

# AGENDA

CITY OF HOUSTON ■ CITY COUNCIL  
September 30 & October 1, 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

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

Copies of the agenda are available at no charge in the Office of the City Secretary in the City Hall Annex, Public Level. To receive the agenda by mail send check or money order for \$52.00 for a one year subscription, made payable to the City of Houston to the attention of the City Secretary, P.O. Box 1562, Houston, Texas 77251. The agenda may also be accessed via the internet at <http://www.houstontx.gov>.

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 30, 2014 - 1:30 PM**  
**CITY HALL CHAMBER**

**INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Pennington**

**1:30 PM - 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 list 093014**

**RECESS**

**RECONVENE**

**Tuesday - September 30, 2014 - 6:00 P. M.**

**HEARINGS**

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

**RECONVENE**

**Wednesday - October 1, 2014 - 9:00 A. M.**

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

**9:00 A.M.**

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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 37**

**MISCELLANEOUS**

2. REQUEST from Mayor for confirmation of the appointment of **BRUCE ANTHONY AUSTIN**, representative of **Harris County Commissioners Court**, to Position Seven of the **BOARD OF DIRECTORS OF THE DOWNTOWN REDEVELOPMENT AUTHORITY (a/k/a MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY)**, for a term to expire December 31, 2015
3. REQUEST from Mayor for confirmation of the reappointment of the following to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS**, also known as the **FOURTH WARD ZONE**, for terms to expire June 8, 2016:  
Position Six - **ANTHONY W. HALL, III**  
Position Seven - **JESSE SAENZ**
4. REQUEST from Mayor for confirmation of the reappointment of **DAVID S. BUCK, M.D.** to Position Four of the **BOARD OF DIRECTORS OF THE HOUSTON RECOVERY CENTER, LGC**, for a term to expire September 30, 2017
5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ZOO, INC. BOARD OF DIRECTORS**, for terms to expire June 30, 2017:  
Position One - **JOSEPH C. DILG**, appointment  
Position Two - **KAT GALLAGHER**, reappointment  
Position Seven - **JILL JEWETT**, appointment

6. RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of residential parking permit area in the Super Neighborhoods of Afton Oaks/River Oaks and University Place - **DISTRICTS C - COHEN and G - PENNINGTON**

#### **ACCEPT WORK**

7. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$843,248.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Westside Trail - 7.56% over the original contract amount and under the approved 8.8% contingency - **DISTRICT F - NGUYEN**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,290,857.20 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.22% under the original contract amount - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; I - GALLEGOS; J - LASTER and K - GREEN**
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,619,172.10 and acceptance of work on contract with **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method - 0.68% over the original contract amount (4258-32) - **DISTRICTS B - DAVIS; C - COHEN; D - BOYKINS; F - NGUYEN; G - PENNINGTON; H - GONZALEZ; I - GALLEGOS and J - LASTER**
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,232,057.02 and acceptance of work on contract with **HUFF AND MITCHELL, INC** for North 60-inch Condition Assessment Support Package - 17.60% under the original contract amount - **DISTRICT I - GALLEGOS**
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,359,032.52 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Groundwater Treatment Plants Improvements - 2.02% under the original contract amount - **DISTRICTS A - STARDIG and F - NGUYEN**

#### **PROPERTY**

12. RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. Kuo's Family Limited Partnership, et al; Cause No. 994,117 for a total consideration of \$130,000.00; for acquisition of Parcel AY10-204, in connection with **AIRLINE DRIVE PAVING & DRAINAGE PROJECT (N. Main - North Loop 610)** - **DISTRICT H - GONZALEZ**
13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Gerald W. Grissom, Brown & Gay Engineers, Inc., on behalf of Hudson Brothers Real Estate, L. P., (Edward J. Hudson, Managing Member), for the abandonment and sale of : 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey, Parcels SY14-130A through SY14-130D - **DISTRICT G - PENNINGTON**
14. **AMEND MOTION #2011-0029, 1/12/11, TO APPOINT** John Fox and David Dominy as independent appraisers to determine the fair market value for the portion of right-of-way on the north side of Wheeler Avenue, ±400 feet from the intersection of Wheeler Avenue and Calhoun Street, to ±368 feet from the intersection of Wheeler Avenue and Cullen Boulevard in exchange for fee-owned land from the University of Houston for the construction of Wheeler Street, from Scott Street east to Calhoun Road, out of the Luke Moore Survey, A-51, Parcels SY10-074, AY10-331, AY10-332A through AY10-332D, QY10-007 and VY10-039 **DISTRICT D - BOYKINS**

#### **PURCHASING AND TABULATION OF BIDS**

15. ORDINANCE appropriating \$14,750.00 out of Public Health Consolidated Construction Fund as an additional appropriation for Roof Replacement at Peavy Senior Center
16. **AMEND MOTION #2014-512, 6/4/14, TO INCREASE** the not-to-exceed award amount from \$322,451.80 to \$337,201.80, for Roof Replacement at Peavy Senior Center, located at 3814 Market Street for the General Services Department on behalf of the Health and Human Services Department, awarded to **JOHN A. WALKER ROOFING CO., INC**  
**This item should only be considered after passage of Item 15 above**
17. **THE BODE TECHNOLOGY GROUP, INC** for Implementation, Validation and Staff Training for Forensic DNA Analysis Robotics for the Houston Forensic Science, LGC - \$84,000.00 - Grant Fund
18. **AMEND MOTION #2009-721, 10/7/09, TO EXTEND** expiration date from October 14, 2014 to October 13,

## **RESOLUTIONS**

19. RESOLUTION supporting the certification of a Municipal Setting Designation outside the boundary of the City of Houston at 12201 Southwest Freeway, Stafford, Texas
20. RESOLUTION designating the **JACK R. and AUBAN TENISON HOUSE** located at 1609 Kirby Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**
21. RESOLUTION designating **FIRE STATION NO. 2** located at 317 Sampson Street within the City of Houston as a historic landmark - **DISTRICT H - GONZALEZ**
22. RESOLUTION designating the **FORREST R. and MYRTLE OLDHAM HOUSE** located at 2504 Brentwood Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**
23. RESOLUTION designating the **HORTENSE SPARKS and WILLIAM WARD/M.D. ANDERSON HOUSE** located at 1902 Sunset Boulevard within the City of Houston as a historic landmark **DISTRICT C - COHEN**
24. RESOLUTION designating the **HERMANN ESTATE BUILDING** located at 204 Travis Street within the City of Houston as a landmark and protected landmark - **DISTRICT I - GALLEGOS**

## **ORDINANCES**

25. ORDINANCE amending the City's Master Classification Ordinance (City of Houston Ordinance No. 90-1292, as most recently amended by City of Houston Ordinance No. 2014-592) to add five job classifications, and revise two job classifications; providing a repealer; providing for severability
26. ORDINANCE approving a grant from the Department of Aging and Disability Services (DADS) and accepting the FY2015-2016 Area Plan for the Harris County Area Agency on Aging ("HCAAA"); declaring HCAAA's eligibility for the Area Plan grant funding for FY2015-2016; authorizing the Director of the Health and Human Services Department of the City of Houston 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
27. ORDINANCE authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to execute four Subrecipient Grant Agreements with the **TEXAS DEPARTMENT OF PUBLIC SAFETY** accepting FY2014 Homeland Security Grant Funding from the Urban Area Security Initiative Grant Program, the Urban Area Security Initiative Law Enforcement Terrorism Prevention Activities Program, and the State Homeland Security Program, and the State Homeland Security Program - Economic Recovery; declaring the City's eligibility for such grants; authorizing the Director to execute all modifications to the agreements and to execute any subsequent documents necessary to secure the City's allocations throughout the life of these grant awards
28. 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**
29. ORDINANCE appropriating \$150,000.00 out of Parks Consolidated Construction Fund, \$180,000.00 out of Fire Consolidated Construction Fund, \$475,000.00 out of Police Consolidated Construction Fund, \$120,000.00 out of Public Library Consolidated Construction Fund, \$30,000.00 out of Public Health Consolidated Construction Fund and \$50,000.00 out of Solid Waste Consolidated Construction Fund for the Environmental Remediation, Underground Storage Tank Removal and Demolition Services Task Order Contracting Program for FY2015 (Approved by Ordinance No. 2012-0341)
30. ORDINANCE approving and authorizing first amendment to Interlocal Agreement between the City of Houston and **HOUSTON-GALVESTON AREA COUNCIL** for the Greater West Houston Subregional Planning Study; (Approved by Ordinance No. 2012-309, as amended) - **DISTRICTS A - STARDIG; F - NGUYEN and G - PENNINGTON**
31. ORDINANCE issuing a permit to **ENERFIN FIELD SERVICES LLC** to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS D - BOYKINS and K - GREEN**
32. 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 Water Purification Plant Expansion Project; authorizing the acquisition of fee simple title interest in or easement to a parcel of land required for the project and situated in the Victor Blanco Five League Grant, Abstract No. 2, Harris County, Texas, by gift, dedication, purchase or 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 parcel of land required for the project

33. ORDINANCE granting to **CHING LO dba A. URANUS SERVICE, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**FIRST READING**
34. ORDINANCE granting to **PROGRESSIVE WASTE SOLUTIONS OF TX, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**FIRST READING**
35. ORDINANCE granting to **ARROW SERVICES 123, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**FIRST READING**
36. ORDINANCE granting to **MIGGINS INTERESTS, LLC dba HYDRO TECH UTILITIES, A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**FIRST READING**
37. ORDINANCE granting to **MOUSER CONTAINER SERVICE, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions  
**FIRST READING**

#### **END OF CONSENT AGENDA**

#### **CONSIDERATION OF MATTERS REMOVED FROM CONSENT AGENDA**

#### **MISCELLANEOUS**

38. MOTION to set a date not less than seven days from October 1, 2014, to receive nominations for Position B13 for the **HOUSTON FIRST CORPORATION BOARD OF DIRECTORS**, for a two year term ending December 31, 2015

#### **MATTERS HELD**

39. MOTION by Council Member Gonzalez/Seconded by Council Member Pennington to adopt 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**  
**TAGGED BY COUNCIL MEMBER PENNINGTON**  
**This was Item 3 on Agenda of September 24, 2014**
40. 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  
**TAGGED BY COUNCIL MEMBER GREEN**  
**This was Item 11 on Agenda of September 24, 2014**
41. 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

**TAGGED BY COUNCIL MEMBER PENNINGTON**

This was Item 12 on Agenda of September 24, 2014

42. 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**  
**TAGGED BY COUNCIL MEMBER GALLEGOS**  
This was Item 24 on Agenda of September 24, 2014
43. 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  
**TAGGED BY COUNCIL MEMBERS GONZALEZ and STARDIG**  
This was Item 29 on Agenda of September 24, 2014
44. 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  
**TAGGED BY COUNCIL MEMBER STARDIG**  
This was Item 30 on Agenda of September 24, 2014
45. 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  
**DELAYED BY MOTION #2014-871, 9/24/14**  
This was Item 37 on Agenda of September 24, 2014

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Stardig 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: 9/30/2014

speakers list 093014

Agenda Item#:

**ATTACHMENTS:**

Description	Type
📎 Speakers List September 30, 2014	Public Notice

**CITY COUNCIL CHAMBER - CITY HALL 2<sup>nd</sup> FLOOR - TUESDAY  
SEPTEMBER 30, 2014 - 2:00 PM**

**AGENDA**

---

1MIN 1MIN 1MIN

---

MR. DAN T IDWELL – 214 Travis – 77002 – 713-305-2223 – Secondhand Smoke – Item 40

---

3MIN 3MIN 3MIN

---

MS. MARYBETH BAUN – 2340 University Blvd. – 77005 – 713-523-6862 – Secondhand Smoke – Item 40

MR. WILLIAM BAUN – 2340 University Blvd. – 77005 – 713-745-6927 – Tobacco Ordinance – Item 40

MR. ROBERT EURY – 2306 Peckham – 77019 – 713-650-1470 - Secondhand Smoke – Item 40

**NON-AGENDA**

---

1MIN 1MIN 1MIN

---

DR. ALKEBU MOTAPA - 5022 Cosby - 77021 - 713-741-5150 – Love Foundation Rev. King. - Rep. Sheila Jackson-Lee works heal

MR. TREVOR TAYLOR – 15511 Marble Canyon Way – 77044 – 832-544-8841 – Fluoride

MS. BRIANA MOORE – 1918 Sandy Schools – League City – TX – 77573 – 832-457-3651 - Water Fluoridation

MR. MICAH JACKSON – 7315 Log Cradle – 77041 – 713-937-8024 – Civil Liberty

---

2MIN 2MIN 2MIN

---

MS. SHIRAT MAVLIGIT – 2362 Tangley – 77005 – 713-927-4706 – Restricted Parking 2300 Block Tangley

MS. DEBORAH KEYSER – 515 Caroline – 77002 – 713-228-3600 – Kush Amendment

---

3MIN 3MIN 3MIN

---

MS. MONICA MARQUEZ – 1713 Easthaven – 77034 – 832-452-3895 – Fluoride

DR. TERRI ALANI – 5636 Westheimer – 77056 – 713-557-2342 – Fluoride

DR. GARY BADGER – 7500 Cambridge No. 5301 – 77054 – 713-486-4141 – Fluoride

MR. JERRY LONG – 4515 Diamond Springs Dr. – Missouri City – TX – 77459 – 713-504-6599 – Water Fluoridation

MR. DERRICK BROZE – No address given – 713-909-0382 – Water Fluoridation

MR. SANTIAGO SALINAS – 1116 Brooks St. – 77009 – 713-224-0476 – Residential Parking

MR. /COACH R. J. BOBBY TAYLOR - 3107 Sumpter - 77026 - FA34511 – Behavior Coward Conspiracy my born little girl from birth

MS. JAN SCURLOCK – 5606 Longforest Dr. – 77088 – (did not wish to give #) – Discrimination

MR. MARVIN BAUM – 3534 Glenwood Springs Dr. – Kingwood – TX – 77345 – 281-361-0866 – Homeowner Association Violation of Civil Rights

**PREVIOUS**

---

1MIN 1MIN 1MIN

---

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 – Absolute Marshal Law – Salaries – Revoked – H/City W/H – County – Texas/ State – Governments – Systems

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

Item Creation Date: 9/10/2014

MYR ~ 2014 Main St./Market Square Appt. Itr. 9-10-14

Agenda Item#: 2.

**Summary:**

REQUEST from Mayor for confirmation of the appointment of **BRUCE ANTHONY AUSTIN, representative of Harris County Commissioners Court**, to Position Seven of the **BOARD OF DIRECTORS OF THE DOWNTOWN REDEVELOPMENT AUTHORITY (a/k/a MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY)**, for a term to expire December 31, 2015

**Background:**

Dear Council Members:

Pursuant to City of Houston Resolution No. 99-39, Subchapter D of Chapter 431 of the Texas Transportation Code, and Chapter 394 of the Texas Local Government Code, I am nominating the following individual for appointment to the Board of Directors of the Downtown Redevelopment Authority (a/k/a Main Street/Market Square Redevelopment Authority), subject to confirmation by City Council:

Bruce Anthony Austin, representative of Harris County Commissioners Court, appointment to Position Seven, for a term to expire December 31, 2015.

The résumé of the nominee is attached for your review.

**ATTACHMENTS:**

Description	Type
☐ MYR ~ 2014 Main St./Market Square Appt. Itr. 9-10-14	Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

Item Creation Date: 9/10/2014

MYR ~ 2014 TIRZ # 14 & Fourth Ward RA ReAppt. ltr. 9-10-14

Agenda Item#: 3.

**Summary:**

REQUEST from Mayor for confirmation of the reappointment of the following to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS**, also known as the **FOURTH WARD ZONE**, for terms to expire June 8, 2016:

Position Six - **ANTHONY W. HALL, III**  
Position Seven - **JESSE SAENZ**

**Background:**

The Honorable City Council  
Houston Texas

Dear Council Members:

Pursuant to Texas Tax Code, Chapter 311, City of Houston Ordinance No. 1999-565 and City of Houston Resolution No. 99-69, I am nominating the following individuals for reappointment to the Board of Directors of Reinvestment Zone Number Fourteen, City of Houston, Texas, also known as the Fourth Ward Zone, subject to City Council confirmation:

Anthony W. Hall, III, reappointment to Position Six, for a term to expire June 8, 2016; and  
Jesse Saenz, reappointment to Position Seven, for a term to expire June 8, 2016.

Pursuant to Article II of the Bylaws of the Fourth Ward Redevelopment Authority, the Directors of the Board of the Redevelopment Authority shall be appointed by position to the Board by the Mayor of the City with the consent and approval of the City Council and shall be the same persons appointed to the corresponding positions of the Board of the Fourth Ward Zone. Appointment of a person to the position of the Board of the Fourth Ward Zone shall constitute appointment of such person to the corresponding position of the Board of the Redevelopment Authority. The term of each position shall be coterminous with the term of the corresponding position on the Board of the Fourth Ward Zone as established by the City Ordinance No. 1999-565, as may be amended from time to time.

The résumés of the nominees are attached for your review.

**ATTACHMENTS:**

Description	Type
☐ MYR ~ 2014 TIRZ # 14 & Fourth Ward RA ReAppt. ltr. 9-10-14	Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

Item Creation Date: 9/11/2014

MYR ~ 2014 Houston Recovery Center, LGC, ReAppt. Itr. 9-11-14

Agenda Item#: 4.

**Summary:**

REQUEST from Mayor for confirmation of the reappointment of **DAVID S. BUCK, M.D.** to Position Four of the **BOARD OF DIRECTORS OF THE HOUSTON RECOVERY CENTER, LGC**, for a term to expire September 30, 2017

**Background:**

Dear Council Members:

Pursuant to City of Houston Resolution No. 2012-14, Texas Tax Code, Chapter 431, Chapter 394 and Chapter 22, I am nominating the following individual for reappointment to Board of Directors of the Houston Recovery Center, LGC, subject to confirmation by City Council:

David S. Buck, M.D., reappointment to Position Four, for a term to expire September 30, 2017.

The résumé of the nominee is attached for your review.

Sincerely,

**ATTACHMENTS:**

Description	Type
▣ MYR ~ 2014 Houston Recovery Center, LGC, ReAppt. Itr. 9-11-14	Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

Item Creation Date: 9/11/2014

MYR ~ 2014 Houston Zoo, Inc., Appt. ltr. 9-11-14

Agenda Item#: 5.

**Summary:**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ZOO, INC. BOARD OF DIRECTORS**, for terms to expire June 30, 2017:

- Position One - **JOSEPH C. DILG**, appointment
- Position Two - **KAT GALLAGHER**, reappointment
- Position Seven - **JILL JEWETT**, appointment

**Background:**

Dear Council Members:

Pursuant to the Articles of Incorporation and Bylaws of Houston Zoo, Inc., I am nominating for appointment or reappointment the following individuals to the Houston Zoo, Inc. Board of Directors, subject to Council confirmation:

Joseph C. Dilg, appointment to Position One, for a term to expire June 30, 2017;  
Kat Gallagher, reappointment to Position Two, for a term to expire June 30, 2017; and  
Jill Jewett, appointment to Position Seven, for a term to expire June 30, 2017.

The résumés of the nominees are attached for your review.

Sincerely,

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> MYR ~ 2014 Houston Zoo, Inc., Appt. ltr. 9-11-14	Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District C, District G

Item Creation Date: 9/10/2014

ARA-Designation of residential parking permit areas in various neighborhoods in the City of Houston.

Agenda Item#: 6.

**Summary:**

RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of residential parking permit area in the Super Neighborhoods of Afton Oaks/River Oaks and University Place - **DISTRICTS C - COHEN and G - PENNINGTON**

**Background:**

Chapter 26, Section 26-311 of the Code of Ordinances provides for the creation of Residential Permit Parking areas in neighborhoods where excessive commuter parking is deemed a problem for residents. To date, 137 such areas have been designated.

The Administration & Regulatory Affairs Department recommends that the following proposed areas be designated Residential Permit Parking areas and a valid permit be required for on-street parking at the times of day and days of the week specified below and in the attachment. The Administration & Regulatory Affairs and Public Works and Engineering Departments reviewed the applications and held a public hearing on August 5, 2014 to discuss and ensure any outstanding issues with the proposed areas were satisfactorily resolved with each community. The required public hearing notice was sent to all addresses within a 200-ft boundary of each requested zone, in addition to the active Super Neighborhood contacts provided by the Department of Neighborhoods. Notice for the public hearing was also sent to any active homeowner's associations or civic groups in each of the requested zones.

The findings and related regulations for the following proposed Residential Permit Parking areas are attached.

- 022714-23-233, 2400 block of Brazoria, between, Argonne and Revere, Monday – Friday: 7 a.m. – 6 p.m., southside only, tow-away zone
- 041714-28-234, 2300 block of Tanglely, between Morningside and Greenbriar, Monday – Sunday: 9am – 10pm, tow-away zone
- 041814-28-232, Southampton (2200-2300 Bolsover, 5400-5500 Hazard, 5400-5500 Kent, 5400-5500 Wilton), Monday – Sunday: 9am -10pm, tow-away zone
- 041814-28-232a, 5400-5500 Whitley, between Rice and Dunstan, Monday – Sunday: 6 am – 10pm, tow-away zone

C: Jeff Weatherford, Deputy Director, Public Works and Engineering

**Prior Council Action:**

N/A

**Amount of Funding:**

N/A

**Contact Information:**

Maria Irshad, CAPP Phone: 832-393-8641

Lara Cottingham Phone: 832-393-8503

**ATTACHMENTS:**

Description	Type
9.9.2014 RPP RCA	Signed Cover sheet
9.8.2014 RPP Areas Hearing Findings	Backup Material

	MAP Brazoria RPP	Backup Material
📁	MAP Brazoria 2 RPP	Backup Material
📁	MAP Tangley RPP	Backup Material
📁	MAP Tangley Hampton RPP	Backup Material
📁	MAP Wilton RPP	Backup Material


**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

<b>SUBJECT:</b> Designation of residential parking permit areas in various neighborhoods in the City of Houston.	<b>Category #</b>	<b>Page 1 of 10</b>	<b>Agenda Item#</b>
--	-------------------	---------------------	---------------------

<b>FROM: (Department or other point of origin):</b> Tina Paez, Director Administration & Regulatory Affairs Department	<b>Origination Date</b> September 9, 2014	<b>Agenda Date</b>
--	--	--------------------

<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council Districts affected:</b> C and G
---	---

<b>For additional information contact:</b> Maria Irshad, CAPP Phone: 832-393-8641 Lara Cottingham Phone: 832-393-8503	<b>Date and identification of prior authorizing Council Action:</b>
---	---

**RECOMMENDATION: (Summary)**  
Adopt a motion authorizing the designation of a residential permit parking area in the Super Neighborhoods of Afton Oaks/River Oaks and University Place

<b>Amount of Funding:</b> N/A	<b>FIN Budget:</b>
-------------------------------	--------------------

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

**SPECIFIC EXPLANATION:**  
Chapter 26, Section 26-311 of the Code of Ordinances provides for the creation of Residential Permit Parking areas in neighborhoods where excessive commuter parking is deemed a problem for residents. To date, 137 such areas have been designated.

The Administration & Regulatory Affairs Department recommends that the following proposed areas be designated Residential Permit Parking areas and a valid permit be required for on-street parking at the times of day and days of the week specified below and in the attachment. The Administration & Regulatory Affairs and Public Works and Engineering Departments reviewed the applications and held a public hearing on August 5, 2014 to discuss and ensure any outstanding issues with the proposed areas were satisfactorily resolved with each community. The required public hearing notice was sent to all addresses within a 200-ft boundary of each requested zone, in addition to the active Super Neighborhood contacts provided by the Department of Neighborhoods. Notice for the public hearing was also sent to any active homeowner's associations or civic groups in each of the requested zones.

- The findings and related regulations for the following proposed Residential Permit Parking areas are attached.
- 022714-23-233, 2400 block of Brazoria, between, Argonne and Revere, Monday – Friday: 7 a.m. – 6 p.m., southside only, tow-away zone
  - 041714-28-234, 2300 block of Tangley, between Morningside and Greenbriar, Monday – Sunday: 9am – 10pm, tow-away zone
  - 041814-28-232, Southampton (2200-2300 Bolsover, 5400-5500 Hazard, 5400-5500 Kent, 5400-5500 Wilton), Monday – Sunday: 9am -10pm, tow-away zone
  - 041814-28-232a, 5400-5500 Whitley, between Rice and Dunstan, Monday – Sunday: 6 am – 10pm, tow-away zone

C: Jeff Weatherford, Deputy Director, Public Works and Engineering

TP:MLI:mrc

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
----------------------------	-----------------------------	-----------------------------

## **Designation of Residential Parking Permit Areas Findings**

### **Permit Area Regulations Proposed by Applicant:**

Application 022714-23-233, 2400 block of Brazoria, between, Argonne and Revere  
Requested time Monday – Sunday, 6 a.m. – 6 pm, tow-away zone

### **Parking Official Recommendation:**

**Designate a Residential Parking Permit Area with regulations requiring a valid residential parking permit to park curbside:**

Monday – Friday, 7 am – 6 pm, tow-away zone, south-side only

### **Findings:**

Testimony from the Parking Management Division, approval by the Public Works and Engineering – Traffic Operations Division, and comments received at the public hearing leads to the following findings:

- A parking problem exists between the hours of 7 a.m. and 6 p.m., Monday through Friday
- Excessive commuter parking from local employers and multi-family development: 82% of curbside parking spaces occupied of which 100% were commuter vehicles
- Community support: 50% of area residents (20 households affected, 6 vacant properties) have signed the petition in favor of the permit area
- Designating a parking permit area is the most cost-effective way to resolve the parking problem
- Public hearing notification mailed to Afton Oaks Civic Club and River Oaks Property Owners HOA
- At the public hearing, four residents provided oral testimony in support of the permit area
- At the public hearing, one developer provided oral testimony opposing the permit area

## **Designation of Residential Parking Permit Areas Findings**

### **Permit Area Regulations Proposed by Applicant:**

041714-28-234, 2300 block of Tanglely, between Morningside and Greenbriar

Requested times Monday – Friday: 8 am – 10 pm, Saturday – Sunday: 10 am – 11 pm, tow-away zone

### **Parking Official Recommendation:**

**Designate a Residential Parking Permit Area with regulations requiring a valid residential parking permit to park curbside:**

Monday – Sunday: 9am – 10pm, tow-away zone

### **Findings:**

Testimony from the Parking Management Division, approval by the Public Works and Engineering – Traffic Operations Division and comments received at the public hearing leads to the following findings:

- A parking problem exists between the hours of 9 am and 10 pm, Monday through Sunday
- Excessive commuter parking from Rice University and Rice Village commuters: 90% of curbside parking spaces occupied of which 44% were commuter vehicles
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality
- Community support: 85% of residents (20 households affected) signed the petition in favor of the permit area
- Designating a parking permit area is the most cost-effective way to resolve the parking problem
- Public hearing notice mailed to Southampton Civic Club
- At the public hearing, four residents and one non-resident provided oral testimony supporting the permit area
- At the public hearing, four non-residents provided oral testimony opposing the permit area

## **Designation of Residential Parking Permit Areas Findings**

### **Permit Area Regulations Proposed by Applicant:**

041814-28-232, Southampton (2200-2300 Bolsover, 5400-5500 Hazard, 5400-5500 Kent, 5400-5500 Wilton)

Requested time Monday – Sunday: 6 a.m. – 10 p.m., tow-away zone

### **Parking Official Recommendation:**

**Designate a Residential Parking Permit Area with regulations requiring a valid residential parking permit to park curbside:**

Monday – Sunday: 9am -10pm, tow-away zone

### **Findings:**

Testimony from the Parking Management Division, approval by the Public Works and Engineering – Traffic Operations Division and comments received at the public hearing leads to the following findings:

- A parking problem exists between the hours of 9 am. and 10 pm., Monday through Sunday
- Excessive commuter parking from commuters to Rice University and Rice Village: 62% of curbside parking spaces occupied of which 81% were commuter vehicles
- Community support: 85% percent (62 households affected) signed the petition in favor of the permit area
- Designating a parking permit area is the most cost-effective way to resolve the parking problem
- At the public hearing, sixteen residents provided oral testimony in support of the permit area

## **Designation of Residential Parking Permit Areas Findings**

### **Permit Area Regulations Proposed by Applicant:**

041814-28-232, 5400-5500 Whitley

Requested time Monday – Sunday: 6 a.m. – 10 p.m., tow-away zone

### **Parking Official Recommendation:**

**Designate a Residential Parking Permit Area with regulations requiring a valid residential parking permit to park curbside:**

Monday – Sunday: 6am -10pm, tow-away zone













### **Findings:**

Testimony from the Parking Management Division, approval by the Public Works and Engineering – Traffic Operations Division and comments received at the public hearing leads to the following findings:

- A parking problem exists between the hours of 9 am. and 10 pm., Monday through Sunday
- Excessive commuter parking from commuters to Rice University and Rice Village: 73% of curbside parking spaces occupied of which 82% were commuter vehicles
- Community support: 88% percent (8 households affected) signed the petition in favor of the permit area.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem



**Legend**

-  Proposed
- Land Use:**
-  Single-Family
-  Multi-Family
-  Commercial
-  Office
-  Industrial
-  Public & Institutional
-  Transportation & Utilities
-  Parks & Open Areas
-  Agriculture Production
-  Undeveloped
-  Unknown

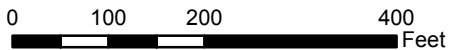
**Proposed Residential Parking Permit Area**

**Application: 022714-23-233**  
**2400 BRAZORIA ST (77019)**

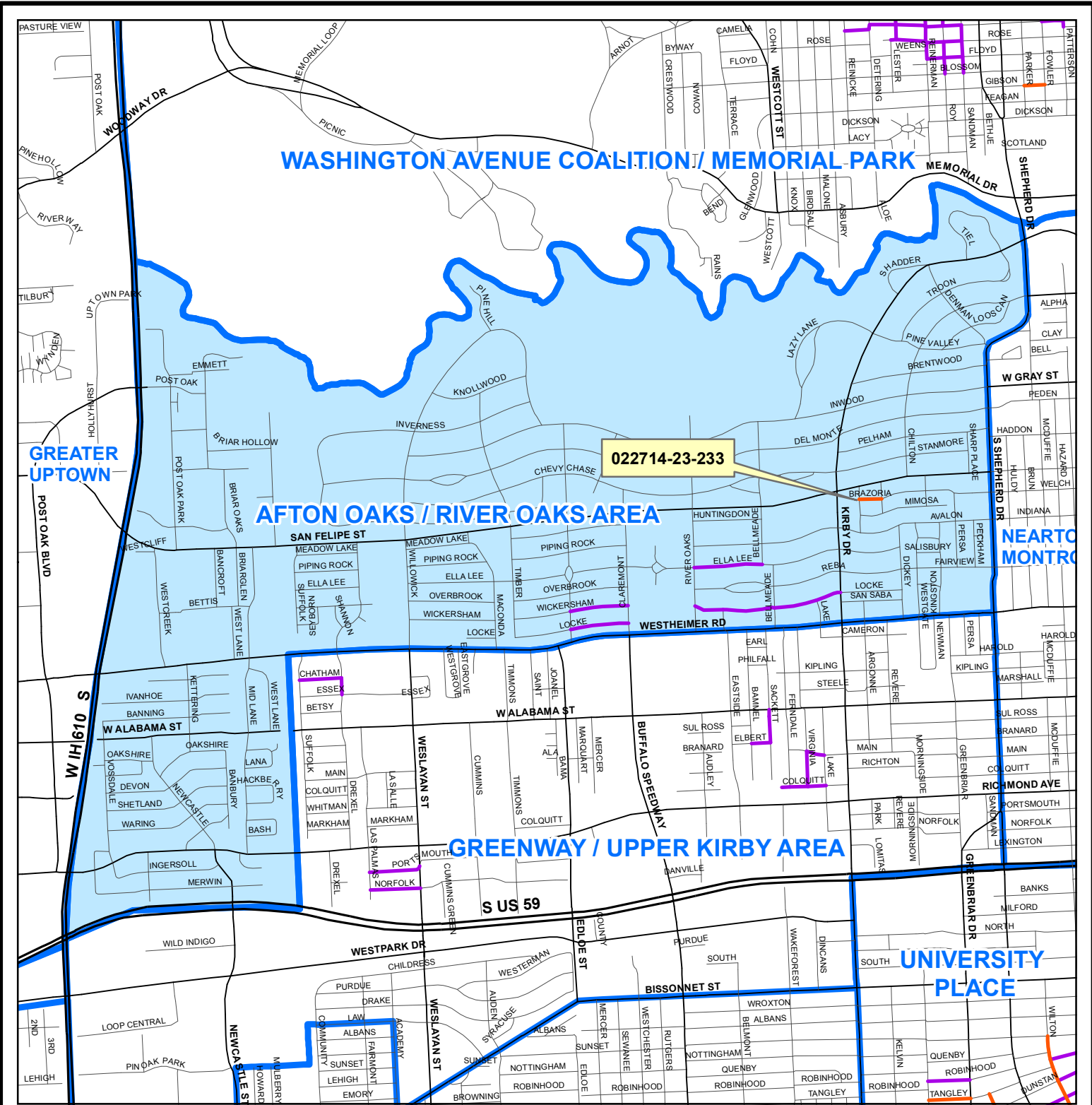
*Source: COHGIS Database*  
*Date: June 2014*  
*Reference: Pj17621\_brazoria*



**PLANNING &  
 DEVELOPMENT  
 DEPARTMENT**



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.



**Legend**

- AFTON OAKS/ RIVER OAKS AREA (SN#23)
- Existing Areas
- Proposed Areas
- Local Street
- Major Road
- Freeway
- Tollway
- Proposed Road

**Residential Parking Permit Areas**

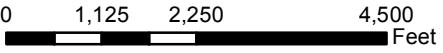
**Application: 022714-23-233**  
**2400 BRAZORIA (77019)**

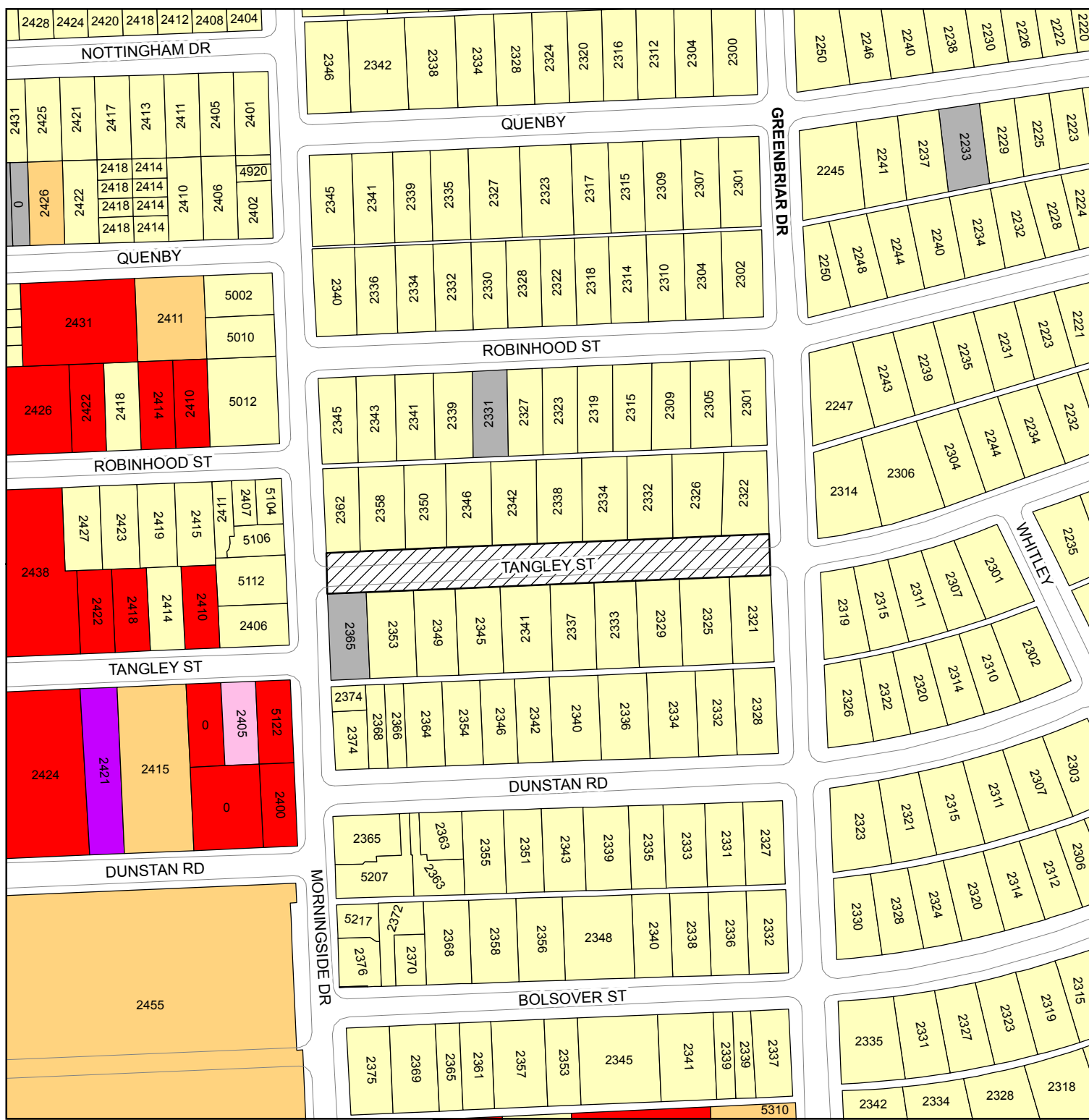
*Source: COHGIS Database*  
*Date: August 2014*  
*Reference: Pj17662\_brazoria*















**PLANNING & DEVELOPMENT DEPARTMENT**

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.





