Consulting in the amount of $2,045,500, respectively, for the Health Benefits Programs for the Human Resources Department.

Maximum Contract Amount: $3,441,475.00	**Finance Budget**

$3,204,000.00 - Benefits Fund (9000)
$ 237,475.00 - Long Term Disability Fund (9001)

$3,441,475.00 - TOTAL

SPECIFIC EXPLANATION:

The City Purchasing Agent and the Director of Human Resources recommend that City Council approve ordinances awarding three year contracts with two one-year options, respectively, to 1) Frost Insurance Agency, Inc. d/b/a Frost HR Consulting, in the amount of $117,975, 2) Gallagher Benefit Services, Inc., in the amount of $1,278,000, and 3) The Segal Company (Western States), Inc., known as Segal Waters Consulting, in the amount of $2,045,500, respectively, for Health Benefits Programs for the Human Resources Department. The Director of Human Resources may terminate the contracts at any time upon 30-days written notice to the other contractors.

The scope of services requires the contractors to provide services for various projects to manage program costs, as well as specific projects attributable to health benefits:

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   - Third Party Administrator / Pharmacy Benefit Management Services
   - Medicare Advantage / Medicare Supplement / Medicare Part D
   - Dental
   - Vision
   - Life Insurance (Basic and Voluntary)
   - Long-term Disability
   - Short-term Disability
   - Supplemental Insurance

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

- Third Party Administrator Services for Flexible Spending Accounts (Health and Dependent Care)

2. Program / vendor management and ongoing consulting for the Health Benefits Delivery system (to include analysis of plan utilization, contribution strategy, plan design, cost control methods, analysis of contract renewals);

3. Actuarial valuations for:
   - Self-insured medical and pharmacy claims
   - Self-insured workers' compensation claims
   - Calculation of GASB-45 liability and alternative solutions to mitigate liability of post-retirement benefits
   - Retiree Drug Subsidy program (RDS)

4. Dependent eligibility audit;

5. Procedures audits to ensure timely, accurate claims processing and contract compliance. Auditable plans include:
   - Flexible Spending Accounts (FSA) for medical and dependent care
   - Long-term Disability
   - Medical / Third Party Administrator Services
   - Pharmacy
   - Performance Guarantees

6. Member satisfaction surveys.

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E. Financial Strength
F. M/WBE Participation

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the highest overall scores for Program Management/Ongoing Consulting, Member Satisfaction Surveys, some auditing services, and the Long Term Disability Request for Proposal. Aon Risk Consultants, Inc. received the highest overall scores for the preparation and analysis of Requests for Proposals and actuarial valuations; however, Aon did not execute the Agreement with the City due to their objections to city-required contract language; therefore, Aon's projects were re-allocated to Segal and Gallagher. Frost did not propose on those projects or did not have professional expertise to complete them.

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Consulting Firm	MWDBE Vendor	Type Of Work	Dollar Amount	Percentage
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Frost HR Consulting*	N/A	Actuarial Analysis	N/A	0%
TOTAL:			**$355,812**	

The Mayor's Office of Business Opportunity will monitor the contracts.

*Attachment: M/WBE Zero-Percentage Goal Document for Frost Insurance Agency, Inc. d/b/a Frost HR Consulting and 2.4 Percentage Goal Document for The Segal Company (Western States), Inc. approved by the Office of Business Opportunity.

** The Segal Company is re-evaluating the scope of services in relation to the MWBE participation goal and will make a good faith effort to meet the 24% goal.

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The proposed contracts require compliance with the City's "Hire Houston First" ordinance that promotes economic opportunity for Houston businesses while supporting job creation. In this case, the proposed contractors do not meet the requirements of Hire Houston First, and no Hire Houston First firms were within three percent.

Buyer: Joyce Hays

Revised

Date: 9/8/2014	Subject: Ordinances Awarding Contracts to the Best Respondents for the Health Benefits Programs for the Human Resources Department	Originator's Initials JH	Page 4 of 4

Human Resources Estimated Spending Authority

Breakdown by Consultant	FY 2015	OUT YEARS	TOTAL
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The Segal Company (Western States), Inc.	$504,500	$1,541,000	$2,045,500
TOTAL	**$770,000**	**$2,671,475**	**$3,441,475**

CONSULTING FIRM	BENEFITS FUND (9000)	LTD FUND (9001)	TOTAL
Frost HR Consulting	$0	$117,975	**$117,975**
Gallagher Benefit Services, Inc.	$1,278,000	$0	**$1,278,000**
The Segal Company (Western States), Inc.	$1,926,000	$119,500	**$2,045,500**
TOTAL	**$3,204,000**	**$237,475**	**$3,441,475**

Hays, Joyce - FIN

From: Bolden, Latanja - OBO
Sent: Wednesday, August 20, 2014 10:31 AM
To: KKubicek@frosthrconsulting.com
Cc: Hays, Joyce - FIN; Murray, Marsha E. - OBO
Subject: M/WBE Waiver APPROVED_Frost

Jim Stone, the Office of Business Opportunity would like to inform you of the response to Frost Consulting's Good Faith Efforts request for Part 3 of the Consulting Services and Data Warehouse RFP: Frost Consulting's Good Faith Efforts Request has been **approved**. Thanks.