**Legend**

-  Proposed
- Land Use:**
-  Single-Family
-  Multi-Family
-  Commercial
-  Office
-  Industrial
-  Public & Institutional
-  Transportation & Utilities
-  Parks & Open Areas
-  Agriculture Production
-  Undeveloped
-  Unknown

**Proposed Residential Parking Permit Area**

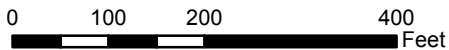
**Application: 041714-28-234**  
**2300 TANGLEY ST (77005)**

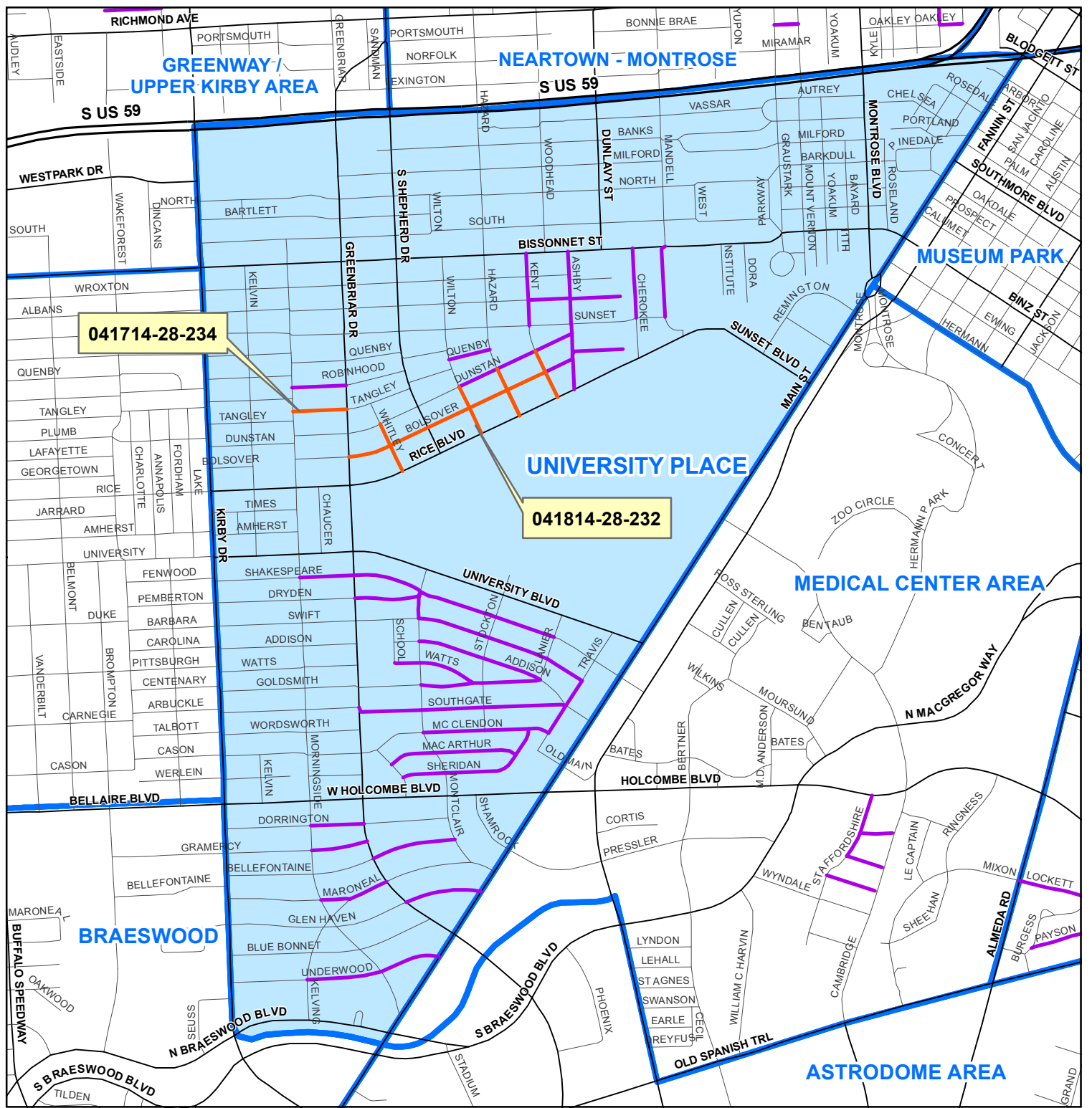
*Source: COHGIS Database*  
*Date: June 2014*  
*Reference: Pj17620\_tangley*



**PLANNING &  
 DEVELOPMENT  
 DEPARTMENT**

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.





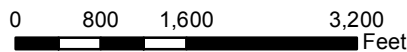
**Legend**

- UNIVERSITY PLACE (SN#28)
- Existing Areas
- Proposed Areas
- Local Street
- Major Road
- Freeway
- Tollway
- Proposed Road

**Residential Parking Permit Areas**

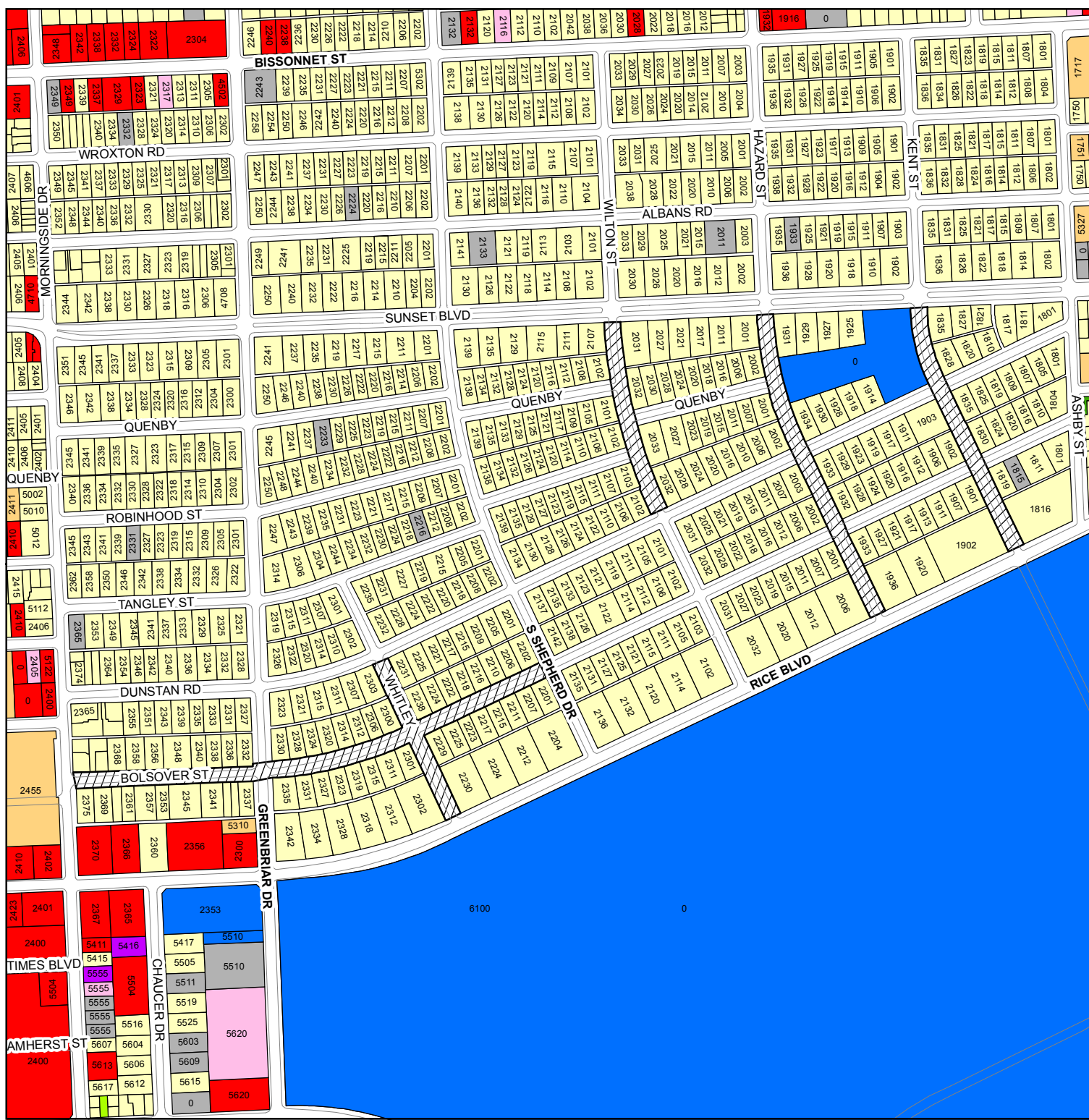
041714-28-234  
 2300 TANGLEY (77005)  
 041714-28-232  
 SOUTH HAMPTON PLACE (77005)

Source: COGIS Database  
 Date: August 2014  
 Reference: Pj17662\_tangley\_hampton















**PLANNING &  
 DEVELOPMENT  
 DEPARTMENT**

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.



**Legend**

-  Proposed
- Land Use:**
-  Single-Family
-  Multi-Family
-  Commercial
-  Office
-  Industrial
-  Public & Institutional
-  Transportation & Utilities
-  Parks & Open Areas
-  Agriculture Production
-  Undeveloped
-  Unknown

**Proposed Residential Parking Permit Area**

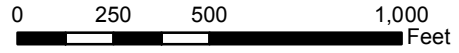
**Application: 041814-24-232**  
**5400 WILTON, 5400 WHITLEY**  
**5400-5500 HAZARD, 5400-5500 KENT**  
**& 2200-2300 BOLSOVER (77005)**

Source: COGIS Database  
 Date: April 2014  
 Reference: Pj17560\_wilton



**PLANNING & DEVELOPMENT DEPARTMENT**

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.



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District F

Item Creation Date: 9/23/2014

25PARK238-Westside Trail-F-000712-0001-4-Times Construction, Inc.

Agenda Item#: 7.

**Summary:**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$843,248.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Westside Trail - 7.56% over the original contract amount and under the approved 8.8% contingency - **DISTRICT F - NGUYEN**

**Background:**

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of \$843,248.00 or 7.56% over the original contract amount, accept the work and authorize final payment to Times Construction, Inc. for construction services in connection with the Westside Trail for the Houston Parks and Recreation Department.

**PROJECT LOCATION:** 3402 ½ S. Briar Knoll Drive (488Y)

**PROJECT DESCRIPTION:** The project removed existing asphalt trail, benches and trash receptacles; removed invasive trees and shrubs; constructed 1.9 mile concrete trail, installed benches and bench pads and seeded and sodded disturbed areas. White Oak Studio was the design consultant for this project.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On April 16, 2014, City Council approved an additional appropriation in the amount of \$47,786.00 to address various unforeseen site conditions related to the new concrete trail.

**CONTRACT COMPLETION AND COST:** The contractor completed the project within 237 days: the original contract time of 210 days, plus 27 days approved by Change Orders. The final cost of the project including Change Orders is \$843,248.00, an increase of \$59,248.00 over the original contract amount.

**PREVIOUS CHANGE ORDERS:** Change Orders 1-3 added Harris County Flood Control District required bonds and permitting and equipment fees; removed an additional 283 cubic yards of asphalt and added an additional 1196 cubic yards of compacted fill; and added non-compensable days to the contract due to dry weather conditions.

**Prior Council Action:**

Ordinance No. 2013-0717, Dated August 7, 2013

Ordinance No. 2014-0305, Dated April 16, 2014

**Amount of Funding:**

**Previous Funding:**

**\$47,786.00** Parks & Recreation Dedication Fund (4035)

**\$836,700.00** Parks Consolidated Construction Fund (4502)

**\$884,486.00** Total Funding

**Source of Funding:**

Other (Specify)

Parks & Recreation Dedication Fund (4035) Parks Consolidated Construction Fund (4502)

**Contact Information:**

Jacquelyn L. Nisby

**Phone:** 832-393-8023

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Request for Council Action (RCA)	Signed Cover sheet
<input type="checkbox"/> Site and Vicinity Maps	Backup Material

❏ OBO Clearance Reque	Backup Material
❏ Award RCA	Backup Material
❏ Award Ordinance	Backup Material
❏ Additional Appropriation RCA	Backup Material
❏ Additional Appropriation Ordinance	Backup Material
❏ Final Completion Certificate	Backup Material
❏ Change Order 1	Backup Material
❏ Change Order 2	Backup Material
❏ Change Order 3	Backup Material
❏ Delinquent Tax Report	Backup Material
❏ Preliminary Final Estimate	Backup Material
❏ Final Consent of Surety	Backup Material

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work Times Construction, Inc. Westside Trail WBS No. F-000712-0001-4	<b>Page</b> 1 of 1	<b>Agenda</b> <b>Item</b>
--	-----------------------	------------------------------

<b>FROM (Department or other point of origin):</b> General Services Department	<b>Origination Date</b>	<b>Agenda Date</b>
---	-------------------------	--------------------

<b>DIRECTOR'S SIGNATURE:</b> Scott Minnix <i>9/15/14</i> <i>Scott Minnix</i>	<b>Council District affected:</b> F
--	--

<b>For additional information contact:</b> Jacquelyn L. Nisby <i>JLN</i> Phone: 832-393-8023	<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2013-0717, Dated August 7, 2013 Ordinance No. 2014-0305, Dated April 16, 2014
---	---

**RECOMMENDATION:** The General Services Department recommends approval of final contract amount of \$843,248.00 and acceptance of work on contract with Times Construction, Inc. for Westside Trail – 7.56% over the original contract amount and under the approved 8.8% contingency.

<b>Amount and Source of Funding:</b> No Additional Funding Required	<b>Finance Budget:</b>
<b>Previous Funding:</b> \$47,786.00 Parks & Recreation Dedication Fund (4035) \$836,700.00 Parks Consolidated Construction Fund (4502) \$884,486.00 Total Funding	

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council approve the final contract amount of \$843,248.00 or 7.56% over the original contract amount, accept the work and authorize final payment to Times Construction, Inc. for construction services in connection with the Westside Trail for the Houston Parks and Recreation Department.

**PROJECT LOCATION:** 3402 ½ S. Briar Knoll Drive (488Y)

**PROJECT DESCRIPTION:** The project removed existing asphalt trail, benches and trash receptacles; removed invasive trees and shrubs; constructed 1.9 mile concrete trail, installed benches and bench pads and seeded and sodded disturbed areas.

White Oak Studio was the design consultant for this project.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On April 16, 2014, City Council approved an additional appropriation in the amount of \$47,786.00 to address various unforeseen site conditions related to the new concrete trail.

**CONTRACT COMPLETION AND COST:** The contractor completed the project within 237 days: the original contract time of 210 days, plus 27 days approved by Change Orders. The final cost of the project including Change Orders is \$843,248.00, an increase of \$59,248.00 over the original contract amount.

**PREVIOUS CHANGE ORDERS:** Change Orders 1-3 added Harris County Flood Control District required bonds and permitting and equipment fees; removed an additional 283 cubic yards of asphalt and added an additional 1196 cubic yards of compacted fill; and added non-compensable days to the contract due to dry weather conditions.

SM:JLN:RAV:LV:DE:de

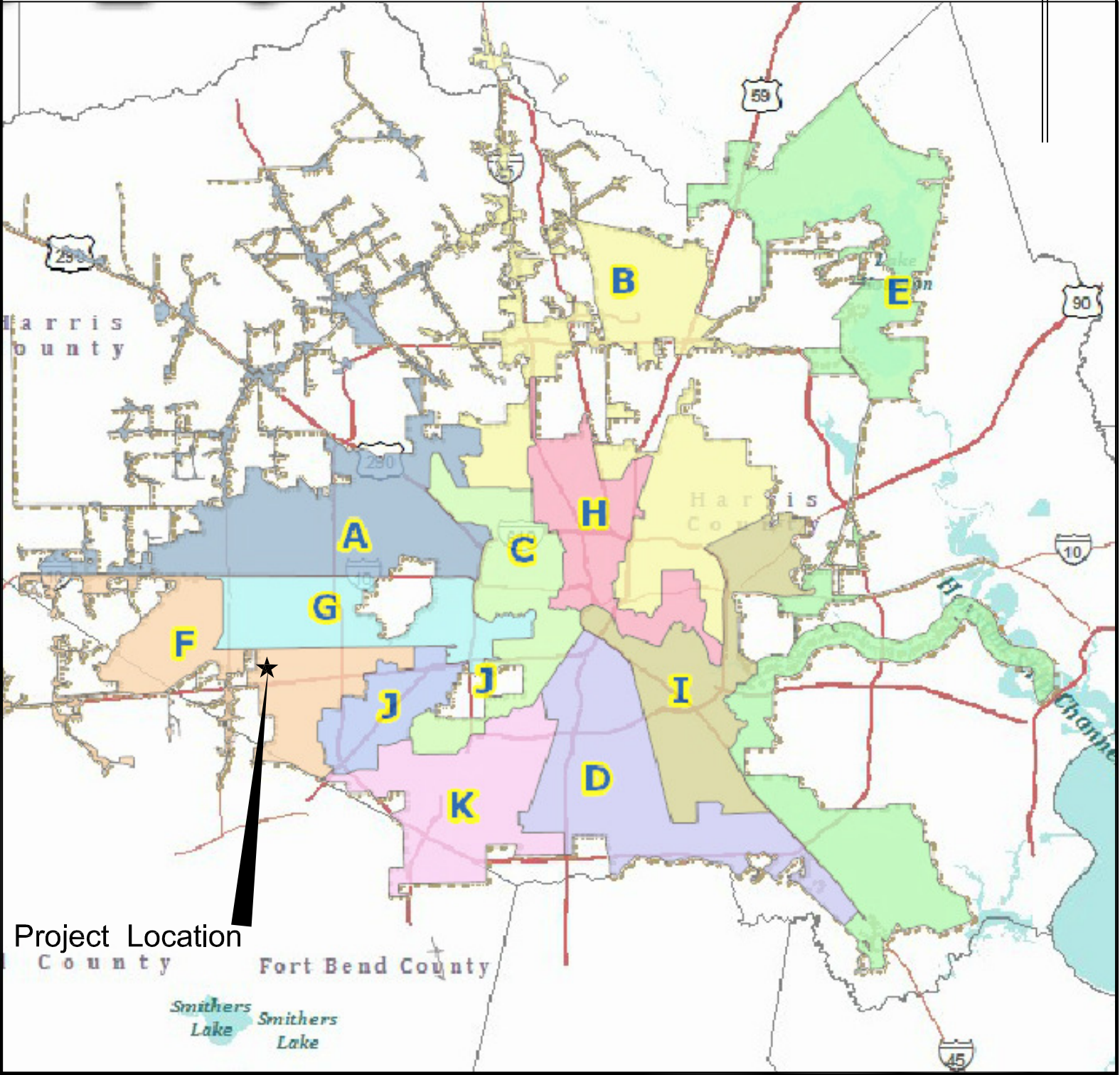
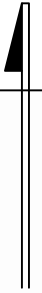
c: Marta Crinejo, Mark Ross, Jacquelyn L. Nisby, Carlecia D. Wright, Luci Correa, Calvin Curtis, Morris Scott, Chris Gonzales

**REQUIRED AUTHORIZATION**

CUIC #25PARK238

<b>General Services Department:</b> <i>Richard A. Vella</i> Richard A. Vella Chief of Design & Construction	<b>Houston Parks and Recreation Department:</b> <i>Joe Turner</i> Joe Turner Director
--	--

CITY OF HOUSTON  
HARRIS COUNTY, TEXAS



Project Location

Westside Trail  
3402 ½ S. Briar Knoll Drive  
Houston, TX 77082

COUNCIL DISTRICT "F"

KEYMAP No. 488Y



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District A, District B, District C, District D, District I, District J, District K

20JAI541-AW PM Construction & Rehab, L.P. - Sanitary Sewer Rehab by Sliplining & Pipe Bursting Methods

Agenda Item#: 8.

**Summary:**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,290,857.20 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.22% under the original contract amount - **DISTRICTS A - STARDIG; B - DAVIS; C - COHEN; D - BOYKINS; I - GALLEGOS; J - LASTER and K - GREEN**

**Background:**

**PROJECT NOTICE/JUSTIFICATION:** Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to **PM CONSTRUCTION & REHAB, L.P.** with an original contract amount of \$3,297,968.43. The Notice to Proceed date was 06/09/2010 and the project had 540 calendar days for completion.

**LOCATION:** The project was located at various locations within Council Districts, A, B, C, D, I, J and K.

**CONTRACT COMPLETION and COST:** The contractor, PM Construction & Rehab, L.P., has completed the work under the contract. The contract was completed within the contract time. The final cost of the project is \$3,290,857.20, an decrease of \$7,111.23 or 0.22% under the original contract amount. Fewer point repairs were needed than anticipated

The final amount of this work order contract was not affected by Change Order No. 1, No. 2, No. 3 and No. 4

**MWDBE PARTICIPATION:** The MWDBE goal for this project was 21.00%. According to the Office of Business Opportunity, actual participation was 28.60%. The contractor was awarded an "Outstanding" rating from the Office of Business Opportunity.

**Prior Council Action:**

Ordinance No. 2008-1164, dated 12/02/2009

**Amount of Funding:**

No additional funding required.

Original appropriation of \$3,517,867.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500.

**Source of Funding:**

Enterprise Fund

**Contact Information:**

Jason Iken, P.E.

Senior Assistant Director

Phone: (832) 395-4989

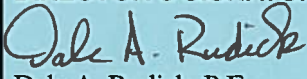


**ATTACHMENTS:**

Description	Type
☐ 20JAI541-AW PM Construction & Rehab, L.P. - RCA	Signed Cover sheet
☐ 20JAI541 - AW PM Construction - Project list and maps	Backup Material
☐ 20JAI541-AW PM Construction & Rehab, L.P. - PRIOR COUNCIL ACTION	Backup Material

- ▢ 20JAI541-AW PM Construction & Rehab, L.P. - AFFIDAVIT OF OWNERSHIP Backup Material
- ▢ 20JAI541-AW PM Construction & Rehab, L.P. - DELINQUENT TAX REPORT Backup Material
- ▢ 20JAI541-AW PM Construction & Rehab, L.P. - OBO Backup Material
- ▢ 20JAI541-AW PM Construction & Rehab, L.P. - PERFORMANCE EVALUATION Backup Material

TO: Mayor via City Secretary

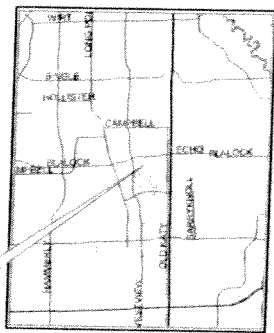
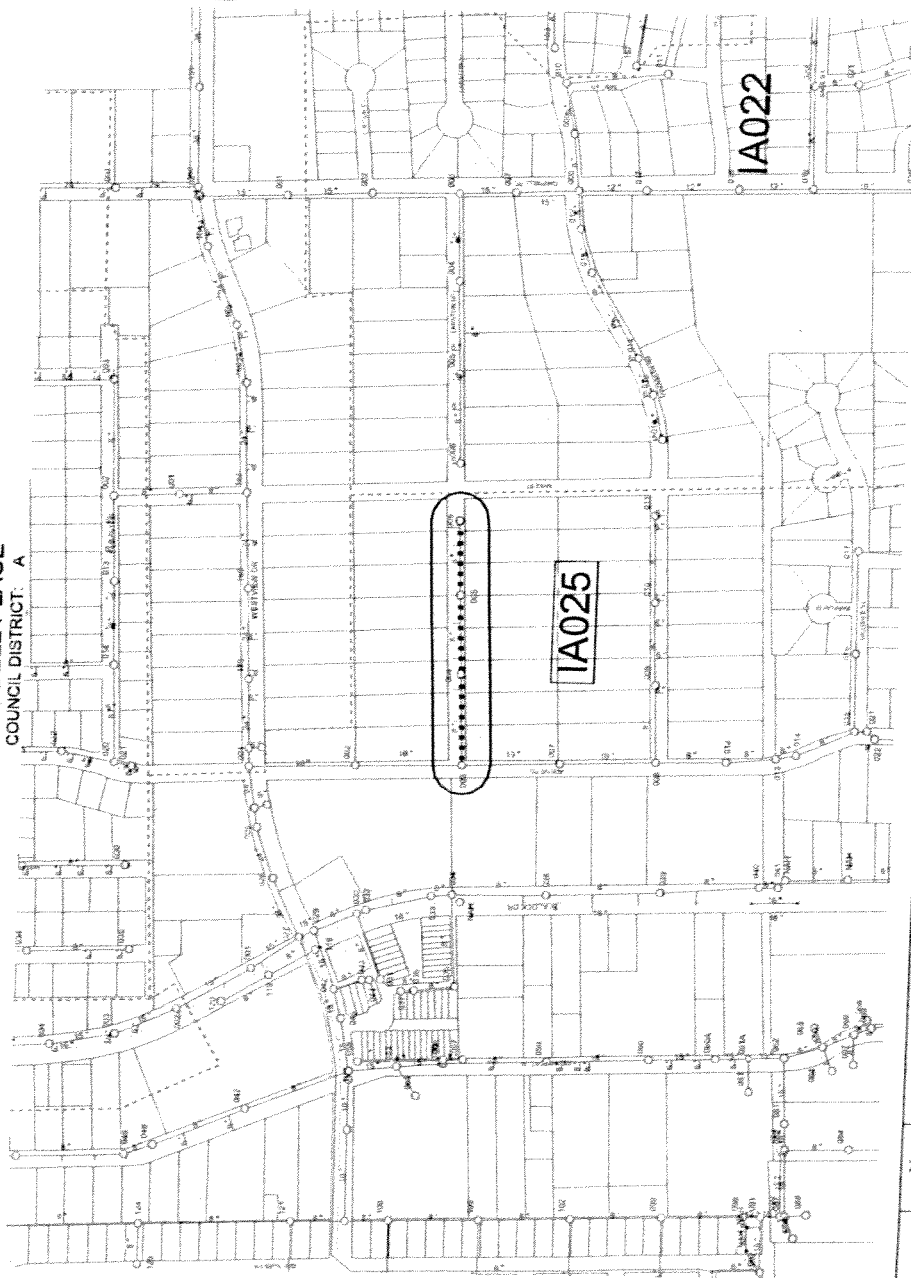
REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods WBS# R-000266-0135-4		<b>Page</b> 1 of 1	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE</b>  Dale A. Rudick, P.E.		<b>Council District affected:</b> A, B, C, D, I, J and K	
<b>For additional information contact:</b> Jason Iken, P.E. Senior Assistant Director  <b>Phone:</b> (832) 395-4989		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2009-1164, dated 12/02/2009	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final contract amount of \$3,290,857.20, which is 0.22% under the original contract amount, accept the work, and authorize final payment.			
<b>Amount and Source of Funding:</b> No additional funding required. Original appropriation of \$3,517,867.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500.		<i>M.P. 9/12/2014</i>	
<b>SPECIFIC EXPLANATION:</b> <b>PROJECT NOTICE/JUSTIFICATION:</b> Under this project, the contractor provided sanitary sewer rehabilitation by sliplining and pipe bursting methods to deteriorated sewer collection systems throughout the City. <b>DESCRIPTION/SCOPE:</b> This project consisted of sanitary sewer rehabilitation by sliplining and pipe bursting methods. The project was awarded to PM Construction & Rehab, L.P. with an original contract amount of \$3,297,968.43. The Notice to Proceed date was 06/09/2010 and the project had 540 calendar days for completion. <b>LOCATION:</b> The project was located at various locations within Council Districts A, B, C, D, I, J and K. <b>CONTRACT COMPLETION AND COST:</b> The contractor, PM Construction & Rehab, L.P., has completed the work under the contract. The contract was completed within the contract time. The final cost of the project is \$3,290,857.20, a decrease of \$7,111.23 or 0.22% under the original contract amount. Fewer point repairs were needed than anticipated. The final amount of this work order contract was not affected by Change Order No. 1, No. 2, No. 3 and No. 4. <b>MWDBE PARTICIPATION:</b> The MWDBE goal for this project was 21.00%. According to the Office of Business Opportunity, the actual participation was 28.60%. The contractor was awarded an "Outstanding" rating from the Office of Business Opportunity. <i>DRIB LT</i> DAR:JC:JI:DR:MB:LT:al Attachments			
<b>Project File 4257-106</b>		<b>REQUIRED AUTHORIZATION</b>	
<b>CUIC ID# 20JAI541</b>		<b>Finance Department</b>	
<b>Other Authorization:</b>		<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE., Deputy Director Public Utilities Division	

4257-106	Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods				
WBS No. R-000266-0135-4	PM Construction & Rehab, L.P				
WORK ORDER	KEY MAP	SUBDIVISION	BASIN	Old Council Dist.	New Council Dist.
11	450Y	CAMPBELL PLACE	IA025	A	A
13	450A	CARVERDALE	NW146	A	A
5	455C	GLENWOOD FOREST	FB015	B	B
7	455A	SCENIC WOOD	FB003	B	B
8	492R	ROSIN	II179	D	C
12	492D	HOUSTON HEIGHTS	II127	H	C
2	493W	TURNER NP	AS074	C	C,D
1	493T	HOLMAN OL 38	AS081	I	D
4	532X	EDGEWOOD	SB112	D	D
6	534L	LONE STAR BUSINESS PARK	SBP18	I	I
9	535X	GLENBROOK VALLEY	SB040	I	I
10	530K	SHARPSTOWN SEC. 5	KB309/KB308	F	J
3	572P	TOWNWOOD	AS021	D	K

# CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH  
 Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods  
 CAMPBELL PLACE  
 COUNCIL DISTRICT: A



PROJECT NO.	11
WW FILE NO.	4257 106
URS NO.	R-000265-01 33-4
CITY CONTRACT NO.	C-4600010018
WASTEWATER OPERATIONS BRANCH 845 UNIVERSITY DR HOUSTON TX 77007	
APPROVALS	
DESIGNER	
CHECKED BY	
DATE	
SCALE	
PROJECT NO.	
DATE	

QUADRANT:	NW
KEY MAP:	4527
SEWER MAP:	3658
T MAP:	1122 (CY 2012)

CONTRACTOR  
 BK Construction & Service, L.P.  
 13180 Spring Meadows, TX 77060  
 PHONE NO. (713) 886-8000  
 FAX NO. (713) 886-8000

QUALITY CONTROL LAB  
 The Tensar & Engineering Services, P.C.  
 PHONE NO. (713) 886-8000  
 FAX NO. (713) 886-8000



GENERAL NOTES:  
 1. SEE LOCATION AUTHORITY, STATION, SIZE AND LENGTH OF PIPE.  
 2. APPROXIMATE DEPTH AND UNBARRICADED SHALL BE AS PER FIELD.  
 3. APPROXIMATE SECTION TO BE OPENED FOR SHALL BE SHOWN.  
 4. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF HOUSTON SPECIFICATIONS FOR SEWERAGE AND SANITATION.



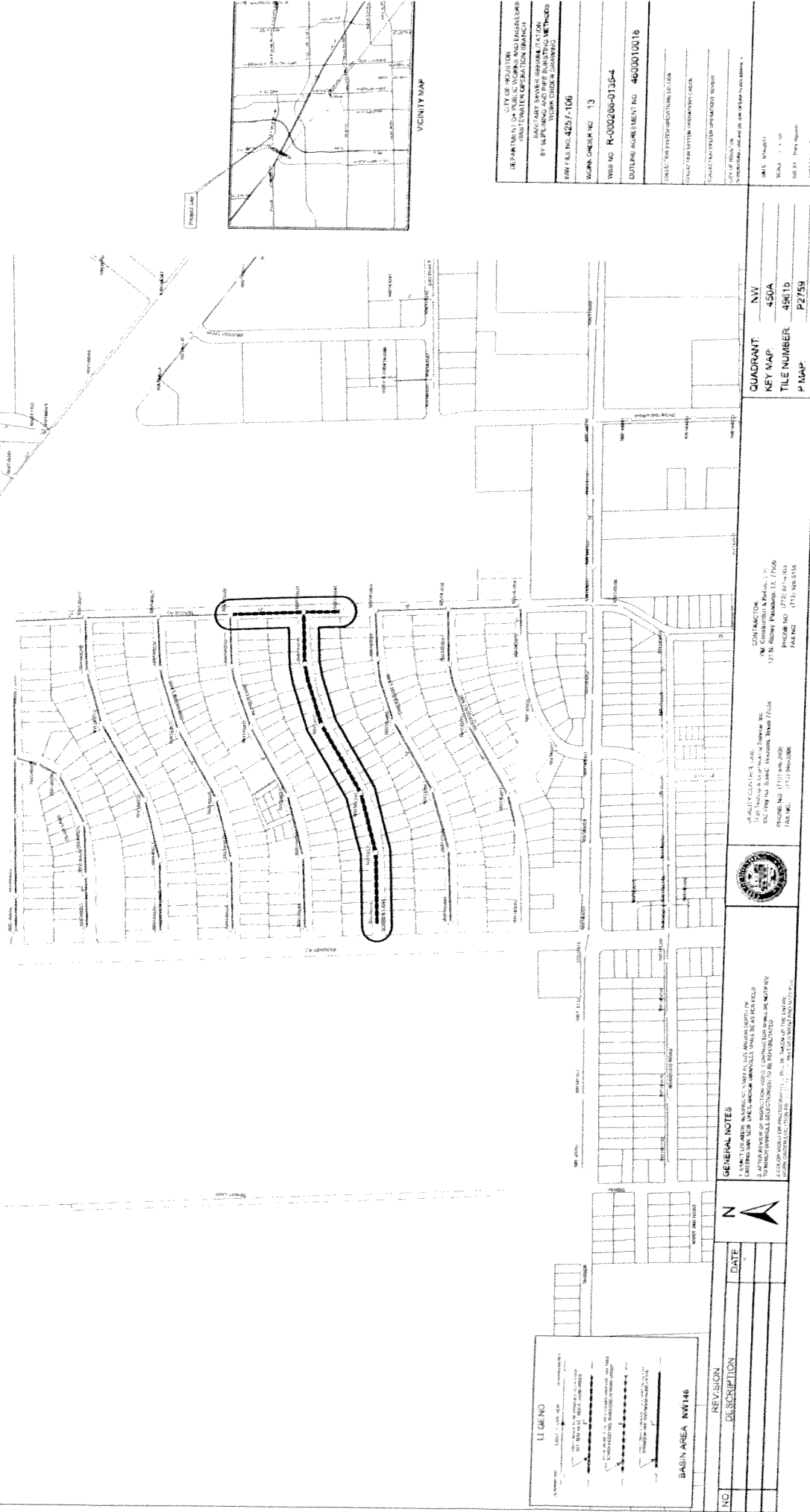
NO.	REVISION DESCRIPTION	DATE

NO.	REVISION DESCRIPTION	DATE

# CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH

Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods  
 Subdivision: CARVERDALE  
 Council District: A



**LEGEND**

1" = 100' (VERTICAL SCALE)  
 1" = 100' (HORIZONTAL SCALE)  
 1" = 100' (SCALE FOR ALL DIMENSIONS)

**BASIN AREA NW146**

NO.	REVISION	DATE

**GENERAL NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD SPECIFICATIONS FOR CONSTRUCTION AND SHALL BE SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF HOUSTON.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL EXISTING CONDITIONS TO ORIGINAL OR BETTER.



**PROPERTY OWNER:**  
 J. R. CLARK, JR.  
 1311 N. BAYVIEW BLVD.  
 HOUSTON, TEXAS 77004  
 PHONE NO. (713) 866-2000  
 FAX NO. (713) 866-2000

**CONTRACTOR:**  
 M. J. CARVERDALE & ASSOCIATES, INC.  
 1311 N. BAYVIEW BLVD.  
 HOUSTON, TEXAS 77004  
 PHONE NO. (713) 866-2000  
 FAX NO. (713) 866-2000

**QUADRANT:** NW  
**KEY MAP:** 450A  
**TILE NUMBER:** 49019  
**P MAP:** P2759

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH  
 500 WEST 11TH STREET, SUITE 1000  
 HOUSTON, TEXAS 77002  
 PHONE NO. (713) 866-2000  
 FAX NO. (713) 866-2000

WORK ORDER NO. 13

WEB NO. R-000266-0136-4

OUTLINE AGREEMENT NO. 4603010016

SCALE: 1" = 100' (VERTICAL SCALE)  
 1" = 100' (HORIZONTAL SCALE)

DATE: 11/11/2008

PROJECT NO. 0803010016

DATE: 11/11/2008

PROJECT NO. 0803010016

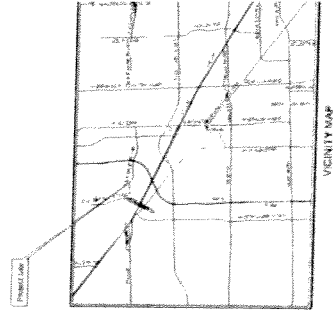
DATE: 11/11/2008

PROJECT NO. 0803010016

DATE: 11/11/2008

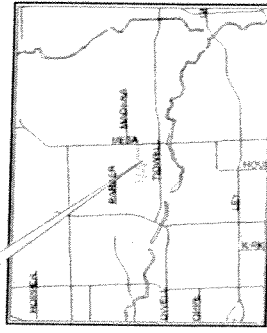
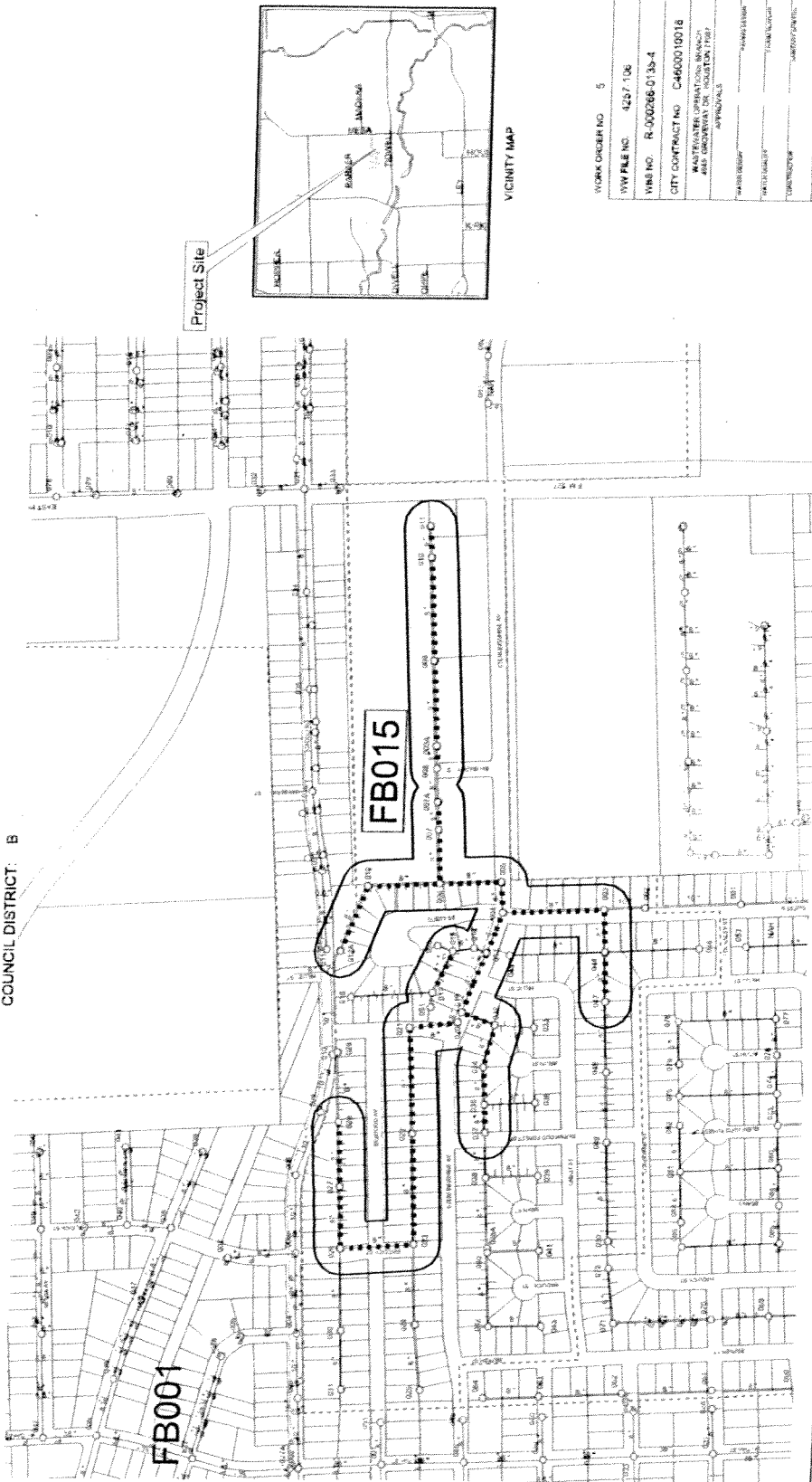
PROJECT NO. 0803010016

DATE: 11/11/2008



# CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH  
 Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods  
 GLENWOOD FOREST  
 COUNCIL DISTRICT - B



VICINITY MAP

WORK ORDER NO.	5
WW FILE NO.	4257 106
CITY CONTRACT NO.	C460010018
WASTEWATER OPERATIONS BRANCH 2405 UNDERSTREET DR. HOUSTON, TX 77002	
DESIGNED BY	W. J. BROWN
CHECKED BY	W. J. BROWN
DATE	10/15/07
SCALE	AS SHOWN
P. E. NO.	10000000000000000000

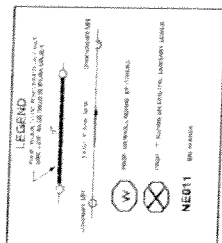
QUADRANT	NE
KEY MAP	455C
SEWER MAP	456B
T. MAP	19977 (FY 2011)

CONTRACTOR  
 P&E Construction Services, L.P.  
 12141 Rocky Pointe Blvd., #100  
 Houston, TX 77057  
 PHONE NO. (713) 944-3300  
 FAX NO. (713) 944-3306

QUALITY CONTROL LAB  
 T&E Engineering Services, L.P.  
 12141 Rocky Pointe Blvd., #100  
 Houston, TX 77057  
 PHONE NO. (713) 944-3300  
 FAX NO. (713) 944-3306



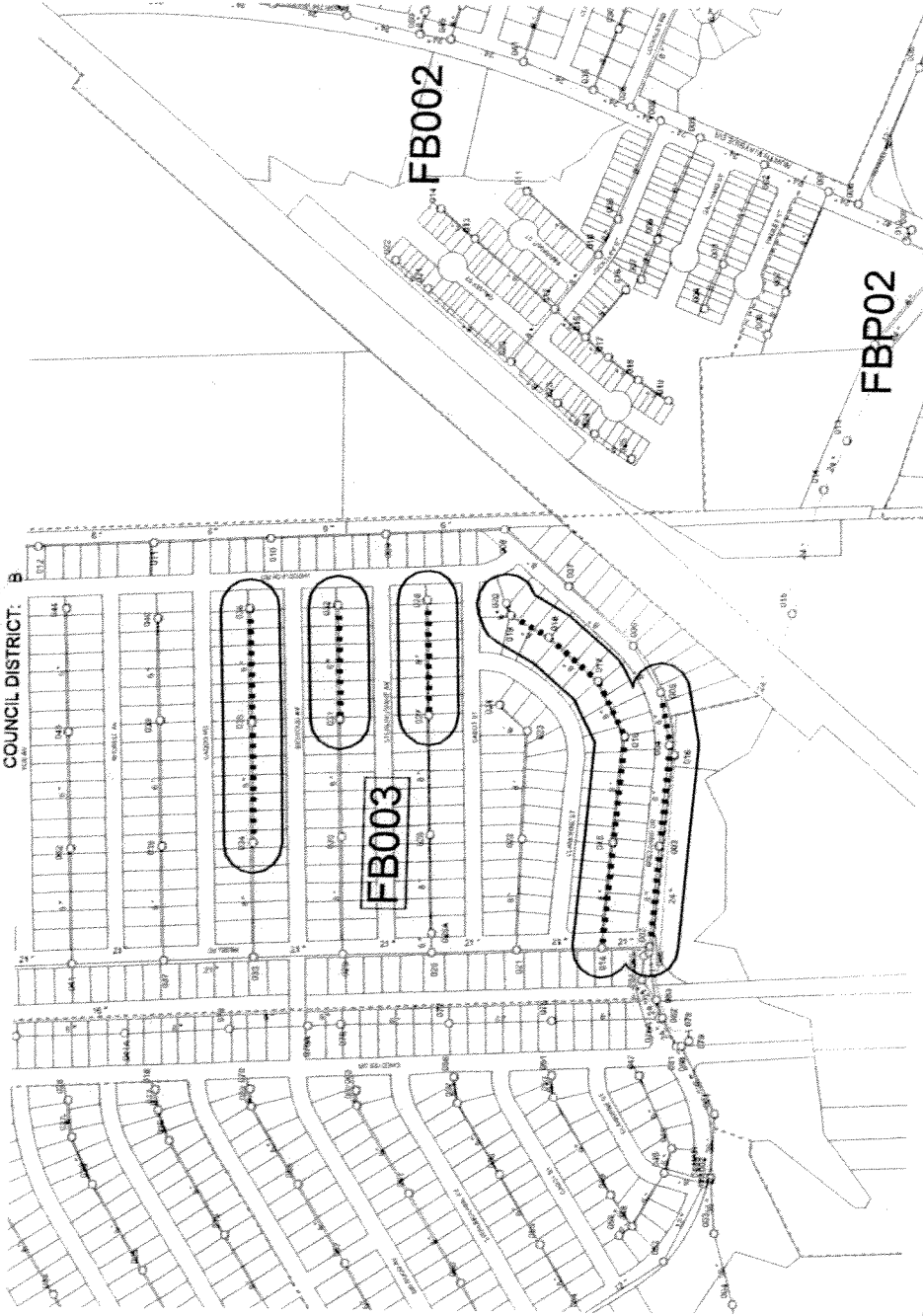
GENERAL NOTES:  
 1 EXACT LOCATION, ALIGNMENT, SIZE AND DEPTH OF  
 DISTRIBUTION SEWER UNDER PROPOSED LAYOUT SHALL BE AS SHOWN ON  
 THIS PLAN AND ALL DIMENSIONS SHALL BE AS NOTED  
 2 CHECK FIELD FOR ANY CHANGES TO THE PLAN  
 3 ALL DIMENSIONS SHALL BE AS NOTED ON THE PLAN



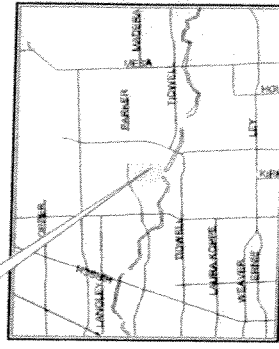
NO.	DATE	REVISION DESCRIPTION

# CITY OF HOUSTON

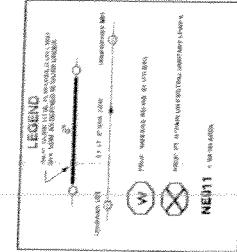
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH  
 Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods  
 SCENIC WOOD  
 COUNCIL DISTRICT: B



Project Site



VICINITY MAP



WORK ORDER NO. 7  
 WVI FILE NO. 4267-106  
 WBS NO. R-002868-0135-4  
 CITY CONTRACT NO. C4600010018  
 WWS TRAFFIC CONTROL TOWNSHIP BRANCH  
 SANITARY SEWER REHABILITATION  
 APPROPRIATE  
 APPROVED BY: [Signature]  
 DATE: 10/17/11  
 DESIGNED BY: [Signature]  
 CHECKED BY: [Signature]  
 DATE: 10/17/11  
 PROJECT DEVELOPER: [Signature]

NO.	REVISION DESCRIPTION	DATE

GENERAL NOTES:  
 1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF HOUSTON SPECIFICATIONS FOR SANITARY SEWER REHABILITATION.  
 2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF HOUSTON SPECIFICATIONS FOR SANITARY SEWER REHABILITATION.  
 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF HOUSTON SPECIFICATIONS FOR SANITARY SEWER REHABILITATION.  
 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF HOUSTON SPECIFICATIONS FOR SANITARY SEWER REHABILITATION.

CONTRACTOR:  
 QUALITY CONTROL LAB  
 1101 FORT WORTH AVENUE, SUITE 100  
 FORT WORTH, TEXAS 76104  
 PHONE NO. (817) 342-0000  
 FAX NO. (817) 342-0000

QUALITY CONTROL LAB:  
 1101 FORT WORTH AVENUE, SUITE 100  
 FORT WORTH, TEXAS 76104  
 PHONE NO. (817) 342-0000  
 FAX NO. (817) 342-0000

CONTRACTOR:  
 1101 FORT WORTH AVENUE, SUITE 100  
 FORT WORTH, TEXAS 76104  
 PHONE NO. (817) 342-0000  
 FAX NO. (817) 342-0000

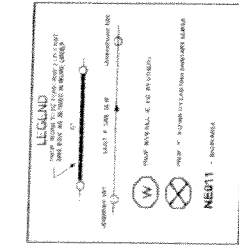
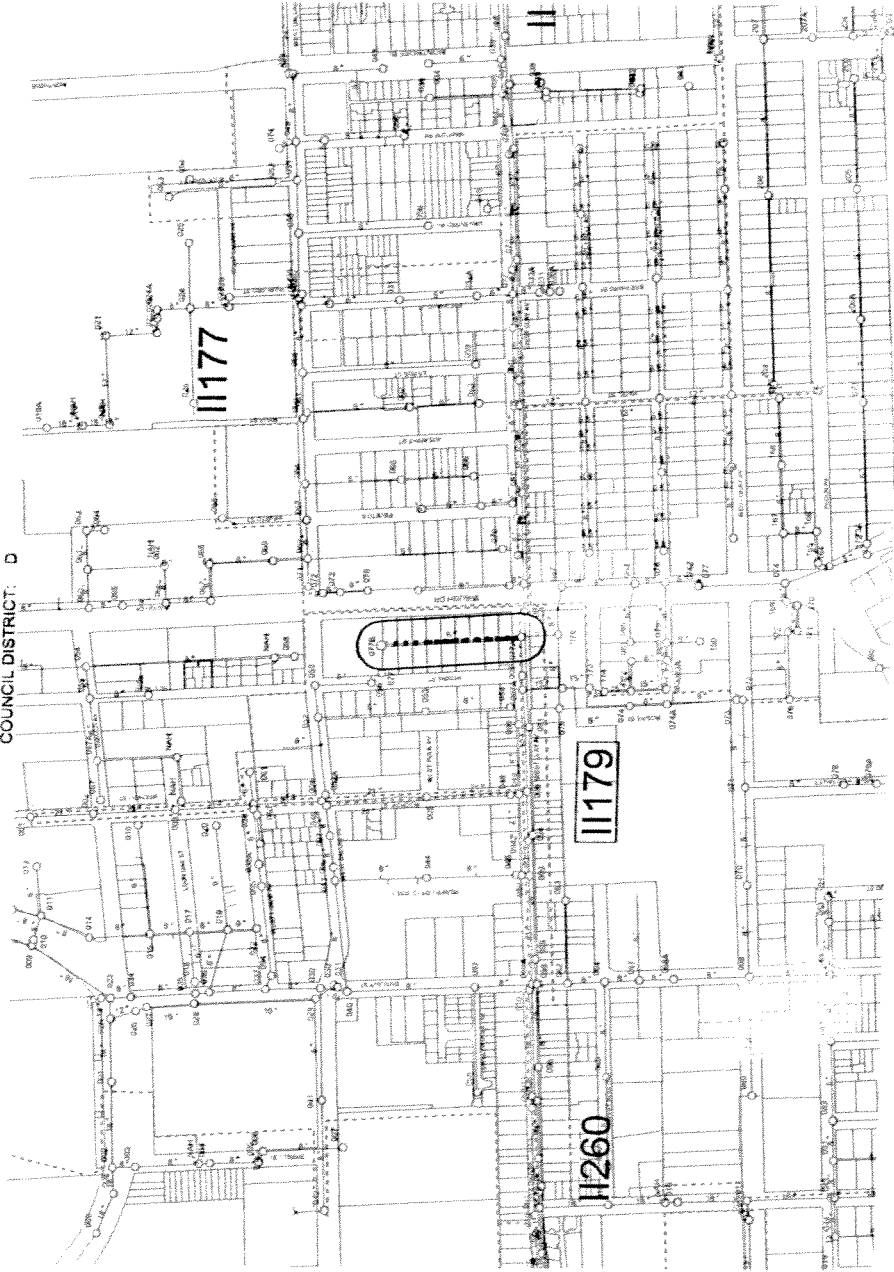
QUADRANT: DE  
 KEY MAP: 495A  
 SEWER MAP: L5861  
 T MAP: 10979 (FY 2011)

# CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH  
 Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods

ROSSIN

COUNCIL DISTRICT: D



NO.	REVISION	DESCRIPTION	DATE

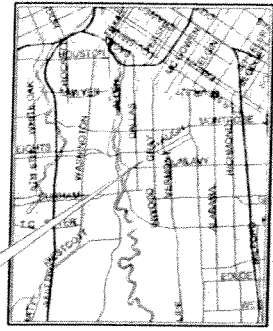
**GENERAL NOTES:**  
 1. EXACT LOCATION, ALIGNED WITH THE CENTERLINE OF THE EXISTING SANITARY SEWER LINE, AND/OR MANHOLE CENTERLINE, SHALL BE SHOWN BY THE CONTRACTOR.  
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD SPECIFICATIONS FOR SEWERAGE AND WATERWORKS.  
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD SPECIFICATIONS FOR SEWERAGE AND WATERWORKS.  
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD SPECIFICATIONS FOR SEWERAGE AND WATERWORKS.



QUALITY CONTROL, INC.  
 10000 Katy Road, Suite 100  
 Houston, TX 77055  
 Phone: 281-771-1000  
 Fax: 281-771-1000

CONTRACTOR  
 M. J. LINDSEY & ASSOCIATES, P.C.  
 10000 Katy Road, Suite 100  
 Houston, TX 77055  
 Phone: 281-771-1000  
 Fax: 281-771-1000

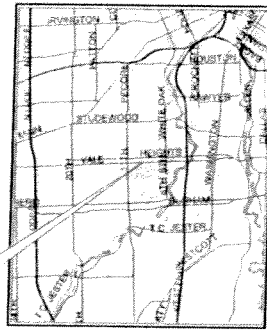
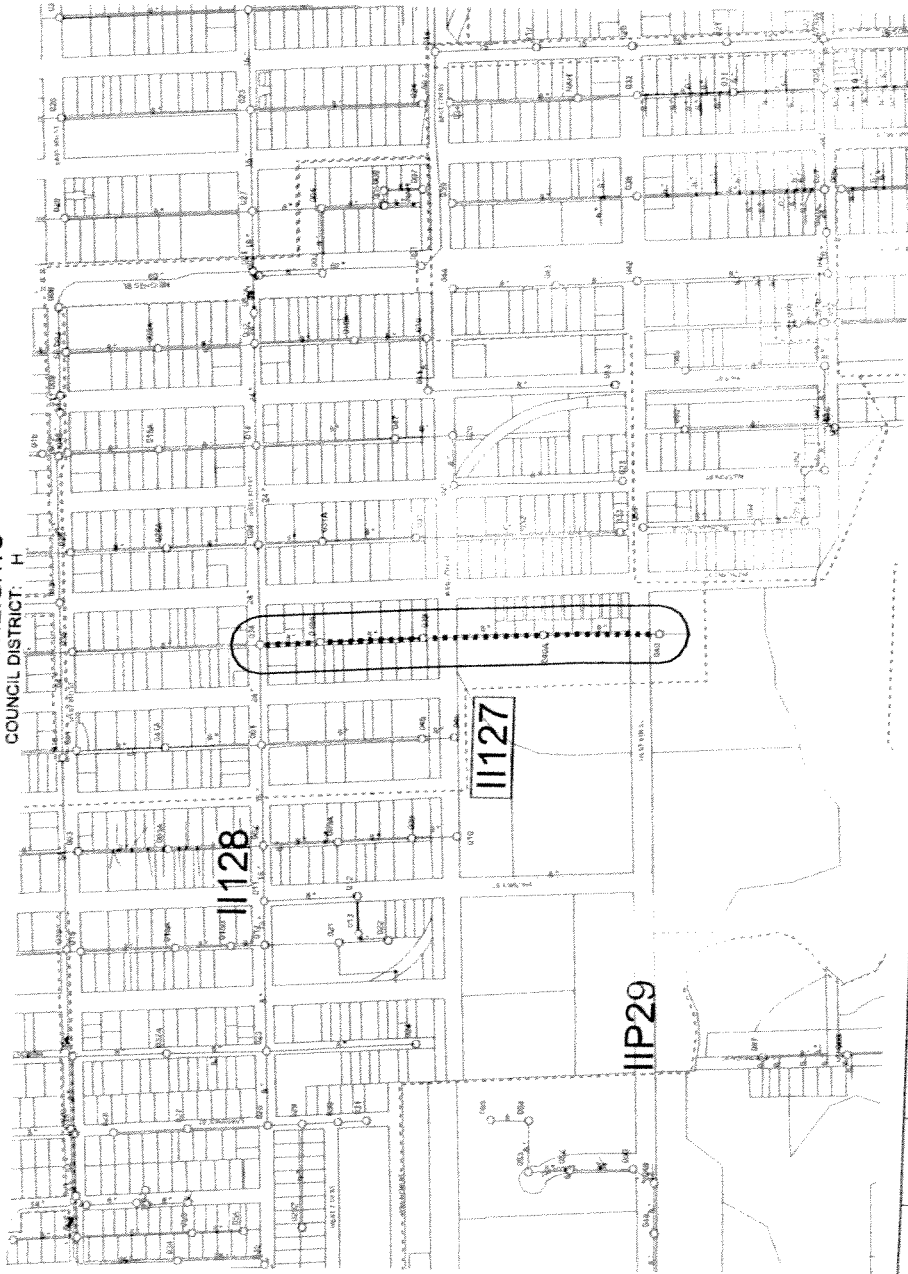
QUADRANT: SW  
 KEY MAP: 492R  
 SEWER MAP: 13357  
 P MAP: P2715



WORK ORDER NO. 8  
 WPA FILE NO. 4457-106  
 WBS NO. K-000266-0195-4  
 CITY CONTRACT NO. C480010018  
 PROJECT TITLE: SANITARY SEWER REHABILITATION BY SLIPLINING AND PIPE BURSTING METHODS  
 NAME: BROOKWAY LN, HOUSTON 77067  
 APPROVALS:  
 DESIGNER: [Signature]  
 CHECKER: [Signature]  
 DATE: [Date]  
 PROJECT NO.: [Number]  
 SHEET NO.: [Number]  
 TOTAL SHEETS: [Number]

# CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH  
 Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods  
 HOUSTON HEIGHTS  
 COUNCIL DISTRICT: H



ISSUE NO.	12
ISSUE DATE	12/12/23
ISSUE DESCRIPTION	REVISED PER COMMENTS FROM THE CITY ENGINEER
ISSUE BY	W. J. [Name]
ISSUE FOR	W. J. [Name]
ISSUE CHECKED BY	W. J. [Name]
ISSUE CHECKED DATE	12/12/23
ISSUE APPROVED BY	W. J. [Name]
ISSUE APPROVED DATE	12/12/23
ISSUE REVIEWED BY	W. J. [Name]
ISSUE REVIEWED DATE	12/12/23
ISSUE REVISIONS	
ISSUE NO.	12
ISSUE DATE	12/12/23
ISSUE DESCRIPTION	REVISED PER COMMENTS FROM THE CITY ENGINEER
ISSUE BY	W. J. [Name]
ISSUE FOR	W. J. [Name]
ISSUE CHECKED BY	W. J. [Name]
ISSUE CHECKED DATE	12/12/23
ISSUE APPROVED BY	W. J. [Name]
ISSUE APPROVED DATE	12/12/23
ISSUE REVIEWED BY	W. J. [Name]
ISSUE REVIEWED DATE	12/12/23

PROJECT NO.	4287-06
PROJECT NAME	Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods
PROJECT LOCATION	HOUSTON HEIGHTS
PROJECT DATE	12/12/23
PROJECT ENGINEER	W. J. [Name]
PROJECT CHECKER	W. J. [Name]
PROJECT APPROVER	W. J. [Name]
PROJECT REVIEWER	W. J. [Name]
PROJECT REVISIONS	
PROJECT NO.	4287-06
PROJECT NAME	Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods
PROJECT LOCATION	HOUSTON HEIGHTS
PROJECT DATE	12/12/23
PROJECT ENGINEER	W. J. [Name]
PROJECT CHECKER	W. J. [Name]
PROJECT APPROVER	W. J. [Name]
PROJECT REVIEWER	W. J. [Name]

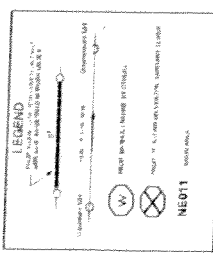
QUADRANT	NY
KEY MAP	4287-06
SEWER MAP	4287-06
T MAP	11023 (1/1/2023)

CONTRACTOR  
 PWT Construction & Service, L.P.  
 PROJECT NO. 4287-06  
 PHONE NO. (713) 248-6146  
 FAX NO. (713) 248-6146

QUALITY CONTROL LAB  
 New Texas & Engineering Services, L.P.  
 PHONE NO. (713) 248-6146  
 FAX NO. (713) 248-6146



GENERAL NOTES:  
 1. LOCATIONS ALIGNED WITH STATION AND/OR DEPTH OF  
 MAIN AND SIDE CHASE AND/OR VEHICLES SHALL BE AS PER FIELD  
 TO WHICH MARKER IS CONNECTED TO THE MAIN AND/OR DEPTH  
 2. SIDE CHASE VEHICLES SHALL BE AS PER FIELD  
 3. SIDE CHASE VEHICLES SHALL BE AS PER FIELD



NO.	REVISION DESCRIPTION	DATE

# CITY OF HOUSTON

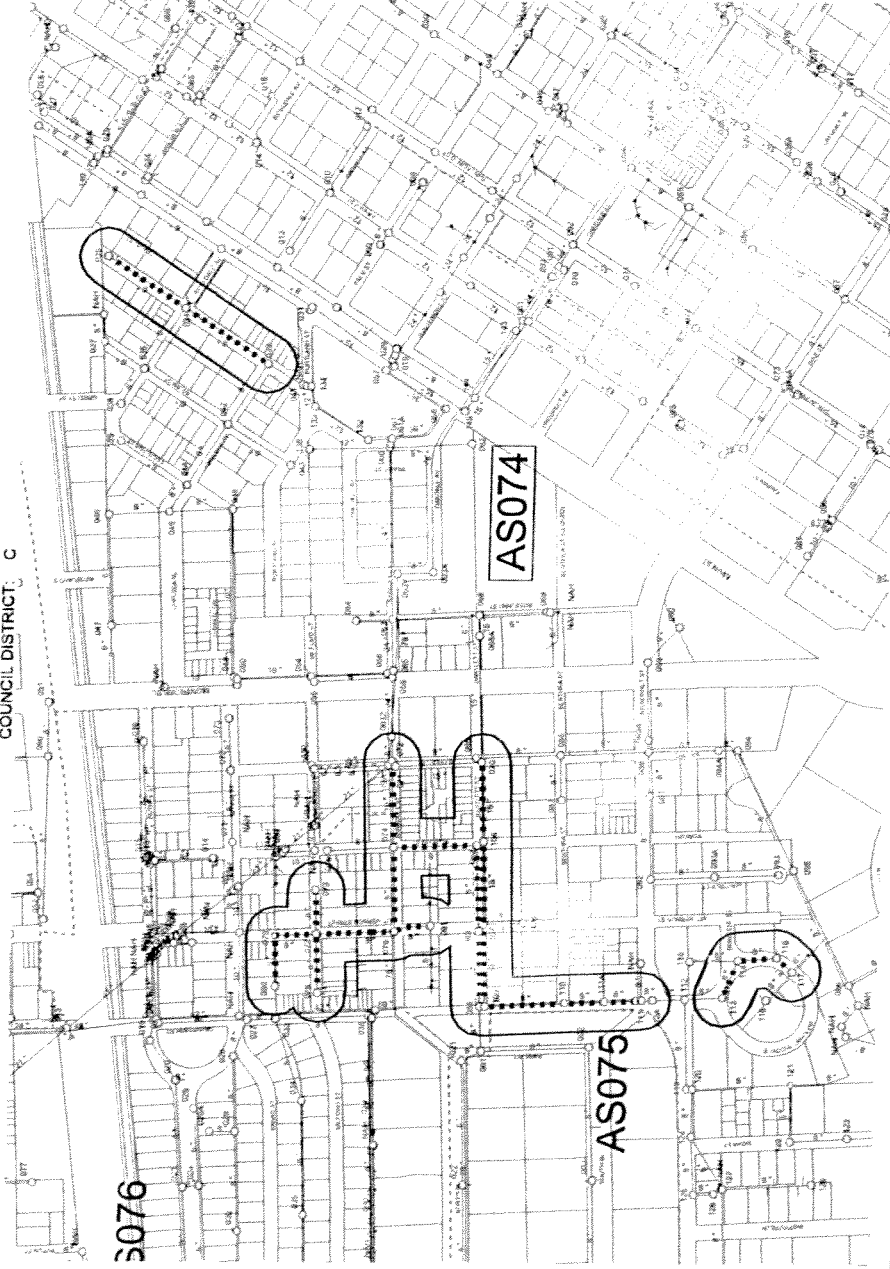
DEPARTMENT OF PUBLIC WORKS AND ENGINEERING

WASTEWATER OPERATIONS BRANCH

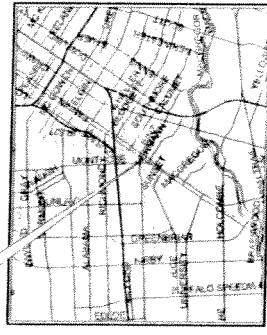
Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods

TURNER NP

COUNCIL DISTRICT: C



Project Site



WORK ORDER NO.	2
REV FILE NO.	427-06
AMS NO.	R 00026 0135-4
CITY CONTRACT NO.	C460010018
PROJECT NAME	TURNER NP
PROJECT LOCATION	TURNER NP
PROJECT TYPE	SEWER
PROJECT STATUS	CONSTRUCTION
PROJECT DATE	10/15/19
PROJECT TIME	10:00 AM - 4:00 PM
PROJECT COST	\$1,000,000.00
PROJECT OWNER	CITY OF HOUSTON
PROJECT MANAGER	JOHN J. WOOD
PROJECT ENGINEER	JOHN J. WOOD
PROJECT ARCHITECT	JOHN J. WOOD
PROJECT CONTRACTOR	JOHN J. WOOD
PROJECT SUBCONTRACTOR	JOHN J. WOOD
PROJECT SPECIALTY CONTRACTOR	JOHN J. WOOD
PROJECT SUBMITTALS	JOHN J. WOOD
PROJECT PERMITS	JOHN J. WOOD
PROJECT INSURANCE	JOHN J. WOOD
PROJECT BOND	JOHN J. WOOD
PROJECT SCHEDULE	JOHN J. WOOD
PROJECT REPORTS	JOHN J. WOOD
PROJECT RECORDS	JOHN J. WOOD
PROJECT CLOSEOUT	JOHN J. WOOD
PROJECT ARCHIVE	JOHN J. WOOD

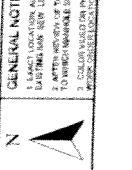
QUADRANT:	SE
KEY MAP:	433W
SEWER MAP:	3-5296
T. MAP:	10066 (FY 2019)

CONTRACTOR  
 PWT Construction & Repair, LP  
 1216 Rocky Passover, TX 77068  
 PHONE NO. (713) 846-3800  
 FAX NO. (713) 846-3800

QUALITY CONTROL JANI  
 7401 Fwy & Engineering Services, Inc.  
 13131 Houston Road 77044  
 PHONE NO. (713) 846-3800  
 FAX NO. (713) 846-3800



GENERAL NOTES:  
 1. EXACT LOCATION, ADDRESS, STATIONING, AND ANCHOR POINTS OF EASTING MARK NEW LINES AND MARKABLE SHALL BE IN FIELD.  
 2. ANY INQUIRY OF MARKED CONTRACTOR SHALL BE NOTIFIED.  
 3. ALL WORK SHALL BE DONE TO THE STANDARD SPECIFICATIONS FOR PUBLIC UTILITIES.  
 4. WORK SHALL BE DONE TO THE STANDARD SPECIFICATIONS FOR PUBLIC UTILITIES.



NO.	REVISION DESCRIPTION	DATE

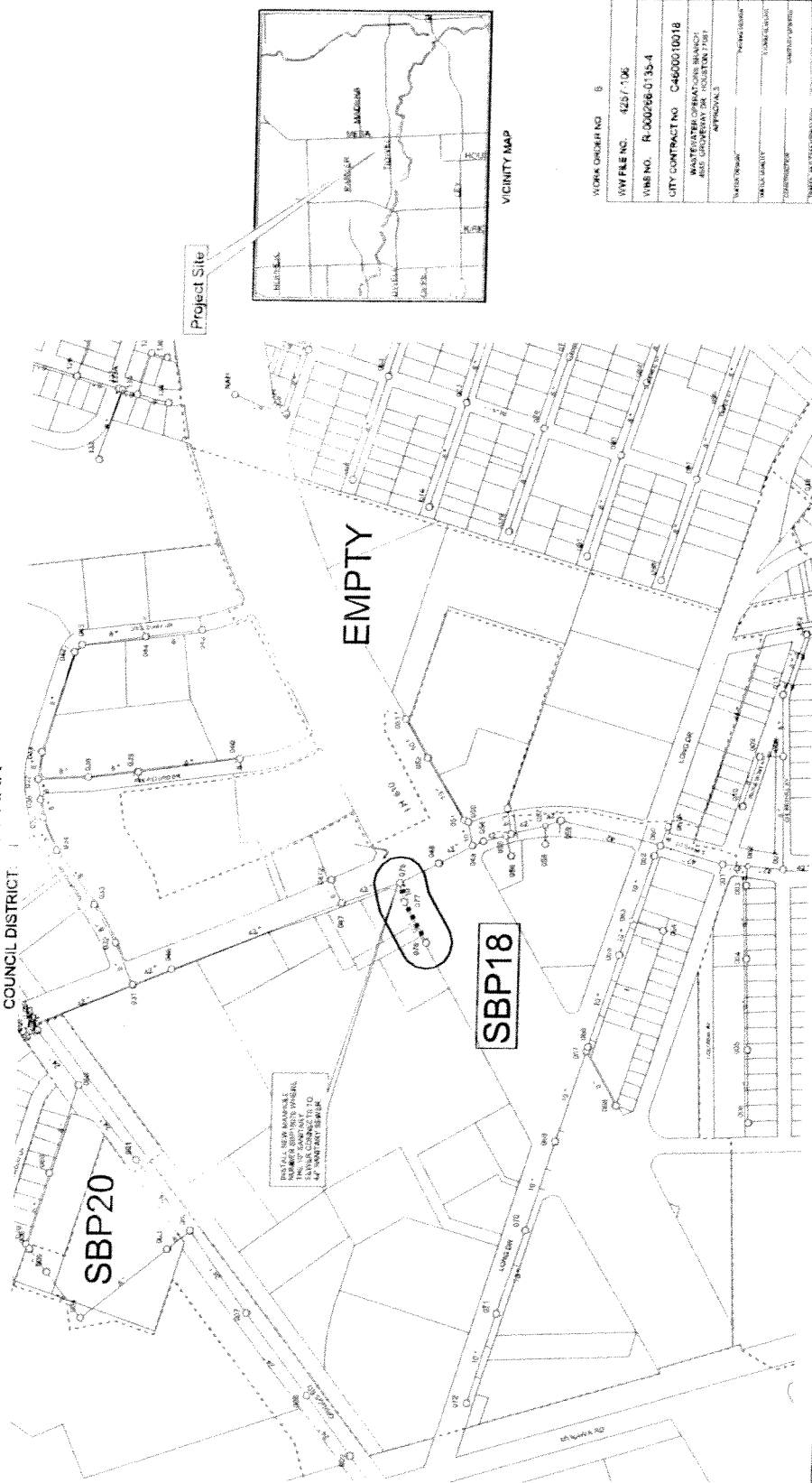
LEGEND	SEE CITY OF HOUSTON PUBLIC UTILITIES
W	WATER MAIN
X	SEWER MAIN
NE011	SEE CITY OF HOUSTON PUBLIC UTILITIES



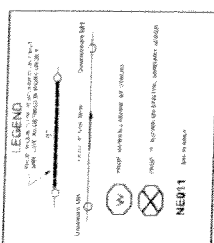


# CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH  
 Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods  
 LONE STAR BUSINESS PARK  
 COUNCIL DISTRICT



INSTALL NEW MANHOLE NUMBERED 018-108 WHERE SHOWN CONNECT TO EXISTING MANHOLE 018-107



**GENERAL NOTES**  
 1. EXACT LOCATION ALIGNMENT, STATION, AND ELEVATION OF ALL STRUCTURES SHALL BE SHOWN ON THIS PLAN.  
 2. ALL STRUCTURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD SPECIFICATIONS FOR SEWERAGE AND WATERWORKS.  
 3. ALL STRUCTURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD SPECIFICATIONS FOR SEWERAGE AND WATERWORKS.



NO.	REVISION DESCRIPTION	DATE

**CONTRACTOR**  
 P.M. Construction & Remodeling, L.P.  
 11111 Katy Road, Suite 100  
 Houston, TX 77058  
 PHONE NO. (713) 848-1100  
 FAX NO. (713) 848-1100

**QUALITY CONTROL LAB**  
 Test-Tek Engineering Services, Inc.  
 11111 Katy Road, Suite 100  
 Houston, TX 77058  
 PHONE NO. (713) 848-1100  
 FAX NO. (713) 848-1100

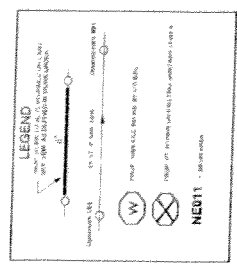
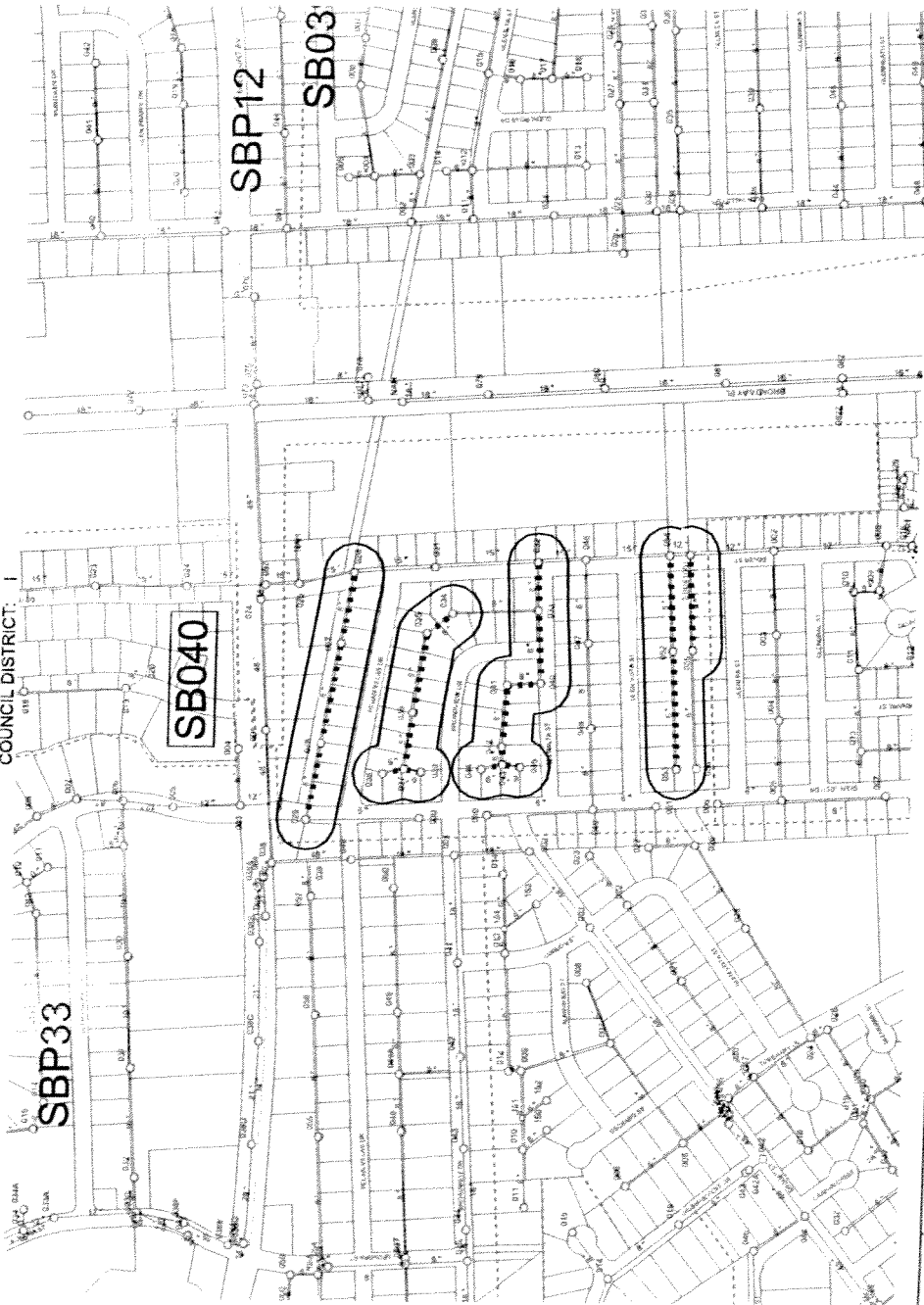


**QUADRANT:** SE  
**KEY MAP:** S34L  
**SEWER MAP:** S35B4  
**P. MAP:** PZ111

WORK ORDER NO.	0
WW FILE NO.	4257-006
IRIS NO.	R-000266-0135-4
CITY CONTRACT NO.	C4600010018
WASTEWATER OPERATIONS BRANCH	WASTEWATER OPERATIONS BRANCH
APPROVALS	APPROVALS
DESIGNED BY	DESIGNED BY
CHECKED BY	CHECKED BY
DATE	DATE
SCALE	SCALE
PROJECT NO.	PROJECT NO.
DATE	DATE
BY	BY
CHECKED BY	CHECKED BY
DATE	DATE

# CITY OF HOUSTON

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING  
 WASTEWATER OPERATIONS BRANCH  
 Sanitary Sewer Rehabilitation by Slipling and Pipe Bursting Methods  
 GLENBROOK VALLEY  
 COUNCIL DISTRICT: 1



NO.	REVISION DESCRIPTION	DATE

**GENERAL NOTES:**  
 1. SEE GENERAL NOTES TO STANDARD SPECIFICATIONS FOR CONSTRUCTION OF SANITARY SEWER SYSTEMS.  
 2. AFTER REVIEW OF THESE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.  
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF HOUSTON STANDARD SPECIFICATIONS FOR CONSTRUCTION OF SANITARY SEWER SYSTEMS.