LaTanja Bolden
Procurement Specialist
T. 832.393.0635
F. 832.393.0646
latanja.bolden@houstontx.gov

CITY OF HOUSTON
OFFICE of BUSINESS OPPORTUNITY

The Mayor's Office of Business Opportunity is committed to creating a competitive and diverse business environment in the City of Houston by promoting the growth and success of local small businesses, with special emphasis on historically underutilized groups by ensuring their meaningful participation in the government procurement process.

Learn more about the Mayor's Office of Business Opportunity by visiting http://www.houstontx.gov/obo

Frost

Frost HR Consulting

401 Congress Avenue, 14th Floor
Austin, Texas 78701

August 13, 2014

Ms. Joyce Hays

Sr. Procurement Specialist

City of Houston

Finance Department

Dear Ms. Hays:

Frost HR Consulting is unable to meet the MWBE goal due to the nature of the services we are providing.

Frost has been engaged to measure the liabilities associated with the City employees' long term disability benefit plan, and provide the information required for financial reporting. This requires the services of a qualified and properly credentialed actuary, and very specialized technology. These resources are available in our office and there are no other resources required that could be delegated to another organization.

Our initial response to the RFP did include a MWBE partner that met the qualifications for this project. However, that firm has sold to a large international brokerage firm and they no longer qualify as an approved MWBE for the City of Houston. We have reviewed other approved MWBE companies but have not found anyone that meets all of the requirements for this specialized service. The scope of the project and the additional requirements/scrutiny of the City of Houston's outside public auditing company put us in a position of liability that we would not want to use anyone that does not meet the full experience, required actuarial credentials and technology needed for the project.

Please let me know if you have any further questions.

Regards,

James E Stone

Market President

Bolden, Latanja - OBO

To: Elliot R Susseles
Cc: Hays, Joyce - FIN; Murray, Marsha E. - OBO
Subject: Consulting Services & Data Warehouse T24838 Good Faith Efforts

Mr. Susseles, the Office of Business Opportunity would like to inform you that Segal Waters Consulting's Good Faith Efforts request for: **Consulting Services & Data Warehouse T24838** has been approved.

LaTanja Bolden
Procurement Specialist
T. 832.393.0635
F. 832.393.0646
latanja.bolden@houstontx.gov

CITY OF HOUSTON
OFFICE of BUSINESS OPPORTUNITY

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Notice of Intent

THIS AGREEMENT IS SUBJECT TO MEDIATION AND CAN BE INITIATED BY THE COMPANIES SIGNED BELOW OR THE OFFICE OF BUSINESS OPPORTUNITY.

To: City of Houston
Administering Department

Date: 7/30/2014

Project Name and Number **S37-T24838 for Consulting Services for the Human Resources Department**

Bid Amount: **$1,324,500.00** M/W/SBE Goal: **24%**

The Segal Company (Western States), Inc., agrees to enter into a contractual agreement
Prime Contractor

with **Decision Information Resources**, who will provide the following goods/
MWSBE Subcontractor

services in connection with the above referenced contract:
Assistance with member surveys

for an estimated amount of $_____ or **2.4** % of the total contract value.

Decision Information Resources is currently certified with the City of Houston's
(M/W/SBE Subcontractor) Office of Business Opportunity to function in the aforementioned capacity.

The Segal Company
Prime Contractor

Decision Information Resources
M/W/SBE Subcontractor

intend to work on the above-named contract in accordance with the M/W/DBE Participation Section of the City of Houston Bid Provisions, contingent upon award of the contract to the aforementioned Prime Contractor.

Signed (Prime Contactor)

Signed (M/W/SBE Subcontractor)

Elliot R. Susseles
Printed Signature

Russell H. Jackson
Printed Signature

Senior Vice President **8/01/2014**
Title Date

Pres. Dec 8/1/14
Title Date

Vendor Information

CLOSE WINDOW

HELP

Vendor Information

Business Name	**Decision Information Resources, Inc.**
Owner	**Russell Jackson**
Address > Map This Address	**2600 Southwest Freeway, Suite 900 Houston, TX 77098**
Phone	**713-650-1425**
Fax	**713-650-1576**
Email	**rjackson@dir-online.com**
Website	**http://www.dir-online.com**

Certification Information

Certifying Agency	**City of Houston**
Certification Type	**MBE - Minority Business Enterprise**
Renewal/Anniversary Date	**1/31/2015**
Certified Business Description	**Statistical Analysis, Phone Surveying, Research, and Data Collections**

Commodity Codes

NAICS 541720 Social science research and development services (More)

Additional Information

Category	**Business Services & Support/Creative Products & Services**

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Segal Waters Consulting

10740 North Gessner Drive, Suite 320 Houston, TX 77064-1187
T (281) 671-5600 F (281) 754-4722 www.segalco.com

August 11, 2014

Ms. Joyce Hays
Senior Procurement Specialist
Finance Department
Strategic Procurement Division
City of Houston

Re: Request for Proposal (RFP): S37-T24838 for Consulting Services and Data Warehouse for the Human Resources Department

Dear Joyce:

We are in receipt of your letter dated August 7, 2014 regarding the MWBE status for (RFP): S37-T24838. Segal Waters Consulting is supportive of the City's interest in providing opportunities for MWBE participation in City projects. Our original response to Proposal (RFP): S37-T24838 for Consulting Services and Data Warehouse for the Human Resources Department, dated January 29, 2014, contained documentation (see attached copies) of our outreach to potential MWBE subcontractors.