**QUALITY CONTROL LAB:**  
 Test Energy & Equipment Services, Inc.  
 1802 Progress Blvd., Houston, Texas 77058  
 PHONE NO. (713) 860-3300  
 FAX NO. (713) 860-3306

**CONTRACTOR:**  
 ESI of Austin, Houston, TX 77008  
 PHONE NO. (713) 414-2260  
 FAX NO. (713) 414-3196

**QUADRANT:** SE  
**KEY MAP:** S35X  
**SEWER MAP:** L6563  
**P MAP:** P2716

WORK ORDER NO. 9  
 WOF FILE NO. 4297-106  
 WBS NO. R4000266-0135-4  
 CITY CONTRACT NO. C1600010018  
 SUBMITTED BY: [Name]  
 DATE: 11/08/08  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVALS: [Signatures]





**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District B, District C, District D, District F, District G, District H, District I, District J

20JAI542-AW REPIPE CONSTRUCTION, LTD. - Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method

Agenda Item#: 9.

**Summary:**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,619,172.10 and acceptance of work on contract with **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method - 0.68% over the original contract amount (4258-32) - **DISTRICTS B - DAVIS; C - COHEN; D - BOYKINS; F - NGUYEN; G - PENNINGTON; H - GONZALEZ; I - GALLEGOS and J - LASTER**

**Background:**

**PROJECT NOTICE/JUSTIFICATION:** Under this project, the contractor provided sanitary sewer rehabilitation by cured-in-place pipe method to deteriorated sewer collection systems throughout the City.

**DESCRIPTION/SCOPE:** This project consisted of sanitary sewer rehabilitation by cured-in-place pipe method. The project was awarded to **REPIPE CONSTRUCTION, LTD.** with an original contract amount of \$3,594,831.00. The Notice to Proceed date was 02/27/2008 and the project had 540 calendar days for completion.

**LOCATION:** The project was located at various locations within Council Districts, B, C, D, F, G, H, I and J.

**CONTRACT COMPLETION and COST:** The contractor, RePipe Construction, LTD., has completed the work under the contract. The contract was completed within an additional 180 days approved by Change Order No. 1 and No. 2. The final cost of the project is \$3,619,172.10, an increase of \$24,341.10 or 0.68% over the original contract amount. More cured-in-place pipe was needed than anticipated.

The final amount of this work order contract was not affected by Change Order No. 1 and No. 2.

**MWDBE PARTICIPATION:** The MWDBE goal for this project was 22%. According to the Office of Business Opportunity, actual participation was 26.81%. The contractor was awarded an "Outstanding" rating from the Office of Business Opportunity.

**Prior Council Action:**

Ordinance 2008-24, 01/09/2008

**Amount of Funding:**

No additional funding required. Original appropriation of \$3,873,495.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500

**Contact Information:**

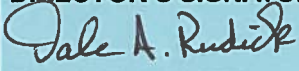

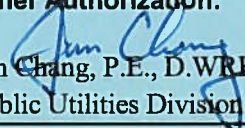
Jason Iken P.E. - Sr. Asst Dir. - 832.395.4989

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - RCA	Signed Cover sheet
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - Project list	Backup Material
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - MAPS	Backup Material
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - AFFIDAVIT OF OWNERSHIP	Backup Material
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - CAPTION	Backup Material
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - DELINQUENT TAX FORM	Backup Material
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - OBO	Backup Material
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - PRIOR COUNCIL ACTION	Backup Material
<input type="checkbox"/> 20JAI542-AW Industrial TX Corp - SAP DOCS	Financial Information

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method WBS# R-000295-0015-4		<b>Page</b> 1 of 1	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE</b>  Dale A. Rudick, P.E.		<b>Council District affected:</b> B, C, D, F, G, H, I and J	
<b>For additional information contact:</b>  Jason Iken, P.E. Senior Assistant Director <b>Phone:</b> (832) 395-4989		<b>Date and identification of prior authorizing Council action:</b> Ordinance No. 2008-24, dated 01/09/2008	
<b>RECOMMENDATION: (Summary)</b> Pass a motion to approve the final contract amount of \$3,619,172.10, which is 0.68% over the original contract amount and under the 5% contingency amount, accept the work, and authorize final payment.			
<b>Amount and Source of Funding:</b> No additional funding required.		<i>M.P. 9/15/2014</i> Original appropriation of \$3,873,495.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund No. 8500.	
<b>SPECIFIC EXPLANATION:</b> <p><b>PROJECT NOTICE/JUSTIFICATION:</b> Under this project, the contractor provided sanitary sewer rehabilitation by cured-in-place pipe method to deteriorated sewer collection systems throughout the City.</p> <p><b>DESCRIPTION/SCOPE:</b> This project consisted of sanitary sewer rehabilitation by cured-in-place pipe method. The project was awarded to RePipe Construction, LTD. with an original contract amount of \$3,594,831.00. The Notice to Proceed date was 02/27/2008 and the project had 540 calendar days for completion.</p> <p><b>LOCATION:</b> The project was located at various locations within Council Districts B, C, D, F, G, H, I and J.</p> <p><b>CONTRACT COMPLETION AND COST:</b> The contractor, RePipe Construction, LTD., has completed the work under the contract. The contract was completed within the contract time within an additional 180 days approved by Change Order No. 1 and No. 2. The final cost of the project is \$3,619,172.10, an increase of \$24,341.10 or 0.68% over the original contract amount. More cured-in-place pipe was needed than anticipated.</p> <p>The final amount of this work order contract was not affected by Change Order No. 1 and No. 2.</p> <p><b>MWDBE PARTICIPATION:</b> The MWDBE goal for this project was 22%. According to the Office of Business Opportunity, the actual participation was 26.81%. The contractor was awarded an "Outstanding" rating from the Office of Business Opportunity.</p> <p>DAR:JC:JI:DR:MB:LT:al  <i>DK LT</i></p> Attachments			
<b>Project File 4258-32</b>		<b>REQUIRED AUTHORIZATION</b>	
<b>Finance Department</b>		<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE., Deputy Director Public Utilities Division	

4258-32	Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method				
WBS No. R-000295-0015-4	RePipe Construction, LTD.				
WORK ORDER	KEY MAP	SUBDIVISION	BASIN	Old Council Dist.	New Council Dist.
12	454Y	KASHMERE GARDEN	IB021	B	B
13	493J	TAMPLE TERRACE	II176	H	C
18	493Z	HOUSTON CITY STREET RAILWAY SEC 4	SBP26	D	D
4	572L	ALMEDA SQUARE R/P	AS014	D	D
6	488Y	ASHFORD PARK	AR002	G	F
7	488V	WESTHOLLOW	CC002	G	F
1	489V	CITYWEST PLACE SEC 2 PAR R/P 2	WD091	G	G
5	489Q	LYNBROOK MANOR CONDO PH 1	WD027	G	G
15	490P	SANDALWOOD	WD114	G	G
16	490P	SANDALWOOD	WD100	G	G
20	488M	ASHFORD FOREST	WD017	G	G
8	419X	WESTHEIMER GARDEN	SW238	C	G,J
17	493K	BAKER W R NSBB	II162	H	H
21	453K	OAK CREEK BUSINESS PARK U/R	IIP25	H	H
3	575L	SOUTH HOUSTON GARDENS SEC 6	EH343	I	I
9	494X	LAWNVIEW	SB147	I	I
14	534B	EDMUNDSON	SB097	I	I

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District I

20HA222-AW Huff & Mitchell, Inc. - North 60-inch Condition Assessment Support Package

Agenda Item#: 10.

**Summary:**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,232,057.02 and acceptance of work on contract with **HUFF AND MITCHELL, INC** for North 60-inch Condition Assessment Support Package - 17.60% under the original contract amount - **DISTRICT I - GALLEGOS**

**Background:**

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Large Diameter Water Lines Inspection, Replacement, and Rehabilitation Program and was required to provide construction and labor support for inspection of and preparation for future long-term monitoring of the existing 60-inch transmission waterline.

**DESCRIPTION/SCOPE:** This project consisted of condition assessment support; rehabilitation of air release valves, access manholes, and related appurtenances; rehabilitation of 60-inch pipe, including joint grout replacement; removal and replacement of 60-inch pre-stressed concrete cylinder pipe sections. The project also included installation of acoustic monitoring cables, confined space entry support such as air monitoring, and construction of immediate rehabilitation. Lockwood, Andrew and Newnam, Inc. designed the project with 210 calendar days allowed for construction. The project was awarded to Huff and Mitchell, Inc. with an original Contract Amount of \$5,135,970.50.

**LOCATION:** The project area is generally located along Lawndale, Satsuma, East Erath and Railroad Easements from Collier to Junius. The project is located in Key Map Grids 494 X, Y, 534 C, D, 535 A, B, F.

**CONTRACT COMPLETION and COST:** The Contractor, **HUFF & MITCHELL, INC.**, has completed the work under the subject Contract. The project was completed with an additional 72 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated unit price quantities and previously approved Change Order No. 1 is \$4,232,057.02, a decrease of \$903,913.48 or 17.60% under the original Contract Amount.

The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of various Base Unit Price Items and Extra Unit Price items, and Cash Allowances, which were not necessary to complete the project.

**MBE/SBE PARTICIPATION:** The MBE/SBE goal established for this project was 18%. According to Office of Business Opportunity, the participation was 9.55%. Contractor's MBE/SBE performance evaluation was rated Unsatisfactory.

**Prior Council Action:**

Ord. # 2011-0853 dated: 10/05/2011

**Amount of Funding:**

No additional funding required.

Total (original) appropriation of \$5,837,300.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

**Contact Information:**

Joseph T. Myers, P.E.  
Senior Assistant Director  
**Phone:** (832) 395-2355

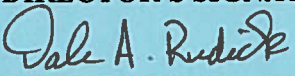

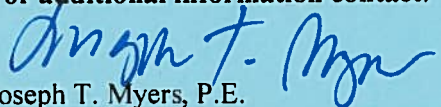
**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> 20HA222-AW Huff & Mitchell, Inc. RCA	Signed Cover sheet

📁	20HA222-AW Huff & Mitchell, Inc. MAP	Backup Material
📁	20HA222-AW Huff & Mitchell, Inc. PRIOR COUNCIL ACTION	Backup Material
📁	20HA222-AW Huff & Mitchell, Inc. OBO	Backup Material
📁	20HA222-AW Huff & Mitchell, Inc. Affidavit of Ownership	Backup Material
📁	20HA222-AW Huff & Mitchell, Inc. Delinquent Tax Report	Backup Material

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for North 60-inch Condition Assessment Support Package; WBS No. S-000901-0007-4.	Page 1 of 2	Agenda Item #
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b>  Dale A. Rudick, P.E., Director	<b>Council District affected:</b>  I 	
<b>For additional information contact:</b>  9/15/14 Joseph T. Myers, P.E. Senior Assistant Director <b>Phone:</b> (832) 395-2355	<b>Date and identification of prior authorizing Council action:</b>  Ord. # 2011-0853 dated: 10/05/2011	

**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of \$4,232,057.02 or 17.60% under the original Contract Amount, accept the Work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required.  
Total (original) appropriation of \$5,837,300.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the Large Diameter Water Lines Inspection, Replacement, and Rehabilitation Program and was required to provide construction and labor support for inspection of and preparation for future long-term monitoring of the existing 60-inch transmission waterline.

**DESCRIPTION/SCOPE:** This project consisted of condition assessment support; rehabilitation of air release valves, access manholes, and related appurtenances; rehabilitation of 60-inch pipe, including joint grout replacement; removal and replacement of 60-inch pre-stressed concrete cylinder pipe sections. The project also included installation of acoustic monitoring cables, confined space entry support such as air monitoring, and construction of immediate rehabilitations. Lockwood, Andrew and Newnam, Inc. designed the project with 210 calendar days allowed for construction. The project was awarded to Huff and Mitchell, Inc. with an original Contract Amount of \$5,135,970.50.

**LOCATION:** The project area is generally located along Lawndale, Satsuma, East Erath and Railroad Easements from Collier to Junius. The project is located in Key Map Grids 494 X, Y, 534 C, D, 535 A, B, F.

**CONTRACT COMPLETION AND COST:** The Contractor, Huff and Mitchell, Inc., has completed the work under the subject Contract. The project was completed with an additional 72 days approved by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$4,232,057.02, a decrease of \$903,913.48 or 17.60% under the original Contract Amount.


The decreased cost is a result of the difference between planned and measured quantities. This decrease is primarily the result of underrun in various Base Unit Price Items, Extra Unit Price, and Cash Allowances, which were not necessary to complete the project.

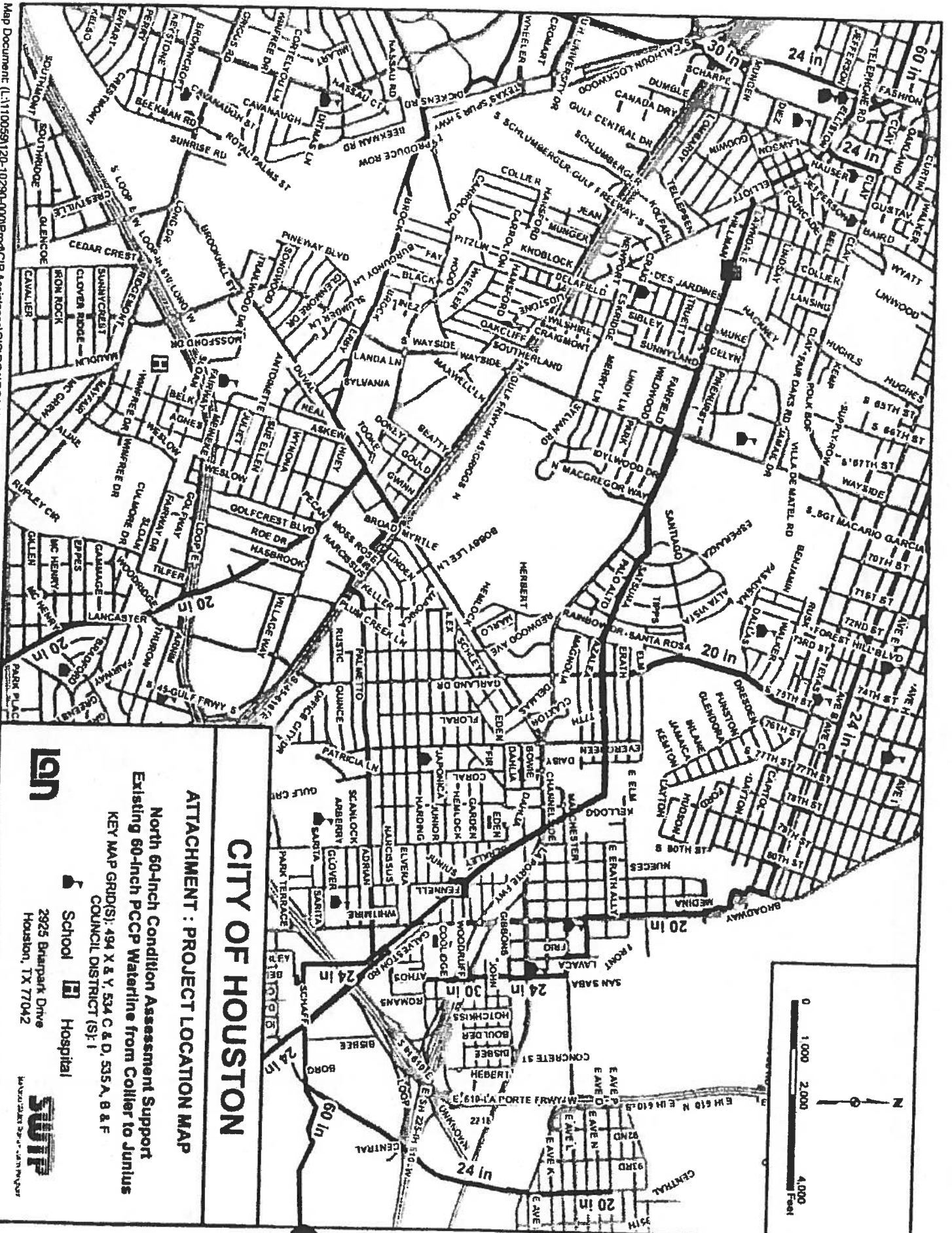
**M/W/SBE PARTICIPATION:** The M/W/SBE goal established for this project was 18%. According to Mayor's Office of Business Opportunity, the participation was 9.55%. Contractor M/W/SBE performance evaluation was rated Unsatisfactory.

DAR:DRM:JTM:SKF:JP:ha  
H:\E&C Construction\Facilities\Projects\S-000901-0007-4 (North 60 CAS)\21.0 Close Out\RCA\RCA - Closeout.doc

REQUIRED AUTHORIZATION

20HA222

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
----------------------------	-----------------------------	---



# CITY OF HOUSTON

## ATTACHMENT : PROJECT LOCATION MAP

North 60-Inch Condition Assessment Support  
 Existing 60-Inch PCCP Waterline from Collier to Junilus  
 KEY MAP GRID(S): 194 X & Y, 534 C & D, 535A, B & F  
 COUNCIL DISTRICT (S): 1

-  School
-  Hospital

2925 Briarpark Drive  
 Houston, TX 77042



MAP SCALE: 1" = 400' (1:160,000)

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District A, District F

20HA330-AW Industrial TX Corp - Groundwater Treatment Plants Improvements

Agenda Item#: 11.

**Summary:**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,359,032.52 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Groundwater Treatment Plants Improvements - 2.02% under the original contract amount - **DISTRICTS A - STARDIG and F - NGUYEN**

**Background:**

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's improvements of various groundwater treatment plants and was required to meet Texas Commission on Environmental Quality regulations. Also this project improved the operability, maintainability and reliability of the plants.

**DESCRIPTION/SCOPE:** This project consisted of various improvements including chemical feed equipment, pumps, piping and valves, flow meters, electric valve actuator, motor control center and building, rehabilitation of metering station, electrical improvements and SCADA upgrades. Lockwood, Andrew and Newnam, Inc. designed the project with 430 calendar days allowed for construction. The project was awarded to **INDUSTRIAL TX CORP.** with an original Contract Amount of \$1,387,094.50.

**LOCATION:** The project sites are as follows:

S. No.	Location	Key Map Grid	Council District
1.	Bellaire Braes Pump Station at 12423 Bellaire	528H	F
2.	Katy Addicks Groundwater Plant at 11500 Old Katy Road	449W	A
3.	Katy Addicks Repump Station at 1456 Brittmoore	449U	A
4.	Park 10 Central Pump Station at 1300 Langham Creek	447Y	A

**CONTRACT COMPLETION and COST:** The Contractor, Industrial TX Corp. , has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$1,359,032.52, a decrease of \$28,061.98 or 2.02% under the original Contract Amount.

The decreased cost is a result of the difference between planned and measured quantities of Extra Unit Price Items, which were not necessary to complete the project.

**M/W/SBE PARTICIPATION:** The M/W/SBE goal established for this project was 18%. According to Mayor's Office of the Business Opportunity, the participation was 18.92%. Contractor M/W/SBE performance evaluation was rated Satisfactory.

**Prior Council Action:**

Ord. # 2013-0578 dated 06/12/2013

**Amount of Funding:**

No additional funding required.

Total (original) appropriation of \$1,573,600.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

**Source of Funding:**

Enterprise Fund

**Contact Information:**

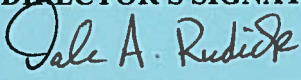

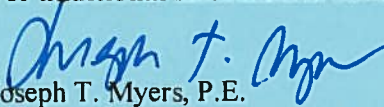
Joseph T. Myers, P.E.  
Senior Assistant Director  
Phone: (832) 395-2355

**ATTACHMENTS:**

Description	Type
☐ 20HA330-AW Industrial TX Corp - RCA	Signed Cover sheet
☐ 20HA330-AW Industrial TX Corp - MAP	Backup Material
☐ 20HA330-AW Industrial TX Corp - OBO	Backup Material
☐ 20HA330-AW Industrial TX Corp - AFFIDAVIT OF OWNERSHIP	Backup Material
☐ 20HA330-AW Industrial TX Corp - PRIOR COUNCIL ACTION	Backup Material
☐ 20HA330-AW Industrial TX Corp - DELINQUENT TAX REPORT	Backup Material

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Accept Work for Groundwater Treatment Plants Improvements; WBS No. S-001000-0034-4.	<b>Page</b> 1 of 1	<b>Agenda Item</b> #
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b>  Dale A. Rudick, P.E., Director	<b>Council District affected:</b>  A, F 	
<b>For additional information contact:</b>  9/22/14 Joseph T. Myers, P.E. Senior Assistant Director <b>Phone:</b> (832) 395-2355	<b>Date and identification of prior authorizing Council action:</b>  Ord. # 2013-0578 dated: 06/12/2013	

**RECOMMENDATION:** (Summary) Pass a motion to approve the final Contract Amount of \$1,359,032.52 or 2.02% under the original Contract Amount, accept the Work, and authorize final payment.

**Amount and Source of Funding:** No additional funding required.  
Total (original) appropriation of \$1,573,600.00 from Water and Sewer System Consolidated Construction Fund No. 8500.

**PROJECT NOTICE/JUSTIFICATION:** This project was part of the City's improvements of various groundwater treatment plants and was required to meet Texas Commission on Environmental Quality regulations. Also this project improved the operability, maintainability and reliability of the plants.

**DESCRIPTION/SCOPE:** This project consisted of various improvements including chemical feed equipment, pumps, piping and valves, flow meters, electric valve actuator, motor control center and building, rehabilitation of metering station, electrical improvements and SCADA upgrades. Lockwood, Andrew and Newnam, Inc. designed the project with 430 calendar days allowed for construction. The project was awarded to Industrial TX Corp. with an original Contract Amount of \$1,387,094.50.

**LOCATION:** The project sites are as follows:

S. No.	Location	Key Map Grid	Council District
1.	Bellaire Braes Pump Station at 12423 Bellaire	528H	F
2.	Katy Addicks Groundwater Plant at 11500 Old Katy Road	449W	A
3.	Katy Addicks Repump Station at 1456 Brittmoore	449U	A
4.	Park 10 Central Pump Station at 1300 Langham Creek	447Y	A

**CONTRACT COMPLETION AND COST:** The Contractor, Industrial TX Corp., has completed the work under the subject Contract. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$1,359,032.52, a decrease of \$28,061.98 or 2.02% under the original Contract Amount.


The decreased cost is a result of the difference between planned and measured quantities of Extra Unit Price Items, which were not necessary to complete the project.

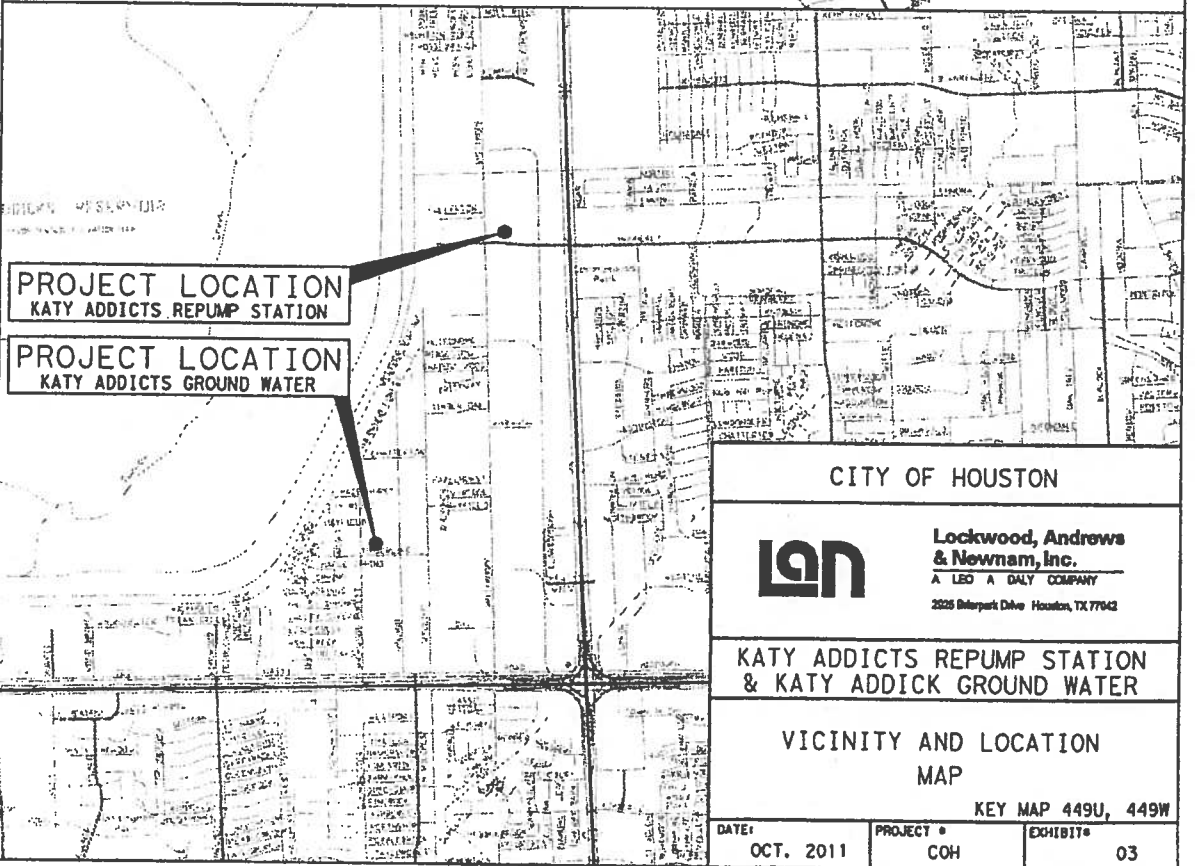
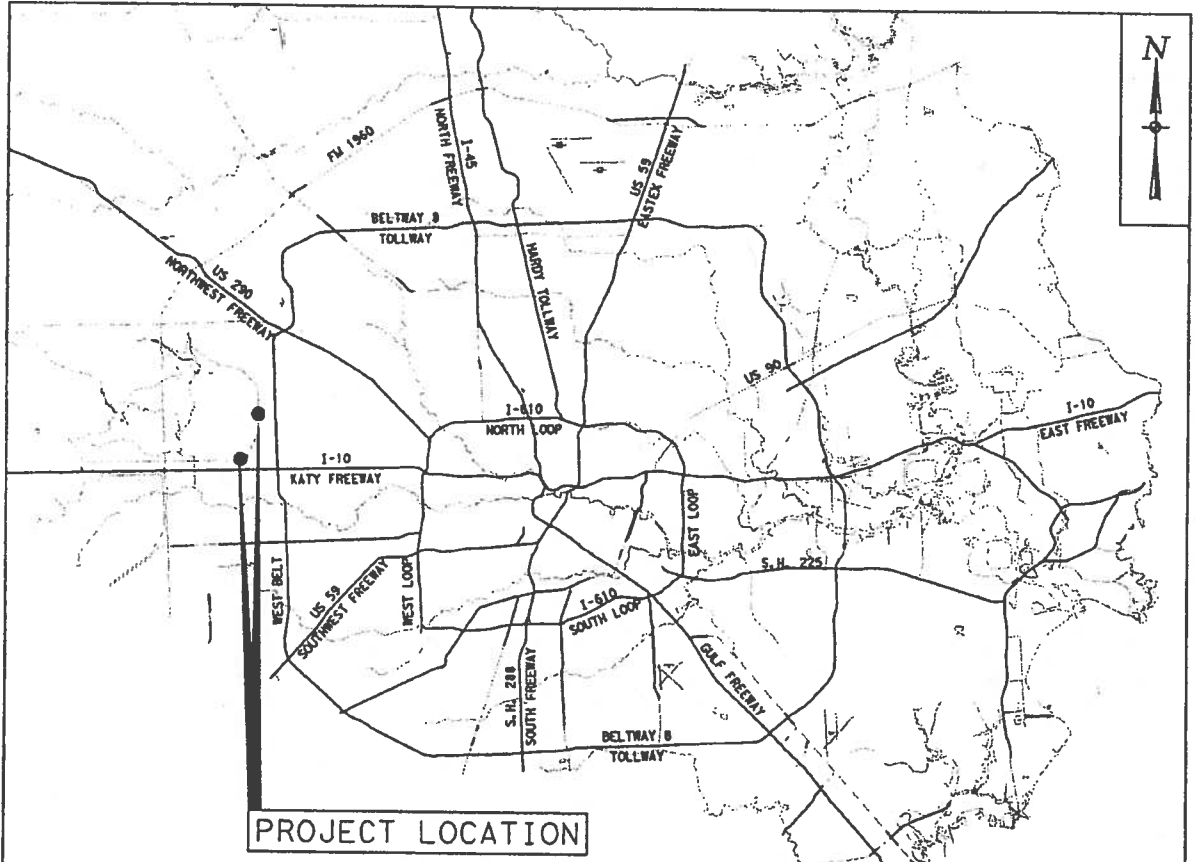
**M/W/SBE PARTICIPATION:** The M/W/SBE goal established for this project was 18%. According to Mayor's Office of Business Opportunity, the participation was 18.92%. Contractor M/W/SBE performance evaluation was rated Satisfactory.

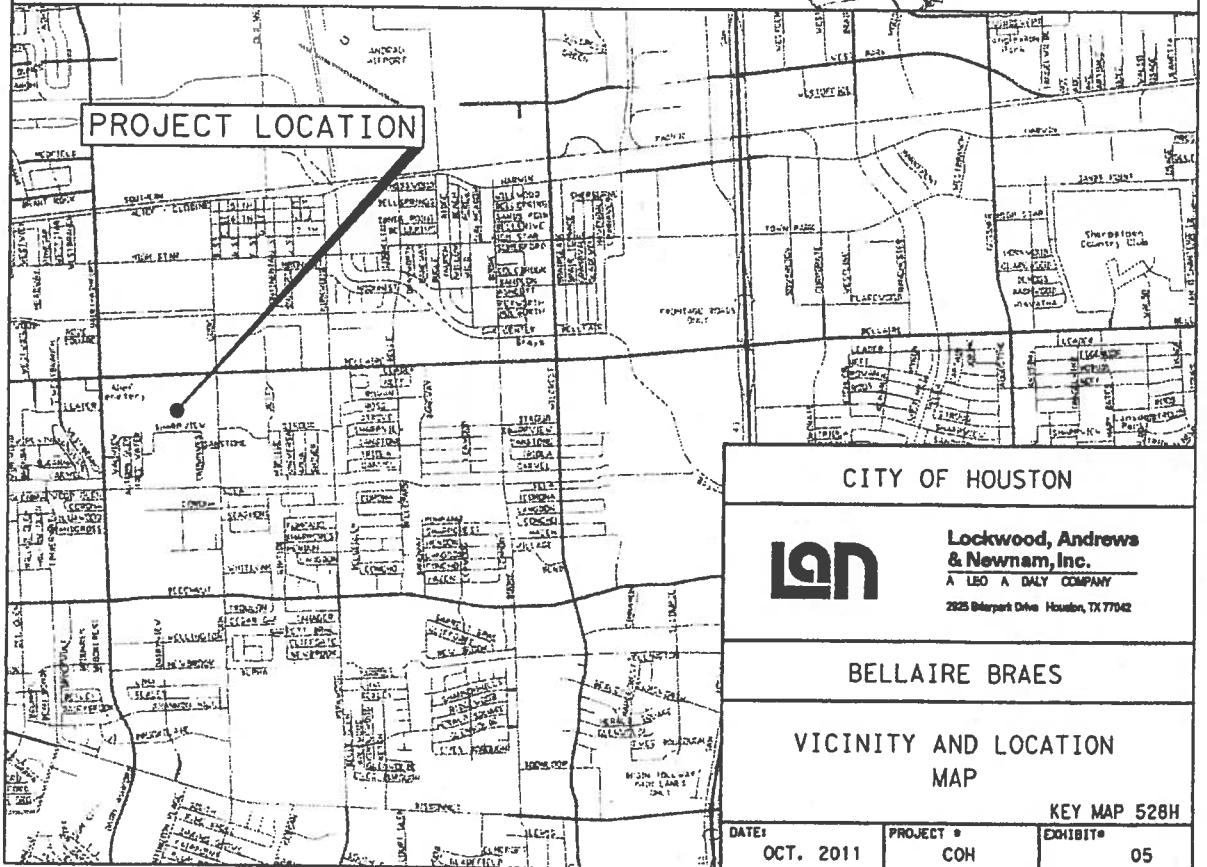
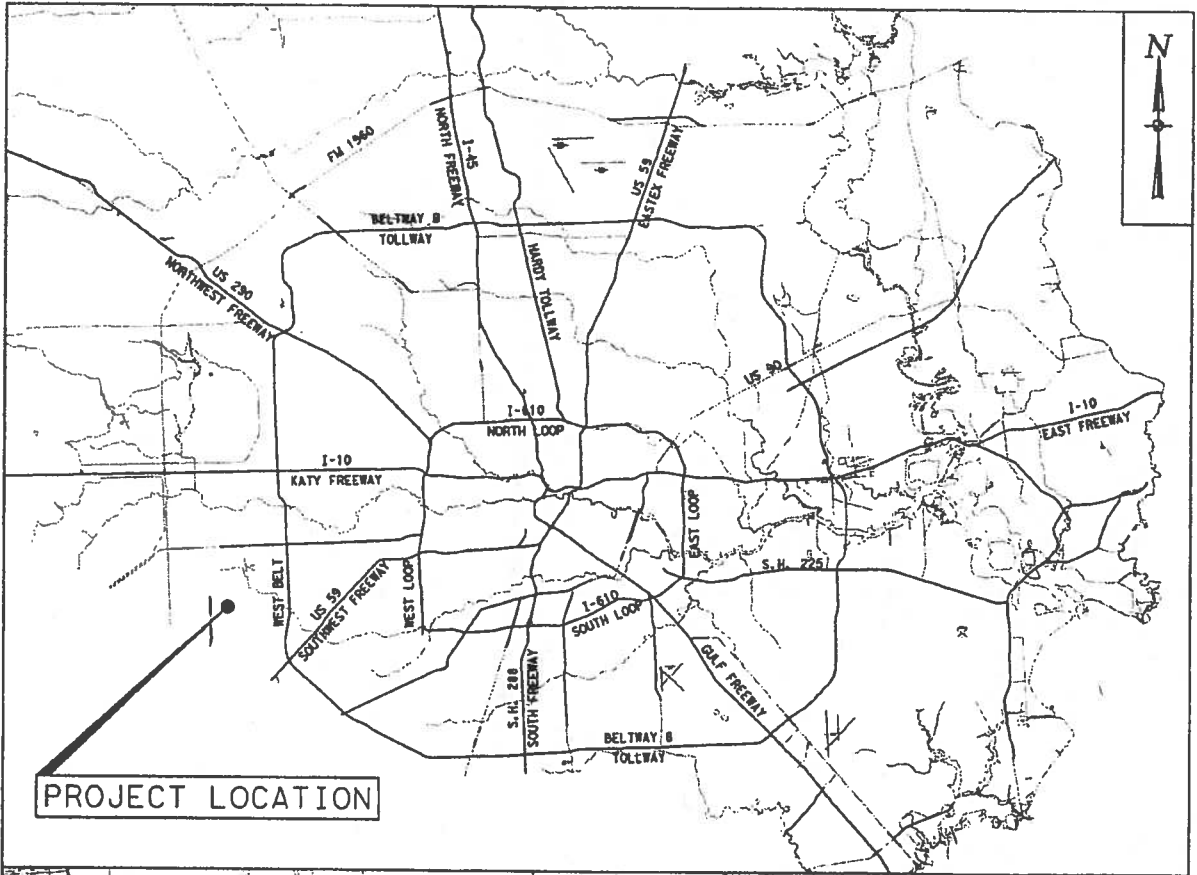
DAR:DRM:JTM:SKF:JP:ha  
H:\E&C Construction\Facilities\Projects\S-001000-0034-4-GWTP Improvements\RCA\RCA - Closeout.doc

REQUIRED AUTHORIZATION

20HA330

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Daniel R. Menendez, P.E., Deputy Director Engineering and Construction Division
----------------------------	-----------------------------	---





CITY OF HOUSTON

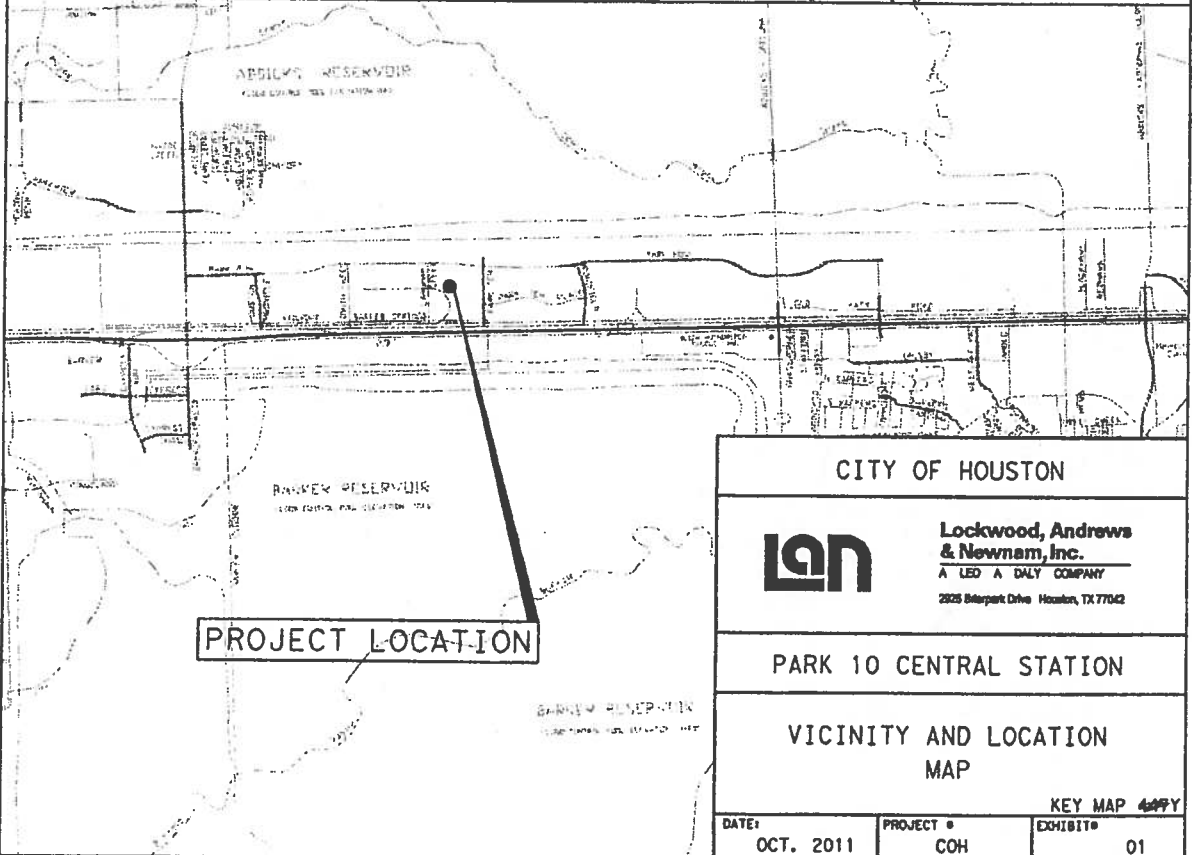
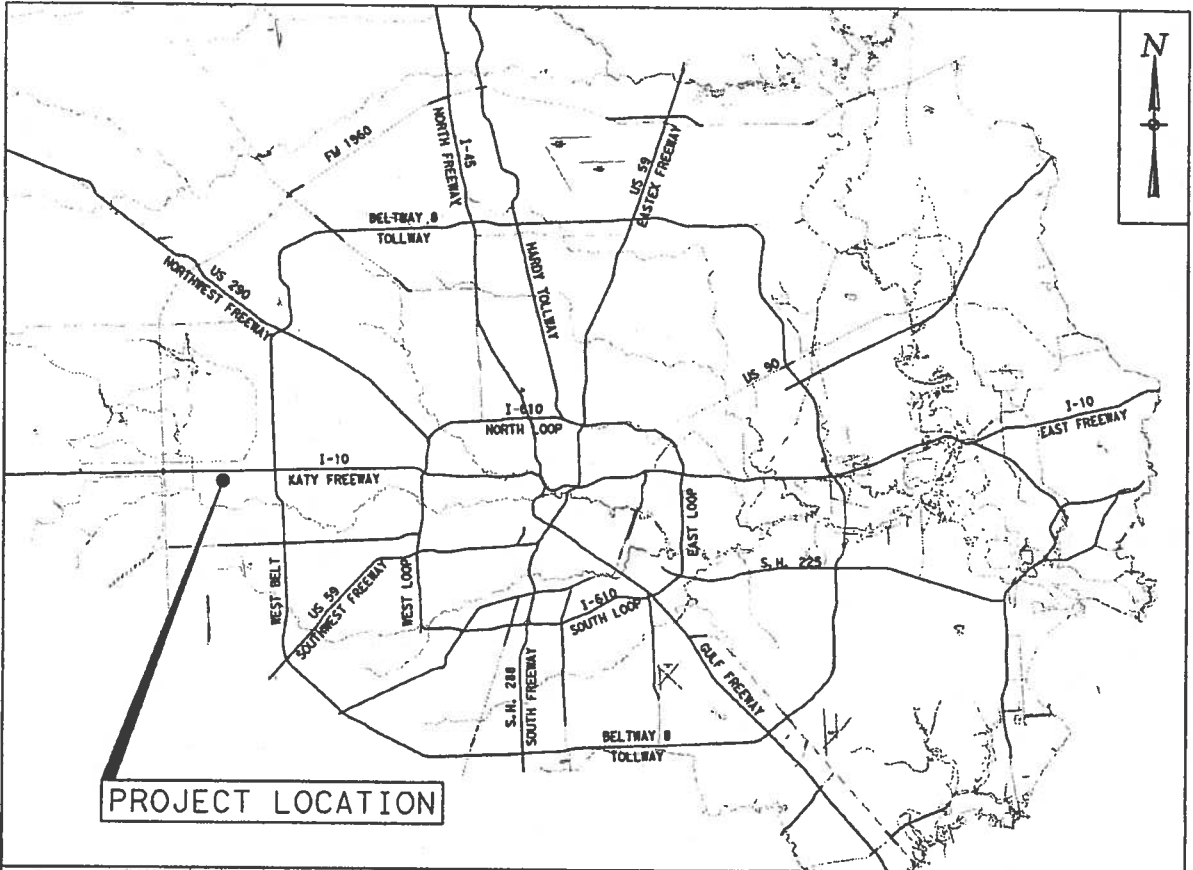
**LAN** Lockwood, Andrews & Newnam, Inc.  
A LEO A DALY COMPANY  
2925 Blairport Drive Houston, TX 77042

BELLAIRE BRAES

VICINITY AND LOCATION MAP

KEY MAP 528H

DATE:	PROJECT #	EXHIBIT #
OCT. 2011	COH	05



CITY OF HOUSTON

**LAN** Lockwood, Andrews & Newnam, Inc.  
 A LEAD A DALY COMPANY  
 2828 Blairpark Drive Houston, TX 77042

PARK 10 CENTRAL STATION

VICINITY AND LOCATION MAP

KEY MAP COPY

DATE:	PROJECT #	EXHIBIT#
OCT. 2011	COH	01

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

Item Creation Date: 9/1/2014

LGL-Parcel AY10-204; City of Houston v. Kuo's Family Limited Partnership, et al., Cause No. 994,117

Agenda Item#: 12.

**Summary:**

RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. Kuo's Family Limited Partnership, et al; Cause No. 994,117 for a total consideration of \$130,000.00; for acquisition of Parcel AY10-204, in connection with **AIRLINE DRIVE PAVING & DRAINAGE PROJECT (N. Main - North Loop 610) - DISTRICT H - GONZALEZ**

**Background:**

The Airline Paving & Drainage Project (N. Main - North Loop 610) provides for the right-of-way acquisition, design and construction of a four lane concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control and the necessary underground utilities. The project will replace and widen a street that has deteriorated beyond economical repair and normal maintenance. It will provide traffic circulation, mobility and drainage in the service area. The improvements will upgrade the existing roadway to Major Thoroughfare and Freeway Plan (MTRP) standards.

This eminent domain proceedings involves the acquisition of a permanent easement in and to 1,392 square feet (0.0319 acre) of land from a parent tract containing 34,038 square feet (0.7814 acres). The parent tract is improved with a 9,100 square-foot retail building situated outside of the area being acquired in this proceeding. The property is located at 1848 Airline Drive and is owned by the Kuo's Family Limited Partnership.

Efforts by Public Works & Engineering to negotiate a purchase of the needed property were unsuccessful, and the matter was referred to the Legal Department to initiate eminent domain proceedings. The parties were cited and served as required by law and the matter was set for a Special Commissioners' Hearing. The landowner failed to appear and the Special Commissioners' returned an Award for \$61,146.00 based solely on the City's testimony at the hearing. The landowner then retained an attorney and filed objections to the Award. The matter was placed on the Court's trial docket and the parties initiated pre-trial discovery.

During the course of trial preparation it became evident that the parking for the landowner's commercial improvements would be negatively affected by the taking. During mediation and prolonged settlement negotiations, the parties were able to arrive at a proposed settlement subject to City Council's approval.

The proposed settlement provides that the City will pay the total sum of \$130,000.00 as just compensation for the property being acquired. The settlement addresses and resolves all issues and matters in controversy.

The proposed settlement is \$68,854.00 more than the Award of Special Commissioners and \$192,642.00 less than the landowner's anticipated testimony at trial. The settlement is within the range of testimony available to this office and is supported by the facts and evidence developed during discovery and trial preparation. It is doubtful the City would benefit from further litigating this matter.

We recommend that the City Attorney be authorized, by Motion, to settle this eminent domain case for a total consideration of \$130,000.00. Funding will be provided by a previously approved blanket Appropriation ordinance.

**Prior Council Action:**

Ord. 2013-6, psd. 1/2/13; Ord. 2011-1088, psd. 12/07/11; Ord. 2011-5, psd. 1/5/11.



**Amount of Funding:**

\$68,854.00; No additional funding required. (Funds were appropriated under Blanket Ordinance No. 2013-6).

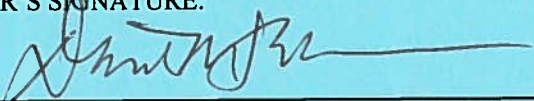
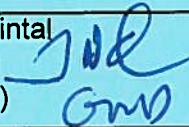
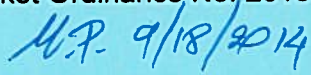

**Contact Information:**

Joseph N. Quintal  
Phone: 832.393.6286  
(alternatively Michelle Grossman 832.393-6216)

**ATTACHMENTS:**

	Description	Type
	LGL-Parcel AY10-204; City of Houston v. Kuo's Family Limited Partnership - RCA	Backup Material
	LGL-Parcel AY10-204; City of Houston v. Kuo's Family Limited Partnership - MAP	Backup Material

**REQUEST FOR COUNCIL ACTION**

SUBJECT: Parcel AY10-204; City of Houston v. Kuo's Family Limited Partnership, et al., Cause No. 994,117; Airline Drive Paving & Drainage Project (N. Main - North Loop 610) WBS/CIP No. N-000697-0001-2-01; Legal Department File No. 052-1000038-010.		Page 1 of 2	Agenda Item #
FROM (Department or other point of origin): Legal Department - Real Estate Section David Feldman, City Attorney		Origination Date 09/10/14	Agenda Date
DIRECTOR'S SIGNATURE: 		Council District affected: "H" Edward Gonzalez, Key Map#453X	
For additional information contact: Joseph N. Quintal Phone: 832.393.6286 (alternatively Michelle Grossman 832.393.6216) 		Date and identification of prior authorizing Council action: 2013-6, psd. 1/2/13; 2011-1088, psd. 12/07/11; 2011-5, psd.1/5/11.	
RECOMMENDATION: (Summary)			
Authorize the City Attorney, by Motion, to settle this eminent domain case for a total consideration of \$130,000.00. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
Amount and Source of Funding: \$68,854.00; No additional funding required. (Funds were appropriated under Blanket Ordinance No. 2013-6). 			
SPECIFIC EXPLANATION:			
<p>The Airline Paving &amp; Drainage Project (N. Main - North Loop 610) provides for the right-of-way acquisition, design and construction of a four lane undivided concrete roadway with storm drainage, curbs, sidewalks, driveways, street lighting, traffic control and the necessary underground utilities. The project will replace and widen a street that has deteriorated beyond economical repair and normal maintenance. It will improve traffic circulation, mobility and drainage in the service area. The improvements will upgrade the existing roadway to Major Thoroughfare and Freeway Plan (MTFP) standards.</p> <p>This eminent domain proceeding involves the acquisition of a permanent easement in and to 1,392 square feet (0.0319 acre) of land from a parent tract containing 34,038 square feet (0.7814 acre). The parent tract is improved with a 9,100 square-foot retail building situated outside of the area being acquired in this proceeding. The property is located at 1848 Airline Drive and is owned by the Kuo's Family Limited Partnership.</p> <p>Efforts by Public Works &amp; Engineering to negotiate a purchase of the needed property were unsuccessful, and the matter was referred to the Legal Department to initiate eminent domain proceedings. The parties were cited and served as required by law and the matter was set for a Special Commissioners' Hearing. The landowner failed to appear at the hearing and the Special Commissioners returned an Award for \$61,146.00 based solely on the City's testimony at the hearing. The landowner then retained an attorney and filed objections to the Award. The matter was placed on the Court's trial docket and the parties initiated pre-trial discovery.</p> <p>During the course of trial preparation it became evident that the parking for the landowner's commercial improvements would be negatively affected by the taking. During mediation and prolonged settlement negotiations, the parties were able to arrive at a proposed settlement subject to City Council's approval.</p>			
h:\mark\kuofamilysettlementrca2.wpd <b>REQUIRED AUTHORIZATION</b>			
Other Authorization:		Other Authorization: 	
		Mark L.Loethen, P.E., CPM, PTOE, Deputy Director Planning and Development Services Division, PWE	

90AH288

Date 09/10/14	SUBJECT: Parcel AY10-204; City v. Kuo's Family Limited Partnership, et al; Airline Drive Paving & Drainage Project; LD# 52-1000038-010	Originator's Initials JNQ/MBG	Page 2 of 2
------------------	--	-------------------------------------	----------------

The proposed settlement provides that the City will pay the total sum of \$130,000.00 as just compensation for the property being acquired. The settlement addresses and resolves all issues and matters in controversy.

The proposed settlement is \$68,854.00 more than the Award of Special Commissioners and \$192,642.00 less than the landowner's anticipated testimony at trial. The settlement is within the range of testimony available to this office and is supported by the facts and evidence developed during discovery and trial preparation. It is doubtful the City would benefit from further litigating this matter.

We recommend that the City Attorney be authorized, by Motion, to settle this eminent domain case for a total consideration of \$130,000.00. Funding will be provided by a previously approved blanket Appropriation ordinance.

(70' WIDE AS MONUMENTED AND RECOGNIZED)  
CALLED 60' WIDE PER HARRIS COUNTY  
COMMISSIONERS COURT  
ADOPTED FEB. 19, 1895  
VOL. III, PG. 18 & 19 HARRIS COUNTY  
PUBLIC ROAD RECORDS

UNLESS OTHERWISE NOTED

26+00

PROJECT BASELINE

P.C. STA. 27+04.53

27+00

28+00

P.O.B.  
PARCEL AY10-204  
X-3, 115, 792.06  
Y-13, 857, 742.80  
FND 1/2" IP (C.M.)

N 02° 26' 40" W 212.40'

FND 5/8" R (C.M.)

S 02° 04' 54" E 114.55'

PROPOSED R.O.W.

S 02° 34' 41" E 97.86'

KUO'S FAMILY LIMITED PARTNERSHIP  
H.C.C.F. NO. 2055378  
JANUARY 23, 2006

AIRLINE SQUARE  
FILM CODE 547058 M.R.H.C.  
UNRESTRICTED RESERVE

BLOCK 1  
0.7814 AC.

GREEN & FRESH PRODUCE, INC.  
H.C.C.F. NO. 1960911  
AUGUST 18, 1998  
1.7631 AC.

M. ALI & SONS INC.  
H.C.C.F. NO. W064433  
AUGUST 30, 2002  
0.3639 AC.

Shallers

P.O.B. TO COH MON. NO. 5359-1108			
S 02° 37' 05" E, 214.15'			

EXISTING	TAKING	REMAINING
0.7814 ACRE	0.0319 ACRE	0.7495 ACRE
34,038 SQ. FT.	1,392 SQ. FT.	32,646 SQ. FT.

- NOTES:
- ALL COORDINATES AND BEARINGS SHOWN HEREIN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, MAD 83 (CORS1).
  - ALL DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A SCALE FACTOR OF

LINE	BEARING	DISTANCE
------	---------	----------

SURVEY

**LOCATION MAP**



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District G

20CJS9494-a&s Parcels SY14-130A thru SY14-130D - West Oaks Subdivision

Agenda Item#: 13.

**Summary:**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Gerald W. Grissom, Brown & Gay Engineers, Inc., on behalf of Hudson Brothers Real Estate, L. P., (Edward J. Hudson, Managing Member), for the abandonment and sale of : 1) a 2-foot-wide sanitary sewer easement, from  $\pm 150$  feet east of the northeast property line of Reserve A east  $\pm 250$  feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east  $\pm 425$  feet; 3) a 10-foot-wide utility easement, from  $\pm 425$  feet east of the northeast property line of Reserve A east  $\pm 425$  feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east  $\pm 400$  feet, all located within the West Oaks Subdivision, out of the William White Survey, Parcels SY14-130A through SY14-130D - **DISTRICT G - PENNINGTON**

**Background:**

Gerald W. Grissom, Brown & Gay Engineers, Inc., 10777 Westheimer, Suite 400 , Houston, Texas, 77042, on behalf of Hudson Brothers Real Estate, L.P., (Edward J. Hudson, Managing Member), requested the abandonment and sale of: 1) a 2-foot-wide sanitary sewer easement, from  $\pm 150$  feet east of the northeast property line of Reserve A east  $\pm 250$  feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east  $\pm 425$  feet; 3) a 10-foot-wide utility easement, from  $\pm 425$  feet east of the northeast property line of Reserve A east  $\pm 425$  feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east  $\pm 400$  feet, all located within the West Oaks Subdivision, out of the William White Survey. The applicant plans to construct a mixed-use real estate development over the subject area.

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: 1) a 2-foot-wide sanitary sewer easement, from  $\pm 150$  feet east of the northeast property line of Reserve A east  $\pm 250$  feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east  $\pm 425$  feet; 3) a 10-foot-wide utility easement, from  $\pm 425$  feet east of the northeast property line of Reserve A east  $\pm 425$  feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east  $\pm 400$  feet, all located within the West Oaks Subdivision, out of the William White Survey;
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) Cut, plug, and abandon the existing 6-inch sanitary sewer line located within the subject sanitary sewer easement, from manhole number SW228058 to manhole number SW228061, or convert the line to private service, and (b) complete all of the foregoing items at no cost to the City and under the proper permits obtained through the Office of the City Engineer and separate from any other project permits;
4. The applicant be required to prepare drawings that show all public utilities (sanitary sewer) that are to be abandoned, relocated, and/or constructed as part of this abandonment request and submit the 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;

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

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

7. Inasmuch as the value of the City's property interests are expected to exceed \$1,000,000.00, that City Council appoint Lynette Fornerette and Frank Lucco, independent real estate appraisers, to establish the value.

**Contact Information:**

Nancy P. Collins

Senior Assistant Director-Real Estate



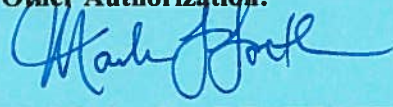
**Phone:** (832) 395-3130

**ATTACHMENTS:**

	Description	Type
☐	20CJS9494-a&s Parcels SY14-130A thru SY14-130D - West Oaks Subdivision RCA	Signed Cover sheet
☐	20CJS9494-a&s Parcels SY14-130A thru SY14-130D - West Oaks Subdivision - Maps	Backup Material

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Request for the abandonment and sale of: 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey. <b>Parcels SY14-130A through SY14-130D</b>		<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b>  Dale A. Rudick, P.E., Director		<b>Council District affected:</b> G  CS <b>Key Map:</b> 491L	
<b>For additional information contact:</b>  Nancy P. Collins  Senior Assistant Director-Real Estate <b>Phone:</b> (832) 395-3130		<b>Date and identification of prior authorizing Council Action:</b>	
<b>RECOMMENDATION: (Summary)</b> It is recommended City Council approve a motion authorizing the abandonment and sale of: 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey. <b>Parcels SY14-130A through SY14-130D</b>			
<b>Amount and Source of Funding:</b> Not Applicable			
<b>SPECIFIC EXPLANATION:</b>  Gerald W. Grissom, Brown & Gay Engineers, Inc., 10777 Westheimer, Suite 400 , Houston, Texas, 77042, on behalf of Hudson Brothers Real Estate, L.P., (Edward J. Hudson, Managing Member), requested the abandonment and sale of: 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey. The applicant plans to construct a mixed-use real estate development over the subject area.  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:\cs\sy14-130.rc1.doc		CUIC #20CJS9494	
<b>REQUIRED AUTHORIZATION</b>			
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division	

<b>Date:</b>	<b>Subject:</b> Request for the abandonment and sale of: 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey. <b>Parcels SY14-130A through SY14-130D</b>	<b>Originator's Initials</b>  CS	<b>Page</b> <u>2</u> of <u>2</u>
--------------	---	--	-------------------------------------

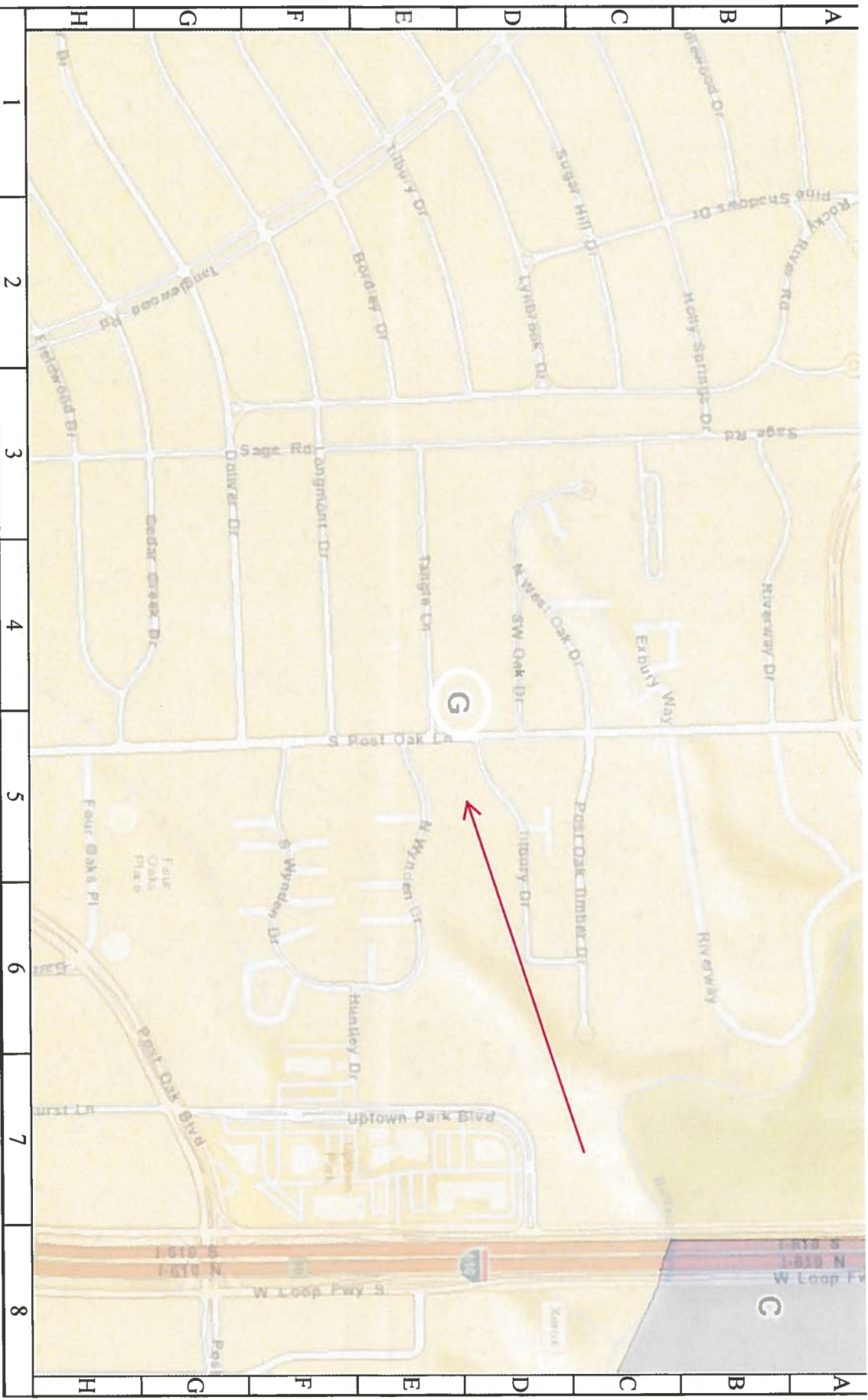
1. The City abandon and sell: 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey;
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) Cut, plug, and abandon the existing 6-inch sanitary sewer line located within the subject sanitary sewer easement, from manhole number SW228058 to manhole number SW228061, or convert the line to private service, and (b) complete all of the foregoing items at no cost to the City and under the proper permits obtained through the Office of the City Engineer and separate from any other project permits;
4. The applicant be required to prepare drawings that show all public utilities (sanitary sewer) that are to be abandoned, relocated, and/or constructed as part of this abandonment request and submit the 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;
5. The applicant be required to provide letters of no objection from each of the privately owned utility companies for the easements being abandoned;
6. The Legal Department be authorized to prepare the necessary transaction documents; and
7. Inasmuch as the value of the City's property interests are expected to exceed \$1,000,000.00, that City Council appoint Lynette Fornerette and Frank Lucco, independent real estate appraisers, to establish the value.

DRM:NPC:cs

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

Abandonment and sale of: 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey. Parcels SY14-130A through SY14-130D

**Council District G**



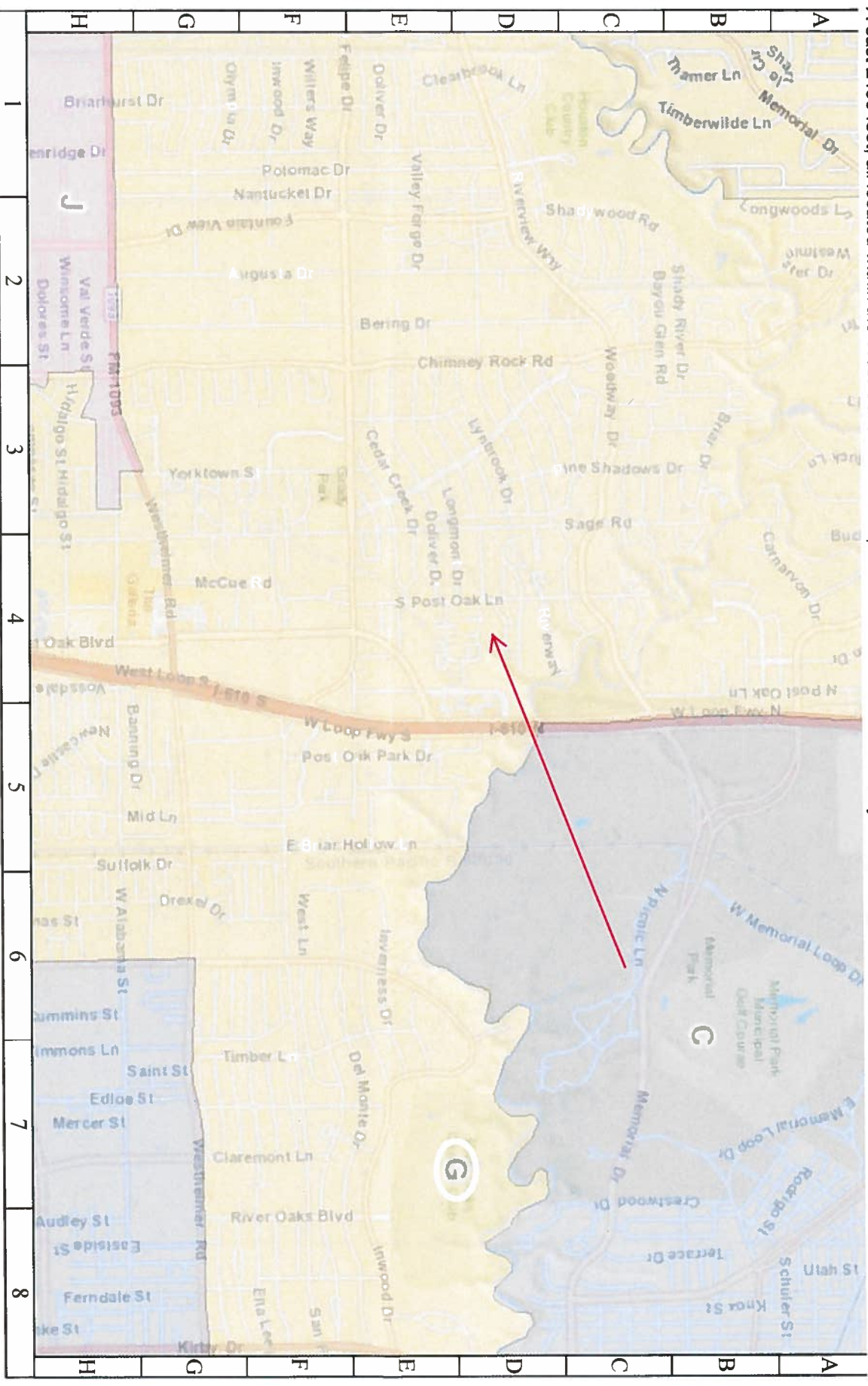
**CITY OF HOUSTON**  
 Department of Public Works and Engineering  
 Geographic Information & Management System (GIMS)

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.



Abandonment and sale of: 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tribury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey. Parcels SY14-130A through SY14-130D

**Council District G**



**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.



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District D

20GGP9136A-Amendment to CM 2011-0029 - Parcels SY10-074, AY10-331, AY10-332A thru AY10-332D, QY10-007, and VY10-039

Agenda Item#: 14.

**Summary:**

**AMEND MOTION #2011-0029, 1/12/11, TO APPOINT** John Fox and David Dominy as independent appraisers to determine the fair market value for the portion of right-of-way on the north side of Wheeler Avenue, ±400 feet from the intersection of Wheeler Avenue and Calhoun Street, to ±368 feet from the intersection of Wheeler Avenue and Cullen Boulevard in exchange for fee-owned land from the University of Houston for the construction of Wheeler Street, from Scott Street east to Calhoun Road, out of the Luke Moore Survey, A-51, Parcels SY10-074, AY10-331, AY10-332A through AY10-332D, QY10-007 and VY10-039 **DISTRICT D - BOYKINS**

**Background:**

**SPECIFIC EXPLANATION:**

By Motion 2011-0029, City Council authorized the appointment of two independent appraisers to determine fair market value of the City's property interests. Under the motion, the value of the City's property interests is to be established by Alan Dominy and Tom Edmonds. The independent appraisers, Alan Dominy and Tom Edmonds, cannot complete the appraisal assignment.

Therefore, it is recommended City Council amend Motion 2011-0029 by appointing John Fox and David Dominy, independent real estate appraisers, to establish the value.

**Prior Council Action:**

C.M. 2011-0029 (01/12/2011)

**Contact Information:**

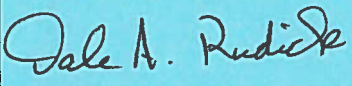


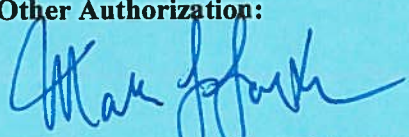
Nancy P. Collins

Senior Assistant Director-Real Estate

**Phone:** (832) 395-3130

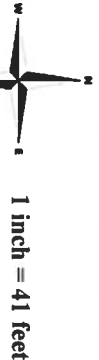
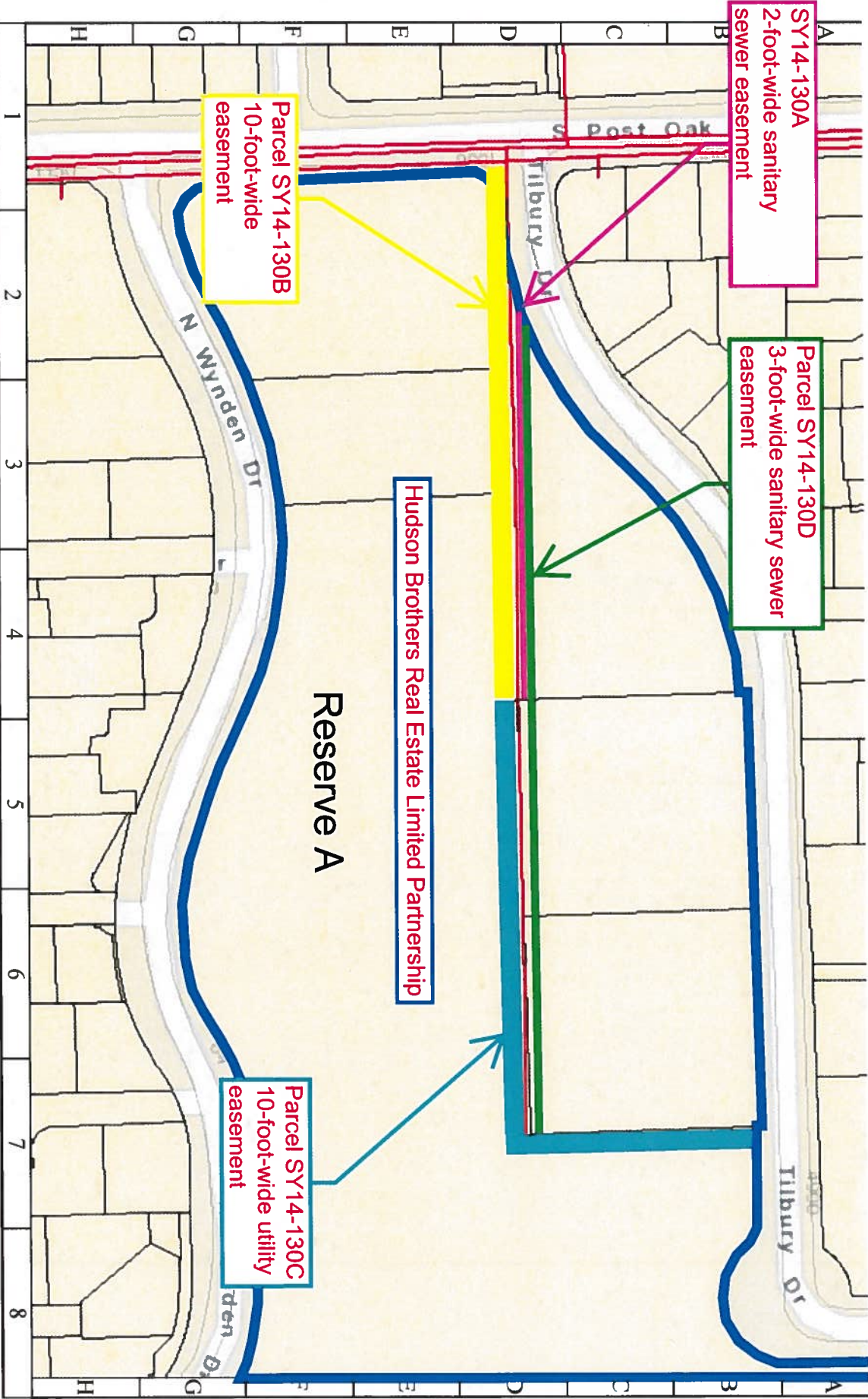
**ATTACHMENTS:**

Description	Type
☐ 20GG9136A - Amend CM 2011-0029 RCA	Signed Cover sheet
☐ 20GG9136A - Amend CM 2011-0029 Maps	Backup Material
☐ 20GG9136A-Amendment to CM 2011-0029 - Parcels SY10-074, AY10-331, AY10-332A thru AY10-332D, QY10-007, and VY10-039 PRIOR COUNCIL ACTION	Ordinance/Resolution/Motion

<b>SUBJECT:</b> Amendment to Council Motion 2011-0029. Parcels SY10-074, AY10-331, AY10-332A through AY10-332D, QY10-007, and VY10-039		<b>Page</b> <u>1</u> of <u>1</u>	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b>   Dale A. Rudick, P.E., Director		<b>Council District affected:</b> D   <b>Key Map:</b> 534A	
<b>For additional information contact:</b>  Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director-Real Estate		<b>Date and identification of prior authorizing Council Action:</b>  C.M. 2011-0029 (01/12/2011)	
<b>RECOMMENDATION: (Summary)</b> It is recommended City Council amend Motion 2011-0029, which authorized the appointment of two independent appraisers to determine fair market value of the City's property interests, by replacing Alan Dominy and Tom Edmonds with John Fox and David Dominy as independent appraisers. Parcels SY10-074, AY10-331, AY10-332A through AY10-332D, QY10-007, and VY10-039			
<b>Amount and Source of Funding:</b> Not Applicable			
<b>SPECIFIC EXPLANATION:</b> By Motion 2011-0029, City Council authorized the appointment of two independent appraisers to determine fair market value of the City's property interests. Under the motion, the value of the City's property interests is to be established by Alan Dominy and Tom Edmonds. The independent appraisers, Alan Dominy and Tom Edmonds, cannot complete the appraisal assignment.  Therefore, it is recommended City Council amend Motion 2011-0029 by appointing John Fox and David Dominy, independent real estate appraisers, to establish the value.  DAR:NPC:tp  c: Jun Chang, P.E., D.WRE Marta Crinejo David Feldman Terry A. Garrison Daniel Menendez, P.E. Patrick Walsh, P.E. Jeffrey Weatherford, P.E., PTOE			
z:\tp\sy10-074.rca1.appr.doc		CUIC #20GG9136A	
<b>REQUIRED AUTHORIZATION</b>			
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>   Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division	

Parcel Map

Abandonment and sale of: 1) a 2-foot-wide sanitary sewer easement, from ±150 feet east of the northeast property line of Reserve A east ±250 feet; 2) a 10-foot-wide easement, from the northeast property line of Reserve A east ±425 feet; 3) a 10-foot-wide utility easement, from ±425 feet east of the northeast property line of Reserve A east ±425 feet, then north to Tilbury Drive; and 4) a 3-foot-wide sanitary sewer easement, from the northeast property line of Reserve A east ±400 feet, all located within the West Oaks Subdivision, out of the William White Survey. Parcels SY14-130A through SY14-130D



**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.





# City Of Houston Council District D Dwight Boykins

## Legend

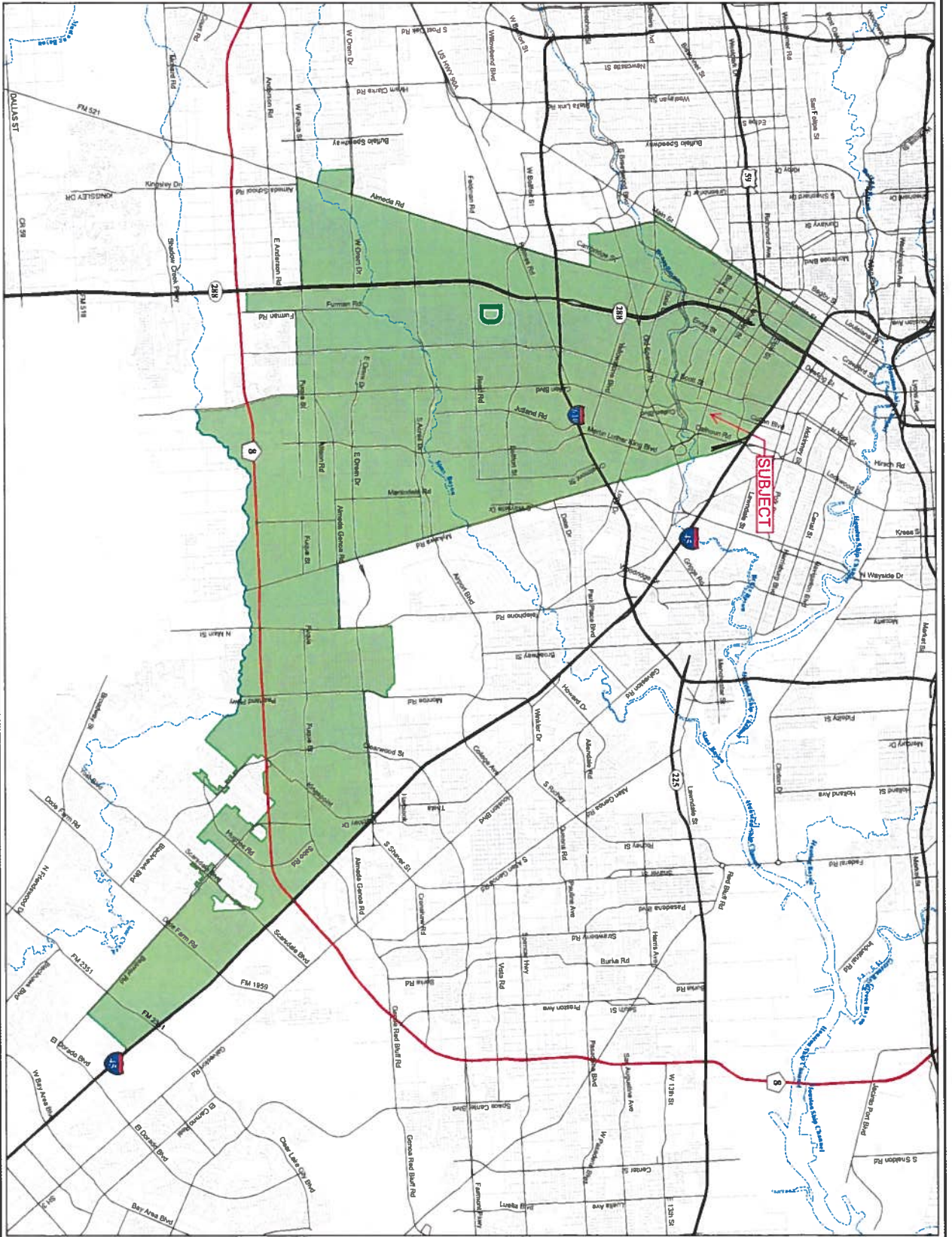
- Wateway
- District D

Amendment to Council Motion  
2011-0029, Parcels S110-074,  
AY10-331, AY10-332A through  
AY10-332D, QY10-007, and VY10-039



Source: GIS Services Division  
Date: January 2014  
Reference: pl17375\_D

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.