The Scope of Services, per Exhibit "A" of the draft agreement are as follows:

A. Medical Benefits Deliver System
B. Program Management/Ongoing Consulting
C. Member Satisfaction Surveys in Health Benefits
D. Long Term Disability (LTD) Request for Proposal
E. Long Term Disability Procedures Audit
F. Health Plan Performance Guarantees Audit
G. Audit Flexible Spending Account Administration for Health and dependent Care

Ideally, Segal Waters anticipated working with Foundation Strategies as our MWBE subcontractor, however, they were conflicted out because of their association with Cigna, the City's health vendor. Additionally, the nature of our proprietary actuarial tools and the confidentiality of the employee health information contained in the Scope of Services tasks A., B., D., E., F., and G limit the ability to subcontract these services.

Segal Waters has signed a "Notice of Intent" (see attached) with Decision Information Resources, a MWBE subcontractor, to assist with task C – Member Satisfaction Surveys in Health Benefits.

Segal Waters has demonstrated proof of good faith in compliance with Chapter 15, Article V, Section 15-85 of the City of Houston's Code of Ordinances by:

1. Conducting outreach to contract with MWBE's on select city-approved minority vendor lists and provided documentation as such (see attached Exhibit II – Attachment "A": Schedule of M/WBE Participation, which demonstrates our good faith effort.

2. Selecting an approved minority vendor and submitting an executed Letter of Intent, on City forms, prior to August 15, 2014 (see attached).

I hope the information contained with the letter will be sufficient. Please contact me with any additional questions.

Sincerely,

Elliot R. Susseles
Senior Vice President

EXHIBIT II – ATTACHMENT "B": M/WBE LETTER OF INTENT

SOLICITATION NO.: S37-T24838

EXHIBIT II – ATTACHMENT "B": M/WBE LETTER OF INTENT

THIS AGREEMENT IS SUBJECT TO BINDING ARBITRATION ACCORDING TO THE TEXAS GENERAL ARBITRATION ACT.

TO: **City of Houston**
City Purchasing Agent

MINORITY/WOMEN BUSINESS ENTERPRISE (M/WBE) AND SUPPLIER

LETTER OF INTENT

Contract Bid Number: S37-T24838

Bid Title: Human Resources Consulting Services and Data Warehouse

Bid Amount: _____

M/WBE Participation Amount: $___TBD based on actual contract award

M/WBE GOAL __24_____%

1. _Lacey Newday Consulting_____ agrees to perform work/supply goods and/or
(Name of Minority/Women Business Enterprise)
Services in connection with the above-named contract and Gallagher Benefit Services Inc._____ as:
Name of Prime Contractor

(a) _____ An Individual

(b) _____ A Partnership

(c) ____X____ A Corporation

(d) _____ A Joint Venture

2. Lacey Newday Consulting_____ status is confirmed by M/WBE Directory made
(Name of Minority/Women Business Enterprise)
available through the City of Houston Office of Business Opportunity. Certificate No.: _____.

3. Gallagher Benefit Services_____ and __Lacey Newday Consulting_____
(Name of Prime Contractor(**(Minority/Women Business Enterprise)**
intend to work on the above-named contract in accordance with the M/WBE Participation Section of the City of Houston Contract Bid Provision.

The Terms & Conditions of Attachment "C" attached hereto are incorporated into this Letter of Intent for all purposes.

R White
(Signed -- Prime Contractor)

Area President
(Title)

(Signed -- Minority/Women Business Enterprise)

Director/Principal
(Title)

EXHIBIT II – ATTACHMENT "B": M/WBE LETTER OF INTENT

SOLICITATION NO.: S37-T24838

EXHIBIT II – ATTACHMENT "B": M/WBE LETTER OF INTENT

THIS AGREEMENT IS SUBJECT TO BINDING ARBITRATION ACCORDING TO THE TEXAS GENERAL ARBITRATION ACT.

TO: **City of Houston**
City Purchasing Agent

MINORITY/WOMEN BUSINESS ENTERPRISE (M/WBE) AND SUPPLIER

LETTER OF INTENT

Contract Bid Number: _S37-T24838_____

Bid Title: Human Resources Consulting Services and Data Warehouse

Bid Amount: _____

M/WBE Participation Amount: $___TBD by award___ **M/WBE GOAL** __24%_____%

1. Foundation Strategies, Inc._____ agrees to perform work/supply goods and/or
(Name of Minority/Women Business Enterprise)
Services in connection with the above-named contract and ___Gallagher Benefit Services, Inc___ as:
Name of Prime Contractor

(a) _____ An Individual

(b) _____ A Partnership

(c) _____X_____ A Corporation

(d) _____ A Joint Venture

2. _ Foundation Strategies, Inc _____ status is confirmed by M/WBE Directory made
(Name of Minority/Women Business Enterprise)
available through the City of Houston Office of Business Opportunity. Certificate No.: 12-06-907.

3. Gallagher Benefit Services, Inc._____ and Foundation Strategies, Inc _____
(Name of Prime Contractor(**(Minority/Women Business Enterprise)**
intend to work on the above-named contract in accordance with the M/WBE Participation Section of the City of Houston Contract Bid Provision.

The Terms & Conditions of Attachment "C" attached hereto are incorporated into this Letter of Intent for all purposes.

R White
(Signed -- Prime Contractor)

Area President
(Title)

01/27/14
(Date)

Shelly Coonrod
(Signed -- Minority/Women Business Enterprise)

President
(Title)

01-27-2014
(Date)

Vendor Information

CLOSE WINDOW

HELP

Vendor Information

Business Name	**Lacey Newday Consulting, LLC**
Owner	**Sidney Lacey**
Address > Map This Address	**1414 1/2 Gustav St.** **HOUSTON, TX 77023-1909**
Phone	**713-446-5970**
Fax	**713-236-8663**
Email	**slacey@lnchouston.com**
Website	**http://www.lnchouston.com/**

Certification Information

Certifying Agency	**City of Houston**
Certification Type	**DBE - Disadvantaged Business Enterprise**
Renewal/Anniversary Date	**2/28/2015**
Certified Business Description	**Bookeeping, Financial Management, and Audit (SOX Testing)**

Commodity Codes

NAICS 541219	Bookkeeping services (More)
NAICS 541611	Business management consulting services (More)
NAICS 541611	Financial management consulting (except investment advice) services (More)

Additional Information

Category	**Legal, Financial & Insurance & Real Estate Services**

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Vendor Information

CLOSE WINDOW

HELP

Vendor Information

Business Name	**Foundation Strategies, Inc.**
Owner	**Shelly Lang Coonrod**
Address > Map This Address	**6701 Highway Blvd., Suite 212** **Katy, TX 77494**
Phone	**281-391-8633 Ext. 1311**
Fax	**281-391-5616**
Email	**scoonrod@foundation-strategies.com**
Website	**www.foundation-strategies.com**

Certification Information

Certifying Agency	**City of Houston**
Certification Type	**WBE - Women Business Enterprise**
Renewal/Anniversary Date	**6/30/2015**
Certified Business Description	**Insurance Services And Employee Benefits**

Commodity Codes

NAICS 524210 Insurance Agencies and Brokerages (More)

Additional Information

Category	**Other Services**

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CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
ALL

Item Creation Date: 8/27/2014

10182 - Formal Bids Received for Street Sweeping Services for the Public Works and Engineering Department

Agenda Item#: 41.

Summary:
ORDINANCE awarding contract to **THR ENTERPRISES, INC** for Street Sweeping Services for the Public Works & Engineering Department providing a maximum contract amount - 3 Years with two one-year options - $4,294,190.60 - Storm Water Fund
TAGGED BY COUNCIL MEMBERS STARDIG and CHRISTIE
This was Item 22 on Agenda of September 17, 2014

Background:
The City Purchasing Agent and the Director of Public Works and Engineering Department recommend that City Council approve an ordinance awarding a three-year contract with two one-year options, to THR Enterprises, Inc., on its low bid, in an amount not to exceed $4,294,190.60 for street sweeping services for the Public Works and Engineering Department. This contract will be used to sweep streets citywide. The City Purchasing Agent may terminate this contract at any time upon 30 days written notice to the contractor, should termination becomes necessary.

This bid was advertised in accordance with the requirements of the State of Texas bid laws. 61 prospective bidders downloaded the solicitation from SPD's e-bidding website and two bids were received as itemized below:

Company	Total Amount
1. THR Enterprises, Inc.	**$4,294,190.60**
2. Sweeping Services of Texas Operating, L.P.	$7,339,347.50

The scope of work requires the contractor to provide all labor, equipment, supervision and transportation necessary to provide street sweeping services as required and directed by the Department's Street and Drainage Division personnel.

MWBE Subcontracting:
This invitation to bid was issued as a goal-oriented contract with an 11% MWBE participation level. THR Enterprises, Inc. has designated the below named company as its subcontractor.

Name	Type of Work	Percentage	Dollar Amount
TLC Engineering, Inc.	Project Management Services	11%	$473,360.97

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.

Hire Houston First:
The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Estimated Spending Authority

DEPARTMENT	FY2015	OUT YEARS	TOTAL
Public Works & Engineering	$1,025,250.00	$3,268,940.60	$4,294,190.60

Amount of Funding:
Maximum Contract Award Amount: $4,294,190.60

$4,294,190.60 - Stormwater Fund (2302)

Source of Funding:
Enterprise Fund

Contact Information:

NAME:	DEPARTMENT/DIVISION	PHONE
David Guernsey	PWE	(832) 395-3640
Ray DuRousseau	FIN/SPD	(832) 393-8726
Joseph Badell	FIN/SPD	(832) 393-0209

ATTACHMENTS:

Description	Type
1. RCA for THR Enterprises, Inc	Signed Cover sheet
2. Ordinance	Ordinance/Resolution/Motion
3. OBO Documents	Signed Cover sheet
4. Form A (Fair Campaing Ord)	Signed Cover sheet
5. Form B (Fair Campaing Ord)	Signed Cover sheet
6. Delinquent Tax Report	Signed Cover sheet
7. Pay or Play	Signed Cover sheet
8. Bids	Signed Cover sheet
10. Insurance	Signed Cover sheet

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary **RCA# 10182**

Subject: Formal Bids Received for Street Sweeping Services for the Public Works and Engineering Department S55-L24994	Category # 4	Page 1 of 2	Agenda Item

FROM (Department or other point of origin):	**Origination Date**	**Agenda Date**
Calvin D. Wells City Purchasing Agent Finance Department	August 26, 2014	
DIRECTOR'S SIGNATURE	**Council District(s) affected**	
Calvin D Wells	All	
For additional information contact:	**Date and Identification of prior authorizing Council Action:**	
David Guernsey **Phone:** (832) 395-3640 Ray DuRousseau **Phone:** (832) 393-8726		

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to THR Enterprises, Inc. on its low bid in the amount not to exceed $4,294,190.60 for street sweeping services for the Public Works and Engineering Department.