MOTION NO. 2011 0029

MOTION by Council Member Lovell that the recommendation of the Director Department of Public Works and Engineering, relative the appointment of appraisers to determine the fair market value of a portion of the property known as Wheeler Avenue and Calhoun Street, Parcels SY10-074A, SY10-074B, AY10-331, AY10-332A through AY10-332D, AY10-333, QY10-007 and VY10-039, be adopted, and the City Council hereby appoints Alan Dominy and Tom Edmonds, independent appraisers, to determine the fair market value for the portion of right-of-way on the north side of Wheeler Avenue, ±400 feet from the intersection of Wheeler Avenue and Calhoun Street, to ±368 feet from the intersection of Wheeler Avenue and Cullen Boulevard, in exchange for fee-owned land from the University of Houston for the construction of Wheeler Street, from Scott Street east to Calhoun Road, out of the Luke Moore Survey, A-51, inasmuch as the value of the City's property interests are expected to exceed \$1,000,000.00.

Seconded by Council Member Gonzalez and carried.

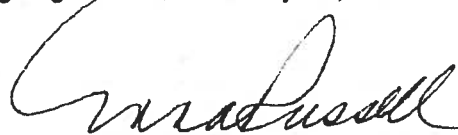
Mayor Parker, Council Members Stardig, Johnson,  
Clutterbuck, Adams, Sullivan, Pennington, Gonzalez,  
Rodriguez, Costello, Lovell, Noriega and Jones voting aye  
Nays none

Council Member Hoang absent on City business

Council Member Bradford out of the City

PASSED AND ADOPTED this 12th day of January, 2011.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is January 18, 2011.

  
City Secretary

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District H

Item Creation Date: 9/24/2014

10240- Approve an Appropriation Ordinance, Amend CM No. 2014-0512

Agenda Item#: 15.

**Summary:**

ORDINANCE appropriating \$14,750.00 out of Public Health Consolidated Construction Fund as an additional appropriation for Roof Replacement at Peavy Senior Center

**Background:**

The Director of General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing 1) the appropriation of \$14,750.00 out of the Public Health Consolidated Construction Fund (4508); 2) amend Council Motion No. 2014-0512, passed June 4, 2014, to increase the not-to-exceed award amount from \$322,451.80 to \$337,201.80; and 3) amend Article No. 7, Paragraph 7.1.2.1 of the General Conditions in the construction contract to increase the Director's authority to approve change orders up to 15.03% for the General Services Department on behalf of the Health & Human Services Department.

Council Motion No. 2014-0512 passed June 4, 2014, approved an award to John A Walker Roofing Co., Inc. for roof replacement for the General Services Department on behalf of the Health and Human Services Department in the total amount of \$322,451.80.

Under the original scope of work, the contractor was required to provide all equipment, labor, materials, tools, supervision and transportation necessary to remove and properly dispose of an existing roof system at the Peavy Senior Center, located at 3814 Market Street, Houston TX. 77020. The contractor was required to remove and properly dispose of the existing bituminous and sheet metal roofing, insulation, lightweight concrete fill, flashing, sheet metal and other miscellaneous debris. Subsequent, to the demolition of the existing roof system, the contractor was also required to provide and install a new modified bitumen cap built-up roof and a new standing seam metal roof, to include waterproofing exterior walls at the aforementioned location.

This appropriation is required to replace the entire existing plywood roof deck that has deteriorated to an extent that it cannot hold down metal roof fasteners, a condition unknown before the start of construction. The existing roof deck also does not meet current fire code.

**Prior Council Action:**

Appropriating Ordinance No. 2014-531 Approved by City Council on June 4, 2014

Motion No.: 2014-0512 Approved by City Council on June 4, 2014

**Amount of Funding:**

Appropriation Amount: \$14,750.00 - Public Health Consolidated Construction Fund ( 4508)

**Source of Funding:**

Other (Specify)

Public Health Consolidated Construction Fund

**Contact Information:**

Jacquelyn L. Nisby (GSD) 832-393-8023

Ray DuRousseau (SPD) 832-393-8726

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> RCA#10240	Backup Material
<input type="checkbox"/> Amending Ord	Backup Material
<input type="checkbox"/> Previous Ord#2014-531	Backup Material
<input type="checkbox"/> Previous Motion #2014-0512	Backup Material
<input type="checkbox"/> Tax Report	Backup Material
<input type="checkbox"/> Department approval	Signed Cover sheet

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 10240**

**Subject:** Approve an Appropriation Ordinance, Amend CM No. 2014-0512 and Amend General Conditions Article No. 7, Paragraph 7.1.2.1 for the General Services Department on Behalf of the Health & Human Services Department  
S50-C24885-A1

Category #  
4

Page 1 of 1

Agenda Item

**FROM (Department or other point of origin):**

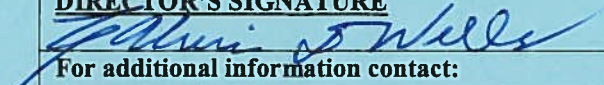
Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

September 26, 2014

**Agenda Date**

**DIRECTOR'S SIGNATURE**



**Council District(s) affected**

H

**For additional information contact:**

Jacquelyn L. Nisby                      Phone: (832) 393-8023  
Ray DuRousseau                         Phone: (832) 393-8726

**Date and Identification of prior authorizing**

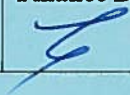
**Council Action:**  
CM-2014-0512 & Ord.-2014-0531, Passed  
6/4/2014

**RECOMMENDATION: (Summary)**

Approve an ordinance authorizing 1) the appropriation of \$14,750.00 out of the Public Health Consolidated Construction Fund (4508); 2) amend Council Motion No. 2014-0512, passed June 4, 2014, to increase the not-to-exceed award amount from \$322,451.80 to \$337,201.80; and 3) amend Article No. 7, Paragraph 7.1.2.1 of the General Conditions in the construction contract to increase the Director's authority to approve change orders up to 15.03% for the General Services Department on behalf of the Health & Human Services Department.

Appropriation Amount: \$14,750.00

**Finance Budget**



\$14,750.00 - Public Health Consolidated Construction Fund (4508)

**SPECIFIC EXPLANATION:**

The Director of General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing 1) the appropriation of \$14,750.00 out of the Public Health Consolidated Construction Fund (4508); 2) amend Council Motion No. 2014-0512, passed June 4, 2014, to increase the not-to-exceed award amount from \$322,451.80 to \$337,201.80; and 3) amend Article No. 7, Paragraph 7.1.2.1 of the General Conditions in the construction contract to increase the Director's authority to approve change orders up to 15.03% for the General Services Department on behalf of the Health & Human Services Department.

Council Motion No. 2014-0512 passed June 4, 2014, approved an award to John A Walker Roofing Co., Inc. for roof replacement for the General Services Department on behalf of the Health and Human Services Department in the total amount of \$322,451.80.

Under the original scope of work, the contractor was required to provide all equipment, labor, materials, tools, supervision and transportation necessary to remove and properly dispose of an existing roof system at the Peavy Senior Center, located at 3814 Market Street, Houston TX. 77020. The contractor was required to remove and properly dispose of the existing bituminous and sheet metal roofing, insulation, lightweight concrete fill, flashing, sheet metal and other miscellaneous debris. Subsequent, to the demolition of the existing roof system, the contractor was also required to provide and install a new modified bitumen cap built-up roof and a new standing seam metal roof, to include waterproofing exterior walls at the aforementioned location.

This appropriation is required to replace the entire existing plywood roof deck that has deteriorated to an extent that it cannot hold down metal roof fasteners, a condition unknown before the start of construction. The existing roof deck also does not meet current fire code.

Buyer: Arturo Lopez

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:

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 \$14,700.00 OUT OF THE PUBLIC HEALTH CONSOLIDATED CONSTRUCTION FUND AND AMEND GENERAL CONDITIONS ARTICLE 7, PARAGRAPH 7.1.2.1 FOR THE GENERAL SERVICES DEPARTMENT ON BEHALF OF THE HEALTH AND HUMAN SERVICES DEPARTMENT; 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 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 **\$14,750.00** out of the **Public Health Consolidated Construction Fund**.

Section 2. 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 the Strategic Procurement Division / FIN, Art Lopez at Extension 3-8731*

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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Legal Assistant

(Basic Form GMS159: AWARD-APPROV-SUPP. ALLOCAT. ORD.; Approved by City Attorney 10/95 \_\_\_\_\_)

**Certificate of City Controller**

I, Ronald C. Green, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, with respect to the sum of **\$14,750-.00** required for a Change Order to Complete Roof Replacement for the General Services Department on behalf of the Health and Human services Department do hereby certify as follows:

- (1) The sum of **\$14,750.00** will be funded from public improvement bond proceeds and/or public improvement commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 94-405 authorizing the creation of the Public Health Consolidated Construction Fund (4508). 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.
- (2) To the extent that the **\$14,750.00** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such 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 pursuant to the General Obligation Commercial Paper Ordinance, Ordinance No. 93-1149.

---

City Controller

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.
- (X) 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

*Handwritten signature: Ronald C. ...  
General Pch*

Date: 5-2 2014 City Controller of the City of Houston, Texas

*gfh*  
FUND REF: 4508-3806 <sup>52126</sup> AMOUNT: 322,457.80 ENCUMB. NO. 3-3278  
*3-15682* <sup>520755</sup>

City of Houston, Texas Ordinance No. 2014-531

AN ORDINANCE APPROPRIATING THE SUM OF \$322,451.80 OUT OF THE PUBLIC HEALTH CONSOLIDATED CONSTRUCTION FUND FOR ROOF REPLACEMENT FOR THE GENERAL SERVICES DEPARTMENT ON BEHALF OF THE HEALTH AND HUMAN SERVICES DEPARTMENT; 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 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 \$322,451.80 out of the **Public Health Consolidated Construction Fund**.

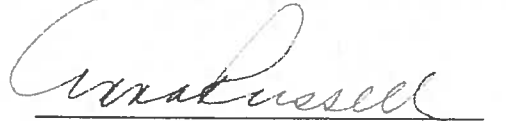
Section 2. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; 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 4th day of June, 2014.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Houston

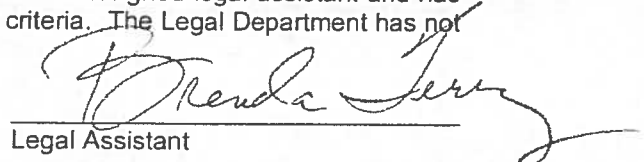
Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is JUN 10 2014.

  
\_\_\_\_\_  
City Secretary

*Prepared by the Strategic Purchasing Division / ARA, Art Lopez at Extension 3-8731*

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.

4-29-14  
Date

  
\_\_\_\_\_  
Legal Assistant

(Basic Form GMS159: AWARD-APPROV-SUPP. ALLOCAT. ORD.; Approved by City Attorney 10/95 \_\_\_\_\_)

**Certificate of City Controller**

I, Ronald C. Green, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, with respect to the sum of **\$322,451.80** required for Roof Replacement for the General Services Department on behalf of the Health and Human services Department do hereby certify as follows:

- (1) The sum of **\$322,451.80** will be funded from public improvement bond proceeds and/or public improvement commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 94-405 authorizing the creation of the Public Health Consolidated Construction Fund (4508). 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.
- (2) To the extent that the **\$322,451.80** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such 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 pursuant to the General Obligation Commercial Paper Ordinance, Ordinance No. 93-1149.

  
\_\_\_\_\_  
Ronald C. Green  
City Controller

AYE	NO	
		<b>ABSENT-OUT OF CITY CITY BUSINESS</b>
		<b>MAYOR PARKER</b>
••••	••••	<b>COUNCIL MEMBERS</b>
✓		STARDIG
	<b>ABSENT</b>	DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		NGUYEN
	<b>ABSENT</b>	PENNINGTON
✓		<b>MAYOR PRO TEM PRESIDING</b> GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

MOTION NO. 2014 0512

MOTION by Council Member Bradford that the recommendation of the Purchasing Agent, on bids received for Roof Replacement at Peavy Senior Center, located at 3814 Market Street for the General Services Department on behalf of the Health and Human Services Department, S50-C24885, be adopted, and authority is hereby given to issue purchase orders as necessary to John A. Walker Roofing Co., Inc., on their low bid in an amount of \$293,138.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$29,313.80 for a total amount not to exceed \$322,451.80.

Seconded by Council Member Green and carried.

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

Mayor Parker out of the City on City business

Mayor Pro Tem Gonzalez presiding

PASSED AND ADOPTED this 4th day of June, 2014.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is June 10, 2014.

  
City Secretary

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District H

Item Creation Date: 9/24/2014

10240- Amend CM No. 2014-0512 and Amend General Conditions Article No. 7, Paragraph 7.1.2.1 for the General Services Department on Behalf of the Health & Human Services Department

Agenda Item#: 16.

**Summary:**

**AMEND MOTION #2014-512, 6/4/14, TO INCREASE** the not-to-exceed award amount from \$322,451.80 to \$337,201.80, for Roof Replacement at Peavy Senior Center, located at 3814 Market Street for the General Services Department on behalf of the Health and Human Services Department, awarded to **JOHN A. WALKER ROOFING CO., INC**

**This item should only be considered after passage of Item 15 above**

**Background:**

The Director of General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing 1) the appropriation of \$14,750.00 out of the Public Health Consolidated Construction Fund (4508); 2) amend Council Motion No. 2014-0512, passed June 4, 2014, to increase the not-to-exceed award amount from \$322,451.80 to \$337,201.80; and 3) amend Article No. 7, Paragraph 7.1.2.1 of the General Conditions in the construction contract to increase the Director's authority to approve change orders up to 15.03% for the General Services Department on behalf of the Health & Human Services Department.

Council Motion No. 2014-0512 passed June 4, 2014, approved an award to John A Walker Roofing Co., Inc. for roof replacement for the General Services Department on behalf of the Health and Human Services Department in the total amount of \$322,451.80.

Under the original scope of work, the contractor was required to provide all equipment, labor, materials, tools, supervision and transportation necessary to remove and properly dispose of an existing roof system at the Peavy Senior Center, located at 3814 Market Street, Houston TX. 77020. The contractor was required to remove and properly dispose of the existing bituminous and sheet metal roofing, insulation, lightweight concrete fill, flashing, sheet metal and other miscellaneous debris. Subsequent, to the demolition of the existing roof system, the contractor was also required to provide and install a new modified bitumen cap built-up roof and a new standing seam metal roof, to include waterproofing exterior walls at the aforementioned location.

This appropriation is required to replace the entire existing plywood roof deck that has deteriorated to an extent that it cannot hold down metal roof fasteners, a condition unknown before the start of construction. The existing roof deck also does not meet current fire code.

**Prior Council Action:**

Appropriating Ordinance No. 2014-531 Approved by City Council on June 4, 2014

Motion No.: 2014-0512 Approved by City Council on June 4, 2014

**Amount of Funding:**

Appropriation Amount: \$14,750.00 - Public Health Consolidated Construction Fund ( 4508)

**Source of Funding:**

Other (Specify)

Public Health Consolidated Construction Fund

**Contact Information:**

Jacquelyn L. Nisby (GSD)

832-393-8023

Ray DuRousseau (SPD)

832-393-8726

**ATTACHMENTS:**

Description

Type

Amending Ord	Backup Material
Previous Ord#2014-531	Backup Material
Previous Motion #2014-0512	Backup Material
Tax Report	Backup Material
Department approval	Signed Cover sheet
10240- Amend CM No. 2014-0512 and Amend General Conditions Article No. 7, Paragraph 7.1.2.1 for the General Services Department on Behalf of the Health & Human Services Department RCA	Backup Material

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 \$14,700.00 OUT OF THE PUBLIC HEALTH CONSOLIDATED CONSTRUCTION FUND AND AMEND GENERAL CONDITIONS ARTICLE 7, PARAGRAPH 7.1.2.1 FOR THE GENERAL SERVICES DEPARTMENT ON BEHALF OF THE HEALTH AND HUMAN SERVICES DEPARTMENT; 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 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 **\$14,750.00** out of the **Public Health Consolidated Construction Fund**.

Section 2. 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 the Strategic Procurement Division / FIN, Art Lopez at Extension 3-8731*

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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Legal Assistant

(Basic Form GMS159: AWARD-APPROV-SUPP. ALLOCAT. ORD.; Approved by City Attorney 10/95 \_\_\_\_\_)

**Certificate of City Controller**

I, Ronald C. Green, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, with respect to the sum of **\$14,750-.00** required for a Change Order to Complete Roof Replacement for the General Services Department on behalf of the Health and Human services Department do hereby certify as follows:

- (1) The sum of **\$14,750.00** will be funded from public improvement bond proceeds and/or public improvement commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 94-405 authorizing the creation of the Public Health Consolidated Construction Fund (4508). 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.
  
- (2) To the extent that the **\$14,750.00** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such 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 pursuant to the General Obligation Commercial Paper Ordinance, Ordinance No. 93-1149.

---

City Controller

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.
- (X) 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

*Handwritten signature: Ronald C. ...*  
*General Pch*

Date: 5-2 2014 City Controller of the City of Houston, Texas

*gfh*  
 FUND REF: 4508-3806 <sup>52126</sup> AMOUNT: 322,457.80 ENCUMB. NO. 3-3278  
<sup>PR. 10187234</sup>  
<sub>520755</sub>  
 FMBB77  
 3-15682

City of Houston, Texas Ordinance No. 2014-531

AN ORDINANCE APPROPRIATING THE SUM OF \$322,451.80 OUT OF THE PUBLIC HEALTH CONSOLIDATED CONSTRUCTION FUND FOR ROOF REPLACEMENT FOR THE GENERAL SERVICES DEPARTMENT ON BEHALF OF THE HEALTH AND HUMAN SERVICES DEPARTMENT; 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 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 \$322,451.80 out of the **Public Health Consolidated Construction Fund**.

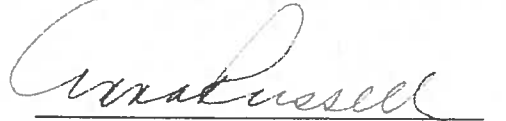
Section 2. There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; 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 4th day of June, 2014.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Houston

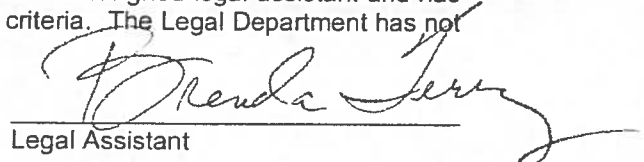
Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is JUN 10 2014.

  
\_\_\_\_\_  
City Secretary

*Prepared by the Strategic Purchasing Division / ARA, Art Lopez at Extension 3-8731*

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.

4-29-14  
Date

  
\_\_\_\_\_  
Legal Assistant

(Basic Form GMS159: AWARD-APPROV-SUPP. ALLOCAT. ORD.; Approved by City Attorney 10/95 \_\_\_\_\_)

**Certificate of City Controller**

I, Ronald C. Green, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, with respect to the sum of **\$322,451.80** required for Roof Replacement for the General Services Department on behalf of the Health and Human services Department do hereby certify as follows:

- (1) The sum of **\$322,451.80** will be funded from public improvement bond proceeds and/or public improvement commercial paper proceeds (first-in-first-out basis) pursuant to Ordinance No. 94-405 authorizing the creation of the Public Health Consolidated Construction Fund (4508). 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.
- (2) To the extent that the **\$322,451.80** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such 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 pursuant to the General Obligation Commercial Paper Ordinance, Ordinance No. 93-1149.

  
\_\_\_\_\_  
Ronald C. Green  
City Controller

AYE	NO	
		<b>ABSENT-OUT OF CITY CITY BUSINESS</b>
		<b>MAYOR PARKER</b>
••••	••••	<b>COUNCIL MEMBERS</b>
✓		STARDIG
	<b>ABSENT</b>	DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		NGUYEN
	<b>ABSENT</b>	PENNINGTON
✓		<b>MAYOR PRO TEM PRESIDING</b> GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

MOTION NO. 2014 0512

MOTION by Council Member Bradford that the recommendation of the Purchasing Agent, on bids received for Roof Replacement at Peavy Senior Center, located at 3814 Market Street for the General Services Department on behalf of the Health and Human Services Department, S50-C24885, be adopted, and authority is hereby given to issue purchase orders as necessary to John A. Walker Roofing Co., Inc., on their low bid in an amount of \$293,138.00 and contingencies (10% for unforeseen changes within the scope of work) in the amount of \$29,313.80 for a total amount not to exceed \$322,451.80.

Seconded by Council Member Green and carried.

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

Mayor Parker out of the City on City business

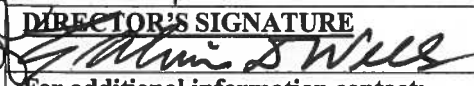

Mayor Pro Tem Gonzalez presiding

PASSED AND ADOPTED this 4th day of June, 2014.

Pursuant to Article VI, Section 6 of the City Charter, the  
effective date of the foregoing motion is June 10, 2014.

  
City Secretary

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA# 10240	
Subject: Approve an Appropriation Ordinance, Amend CM No. 2014-0512 and Amend General Conditions Article No. 7, Paragraph 7.1.2.1 for the General Services Department on Behalf of the Health & Human Services Department S50-C24885-A1		Category # 4	Page 1 of 1 Agenda Item
FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Finance Department		Origination Date September 26, 2014	Agenda Date
DIRECTOR'S SIGNATURE 		Council District(s) affected H	
For additional information contact: Jacquelyn L. Nisby Phone: (832) 393-8023 Ray DuRousseau Phone: (832) 393-8726		Date and Identification of prior authorizing Council Action: CM-2014-0512 & Ord.-2014-0531, Passed 6/4/2014	
<b>RECOMMENDATION: (Summary)</b> Approve an ordinance authorizing 1) the appropriation of \$14,750.00 out of the Public Health Consolidated Construction Fund (4508); 2) amend Council Motion No. 2014-0512, passed June 4, 2014, to increase the not-to-exceed award amount from \$322,451.80 to \$337,201.80; and 3) amend Article No. 7, Paragraph 7.1.2.1 of the General Conditions, which is attached as a condition to the purchase order, to increase the Director's authority to approve change orders up to 15.03% for the General Services Department on behalf of the Health & Human Services Department.			
Appropriation Amount: \$14,750.00			Finance Budget 
\$14,750.00 - Public Health Consolidated Construction Fund (4508)			
<b>SPECIFIC EXPLANATION:</b> The Director of General Services Department and the City Purchasing Agent recommend that City Council approve an ordinance authorizing 1) the appropriation of \$14,750.00 out of the Public Health Consolidated Construction Fund (4508); 2) amend Council Motion No. 2014-0512, passed June 4, 2014, to increase the not-to-exceed award amount from \$322,451.80 to \$337,201.80; and 3) amend Article No. 7, Paragraph 7.1.2.1 of the General Conditions, which is attached as a condition to the purchase order, to increase the Director's authority to approve change orders up to 15.03% for the General Services Department on behalf of the Health & Human Services Department.  Council Motion No. 2014-0512 passed June 4, 2014, approved an award to John A Walker Roofing Co., Inc. for roof replacement for the General Services Department on behalf of the Health and Human Services Department in the total amount of \$322,451.80.  Under the original scope of work, the contractor was required to provide all equipment, labor, materials, tools, supervision and transportation necessary to remove and properly dispose of an existing roof system at the Peavy Senior Center, located at 3814 Market Street, Houston TX. 77020. The contractor was required to remove and properly dispose of the existing bituminous and sheet metal roofing, insulation, lightweight concrete fill, flashing, sheet metal and other miscellaneous debris. Subsequent, to the demolition of the existing roof system, the contractor was also required to provide and install a new modified bitumen cap built-up roof and a new standing seam metal roof, to include waterproofing exterior walls at the aforementioned location.  This appropriation is required to replace the entire existing plywood roof deck that has deteriorated to an extent that it cannot hold down metal roof fasteners, a condition unknown before the start of construction. The existing roof deck also does not meet current fire code.  Buyer: Arturo Lopez			
<b>REQUIRED AUTHORIZATION</b>			
Finance Department:	Other Authorization:	Other Authorization:	

*Calvin D. Wells*

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/23/2014

10101 - Approve an award to the Best Respondent for Implementation, Validation and Staff Training for Forensic DNA Analysis Robotics for the Houston Forensic Science, LGC.

Agenda Item#: 17.

**Summary:**

**THE BODE TECHNOLOGY GROUP, INC** for Implementation, Validation and Staff Training for Forensic DNA Analysis Robotics for the Houston Forensic Science, LGC - \$84,000.00 - Grant Fund

**Background:**

The Chief of Police of the Houston Police Department and the City Purchasing Agent recommend that City Council approve an award to The Bode Technology Group, Inc. in an amount not to exceed \$84,000.00 for implementation, validation and staff training for Forensic DNA Analysis Robotics for the Houston Forensic Science, Local Government Corporation (the "LGC"). It is further requested that authorization be given to issue a purchase order upon approval by City Council. The Houston Police Department (HPD) is the grantee and administrator of the grant that is funding this procurement, and is therefore obliged to make this Request for Council Action for the purpose of ensuring the seamless transition of forensic operations to the LGC.

The scope of work requires Contractor to implement and integrate the robot and chemistry into the current workflow and the laboratory's Porter Lee LIMS (Laboratory Information Management System). After implementation, the Contractor will validate the new equipment, chemistry and procedures, and conduct a training program to laboratory staff. Contractor will provide all reagents and supplies used during the training program.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-two prospective proposers downloaded the solicitation document from SPD's e-bidding website and, as a result, proposals were received from The Bode Technology Group, Inc., Life Technologies Corporation and Sorenson Forensics. The evaluation committee consisted of three members of the LGC. The Proposals were evaluated upon the following criteria:

- Ability to demonstrate experience and proficiency of the staff assigned to this project in the use of Hamilton ID Starlet and ABI Prepfilers for forensic DNA analysis on a range of typically encountered forensic DNA samples.
- Ability to provide sample written documentation of validation and training that is consistent with ASCLD/LAB International and FBI DNA Quality Assurance Standards.
- Compliance with all the submission requirements of the RFP.
- Financial Stability.
- Qualifications and experience of the Proposer's technical and key personnel to successfully implement the solution and scope of services, as evidenced by experience and references on projects of similar scope and magnitude, particularly in the public sector.
- Qualifications and experience of the Proposer in a complex technical environment and in a complex, large public sector organization, preferably in a large city/local government environment, as evidenced by the successful implementation of a similar system in a complex environment and corresponding references.
- Reasonableness of the implementation, validation and training costs.

The Bode Technology Group, Inc. received the highest overall score. The Bode Technology Group, Inc. has extensive experience using both the Hamilton Starlet platform and the Prepfilers chemistry as well as downstream processing using the Quantifiler Duo, Identifier Plus and the 3130 instrument platform that are currently used by the LGC.

**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:**

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: M/WBE Zero-Percentage Goal Document approved by the Mayor’s Office of Business Opportunity.

<b>Estimated Spending Authority</b>		
<b>Department</b>	<b>FY15</b>	<b>Total Amount</b>
Houston Police Department	<b>\$84,000.00</b>	<b>\$84,000.00</b>

**Amount of Funding:**

Maximum Contract Amount: \$84,000.00 - Federal Government Grant Fund (5000)

**Source of Funding:**

Grant Fund

**Contact Information:**

Joseph A. Fenninger, Deputy Director F&A  
Houston Police Department  
(713) 308-1770

Journet, Clifton- Sr. Staff Analyst  
Houston Police Department  
(713) 308-1779

Joyce Hays, Sr. Procurement Specialist  
Strategic Procurement Division  
(832) 393-8723

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> RCA#10101- The Bode	Signed Cover sheet
<input type="checkbox"/> OBO Documents	Backup Material
<input type="checkbox"/> Department approval	Backup Material
<input type="checkbox"/> HITS approval	Backup Material
<input type="checkbox"/> FORM A (Fair Campaign Ord)	Backup Material
<input type="checkbox"/> Pay or Play Program	Backup Material
<input type="checkbox"/> Tax Report	Backup Material


**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 10101**

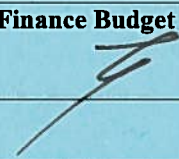
<b>Subject:</b> Approve an award to the Best Respondent for Implementation, Validation and Staff Training for Forensic DNA Analysis Robotics for the Houston Forensic Science, LGC.	<b>Category #</b> 4	<b>Page 1 of 2</b>	<b>Agenda Item</b>
---	------------------------	--------------------	--------------------

<b>FROM (Department or other point of origin):</b> Calvin D. Wells City Purchasing Agent Finance Department	<b>Origination Date</b> September 16, 2014	<b>Agenda Date</b>
--	---	--------------------

<b>DIRECTOR'S SIGNATURE</b> 	<b>Council District(s) affected</b> All
--	--

<b>For additional information contact:</b> Joseph A. Fenninger <b>Phone:</b> (713) 308-1770 Joyce Hays <b>Phone:</b> (832) 393-8723	<b>Date and Identification of prior authorizing Council Action:</b>
---	---

**RECOMMENDATION: (Summary)**  
 Approve an award to The Bode Technology Group, Inc. in an amount not to exceed \$84,000.00 for implementation, validation and staff training for forensic DNA analysis robotics for the Houston Forensic Science, LGC.

<b>Maximum Contract Amount:</b> \$84,000.00	<b>Finance Budget</b> 
\$84,000.00 - Federal Government - Grant Funded (5000)	

**SPECIFIC EXPLANATION:**  
 The Chief of Police of the Houston Police Department and the City Purchasing Agent recommend that City Council approve an award to The Bode Technology Group, Inc. in an amount not to exceed \$84,000.00 for implementation, validation and staff training for Forensic DNA Analysis Robotics for the Houston Forensic Science, Local Government Corporation (the "LGC"). It is further requested that authorization be given to issue a purchase order upon approval by City Council. The Houston Police Department (HPD) is the grantee and administrator of the grant that is funding this procurement, and is therefore obliged to make this Request for Council Action for the purpose of ensuring the seamless transition of forensic operations to the LGC.

The scope of work requires Contractor to implement and integrate the robot and chemistry into the current workflow and the laboratory's Porter Lee LIMS (Laboratory Information Management System). After implementation, the Contractor will validate the new equipment, chemistry and procedures, and conduct a training program to laboratory staff. Contractor will provide all reagents and supplies used during the training program.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws. Twenty-two prospective proposers downloaded the solicitation document from SPD's e-bidding website and, as a result, proposals were received from The Bode Technology Group, Inc., Life Technologies Corporation and Sorenson Forensics. The evaluation committee consisted of three members of the LGC. The Proposals were evaluated upon the following criteria:

- Ability to demonstrate experience and proficiency of the staff assigned to this project in the use of Hamilton ID Starlet and ABI Prepfilers for forensic DNA analysis on a range of typically encountered forensic DNA samples.
- Ability to provide sample written documentation of validation and training that is consistent with ASCLD/LAB International and FBI DNA Quality Assurance Standards.
- Compliance with all the submission requirements of the RFP.
- Financial Stability.

**REQUIRED AUTHORIZATION**

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
----------------------------	-----------------------------	-----------------------------

Date: 09/16/14	Subject: Ordinance Awarding a Contract to the Best Respondent for Implementation, Validation and Staff Training for Forensic DNA Analysis Robotics for the Houston Police Department Crime Lab	Originator's Initials JH	Page 2 of 2
-------------------	--	--------------------------------	-------------

- Qualifications and experience of the Proposer's technical and key personnel to successfully implement the solution and scope of services, as evidenced by experience and references on projects of similar scope and magnitude, particularly in the public sector.
- Qualifications and experience of the Proposer in a complex technical environment and in a complex, large public sector organization, preferably in a large city/local government environment, as evidenced by the successful implementation of a similar system in a complex environment and corresponding references.
- Reasonableness of the implementation, validation and training costs.

The Bode Technology Group, Inc. received the highest overall score. The Bode Technology Group, Inc. has extensive experience using both the Hamilton Starlet platform and the Prepfil chemistry as well downstream processing using the Quantifiler Duo, Identifier Plus and the 3130 instrument platform that are currently used by the LGC.

**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:**

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: M/WBE Zero-Percentage Goal Document approved by the Mayor's Office of Business Opportunity.

Buyer: Joyce Hays

**Estimated Spending Authority**

Department	FY15	Total Amount
Houston Police Department	<b>\$84,000.00</b>	<b>\$84,000.00</b>



CITY OF HOUSTON  
OFFICE  
of  
BUSINESS OPPORTUNITY

Goal Modification  
Request Form

RECEIVED

MAR 24 2014

To: Assistant Director  
Office of Business Opportunity

OBO

Solicitation Number: \_\_\_\_\_

Estimated Dollar Amount: \$ 143,562.00

From: Tim Crabb  
Requestor's Name/Title  
Police  
Department

Type of Solicitation: Bid  Proposal  Other

Name and Intent of this Solicitation: HPD Crime Lab seeks a vendor to implement the Hamilton ID Starlet instrument and Life Technologies Prepfile Chemistry and to integrate them into the current workflow, including into the laboratory's Porter Lee LIMS.

PREVIOUS CONTRACT (if any): Yes  No

Goal on Last Contract: \_\_\_\_\_ Was Goal Met: Yes  No

If goal was not met, what percentage did the vendor achieve? \_\_\_\_\_

Why wasn't goal achieved: \_\_\_\_\_

PLEASE SELECT THE TYPE OF GOAL MODIFICATION REQUESTED FROM THE OPTIONS BELOW (Waiver, Reduced Goal, Goal Revision After Advertisement, OR Cooperative or Inter-Local Agreement)

WAIVER

I am requesting a waiver of the MWBE Goal: Yes  No

Reason for waiver:

- A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy;
- The service or goods requested are of such a specialized, technical or unique nature as to require the City department to be able to select its contractor without application of MWSBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants);
- If application of MWSBE provisions would impose an unwarranted economic burden or risk on the City or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the City; or



If the possible MWSBE participation level based on MWSBE availability would produce negligible MWSBE participation.

Other: \_\_\_\_\_

**Detailed Explanation of waiver reason:** Purchase of DNA automation validation and training will require vendors with experience in "Forensic DNA Robotics". Vendor community for this science is a few large companies and does not contain any known MWBE business enterprises.

**REDUCED GOAL (To be completed by the department prior to advertisement)**

I am requesting a MWBE contract-specific goal below the following citywide goals:

Construction (34%); Professional Services (24%); Purchasing (11%)

Yes  No  If yes, complete a Contract-Specific Goal Setting Worksheet and submit with this form.

**GOAL REVISION AFTER ADVERTISEMENT**

I am requesting a revision of the MWBE Goal: Yes  No

Original Goal: \_\_\_\_\_ New Proposed Goal: \_\_\_\_\_

Advertisement Date: \_\_\_\_\_ Number of Solicitations Received: \_\_\_\_\_ Estimated Dollar Amount: \$ \_\_\_\_\_

Detailed reason for request: \_\_\_\_\_

**COOPERATIVE OR INTER-LOCAL AGREEMENT**

Is this a Cooperative/Inter-Local Purchasing Agreement? Yes  No  Goal Requested: \_\_\_\_\_

If yes, what type: \_\_\_\_\_ Yes  No

Did Department explore opportunities for using certified firms? Yes  No  N/A

If no, please explain why not: \_\_\_\_\_

**Concurrence:**

Tim CRABB  
Department Initiator

3-12-14  
Date

[Signature]  
Department Director or Designee

3-12-14  
Date

**Approved by:**

[Signature]  
OBO Assistant Director or Designee

4/11/14  
Date

No available certified firms to perform work in solicitation.

OBO Tracking #: W-131

OBO Reason: \_\_\_\_\_

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/23/2014

10239 - Amend Council Motion No. 2009-0721, Passed October 7, 2009 for Automotive, Cummins Repair Parts and Services for Various Departments

Agenda Item#: 18.

**Summary:**

**AMEND MOTION #2009-721, 10/7/09, TO EXTEND** expiration date from October 14, 2014 to October 13, 2015, for Automotive, Cummins Repair Parts and Services for Various Departments, awarded to **CUMMINS SOUTHERN PLAINS, LLC**

**Background:**

The City Purchasing Agent recommends that City Council amend Council Motion No. 2009-0721 to extend the expiration date for automotive Cummins repair parts and services awarded to Cummins Southern Plains, LLC from October 14, 2014 to October 13, 2015 with no additional spending authority required.

This award began October 14, 2009 for a 60-month period in an amount to exceed \$600,750.00. Expenditures as of September 10, 2014 totaled \$219,340.60. This amendment will extend the term of the award at the original bid price with no additional spending authority required. All other terms and conditions shall remain as originally approved by City Council.

This award consists of two price lists for new and reconditioned replacement parts; which includes but are not limited to, cylinder heads, fuel injectors, alternators, compressors, and water pumps. This award also includes a \$150,950.00 labor component for repair services that cannot be performed by City Council.

**Hire Houston First:**

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

Buyer: Ketan Shah

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

**Amount of Funding:**

No Additional Spending Authority Required.

**Contact Information:**

Kenneth Hoglund 832-395-6901

Desiree Heath 832-393-8742

**ATTACHMENTS:**

Description	Type
☐ RCA#10239-Cummins Southern Plains, LLC	Signed Cover sheet
☐ MWBE 0% Approval	Backup Material
☐ Prior CM #09-0721	Backup Material
☐ Departmental Approval	Backup Material

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA# 10239**

**Subject:** Amend Council Motion No. 2009-0721, Passed October 7, 2009 for Automotive, Cummins Repair Parts and Services for Various Departments  
S40-S23215-A1

Category #  
4

Page 1 of 1

Agenda Item

**FROM (Department or other point of origin):**

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

September 23, 2014

**Agenda Date**

**DIRECTOR'S SIGNATURE**



**Council District(s) affected**

All

**For additional information contact:**

Kenneth Hogleund                      Phone: (832) 393-6901  
Desiree Heath                              Phone: (832) 393-8742

**Date and Identification of prior authorizing Council Action:**

CM# 2009-0721, Passed 10/7/09

**RECOMMENDATION: (Summary)**

Amend Council Motion No. 2009-0721, passed October 7, 2009 to extend the expiration date for automotive Cummins repair parts and services from October 14, 2014 to October 13, 2015 with no additional spending authority required.

No Additional Spending Authority Required

**Finance Budget**

**SPECIFIC EXPLANATION:**

The City Purchasing Agent recommends that City Council amend Council Motion No. 2009-0721 to extend the expiration date for automotive Cummins repair parts and services awarded to Cummins Southern Plains, LLC from October 14, 2014 to October 13, 2015 with no additional spending authority required.

This award began October 14, 2009 for a 60-month period in an amount to exceed \$600,750.00. Expenditures as of September 10, 2014 totaled \$219,340.60. This amendment will extend the term of the award at the original bid price with no additional spending authority required. All other terms and conditions shall remain as originally approved by City Council.

This award consists of two price lists for new and reconditioned replacement parts; which includes but are not limited to, cylinder heads, fuel injectors, alternators, compressors, and water pumps. This award also includes a \$150,950.00 labor component for repair services that cannot be performed by City Council.