Maximum Contract Award Amount: $4,294,190.60	**Finance Budget**
$4,294,190.60 - Fund 2302 - Storm Water Fund	

SPECIFIC EXPLANATION:

The City Purchasing Agent and the Director of Public Works and Engineering Department recommend that City Council approve an ordinance awarding a three-year contract with two one-year options, to THR Enterprises, Inc., on its low bid, in an amount not to exceed $4,294,190.60 for street sweeping services for the Public Works and Engineering Department. This contract will be used to sweep streets citywide. The City Purchasing Agent may terminate this contract at any time upon 30 days written notice to the contractor, should termination becomes necessary.

This bid was advertised in accordance with the requirements of the State of Texas bid laws. 61 prospective bidders downloaded the solicitation from SPD's e-bidding website and two bids were received as itemized below:

	Company	Total Amount
1.	**THR Enterprises, Inc.**	**$4,294,190.60**
2.	Sweeping Services of Texas Operating, L.P.	$7,339,347.50

The scope of work requires the contractor to provide all labor, equipment, supervision and transportation necessary to provide street sweeping services as required and directed by the Department's Street and Drainage Division personnel.

REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:

MWBE Subcontracting:
This invitation to bid was issued as a goal-oriented contract with an 11% MWBE participation level. THR Enterprises, Inc. has designated the below named company as its subcontractor.

Name	Type of Work	Percentage	Dollar Amount
TLC Engineering, Inc.	Project Management Services	11%	$473,360.97

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.

Hire Houston First:
The proposed contract requires compliance with the City's 'Hire Houston First' ordinance that promotes economic opportunity for Houston businesses and supports job creation. In this case, the proposed contractor meets the requirements of Hire Houston First.

Buyer: Joseph Badell

Estimated Spending Authority

DEPARTMENT	FY2015	OUT YEARS	TOTAL
Public Works & Engineering	$1,025,250.00	$3,268,940.60	$4,294,190.60

CITY OF HOUSTON - CITY COUNCIL
Meeting Date: 9/23/2014
District D

20ACM87-S. J. Louis - 66-inch Water Line along Moers Road

Agenda Item#: 42.

Summary:
ORDINANCE appropriating $9,215,300.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **S. J. LOUIS CONSTRUCTION OF TEXAS, LTD.** for proposed 66-inch water line along Moers Road from proposed Moers right of way to Almeda-Genoa Road; 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, construction management and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICT D - BOYKINS**
TAGGED BY COUNCIL MEMBER COSTELLO
This was Item 32 on Agenda of September 17, 2014

Background:
PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Surface Water Transmission Program and is required to increase availability of water to the Southwest Pump Station's southern service area by allowing the Southwest Pump Station to provide surface water to the Bellaire Braes Pump Station.

DESCRIPTION/SCOPE: This project consists of approximately 5,300 LF of proposed 66-inch water line, valves and appurtenances,full width asphalt pavement reconstruction, and storm sewer installation.

The contract duration for this project is 365 calendar days. This project was designed by Lockwood, Andrews, and Newnam, Inc.

LOCATION: This project area is along Moers Road from Fuqua Street to Almeda-Genoa Road. The project is located in Key Map Grids 575-Q, and U.

PROPOSALS: The Request for Proposal was advertised in accordance with the requirements of the State of Texas procurement laws. Proposals were received on March 20, 2014. The proposals were evaluated based upon a set of selection criteria and corresponding maximum point values to determine the most competitive proposal. The proposals were selected based upon the following criteria:

- General Experience the Reputation: 15 points.
- Specific Experience Working on City Projects: 10 points.
- Total Bid Price Proposal: 75 points.
- Hire Houston First: 3 or 5 bonus points.

Based on the selection criteria, the three (3) proposers are ranked as follows:

Proposer	Total Points
1. Huff & Mitchell, Inc.	87 (Not met "MWSBE program goal")
2. Texas Sterling Construction Co.	87 (Not met "MWSBE program goal")
3. S. J. Louis Construction of Texas, Ltd.	81

AWARD: The apparent best proposer, Huff & Mitchell, Inc. and second best proposer, Texas Sterling Construction Co. did not meet the 'MWSBE program goal". It is recommended that this construction contract best awarded to the third best proposer, S. J. Louis Construction of Texas, Ltd., who met the "MWSBE program goal" with a proposal price of $8,033,852.00 and that Addendum Number 1 be made a part of this contract.

PROJECT COST: The total cost of this project is $9,215,300.00 to be appropriated as follows:

- Proposal Price $8,033,852.00
- Contingencies $ 401,692.60
- Engineering and Testing Services $ 160,000.00
- CIP Cost Recovery $ 241,055.40
- Construction Management $ 378,700,00

Engineering and Testing Services will be provided by HTS, Inc. Consultants under a previously approved contract.

Construction Management Services will be provided by ESPA Corp., under a previously approved contract.

HIRE HOUSTON FIRST:
Compliance with the City's 'Hire Houston First' ordinance was one of four selection criteria on which the City based its evaluation and ranking of proposers for this project. The selected proposer was not compliant with Hire Houston First; however proposer has the most qualifying points based on the selection criteria set forth in the contract documents.

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

M/WBE PARTICIPATION: The contract was advertised with an MBE Goal of 12% and WBE Goal of 7%. The proposer submitted a Good Faith Effort which the Office of Business Opportunity (OBO) approved.

MBE – Name of Firms	Work Description	Amount	% of Contract
1. Curb Planet, Inc.	Curb and Gutter Services	$36,100.00	0.45%
2. Capstone Trucking	Hauling Services	$240,000.00	2.99%
3. Access Data Supply, Inc.	Pipe Supply	$600,000.00	7.47%
	TOTAL	**$876,100.00**	**10.91%**

WBE – Name of Firms	Work Description	Amount	% of Contract
1. Willow City Sign & Rail, Inc.	Guard Rail	$5,000.00	0.06%
2. KMA Contractors Services, Inc.	Pre-Cast Structures & Photography	$190,320.00	2.37%
	TOTAL	**$195,320.00**	**2.43%**

SBE – Name of Firms	Work Description	Amount	% of Contract

1. El Dorado Paving Company, Inc.	Hot Mix Asphalt Concrete Paving	$750,000.00	9.34%
	TOTAL	**$750,000.00**	**9.34%**

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

Amount of Funding:
$9,215,300.00 - Water and Sewer System Consolidated Construction Fund No. 8500.

Source of Funding:
Enterprise Fund

Contact Information:
Ravi Kaleyatodi, P.E., CPM
Senior Assistant Director
Phone: 832-395-2326

ATTACHMENTS:

Description	Type
20ACM87-S. J. Louis - RCA	Signed Cover sheet
20ACM87-S. J. Louis - MAP	Backup Material
20ACM87-S. J. Louis - ORD	Ordinance/Resolution/Motion
20ACM87-S. J. Louis - Fair Campaign	Backup Material
20ACM87-S. J. Louis - Delinquent Tax Report	Backup Material
20ACM87-S. J. Louis - Pay or Play	Backup Material
20ACM87-S. J. Louis - SAP Documents	Financial Information

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

SUBJECT: Contract Award for Proposed 66-Inch Water Line along Moers Road from Proposed Moers Right of Way (ROW) to Almeda-Genoa Road. WBS No. S-000900-0103-4	**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., Acting Director	**Council District affected:** D	Acm
For additional information contact: for Ravi Kaleyatodi, P.E., CPM **Phone:** (832) 395-2326 Senior Assistant Director	**Date and identification of prior authorizing Council action:**	

RECOMMENDATION: **(Summary)**
Reject first and second proposers, return bid bond, award construction contract to the third best proposer and appropriate funds.

Amount and Source of Funding:

$ 9,215,300.00 – Water and Sewer System Consolidated Construction Fund No. 8500. M.P. 8/25/2014

PROJECT NOTICE/JUSTIFICATION: This project is part of the City's Surface Water Transmission Program and is required to increase availability of water to the Southwest Pump Station's southern service area by allowing the Southwest Pump Station to provide surface water to the Bellaire Braes Pump Station.

DESCRIPTION/SCOPE: This project consists of approximately 5,300 LF of proposed 66-inch water line, valves and appurtenances, full width asphalt pavement reconstruction, and storm sewer installation.

The contract duration for this project is 365 calendar days. This project was designed by Lockwood, Andrews and Newnam, Inc.

LOCATION: This project area is along Moers Road from Fuqua Street to Almeda-Genoa Road. The project is located in Key Map Grids 575-Q, and U.

PROPOSALS: The Request for Proposal was advertised in accordance with the requirements of the State of Texas procurement laws. Proposals were received on March 20, 2014. The proposals were evaluated based upon a set of selection criteria and corresponding maximum point values to determine the most competitive proposal. The proposals were selected based upon the following criteria:

- General Experience and Reputation: 15 points.
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- Total Bid Price Proposal: 75 points.
- Hire Houston First: 3 or 5 bonus points

LTS No. 12738 **CUIC ID # 20ACM87**

Finance Department:	**Other Authorization:** Jun Chang Jun Chang, P.E., D.WRE, Deputy Director Public Utilities Division	**Other Authorization:** Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division

REV 02/07/11

Based on the selection criteria, the three (3) proposers are ranked as follows:

	Proposer	Total Points
1.	Huff & Mitchell, Inc.	87 (Not met "MWSBE program goal")
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PROJECT COST: The total cost of this project is $9,215,300.00 to be appropriated as follows:

• Proposal Price	$8,033,852.00
• Contingencies	$401,692.60
• Engineering and Testing Services	$160,000.00
• CIP Cost Recovery	$241,055.40
• Construction Management	$378,700.00

Engineering and Testing Services will be provided by HTS, Inc. Consultants under a previously approved contract.