**Hire Houston First**

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

Buyer: Ketan Shah

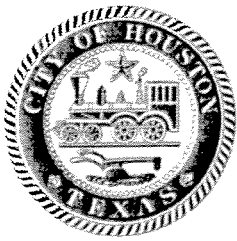
Attachment: M/WBE zero percentage goal-document approved by the Office of Business Opportunity

**REQUIRED AUTHORIZATION**

Finance Department:

Other Authorization:

Other Authorization:



# CITY OF HOUSTON

Administration & Regulatory Affairs Department  
Strategic Purchasing Division (SPD)

## Interoffice

Correspondence

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

From: Jeff Meekins

Date: 5/22/2009

Subject: MWBE Participation Form

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

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

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

If requesting a revision, how many solicitations were received: \_\_\_\_\_

Solicitation Number: S23215 Estimated Dollar Amount: \$600,000.00

Anticipated Advertisement Date: 5/29/2009 Solicitation Due Date: \_\_\_\_\_

Goal On Last Contract: N/A Was Goal met: Yes  No

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

Name and Intent of this Solicitation:

Automotive, Cummins Repair Parts & Services for Various Departments.

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

Part(s) orders will be direct shipped via common carrier from Cummins ten (10) service & warehouse locations throughout Texas & Oklahoma or the Global Distribution Center in Memphis, TN. Local outsourcing of remaining local Houston deliveries would result in minimal MWBE potential participation (less than 1/2 of 1%) as the captive replacement parts are expensive in relation to the delivery charges.

Concurrence:

Jeff D. Meekins  
SPD Initiator

Deshaun Heath  
Division Manager

Robert Gallegos  
Robert Gallegos, Deputy Assistant Director  
\*Affirmative Action

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

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

RECEIVED

JUN 09 2009

City of Houston

Affirmative Action

RECEIVED  
6-24-09  
Could be used All Signatures

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

Item Creation Date: 9/24/2014

20UPA307A-MSD Stafford 59 & Airport LP

Agenda Item#: 19.

**Summary:**

RESOLUTION supporting the certification of a Municipal Setting Designation outside the boundary of the City of Houston at 12201 Southwest Freeway, Stafford, Texas

**Background:**

**RECOMMENDATION: (Summary)**

A resolution supporting the certification of a Municipal Setting Designation (MSD) for Stafford 59 & Airport LP for the site located at 12201 Southwest Freeway, Stafford, TX 7747

**BACKGROUND:**

In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designates an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. As part of the application to the TCEQ for an MSD designation, applicants are required to provide documentation that the application is supported by the following:

- Each municipality with a boundary located within one-half mile from the site
- Each municipality that owns or operates a groundwater supply well within five-miles from the site.
- Each retail public utility, as defined by Section 13.002, Texas Water Code, that owns or operates a groundwater supply well within five-miles from the site, as well as,
- The municipality in which the site is located.

**STAFFORD 59 & AIRPORT LP LOCATED AT 12201 SOUTHWEST FREEWAY, STAFFORD, TEXAS:** Stafford 59 & Airport LP will file an application with the TCEQ for certification of an MSD for the property located at 12201 Southwest Freeway, Stafford, TX 77477. Their application to the TCEQ requires a resolution of support from the City of Houston in order to process their application because:

- The site is located five-miles of a state registered ground water supply well owned and operated by the City of Houston ; and
- The site is located within one-half mile from the boundary of the City of Houston

Following the issuance of the MSD ordinance by the City of Stafford and a resolution of support from each of the adjacent municipalities and retail public utilities , the applicant will submit their application to the TCEQ for certification of an MSD for the site pursuant to Texas Health and Safety code, Chapter 361, Subchapter W.

**Contact Information:**

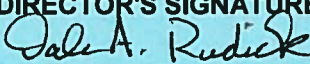

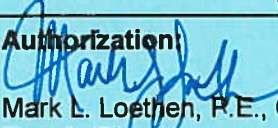
Jennifer Clancey, Program Manager - 832-394-9005

**ATTACHMENTS:**

Description	Type
☐ RCA	Signed Cover sheet
☐ Maps	Backup Material
☐ MSD application approval	Backup Material

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> A resolution supporting the certification of a Municipal Setting Designation for Stafford 59 & Airport LP for the site located at 12201 Southwest Freeway, Stafford, TX 77477		<b>Page</b> 1 of 1	<b>Agenda Item</b> #
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b>  Dale A. Rudick, P.E., Director		<b>Council District affected:</b> N/A	
<b>For additional information contact:</b>  Jennifer Clancey Program Manager (832) 394-9005		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> Adopt a resolution supporting the certification of a Municipal Setting Designation (MSD) for Stafford 59 & Airport LP for the site located at 12201 Southwest Freeway, Stafford, TX 77477.			
<b>Amount and Source of Funding:</b> N/A			
<b>BACKGROUND:</b> In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designates an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. As part of the application to the TCEQ for an MSD designation, applicants are required to provide documentation that the application is supported by the following: <ul style="list-style-type: none"><li>• Each municipality with a boundary located within one-half mile from the site,</li><li>• Each municipality that owns or operates a groundwater supply well within five-miles from the site,</li><li>• Each retail public utility, as defined by Section 13.002, Texas Water Code, that owns or operates a groundwater supply well within five-miles from the site, as well as,</li><li>• The municipality in which the site is located.</li></ul>			
<b>STAFFORD 59 &amp; AIRPORT LP LOCATED AT 12201 SOUTHWEST FREEWAY, STAFFORD, TEXAS:</b> Stafford 59 & Airport LP will file an application with the TCEQ for certification of an MSD for the property located at 12201 Southwest Freeway, Stafford, TX 77477. Their application to the TCEQ requires a resolution of support from the City of Houston in order to process their application because: <ul style="list-style-type: none"><li>• The site is located within five-miles of a state registered ground water supply well owned and operated by the City of Houston; and</li><li>• The site is located within one-half mile from the boundary of the City of Houston.</li></ul>			
Following the issuance of the MSD ordinance by the City of Stafford and a resolution of support from each of the adjacent municipalities and retail public utilities, the applicant will submit their application to the TCEQ for certification of an MSD for the site pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W.			
<b>RECOMMENDATIONS:</b> Adopt a resolution supporting the certification of a Municipal Setting Designation (MSD) for Stafford 59 & Airport LP for the site located at 12201 Southwest Freeway, Stafford, TX 77477.			
MLL:TJH:RM:jmc P:\UTILITY ANALYSIS-DEVELOPER SERVICES\MSD\DATABASE\GENERIC RCA - ORDINANCE SUPPORT.DOC C: Marta Crinejo, Phillip Goodwin			
<b>REQUIRED AUTHORIZATION</b>		<b>CUIC ID# 20UPA307A</b>	
<b>Other Authorization:</b>	<b>Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning & Development Services Division	<b>Other Authorization:</b>	



**LEGEND:**

- Approximate Property Boundary
- Proposed MSD Boundary

Aerial provided by Google

**SITE LOCATION & MSD BOUNDARY MAP**  
 TEXAS INSTRUMENTS  
 STAFFORD FACILITY  
 12201 SOUTHWEST FREeway  
 STAFFORD, FORT BEND COUNTY TEXAS

Job Number: 14-0897  
 File Name: Figure 2A  
 Drawn By: PAB  
 Approved: TAO  
 Date: 3/14/2014  
 Revises:

SCALE:  
 1" = 350'

**FIGURE**

**1**





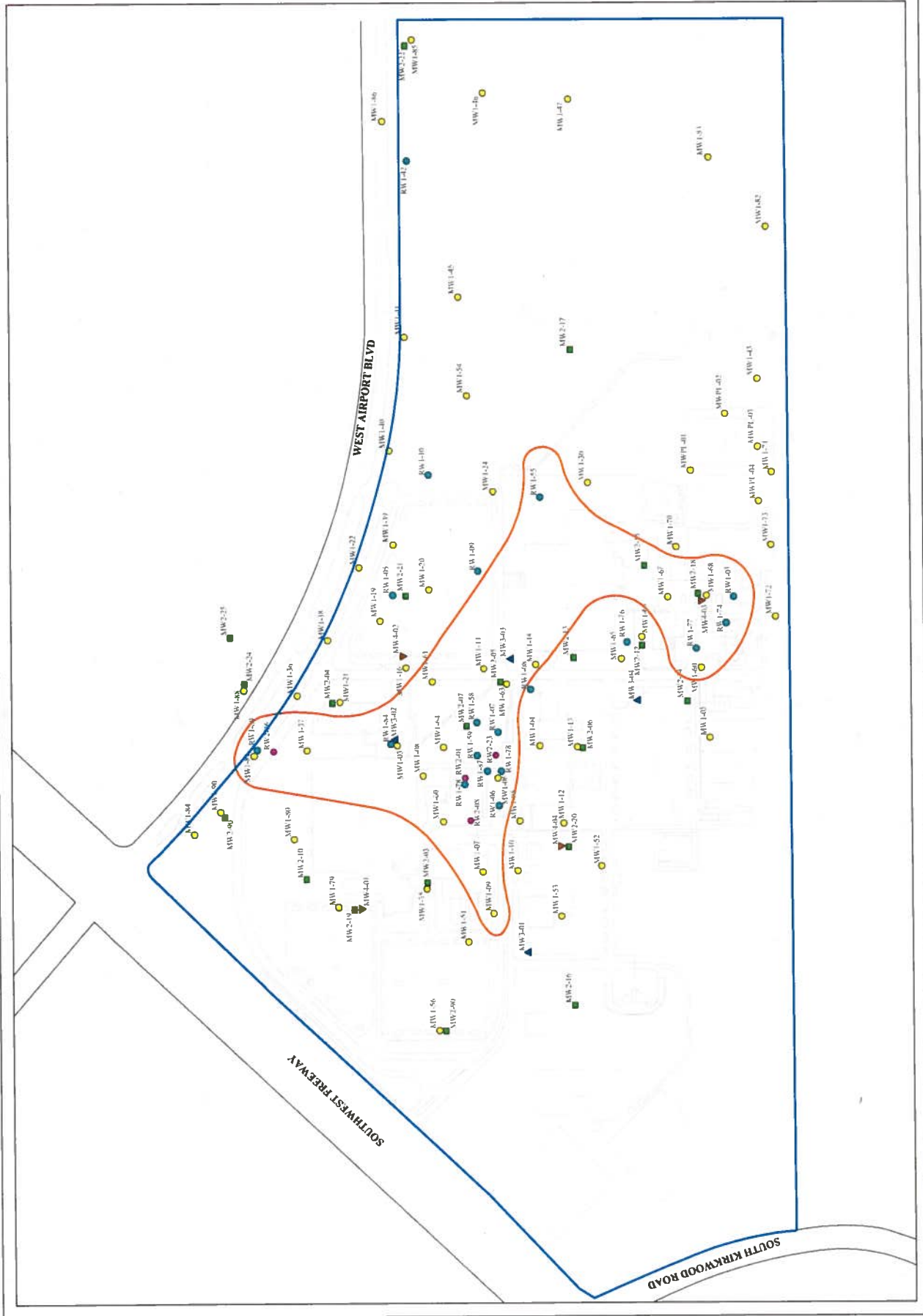
- LEGEND:**
- Approximate Property Boundary
  - 1st Sand Monitoring Wells
  - 2nd Sand Monitoring Wells
  - ▲ 3rd Sand Monitoring Wells
  - ▼ 4th Sand Monitoring Wells
  - 1st Sand Recovery Wells
  - 2nd Sand Recovery Wells
  - Approximate Extent of GW Contamination

**EXTENT OF GW CONTAMINATION**  
 TEXAS INSTRUMENTS  
 STAFFORD FACILITY  
 12201 SOUTHWEST FREEWAY  
 STAFFORD, FORT BEND COUNTY TEXAS

Job Number: 14-0897  
 File Name: Figure 1C  
 Drawn By: PAB  
 Approved: TAO  
 Date: 3/14/2014  
 Revised:

SCALE:  
 1" = 350'

**FIGURE 2a**





**LEGEND:**

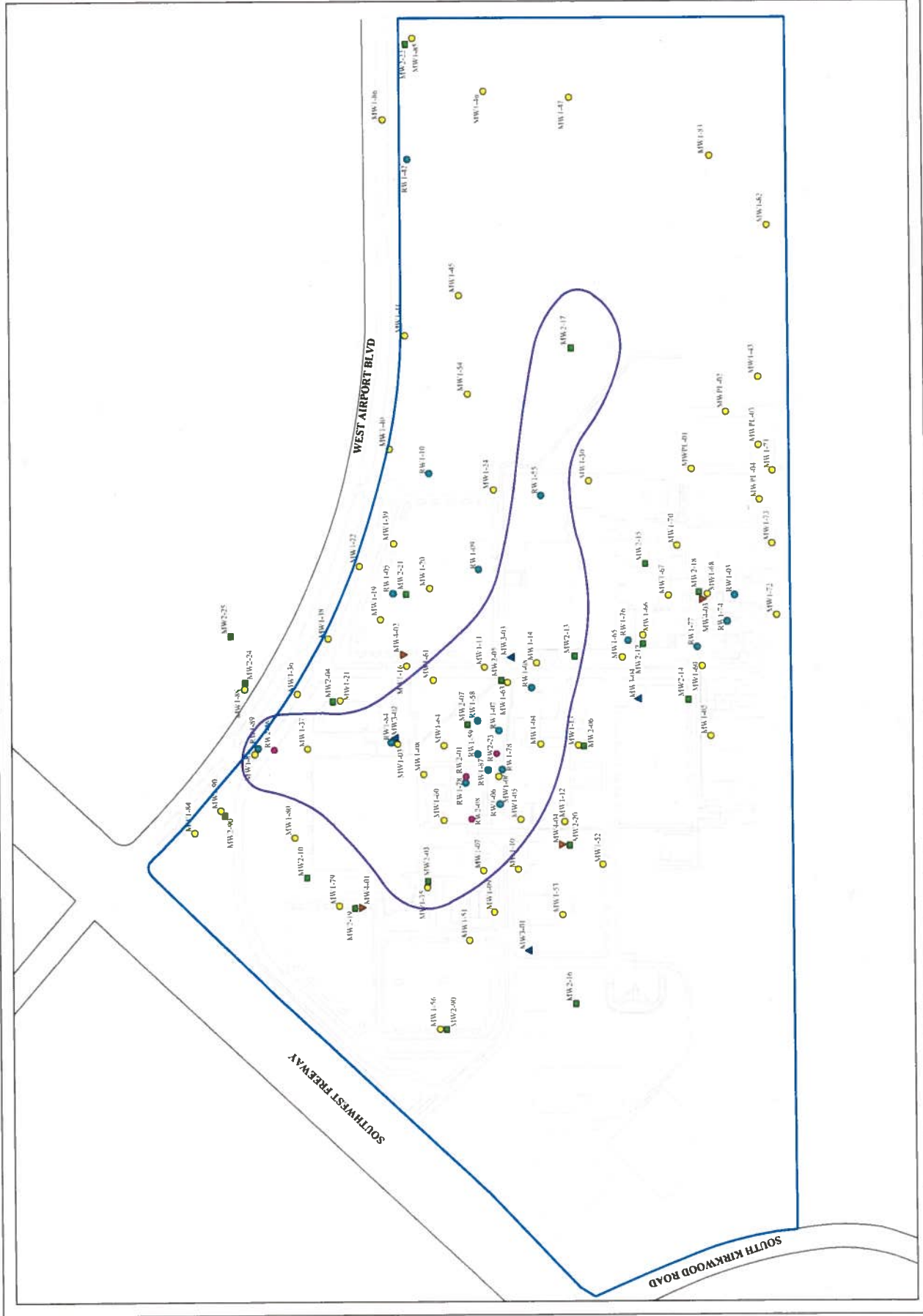
- Approximate Property Boundary
- 1st Sand Monitoring Wells
- 2nd Sand Monitoring Wells
- ▲ 3rd Sand Monitoring Wells
- ▼ 4th Sand Monitoring Wells
- 1st Sand Recovery Wells
- 2nd Sand Recovery Wells
- Approximate Extent of GW Contamination

**EXTENT OF GW CONTAMINATION**  
**2ND/3RD GROUNDWATER BEARING UNIT**  
 TEXAS INSTRUMENTS  
 STAFFORD FACILITY  
 1201 SOUTHWEST FREWAY  
 STAFFORD, FORT BEND COUNTY TEXAS

Job Number: 14-0097  
 File Name: Figure ID  
 Drawn By: PAB  
 Approved: TAO  
 Date: 3/14/2014  
 Revised:

SCALE:  
 1" = 350'

**FIGURE**  
**2b**





**LEGEND:**

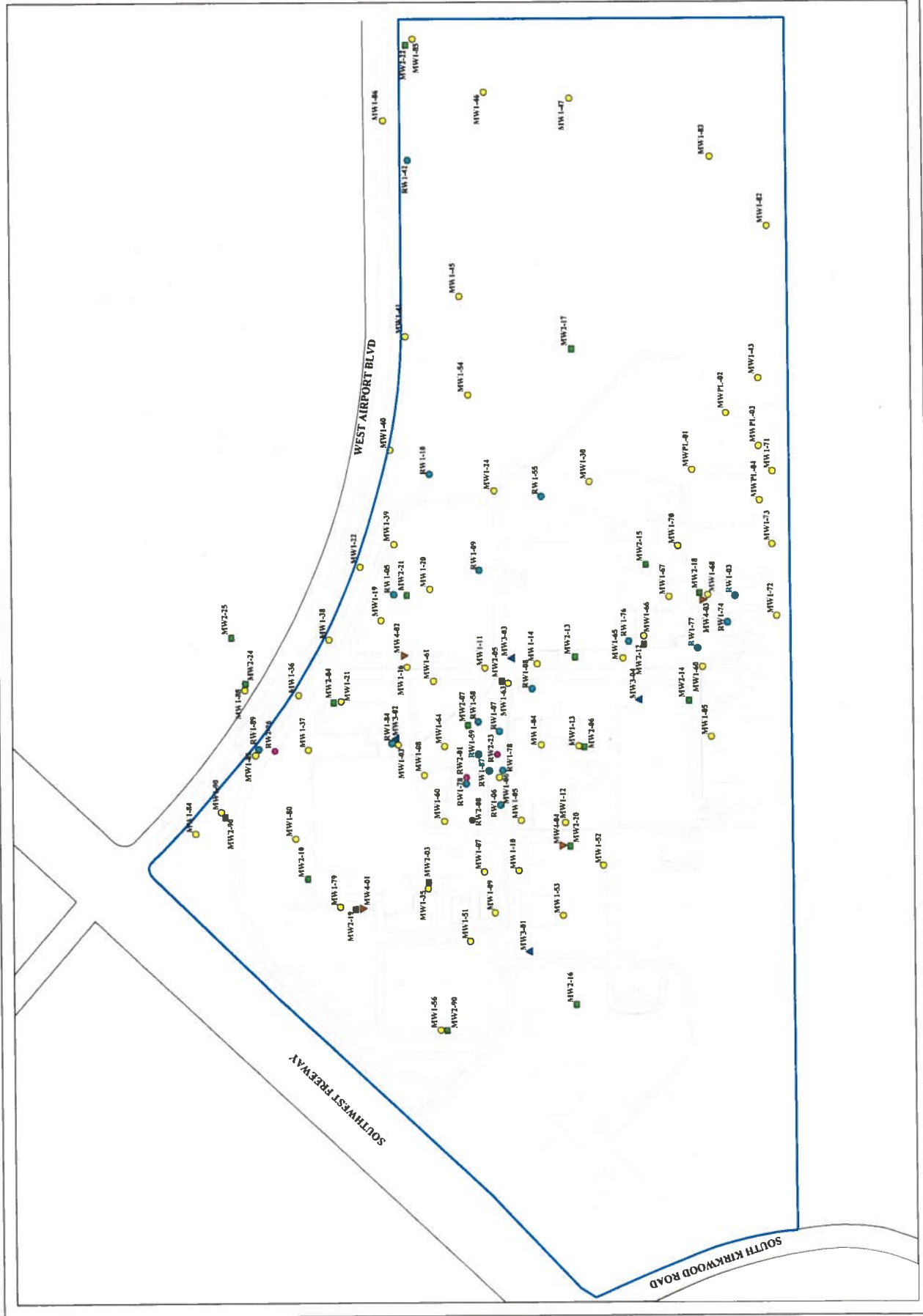
- Approximate Property Boundary
- 1st Sand Monitoring Wells
- 2nd Sand Monitoring Wells
- ▲ 3rd Sand Monitoring Wells
- ▼ 4th Sand Monitoring Wells
- 1st Sand Recovery Wells
- 2nd Sand Recovery Wells

PCL EXCEEDANCE ZONE  
 2ND/3RD GROUNDWATER BEARING UNIT  
 TEXAS INSTRUMENTS  
 STAFFORD FACILITY  
 12201 SOUTHWEST FREWAY  
 STAFFORD, FORT BEND COUNTY TEXAS

Job Number: 14-0907  
 File Name: Figure 3  
 Drawn By: PJ  
 Approved: TAO  
 Date: 5/14/2014  
 Created:

SCALE:  
 1" = 350'

**FIGURE**  
**3**



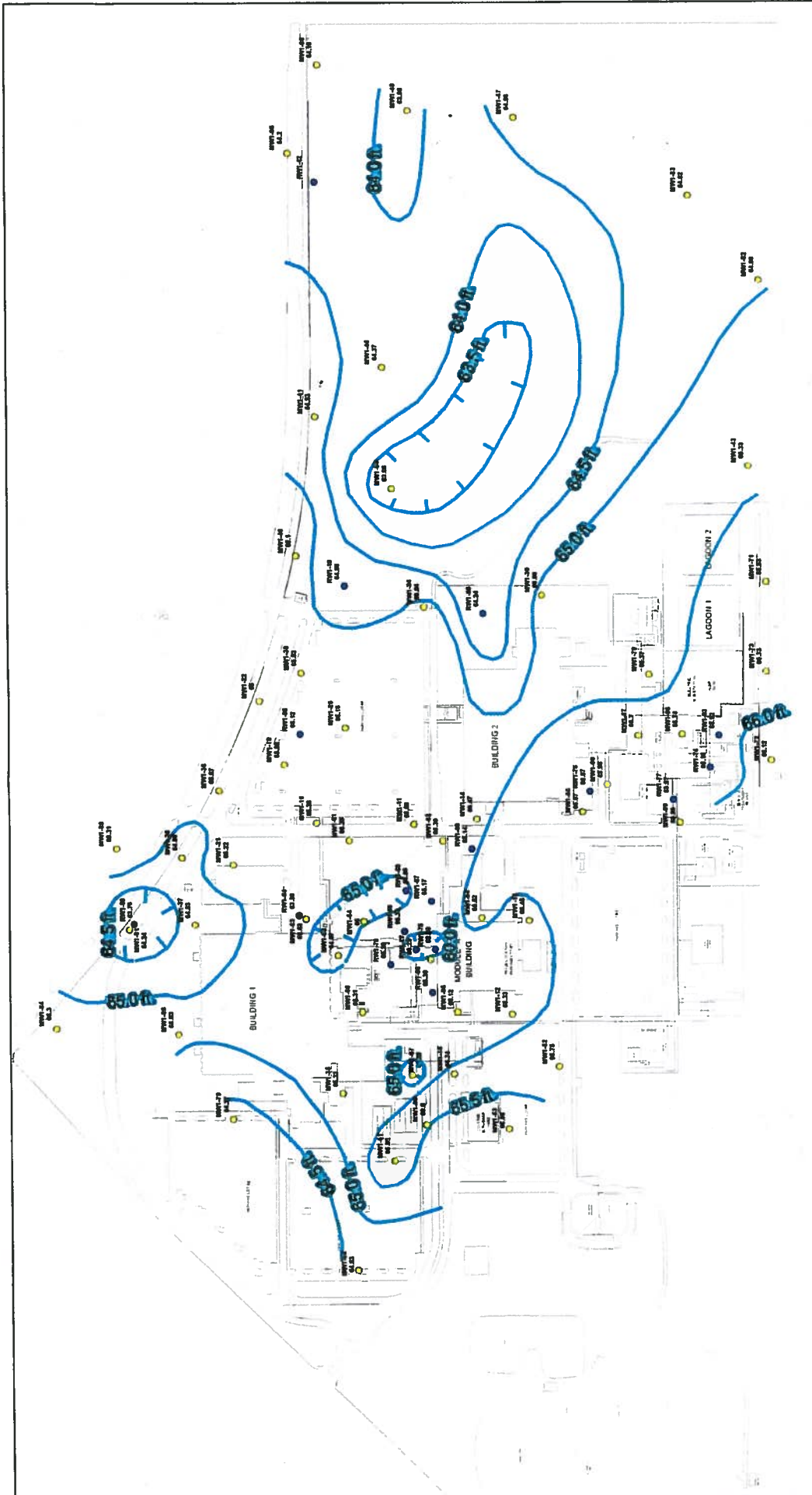


Figure 4  
 First Quarter 2013 Potentiometric Map  
 First Sand

**MICHAEL PISANI & ASSOCIATES, INC.**  
 Environmental Consulting Services  
 Houston, Texas  
 New Orleans, Louisiana  
 Baton Rouge, Louisiana

Designer: JRB | Drafter: JRB | Checked: DGA | Date: 03/02/13 | Project: 69-05

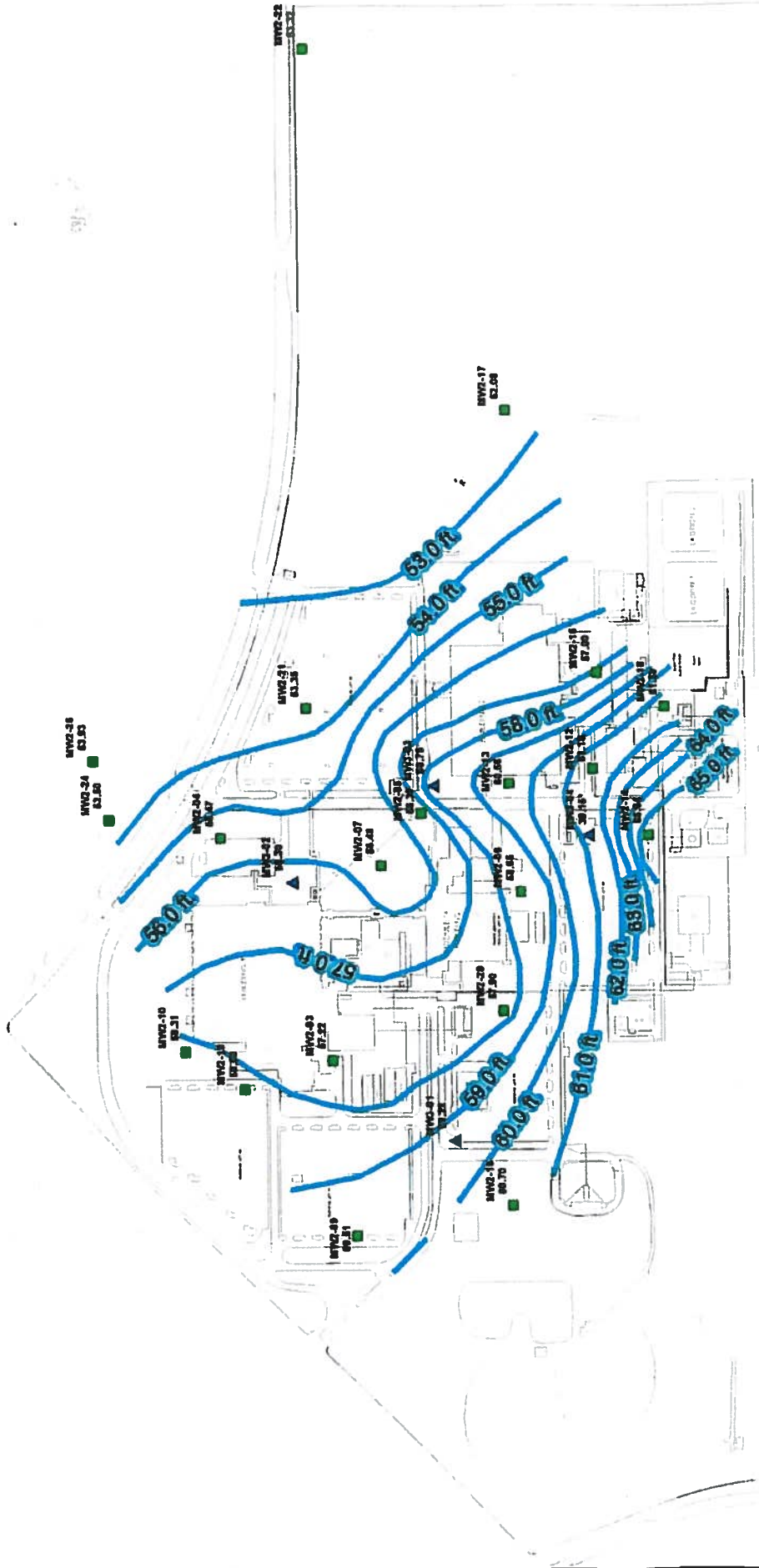
**TEXAS INSTRUMENTS**  
**STAFFORD FACILITY**  
 12201 Southwest Freeway  
 Stafford, Texas 77477

N

Legend  
 ● 1<sup>st</sup> Sand Monitoring Wells (Water elevations measured March 11, 2013)  
 ● 1<sup>st</sup> Sand Recovery Wells (Water elevations measured March 11, 2013)  
 — 1<sup>st</sup> Sand Ground Water Potentiometric Contours in Feet

0 150 300 600 Feet

Note:  
 1. Texas Instruments basemap was orthorectified and georeferenced using 2002 USGS aerial photographs published in 2003, NAD83 Zone 15N.  
 2. Ground water elevation datum is NAVD83 feet.  
 3. Not all contours are shown in the cone of depression areas.  
 4. NM - Not measured.

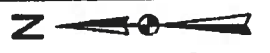


**Figure 5**  
**First Quarter 2013 Potentiometric Map**  
**Second and Third Sands**

**MICHAEL PISANI & ASSOCIATES, INC.**  
 Environmental Consulting Services  
 Houston, Texas New Orleans, Louisiana Baton Rouge, Louisiana

Designed: JRB Drawn: JRB Checked: DGA Date: 04/2013 Project: 69-05

**TEXAS INSTRUMENTS**  
**STAFFORD FACILITY**  
 12201 Southwest Freeway  
 Stafford, Texas 77477



**Title:**

1. Texas Instruments basemap was orthorectified and georeferenced using 2002 USGS aerial photographs published in 2003, NAD83 Zone 15N.
2. Ground water elevation datum is NAVD88 feet.
3. Not all contours are shown in the cone of depression areas.
4. NM - Not measured.

• Anomalous water level - not contoured

**Legend**

- 2<sup>nd</sup> Sand Monitoring Wells (Water elevations measured March 11, 2013)
- ▲ 3<sup>rd</sup> Sand Monitoring Wells (Water elevations measured March 11, 2013)
- 2<sup>nd</sup> Sand Ground Water Potentiometric Contours in Feet

0 125 250 500 Feet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District G

Item Creation Date: 5/27/2014

PLN-Jack R. & Auban Tension House at 1609 Kirby Dr

Agenda Item#: 20.

**Summary:**

RESOLUTION designating the **JACK R. and AUBAN TENISON HOUSE** located at 1609 Kirby Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

**Background:**

Approval of a resolution designating the Jack R & Auban Tension House at 1609 Kirby Drive as a Landmark in accordance with Chapter 33, Code of Ordinances

**Amount of Funding:**

N/A

**Contact Information:**

Erin Glennon 713-837-7784

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> PLN-RESO Jack & Auban Tenison House RCA	Backup Material
<input type="checkbox"/> PLN-RESO Jack & Auban Tenison House Backup	Backup Material
<input type="checkbox"/> PLN-RESO Jack & Auban Tenison House RESO	Ordinance/Resolution/Motion

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

<b>SUBJECT:</b> Approval of a resolution designating the Jack R. and Auban Tenison House at 1609 Kirby Drive as a Landmark in accordance with Chapter 33, Code of Ordinances	<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  20
---	-------------------	-----------------------	--------------------------------

<b>FROM (Department or other point of origin):</b> Planning and Development	<b>Origination Date</b> May 5, 2014	<b>Agenda Date</b>  OCT 01 2014
--	--	---------------------------------------

<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> G
---	--

<b>For additional information contact:</b> Erin Glennon Phone: 713.837.7784	<b>Date and identification of prior authorizing Council action:</b>
--	---

**RECOMMENDATION: (Summary)**  
 Approval of a resolution designating the Jack R. and Auban Tenison House at 1609 Kirby Drive as a Landmark

<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
--	------------------------

**SPECIFIC EXPLANATION:**  
 A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Jack R. and Auban Tenison House at 1609 Kirby Drive was initiated by the owner.

A public hearing was held on January 16, 2014 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Attachments: Application and Staff Report

xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs  
 David M. Feldman, City Attorney  
 Omar Izfar, Real Estate Section, Office of the City Attorney  
 C.A. McClelland, Chief, Police Department  
 Terry A. Garrison, Chief, Fire Department

REQUIRED AUTHORIZATION		
<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>

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

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

**To Be Completed by Planning Staff**

Date accepted as complete: 12/31/13 HPO File Number: 14-6291  
Accepted By: Erin M. Glennon

**1 APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print)	
James H. Jr. and Nancy Butler	
1609 Kirby Drive	
City: Houston	State: TX
Zip Code: 77019	Day Phone: 713 464 0030
	Fax Phone: 713 725 4209
Signature: <u>Nancy E. Butler</u>	Date: <u>13 Nov 2013</u>

Agent's Name (if applicable)(Please print)	
Courtney Tardy, For Preservation River Oaks	
3272 Westheimer Road, Suite 2	
City: Houston	State: TX
Zip Code: 77098	Daytime: 713-510-399
	Phone: 4
Signature	Date

**PROPOSED DESIGNATION**

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

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

**3 SITE INFORMATION**

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

Site Address: 1609 Kirby Drive
General description: a brick two-story Tudor style home in River Oaks, built by the Russell Brown Company for Jack Tenison.

Tax account number	0601530370002
Subdivision:	River Oaks Sec 1
Tr 2	Block 37

**4 DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

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

- A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.
- B) Statement/description regarding current physical condition and information/dates of previous alterations and renovations since the original nomination(s) was (were) written or object, submit images of all sides of the exteriors. If an archaeological site, submit images that depict the condition of the site and any above-ground or surface features and disturbances. (If relevant to the evaluation of significance, submit images that illustrate artifacts that have been removed from the site and where those objects are housed).
- C) Digital images or color photographs - if a building and its outbuildings (i.e. garage), structure or object, submit images of all sides of the exteriors. If an archaeological site, submit images that depict the condition of the site and any above-ground or surface features and disturbances. (If relevant to the evaluation of significance, submit images that illustrate artifacts that have been removed from the site and where those objects are housed).

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** The Jack R. and Auban Tenison House  
**OWNERS:** James and Nancy Butler  
**APPLICANTS:** Same as Owners  
**LOCATION:** 1609 Kirby Drive - River Oaks

**AGENDA ITEM:** V  
**HPO FILE NO:** 14L291  
**DATE ACCEPTED:** Dec-31-2013  
**HAHC HEARING:** Jan-16-2014

**SITE INFORMATION:** Track 2, Block 37 River Oaks Section 1, City of Houston, Harris County, Texas. The site includes a historic two-story, brick single family residence.

**TYPE OF APPROVAL REQUESTED:** Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY

The Jack R. and Auban Tenison House was designed and built by the Russell Brown Company in 1935. The Russell Brown Company was founded in Houston in 1906 and built a number of important houses in Houston, San Antonio, Dallas, and other Texas cities. Mike Mebane, the staff architect at the company, was the architect for 1609 Kirby Drive. The Tenison House is faced in brick, the front elevation features decorative brick work and a cut stone entry surround. The residence features a hipped roof with gabled bays and features divided lite wood sash and casement windows. 1609 Kirby is designed in the Tudor style. Jack Tenison was in the automobile and financing business. He also owned and sold several homes and lots in River Oaks. The house is significant for its architecture, the Russell Brown Company, and its occupants.

The Jack R. and Auban Tenison House at 1609 Kirby Drive meets Criteria 1, 4, and 6 for Landmark designation.

### HISTORY AND SIGNIFICANCE

#### *Jack R. Tenison*

John Robert Tenison was born on October 23, 1893, and raised in Dallas, Texas. His family on his father's side was early Dallas residents. The Tenison family owned the Tenison Borthers Saddlery Company and had banking interests in Dallas. Jack attended the University of Texas. By 1917, he was working as a merchant in Waxahachie, Texas.

John and his brother William Tenison moved to Houston before 1919 and started the Tenison Motor Company. The Tenison Motor Company was quite successful. Jack ran the dealership and wholesale side; his brother William handled the auto financing. The brothers soon diversified into home development.

In the 1920s, the brothers began to buy small parcels of real estate; they developed and sold them. They did this in subdivisions around Houston, including River Oaks, Cottage Grove, Valencia Park, Central Park, and the Anderson Addition. In 1928, Jack Tenison took out a lien of \$18,000 for the Russell Brown Company to develop the lot at 2131 Brentwood. That home was sold in 1930 to E.A. Pearson. In 1932, Tenison sold a Russell Brown home at 2949 Chevy Chase to Burton McCollom. The Tenison family did not live in either home.

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

“The restful harmony and careful designing, the elegance imparted by graceful simplicity marks the difference between Russell Brown Company homes and the regular run of places so often built.”

Through this brochure, the 1980 Architectural Survey and River Oaks Scrapbooks, we have gathered the following list of other Russell Brown Company homes. There are many Russell Brown Company homes, and this list provides a sampling with an emphasis on River Oaks:

- 2232 Brentwood
- 2128 Brentwood
- 2123 Bellmeade
- 2223 Inwood
- 3325 Inwood
- 1805 Kirby Drive, Residence of Mr. and Mrs. Roy G. Cullen
- 3258 Avalon Drive
- 2131 Pelham Drive (demolished)
- 3235 Reba Drive (demolished)
- 3238 Ella Lee Lane (demolished)
- 1216 South Shepherd Drive
- Home of Captain A.S. Hansen, Port Arthur, Texas
- Home for Dr. and Mrs. John Foster at 1708 River Oaks Boulevard (demolished)
- Home for Mr. and Mrs. A.J. Smith at 3217 Inwood Drive, 1980 Architectural Survey
- 2144 Brentwood Drive, 1929
- 2224 Brentwood Drive, 1929
- 2510 Inwood Drive, 1929
- 2125 Pine Valley Drive, 1930
- 2240 Looscan Lane, 1931 (demolished)
- 2940 Del Monte Drive, 1930
- 1517 Kirby Drive, 1931
- 3016 Chevy Chase, 1931
- 2514 Brentwood, 1931
- 2235 Brentwood, 1937
- 2247 Del Monte, 1937
- 2235 Brentwood, 1937
- 2419 Del Monte, 1937
- 2153 Pelham, 1938
- 3235 Reba, 1938 (demolished)

Russell Brown retired from the building business around the time of World War II. He lived in retirement at a ranch near Juliff, Texas, south of Houston, where he died in 1963.