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M/WBE PARTICIPATION: The contract was advertised with an MBE Goal of 12 % and a WBE Goal of 7 %. The proposer submitted a Good Faith Effort which the Office of Business Opportunity (OBO) approved.

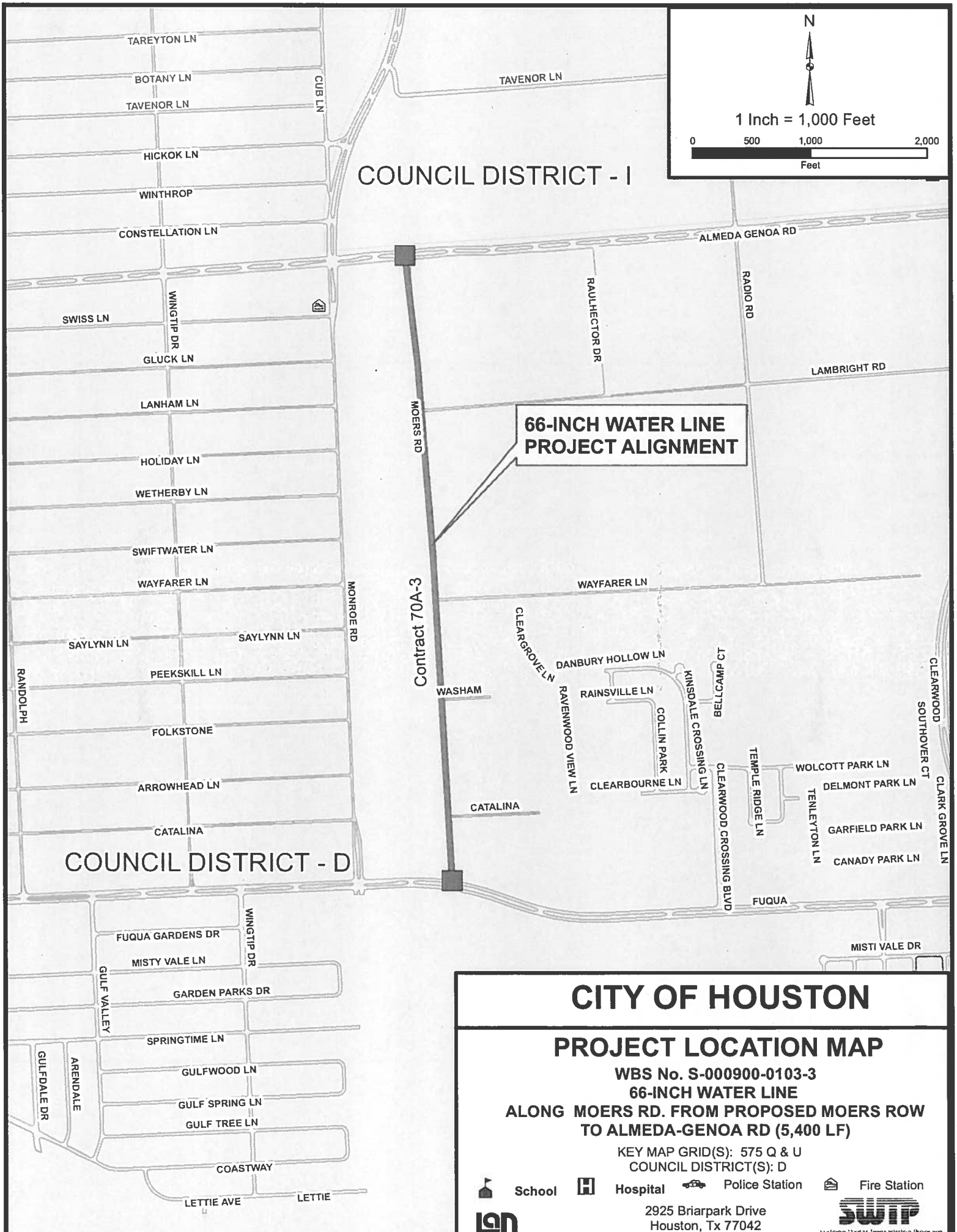
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SBE - Name of Firms	Work Description	Amount	% of Contract
3. El Dorado Paving Company, Inc.	Hot Mix Asphalt Concrete Paving	$750,000.00	9.34%
	TOTAL	**$750,000.00**	**9.34%**

All known rights-of-way, easements and/or right-of-entry required for the project have been acquired.

DAR:DRM:RK:HH:ACM:ahh
H:\design\A-WS-DIV\PROJECTS\SWTP\S-0900-02-2\WA10931_(S-000900-0103)\Advertise - Bid - Award\RCA Package\Construction RCA.doc
c: File No. S-000900-0103-4 (3.7)



CITY OF HOUSTON

PROJECT LOCATION MAP

WBS No. S-000900-0103-3
66-INCH WATER LINE
ALONG MOERS RD. FROM PROPOSED MOERS ROW TO ALMEDA-GENOA RD (5,400 LF)

KEY MAP GRID(S): 575 Q & U
COUNCIL DISTRICT(S): D

School | Hospital | Police Station | Fire Station

2925 Briarpark Drive
Houston, Tx 77042

Surface Water Transmission Program

Path: L:\110059\120-10200-000\Prod\CIP Assistance\GIS\RCA\Revised_Exhibit_70A-3.mxd Date Saved: 7/5/2014 9:38:25 AM

2ACM87

Controller's Office

To the Honorable Mayor and City Council of the City of Houston, Texas:

I hereby certify, with respect to the money required for the contract, agreement, obligation, or expenditure contemplated by the ordinance set out below that:

( ) Funds have been encumbered out of funds previously appropriated for such purpose.

( ) Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.

( ) Funds will be available out of current or general revenue prior to the maturity of any such obligation.

( ) No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.

( ) The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.

( ) A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated hereby by this reference.

( ) Other - Grant Funds Available

Date:_____, 20__

_____
City Controller of the City of Houston, Texas

FUND REF: **AMOUNT:** **ENCUMB. NO.:**

City of Houston, Texas Ordinance No. _____

AN ORDINANCE APPROPRIATING THE SUM OF $ 9,215,300.00 OUT OF THE WATER AND SEWER SYSTEM CONSOLIDATED CONSTRUCTION FUND; AWARDING A CONTRACT TO S. J. LOUIS CONSTRUCTION OF TEXAS, LTD. FOR PROPOSED 66-INCH WATER LINE ALONG MOERS ROAD FROM PROPOSED MOERS RIGHT OF WAY (ROW) TO ALMEDA-GENOA ROAD; 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, CONSTRUCTION MANAGEMENT AND CONTINGENCIES RELATING TO CONSTRUCTION OF FACILITIES FINANCED BY WATER AND SEWER SYSTEM CONSOLIDATED CONSTRUCTION FUND; AND DECLARING AN EMERGENCY.

* * * *

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

Section 1. The City Council appropriates the sum or sums of money set out in the title of this Ordinance, out of the respective fund or funds set out in such title as follows: The sum of **$8,435,544.60** is appropriated for construction of the project described in the title, the sum of **$241,055.40** is appropriated for CIP cost recovery relating to construction of facilities financed by the funds described in such title, the sum of **$160,000.00** is appropriated for engineering testing under Outline Agreement No. **4600012051**, and the sum of **$378,700.00** is appropriated as funding for construction management under Outline Agreement No. **4600011902**. In the event there are unspent funds remaining in the Construction Appropriation after construction and closeout of the project, such unspent funds are appropriated for CIP Cost Recovery relating to construction of facilities financed by the fund described in the title.

Section 2. Having duly advertised for and received competitive bids for the work described in the title of this ordinance, the City Council hereby finds and determines that the lowest responsible bid was submitted by the bidder named in the title hereof in the amount of **$8,033,852.00**. The Contract for said work is hereby awarded to said bidder. The bidder must execute the contract and deliver to the City's Director of the Department of Public Works and Engineering (Director) all required bonds, insurance certificates, MWBE information, and all other contract documents required to be provided in post bid procedures in a form acceptable to the City Attorney within 10 days of the date of passage of this Ordinance by City Council. If the bidder does so, the Mayor is hereby authorized to execute the contract.

Section 3. If bidder fails to comply by the above deadline, it shall be in default. The Director shall give the bidder notice of default. The Director shall give the bidder notice of default and recommend award of the contract to the next lowest bidder. The City Attorney is authorized to forfeit the bid bond of the bidder. The City Council hereby approves and authorizes the construction contract described in the title of this ordinance, in form prepared by the Department of Public Works and Engineering and on file in that Department. Any addenda or modifications to such contract issued by that Department shall be included in the contract. Any alternate bid items recommended for acceptance by that Department shall be included in the contract. The Mayor is hereby authorized to execute such document and all related documents (including any related surety bonds) on behalf of the City of Houston, Texas. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

Section 4. The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking referenced in the title of this ordinance, in the event of changed circumstances.

Section 5. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council.

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 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 _____, 20__.

APPROVED this ___ day of _____, 20__.

_____
Mayor of the City of Houston, Texas

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

_____
City Secretary

Requested by: Daniel W. Krueger, P.E., Director
Dept. of Public Works and Engineering

(Contact: Arthur C. Morris, P.E.)
(Phone: (832) 395-2317)

This Ordinance and/or Contract has (have) been reviewed as to form by the undersigned legal assistant and has (have) been found to meet established Legal Department criteria. The Legal Department has not reviewed the content of these documents.

_____ _____
Date Legal Assistant

CERTIFICATE OF CITY CONTROLLER

I, Ronald C. Green, Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, Texas, with respect to the sum of **$9,215,300.00** required for the project referenced in the title of this ordinance, do hereby certify as follows:

1. Water and Sewer System Consolidated Construction Fund:

   (a) The sum of **$9,215,300.00** will be funded from water and sewer system bond proceeds and/or water and sewer system commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 93-1409 authorizing the creation of the Water and Sewer System Consolidated Construction Fund. To the extent that this sum will be paid with bond proceeds, it is in the treasury in the said fund, and is not appropriated for any other purpose.

   (b) To the extent that the **$9,215,300.00** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and said anticipated funds have not already been appropriated for any other purpose. Such sum will be received as a cash draw(s) to the City of Houston, Texas pursuant to the Water and Sewer System Commercial Paper Ordinance, Ordinance No. 93-1209.

_____

City Controller