### *Mike Mebane*

Mike Mebane was the staff architect for the Russell Brown Company in the mid-1930s. The following information is from a biographical sketch of Mike Mebane, written by the University of Texas in a description of the Mike and Maxine K. Mebane Endowed Traveling Scholarship in Architecture:

“Mike Mebane (1908-1997), born and educated in Texas, pursued his architectural career through the early 1970s in Texas, the United States, and in Mexico. Mebane was born Jan. 24, 1908, in Trinity, Texas, to Charles Richmond and Ella Beuhring Mebane. He went to the University of Texas at the age of 16 and graduated in 1928 with a bachelor's degree in architectural engineering. He served his apprenticeship in architects' and engineers' offices in Houston, Fort Worth and Dallas, forming his own firm in Houston in 1935. His brother, Robert Duff Mebane of San Antonio, who was then earning his degree in geology at UT, introduced Mike to Maxine Kubela, who received her bachelor's degree in physical education that year.

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

chimney is a 4-over-4 sash window and to the west are two 4-over-4 sash windows and a ribbon of three 4-over-4 sash windows.

The west elevation facing Kirby Drive is partially obscured due to landscaping and tall brick wall. The first floor of the façade features two 6 lite casement windows, two arched 16 lite fixed windows flank a small covered porch with a hipped roof and four round columns. The porch features a set of 4 lite french doors. The second floor features four 6 lite casement windows. The west elevation of front façade bay features a 4 lite fixed window.

The east elevation features a one-story porte cochere with two arched openings. The porte cochere features a side gable roof. The first floor of the elevation features an entry door and tow divided lite window under the porte cochere; another divided lite windows is located to the south of the porte cochere. The second floor features a 4-over- sash window and a sash window in the side gable of the porte cochere.

1609 Kirby Drive was recently purchased by new owners, who plan a renovation of the property. The renovation will include the replacement of the non-original windows with new aluminum clad wood windows that are based in the original divided lite metal windows (see photos pg.7). The renovation will also include the construction of a one-story covered porch on the west elevation.

## **BIBLIOGRAPHY**

Houston City Directories, various publishers

Texas General Contractors' Association Bulletin

Various resources from Ancestry.com

River Oaks Scrapbooks, River Oaks Collection, Houston Public Library.

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

## **APPROVAL CRITERIA FOR LANDMARK DESIGNATION**

### **Sec. 33-224. Criteria for designation**

(a) The HAHC, in making recommendations with respect to designation, and the city council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

**S    NA**

**S - satisfies    NA - not applicable**

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

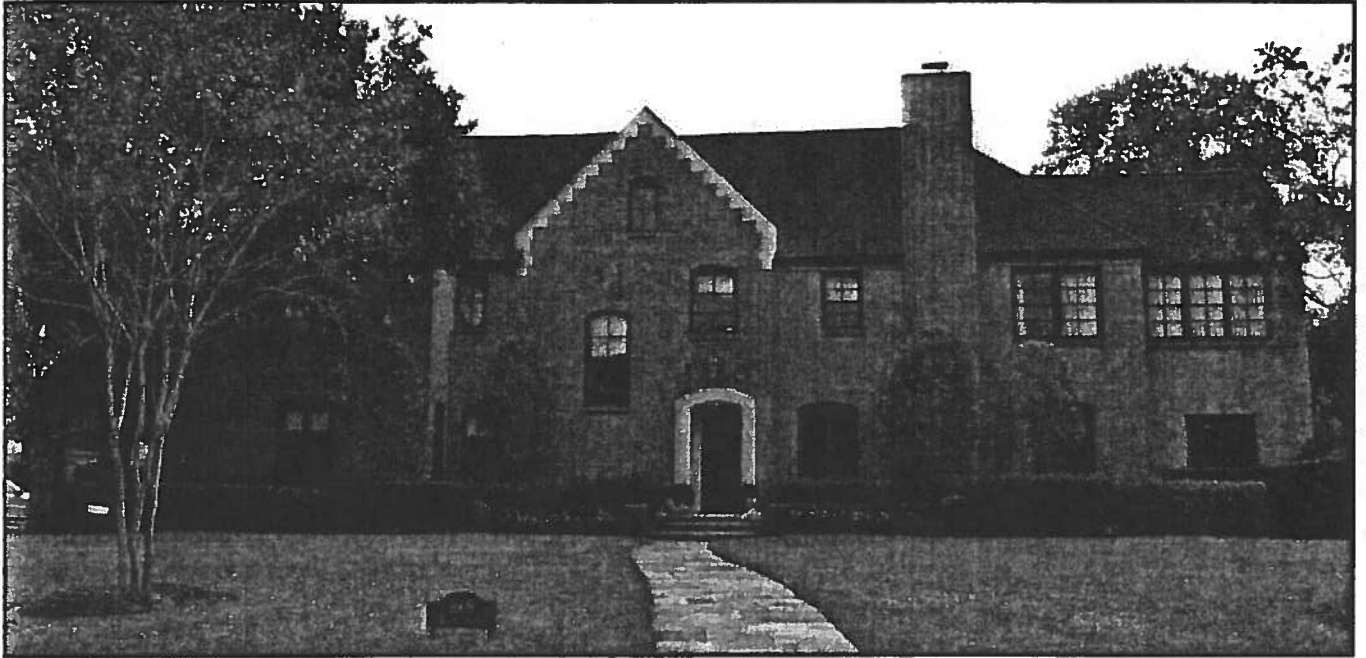
- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

**EXHIBIT A**  
**JAKE R. AND AUBAN TENISON HOUSE**  
**1609 KIRBY DRIVE**



**PRE 2001-2002 RENOVATION**



City of Houston, Texas, Resolution No. 2014-\_\_\_\_\_

**A RESOLUTION DESIGNATING THE JACK R. AND AUBAN TENISON HOUSE LOCATED AT 1609 KIRBY DRIVE WITHIN THE CITY OF HOUSTON AS A HISTORIC LANDMARK.**

\* \* \* \* \*

**WHEREAS**, Section 33-225(c) of the City of Houston Code of Ordinances authorizes the City Council to consider each application for designation of a historic landmark after receiving a recommendation from the Houston Archaeological and Historical Commission; and

**WHEREAS**, Section 33-224 of the City of Houston Code of Ordinances authorizes the City Council to consider the appropriate criteria as enumerated therein for the designation of a historic landmark; and

**WHEREAS**, Section 33-225(c) of the City of Houston Code of Ordinances authorizes the City Council to decide whether to designate the property as a historic landmark; and

**WHEREAS**, the City Council has considered the application for designation of the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, as a historic landmark after receiving a recommendation from the Houston Archaeological and Historical Commission; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That the City Council finds that the application for designation of the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, as a historic landmark satisfies the applicable criteria of Section 33-224 of the City of Houston Code of Ordinances.

**Section 2.** That the City Council hereby designates the property described in Exhibit "A," as a historic landmark.

**Section 3.** That the City Council approves the property description contained in Exhibit "A," attached hereto and made a part hereof.

**Section 4.** That this Resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution 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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Resolution is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

 GWJ  
Assistant City Attorney

(Prepared by Legal Dept.  
SOI/fg 06/04/2014

Requested, Patrick Walsh, Interim Director, Department of Planning and Development  
L.D. File No. 0611400069001  
G:\LAND\OMAR IZFAR\HISTORIC PRESERVATION\LANDMARK\1609 KIRBY DRIVE - JACK R. AND AUBAN TENISON HOUSE.DOC

## **EXHIBIT "A"**

### **PROPERTY DESCRIPTION:**

A parcel containing 0.5512 acres of land being Lot 2, Block 37, save and except the East 20 feet thereof, of River Oaks, Section 1, a subdivision recorded in Harris County according to the map or plat thereof, recorded in Volume 8, Page 9 of the Map Records of Harris County, Texas, being that same tract of record under Harris County Clerk's File Number V052751.

### **STREET ADDRESS:**

1609 Kirby Dr., Houston, TX 77019.

### **BUILDING DESCRIPTION:**

Jack R. and Auban Tenison House.

### **OWNER:**

James and Nancy Butler.

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District H

Item Creation Date: 5/27/2014

PLN-Fire Staton No. 2 at 317 Sampson Street

Agenda Item#: 21.

**Summary:**

RESOLUTION designating **FIRE STATION NO. 2** located at 317 Sampson Street within the City of Houston as a historic landmark - **DISTRICT H - GONZALEZ**

**Background:**

Approval of a resolution designating Fire Station No. 2 at 317 Sampson Street as a Landmark in accordance with Chapter 33, Code of Ordinances

**Amount of Funding:**

N/A

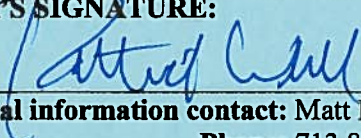
**Contact Information:**

Matt Kriegl 713-837-7803

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> PLN-Fire Staton No. 2 at 317 Sampson Street	Signed Cover sheet

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

<b>SUBJECT:</b> Approval of a resolution designating Fire Station No. 2 at 317 Sampson Street as a Landmark in accordance with Chapter 33, Code of Ordinances		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b> Planning and Development		<b>Origination Date</b> May 6, 2014		<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> H		
<b>For additional information contact:</b> Matt Kriegel Phone: 713.837.7803		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Approval of a resolution designating Fire Station No. 2 at 317 Sampson Street as a Landmark				
<b>Amount and Source of Funding:</b> N/A			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of Fire Station No. 2 at 317 Sampson Street was initiated by the owner.  A public hearing was held on January 16, 2014 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.				
Attachments: Application and Staff Report				
xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs David M. Feldman, City Attorney Omar Izfar, Real Estate Section, Office of the City Attorney C.A. McClelland, Chief, Police Department Terry A. Garrison, Chief, Fire Department				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District G

Item Creation Date: 5/27/2014

PLN-Forrest R. & Myrtle Oldham House at 2504 Brentwood Drive

Agenda Item#: 22.

**Summary:**

RESOLUTION designating the **FORREST R. and MYRTLE OLDHAM HOUSE** located at 2504 Brentwood Drive within the City of Houston as a historic landmark - **DISTRICT G - PENNINGTON**

**Background:**

Approval of a resolution designating the Forrest R. & Myrtle Oldham House at 2504 Brentwood Drive as a Landmark in accordance with Chapter 33, Code of Ordinances

**Amount of Funding:**

N/A

**Contact Information:**

Erin Glennon 713-837-7748

**ATTACHMENTS:**

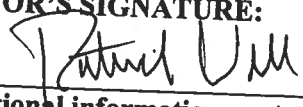
Description	Type
<input type="checkbox"/> PLN-RESO Forrest & Myrtle Oldham House RCA	Backup Material
<input type="checkbox"/> PLN-RESO Forrest & Myrtle Oldham House Back	Backup Material
<input type="checkbox"/> PLN-RESP Forrest & Myrtle Oldham House RESO	Ordinance/Resolution/Motion

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

**SUBJECT:**  
 Approval of a resolution designating the Forrest R. and Myrtle Oldham House at 2504 Brentwood Drive as a Landmark in accordance with Chapter 33, Code of Ordinances

<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>  22
-------------------	-----------------------	--------------------------------

<b>FROM (Department or other point of origin):</b> Planning and Development	<b>Origination Date</b> May 5, 2014	<b>Agenda Date</b> OCT 01 2014
--	--	-----------------------------------

<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> G
---	--

<b>For additional information contact:</b> Erin Glennon Phone: 713.837.7748	<b>Date and identification of prior authorizing Council action:</b>
--	---

**RECOMMENDATION: (Summary)**  
 Approval of a resolution designating the Forrest R. and Myrtle Oldham House at 2504 Brentwood Drive as a Landmark

<b>Amount and Source of Funding:</b> N/A	<b>Finance Budget:</b>
--	------------------------

**SPECIFIC EXPLANATION:**  
 A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Forrest R. and Myrtle Oldham House at 2504 Brentwood Drive was initiated by the owner.

A public hearing was held on April 24, 2014 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.

Attachments: Application and Staff Report

- xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs  
 David M. Feldman, City Attorney  
 Omar Izfar, Real Estate Section, Office of the City Attorney  
 C.A. McClelland, Chief, Police Department  
 Terry A. Garrison, Chief, Fire Department

**REQUIRED AUTHORIZATION**

<b>Finance Director:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
--------------------------	-----------------------------	-----------------------------

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

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

**To Be Completed by Planning Staff**

Date accepted as complete: 1/29/14 HPO File Number: 14-L293  
 Accepted By: Evan M. Gannon

**1 APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print)	
David and Danielle Magdol	
Address:	2504 Brentwood
City:	Houston State: TX
Zip Code:	Day Phone: 713-446-8326 (c)
77019	Fax Phone: 713-528-6240 (h)
Signature:	Date
<u>Danielle Magdol</u>	<u>12/10/13</u>

Agent's Name (if applicable)(Please print)	
Courtney Tardy, For Preservation River Oaks	
Address:	3272 Westheimer, Ste. 2
City:	Houston State: TX
Zip Code:	Daytime: 713-510-
77002	Phone: 3994
Signature	Date

**PROPOSED DESIGNATION**

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

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

**3 SITE INFORMATION**

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

Site Address: 2504 Brentwood Drive
General description: A two-story brick home built in 1928-1940 by the developer CC Rouse, who built numerous homes in River Oaks.

Tax account number	0601530360008
Subdivision: River Oaks	Sec. 1
Lot 8	Block 38

**4 DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

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

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

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** The Forrest R. and Myrtle Oldham House      **AGENDA ITEM:** III  
**OWNERS:** David and Danielle Magdol      **HPO FILE NO:** 14L293  
**APPLICANTS:** Same as Owners      **DATE ACCEPTED:** Jan-29-2014  
**LOCATION:** 2504 Brentwood Drive - River Oaks      **HAHC HEARING:** Apr-24-2014

**SITE INFORMATION:** Lot 8, Block 36, River Oaks Section 1, City of Houston, Harris County, Texas. The site includes a historic two-story, brick, single-family residence.

**TYPE OF APPROVAL REQUESTED:** Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY

The Forrest R. and Myrtle Oldham House was designed and built by local builder C.C. Rouse circa 1928. Forrest Oldham was a purchasing agent for Gulf Oil. The home was later owned for many years by Malcolm and Anita Baker.

C.C. Rouse developed numerous homes in River Oaks. The house is designed in a Neoclassical style, and is an early home for Brentwood Drive and River Oaks. An addition was added to the residence by the current owners in 2013. The house is significant for its architecture, its connection to C.C. Rouse, and its occupants.

The Forrest R. and Myrtle Oldham House at 2504 Brentwood Drive meets Criteria 1, 4, and 6 for Landmark designation.

### HISTORY AND SIGNIFICANCE

#### *Forrest Robert Oldham*

Forrest Robert Oldham was born on October 7, 1883 in Montalba, Texas. His parents were farmers. He started work as a clerk for Gulf Oil in Beaumont and moved to Houston by 1918 to work as a purchasing agent. Prior to living in River Oaks, the family lived in the Castle Court subdivision. They moved to River Oaks by 1930.

#### *Myrtle Gertrude King Oldham*

Myrtle Oldham was born on May 15, 1883 in Goss, Texas. She and Forrest were married in Jefferson County in 1912. They had one son, Forrest Jr, born in 1920. Myrtle Oldham died of bronchial pneumonia on September 20, 1936. Mr. Oldham and his son moved to Beaumont in 1941. Forrest Oldham, Sr. died in March, 1963.

#### *Malcolm Graham Baker*

The home was purchased by Malcolm Baker and Anita Stewart Baker in 1941. Malcolm was a son of Captain James A. Baker. Malcolm was born in Houston on February 18, 1906. He was raised on his parents' estates, The Oaks, and graduated from The Rice Institute in 1928. Once married, he and his wife lived on The Oaks property at 2211 Baldwin and then at 211 Bremond.

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

- 2248 Stanmore Drive (demolished)
- 2204 Troon Road
- 3418 Wickersham Lane
- 3630 Willowick Road

## **ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY**

The 4,454 square foot residence is sited on an 18,033 square foot south-facing lot. The house is designed in the Neoclassical style with a full height entry porch. The house is faced in painted brick. The house features a side gable roof and the full height porch features a front gable roof. The front porch is supported by four doric columns. The residence was renovated by the current owners in 2013.

In 2013 a rear second story addition was added to the residence and the side gable roof was raised 5'. The addition features divided lite sash windows and windows were replaced on the east and west elevations.

The residence features a centered front entrance that projects slightly from the front façade. The east and west elevations of the front entrance feature small rectangular windows on the second story. The front gable over the entrance features an arched window. The front entrance features a wood paneled entry door with a wood surround, leaded glass side lites, and transom. The door surround is topped with a triangular pediment. Octagonal leaded glass windows are located on either side of the front entry. A ribbon of three sash windows, two 4-over-4 and a 6-over-6 sash windows, are centered above the entry on the second floor. To the east and west of the front entrance are 10-over-10 wood sash windows on the first and second floor, four windows in all. All of the windows feature brick sills.

The west façade has been altered towards the rear half of the structure where the addition ties into the original house. Moving from north to south, the first floor features two 6 lite casement windows that were added during the 2013 addition, a divided lite entry door, and two 6-over-6 wood sash windows. The second floor features two 6-over-6 sash windows, added during the 2013 addition, a new 6-over-6 sash window that was installed in an existing window opening, and two original 6-over-6 wood sash windows. A ribbon of three 6-over-6 wood sash windows was added to the gable in 2013.

The east façade was altered towards the rear due to the 2013 addition. Moving north to south the first floor features two 6-over-6 sash windows. The second floor features a new divided lite casement window, added in 2013, a new 6-over-6 sash window located in an original window opening, and two original 6-over-6 wood sash windows. A ribbon of three 6-over-6 wood sash windows was added to the gable in 2013. The east façade features an exterior brick chimney. The east elevation also features a one-story side gable bay. The south elevation of the bay features a set of divided lite French doors with a fan lite. The east elevation of the bay features a 6-over-6 wood sash window in the gable that was added during the 2013 addition.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## **STAFF RECOMMENDATION**

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Landmark Designation of the Forrest R. and Myrtle Oldham House at 2504 Brentwood Drive.

## **HAHC RECOMMENDATION**

The Houston Archaeological and Historical Commission recommends to City Council the Landmark Designation of the Forrest R. and Myrtle Oldham House at 2504 Brentwood Drive.

## **EXHIBIT A**

### **PHOTO**

**FORREST R. AND MYRTLE OLDHAM HOUSE  
2504 BRENTWOOD DRIVE**



City of Houston, Texas, Resolution No. 2014-\_\_\_\_\_

**A RESOLUTION DESIGNATING THE FORREST R. AND MYRTLE OLDHAM HOUSE LOCATED AT 2504 BRENTWOOD DRIVE WITHIN THE CITY OF HOUSTON AS A HISTORIC LANDMARK.**

\* \* \* \* \*

**WHEREAS**, Section 33-225(c) of the City of Houston Code of Ordinances authorizes the City Council to consider each application for designation of a historic landmark after receiving a recommendation from the Houston Archaeological and Historical Commission; and

**WHEREAS**, Section 33-224 of the City of Houston Code of Ordinances authorizes the City Council to consider the appropriate criteria as enumerated therein for the designation of a historic landmark; and

**WHEREAS**, Section 33-225(c) of the City of Houston Code of Ordinances authorizes the City Council to decide whether to designate the property as a historic landmark; and

**WHEREAS**, the City Council has considered the application for designation of the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, as a historic landmark after receiving a recommendation from the Houston Archaeological and Historical Commission; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That the City Council finds that the application for designation of the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, as a historic landmark satisfies the applicable criteria of Section 33-224 of the City of Houston Code of Ordinances.

**Section 2.** That the City Council hereby designates the property described in Exhibit "A," as a historic landmark.

**Section 3.** That the City Council approves the property description contained in Exhibit "A," attached hereto and made a part hereof.

**Section 4.** That this Resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution 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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Resolution is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

(Prepared by Legal Dept.  
SOI/fg 06/03/2014

Requested, Patrick Walsh, Interim Director, Department of Planning and Development

L.D. File No. 0611400066001

G:\LAND\OMAR IZFARI\HISTORIC PRESERVATION\LANDMARK\2504 BRENTWOOD DR. FORRESST R. AND MYRTLE  
OLDHAM HOUSE.DOC

 GWI

\_\_\_\_\_  
Assistant City Attorney

## **EXHIBIT "A"**

### **PROPERTY DESCRIPTION:**

Lot 8, Block 36, River Oaks, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 8, Page 9, of the Map; Records of Harris County, Texas. The site includes a two-story, brick, single-family residence.

### **STREET ADDRESS:**

2504 Brentwood Drive, Houston, TX 77019.

### **BUILDING DESCRIPTION:**

Forrest R. and Myrtle Oldham House.

### **OWNER:**

David and Danielle Magdol.

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District C

Item Creation Date: 5/27/2014

PLN-Hortense Sparks & William Ward/M.D. Anderson House at 1902 Sunset Blvd

Agenda Item#: 23.

**Summary:**

RESOLUTION designating the **HORTENSE SPARKS and WILLIAM WARD/M.D. ANDERSON HOUSE** located at 1902 Sunset Boulevard within the City of Houston as a historic landmark **DISTRICT C - COHEN**

**Background:**

Approval of a resolution designating the Hortense Sparks and William Ward/M.D. Anderson House at 1902 Sunset Boulevard as a Landmark in accordance with Chapter 33, Code of Ordinances

**Amount of Funding:**

N/A


**Contact Information:**

Matt Kriegl 713-837-7803

**ATTACHMENTS:**

Description	Type
☐ PLN-Hortense Sparks & William Ward/M.D. Anderson House at 1902 Sunset Blvd	Signed Cover sheet
☐ Backup	Backup Material
☐ Ordin	Ordinance/Resolution/Motion

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

<b>SUBJECT:</b> Approval of a resolution designating the Hortense Sparks and William Ward/M.D. Anderson House at 1902 Sunset Boulevard as a Landmark in accordance with Chapter 33, Code of Ordinances		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b> Planning and Development		<b>Origination Date</b> May 6, 2014		<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> C		
<b>For additional information contact:</b> Matt Kriegl Phone: 713.837.7803		<b>Date and identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Approval of a resolution designating the Hortense Sparks and William Ward/M.D. Anderson House at 1902 Sunset Boulevard Street as a Landmark				
<b>Amount and Source of Funding:</b> N/A			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> A property owner or the Houston Archaeological and Historical Commission may initiate an application for the designation of a Landmark. This application for Landmark designation of the Hortense and William Ward / M.D. Anderson House at 1902 Sunset Boulevard was initiated by the owner.  A public hearing was held on February 13, 2014 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark designation.				
Attachments: Application and Staff Report				
xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs David M. Feldman, City Attorney Omar Izfar, Real Estate Section, Office of the City Attorney C.A. McClelland, Chief, Police Department Terry A. Garrison, Chief, Fire Department				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

8/5

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

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

To Be Completed by Planning Staff	
Date accepted as complete: <u>01/29/2014</u>	HPO File Number: <u>14-2292</u>
Accepted By: <u>[Signature]</u>	

**APPLICANT INFORMATION**

Legal Owner's Name of Site (Please print)	
Luke S. and Ashley Putman	
1902 Sunset	
City:	Houston State: TX
Zip Code:	Day Phone: <u>713.504.6194</u>
77005	Fax Phone:
Signature: <u>[Signature]</u>	Date: <u>11-13-13</u>

Agent's Name (if applicable)(Please print)	
Courtney Tardy, For Preservation River Oaks	
3272 Westheimer Road, Suite 2.	
City:	Houston State: TX
Zip Code:	Daytime 713-510-
77098	Phone: 3994
Signature	Date

**PROPOSED DESIGNATION**

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

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

**SITE INFORMATION**

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

Site Address: 1902 Sunset Blvd.
General description: a brick two-story home in Southhampton, built for Mrs. Hortense Sparks Ward and her family. It was later owned by MD Anderson.

Tax account number	0540940000006
Subdivision:	Southampton Place
Lot 6	Block 32

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

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

## LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** Hortense Sparks and William Ward /  
M.D. Anderson House

**OWNERS:** Steve and Ashley Putman

**APPLICANTS:** Same as Owners

**LOCATION:** 1902 Sunset Blvd – Southampton

**AGENDA ITEM:** III.A

**HPO FILE NO.:** 14L292

**DATE ACCEPTED:** Jan-30-2014

**HAHC HEARING DATE:** Feb-13-2014

### SITE INFORMATION

Lots 6, Block 32, Southampton Place, City of Houston, Harris County, Texas. The site includes a historic two-story, brick single family residence in the Southampton subdivision.

**TYPE OF APPROVAL REQUESTED:** Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY

The Hortense Sparks and William Ward/M.D. Anderson House was built in 1934 by the Benson-Hall Company for Hortense Sparks Ward and her family. Hortense Sparks Ward was the first female lawyer in the State of Texas, and the first female registered to vote in Harris County. She was a leader of the suffragette movement in Texas, and served as a Justice on a special, all-female Supreme Court of Texas appointed by the Governor in 1925. Her husband, William Henry Ward, was also an important figure in Houston; he twice served as Harris County Judge from 1913-1917 and 1933-1937. Philanthropist M.D. Anderson lived in the home in the last few years of his life. The house is designed in a Colonial Revival style.

The Hortense Sparks and William Ward / M.D. Anderson House meets criteria 1, 3, 4, 6, and 8 for Landmark Designation.

### HISTORY AND SIGNIFICANCE

#### *Hortense Sparks Ward*

The Texas State Historical Association's Handbook of Texas Online has an extensive article on Hortense Sparks Ward, which is copied here:

“Hortense Ward, champion of women's rights, suffrage leader, and the first woman admitted to the Texas bar, the daughter of Frederick and Louise Sparks, was born in Matagorda County on July 21, 1872. Ward lived in Edna as a child, and later attended Nazareth Academy, a Catholic convent school in Victoria. She returned to Edna in 1890 to teach school, and in 1891 married Albert Malsch, with whom she had three daughters. Ward moved to Houston in 1903, and, while working as a stenographer and court reporter, became interested in studying law. She and Malsch were divorced in 1906, and in 1908 she married Houston attorney William Henry Ward, later a county judge. In 1910, after successfully passing the bar examination, Ward became the first woman admitted to the Texas state bar and began practicing with her husband in the civil law firm of Ward and Ward. She did not appear in court, however, fearing that her appearance might

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

prejudice all-male juries. She limited her work to writing briefs and consultations. In 1915 she and her husband were admitted to practice before the Supreme Court.

Hortense Ward became known as a champion of women's rights, writing stirring newspaper articles and pamphlets, and personally lobbying for many social reform measures in the early 1900s. She worked to get the Married Woman's Property Law of 1913 passed by the Texas Legislature. She also campaigned for a fifty-four-hour week for women in industry, a women's division in the state department of labor, a domestic relations court, and the right of women to serve as officers of corporations. She was an ardent prohibitionist and coauthored the state prohibition constitutional amendment in 1919. Ward helped Minnie Fisher Cunningham campaign for woman suffrage. She helped lead an intense lobbying campaign of Houston businessmen, local officials, and the Texas Congressional delegation in 1917 on behalf of the federal woman suffrage amendment, which narrowly passed the United States House in January 1918 with six of the eighteen Texas congressmen voting in the affirmative. As president of the Houston Equal Suffrage Association in 1918, she was sent to Austin by the state suffrage organization to help lobby Governor William P. Hobby and the legislature on behalf of a bill allowing women to vote in state primary elections, which passed in March 1918. Her newspaper articles on voting requirements and a pamphlet, "Instructions for Women Voters," distributed statewide, were part of a grassroots campaign by the Texas Equal Suffrage Association that persuaded nearly 386,000 women to register to vote in just seventeen days in the summer of 1918. On June 27, 1918, Hortense Ward became the first woman in Harris County history to register to vote.

Ward remained politically active in the next decade. She led the Houston women's organization for William P. Hobby against James E. Ferguson in the 1918 governor's race and campaigned statewide for the full suffrage amendment, which was narrowly defeated in May 1919. In 1924 she supported Ferguson's wife, Miriam Amanda Ferguson, for governor because she supported prohibition and opposed the Ku Klux Klan. Representing Mrs. Ferguson, Ward traveled to Maine to campaign against the Klan candidate for governor there. At the request of the Democratic National Committee, she made speeches in the East during the election year of 1924. She campaigned for Oscar Underwood of Alabama for president in 1924 and Al Smith in 1928. She herself ran unsuccessfully for county judge in 1920. In January 1925 Hortense Ward was appointed by Governor Pat Neff to be chief justice of the All-Woman Supreme Court convened to hear the case of Johnson v. Darr. The case involved a lien on two parcels of land in El Paso County belonging to the Woodmen of the World. The supreme court justices at the time disqualified themselves from the case because of their membership in the all-male fraternal organization. The governor then appointed three women attorneys as justices: Hortense Ward, Ruth Brazzil of Galveston (see ROOME, RUTH BRAZZIL) and Hattie L. Henenberg of Dallas. The case raised the issue of whether a trust instrument must be recorded to be effective against a lien holder. The women on the court held two sessions, one in which they determined that the court had jurisdiction in the case, and another in which they affirmed the ruling of the lower court.

Hortense Ward was at one time vice president of the Woman Lawyers' Association and was active in the Women's Advertising Club of Houston, the Woman's Christian

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

Temperance Union, the Woman's Club of Houston, and the Sorosis Club. She was a frequent contributor to the national publication, the *Woman Lawyer's Journal*. Ward practiced law until the death of her husband in 1939. She died on December 5, 1944, in Houston, survived by one daughter and eight grandchildren. Her son-in-law, John H. Crooker, was a partner in the law firm of Fulbright and Crooker, which grew into the prominent Houston firm of Fulbright and Jaworski. Her grandson, John H. Crooker, Jr., and great-grandson, John H. Crooker III, were also practicing attorneys."

## *William Henry Ward*

William Henry Ward was also an important figure in Houston; he was twice elected and served as Harris County Judge from 1913 to 1917 and 1933 to 1937. He was educated at the University of Texas and started practicing law in 1902. He and Hortense practiced law together. Ward died on March 29, 1939.

## *Teresa and Bryan Sparks*

When Hortense moved to Houston and began work as a stenographer, she lived with her sisters Teresa and Nellie, and her parents (along with her own family) at 1808 Leeland. Once divorced and remarried to Ward, Hortense lived separately from her siblings.

However, when it came time to build the home at 1902 Sunset Blvd., the Sparks and Ward family built the home together. The building permit is in Teresa Sparks's name and the 1935 Houston City Directory shows that she also lived in the house and was still working as a stenographer. Hortense's younger brother Bryan was also living in the house; he is listed as President of the Merchandise and Employers Finance Company.

The Ward and Sparks family members moved to West University Place in 1938. Hortense Sparks Ward died December 5, 1944.

## *M.D. Anderson*

Monroe Dunaway Anderson, the benefactor of the M.D. Anderson Hospital Center, moved to the home in 1938. Suffering from illness, he moved to the home with private nurses. It was the first time he had lived in a single family residence. He died shortly after in 1939.

The Texas State Historical Association's Handbook of Texas Online has an extensive article on Monroe Dunaway "M.D." Anderson, which is copied here:

"M. D. Anderson, philanthropist, was born on June 29, 1873, in Jackson, Tennessee, the sixth of eight children of James Wisdom and Ellen (Dunaway) Anderson. James Anderson was first president of the First National Bank of Jackson. As a young man M. D. Anderson was a banker in Jackson, Tennessee. In 1904 he joined his brother, Frank Ervin Anderson, and the latter's brother-in-law, William Lockhart Clayton, in establishing Anderson, Clayton and Company, a partnership that eventually grew into the world's largest cotton merchandiser. Anderson moved to Houston, Texas, about 1907 to take advantage of the city's proximity to the port of Galveston and its superior banking resources. Houston became the company's headquarters in 1916, and Anderson served as its treasurer until illness forced his retirement in 1938. The University of Texas M. D. Anderson Cancer Center in Houston, initially funded by a substantial gift from the M. D.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

Anderson Foundation to the University of Texas, is Anderson's best-known philanthropy. The foundation, established before Anderson's death, received the bulk of his large estate. Anderson was a member of the Cumberland Presbyterian Church and the Democratic party, but was not active in church or in politics. He never married. He lived for thirty years in a succession of downtown Houston hotels. He died in that city on August 6, 1939, after a year-long illness and was buried in Jackson, Tennessee.”

## *Subsequent Owners*

After M.D. Anderson's death, the house was briefly occupied by Charles and Katherine Gainer. It then sat vacant until it was purchased by Harry and Blanche Krost in 1944. Krost was the owner of Warren Laundry and Cleaning Company at 3010 Fannin. His sons, Roland and Stanley, who lived in the rear apartment, owned Jennings's Cleaners at 3000 Caroline. The building at 3000 Caroline has been renovated and is now the home of 13 Celsius; the renovation won a Good Brick Award from Preservation Houston in 2008.

By 1953, Krost had sold the home to John and Katherine Locke. Locke was an owner of S.B. Locke and Co, cotton directors. The Lockes sold the home by 1959 to Dr. Clifton and Mrs. Evelyn Howe. Dr. Howe was a physician for M.D. Anderson Hospital. Mrs. Howe sold the home in 1991 to the Davis family, who in turn sold to the current owners in 2008.

## *Benson-Hall Company*

The Benson-Hall Company was run by E. Newman Benson and Paul Marxen. They began building in Houston in the 1920s.

E. Newman Benson was born in Nebraska in 1893. He moved to Houston in the early 1920s and began the Benson-Hall Company. His death record could not be found.

Paul Marxen was born in Omaha, Nebraska on August 23, 1893. He was the son of a German-born contractor, and Paul began working as an apprentice carpenter at the age of sixteen. Marxen moved to Houston in the 1920s, and began working at Benson-Hall Company. The company later became known as Benson-Marxen Company. Marxen died on September 9, 1961.

Most of the homes that Benson-Hall Company built in River Oaks were for the architect Hiram Salisbury. They also built several homes for Moore & Lloyd.

Among the structures that the company built in Houston are the following:

### No dates listed:

- 2005 Bellmeade Road
- 2211 Brentwood Drive
- 2227 Brentwood Drive
- 2521 Brentwood Drive
- 2128 Del Monte Drive
- 3424 Del Monte Drive
- 3218 Ella Lee Lane
- 3257 Ella Lee lane
- 3221 Huntingdon Place
- 3233 Huntingdon Place
- 1558 Kirby Drive
- 2117 Looscan Lane (Benson's own home)
- 2124 Looscan Lane
- 2148 Looscan Lane
- 2209 Looscan Lane
- 2217 Looscan Lane
- 2234 Inwood Drive
- 2439 Inwood Drive
- 2104 Pelham Drive
- 2204 Pelham Drive
- 2226 Pelham Drive

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

- 2236 Pelham Drive
- 2442 Pelham Drive
- 2520 Pelham Drive
- 2104 Pine Valley
- 2216 Stanmore Drive
- 2236 Stanmore Drive
- 2151 Troon Road
- 2181 Troon Road

### 1927:

- Store, Leeland and Milam
- Parks House, River Oaks
- Sears House, River Oaks
- Stapler House, 2212 Dunstan
- Bus Building, 3901 Main Street

### 1928:

- Apartments, 2214 Dunlavy
- Ledbetter House, 3215 Huntingdon
- Apartments, 2206 Mason
- Duplex, 2005 Arbor Drive
- Apartments, 1125 Milford
- Garage, 2314 Main Street
- Apartments, 1419 Wheeler

### 1930:

- Houses, 2124-2217 Looscan Lane
- House, 3032 San Felipe
- Monroe House, 1624 Kirby Drive
- Mead House, 2128 Chilton Road
- Jolley House, 2527 Pelham (Landmark)
- Weaver House, 3443 Inwood Drive
- Wooters House, 2119 Pine Valley
- Zumwalt House, 2505 Inwood Drive

### 1932:

- Coleman House, 6 Shadow Lawn

- Shirley House, 2209 Looscan Lane
- Bruce House, 3101 Wheeler

### 1933:

- Goldston House, 2118 Pine Valley
- Freeman House, 2916 Chevy Chase
- Johnston House, 1103 Eagle
- Robins House, Chevy Chase
- Trotter House, 2148 Troon Road

### 1934:

- Houston Casket Co., 1717 Live Oak
- Knapp Speculative House, 2129 Del Monte
- Scott House, 2228 Del Monte

### 1935:

- Knapp Speculative House, 1112 Shepherd
- Stevens House, 2404 Brentwood
- Knapp Speculative House, 2148 Looscan
- Dittmar House, 3305 Bissonnet
- Knapp Speculative House, 2248 Chilton
- Taggart House, 2125 Bellmeade
- Rogers House, 1927 Bellmeade
- Townes House, 3250 Reba Drive
- Killson House, 1839 Kirby Drive

### 1936:

- Hamman House, Chevy Chase
- 2306-14 Vermont apartments for River Oaks Corporation
- Faulkner House, 2136 Pelham
- Hamaker House, 1537 Kirby
- Kendall House, 2136 Troon
- Knapp Speculative House, 2022 Chilton
- Taylor House, 2137 Chilton
- Apartments on San Felipe, River Oaks Corp.
- Benson House, 2117 Chilton
- Knapp Speculative House, 2216 Chilton

## ARCHITECTURAL DESCRIPTION AND RESTORATION HISTORY

The house at 1902 Sunset Blvd. was constructed in 1934 by the Benson Hall Co. at a cost of \$12,000. The 3,180 square foot house faces south on a 12,350 square foot corner lot, and was designed in a Colonial Revival style.

The house is a rectangular shape with a central entrance. The west side of the house cannot be seen from the street due to a neighbor's fence and close proximity to the lot line.

# CITY OF HOUSTON

Planning and Development

## Archaeological & Historical Commission Department

The south, or front, facade of the house has a wood-paneled door with a flat pediment surround of wood, and a glass transom. To the west is a set of three 6-over-6 wood sash windows. To the east is a set of four 6-over-6 wood sash windows. Above the entrance on the second story is set of three 6-over-6 wood sash windows. Additionally, there are sets of three 6-over-6 wood sash windows to the east and west of the central set, making three sets in total. All windows feature brick sills. A brick course runs between the first and second story facades. The roof is side gabled and is covered with asphalt roofing.

The east facade faces Kent Street. Moving north on the east facade, there are two 6-over-6 wood sash windows on the first story facade, and two 6-over-6 wood sash windows on the second story facade. An attic window is in the attic story. The brick chimney projects from the roof but is not delineated on the outside facade. A small, two-story, brick addition projects east. It also has a side gabled roof. 6-over-6 windows, one on the first story and one on the second story, face south. On the east facade of this addition are two 6-over-6 wood sash windows on both the first and second story facades.

The house is in excellent condition, and has been exceptionally maintained by the current owners.

### BIBLIOGRAPHY

Janelle D. Scott, "WARD, HORTENSE SPARKS," Handbook of Texas Online  
(<http://www.tshaonline.org/handbook/online/articles/fwa83>), accessed January 09, 2014.  
Published by the Texas State Historical Association

Thomas D. Anderson, "ANDERSON, MONROE DUNAWAY," Handbook of Texas Online  
(<http://www.tshaonline.org/handbook/online/articles/fan09>), accessed January 11, 2014.  
Published by the Texas State Historical Association. T.G.C.A. Monthly Bulletin, June, 1934.

Houston City Directories, various publishers  
Texas General Contractors' Association Bulletin  
Various resources from Ancestry.com

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



# CITY OF HOUSTON

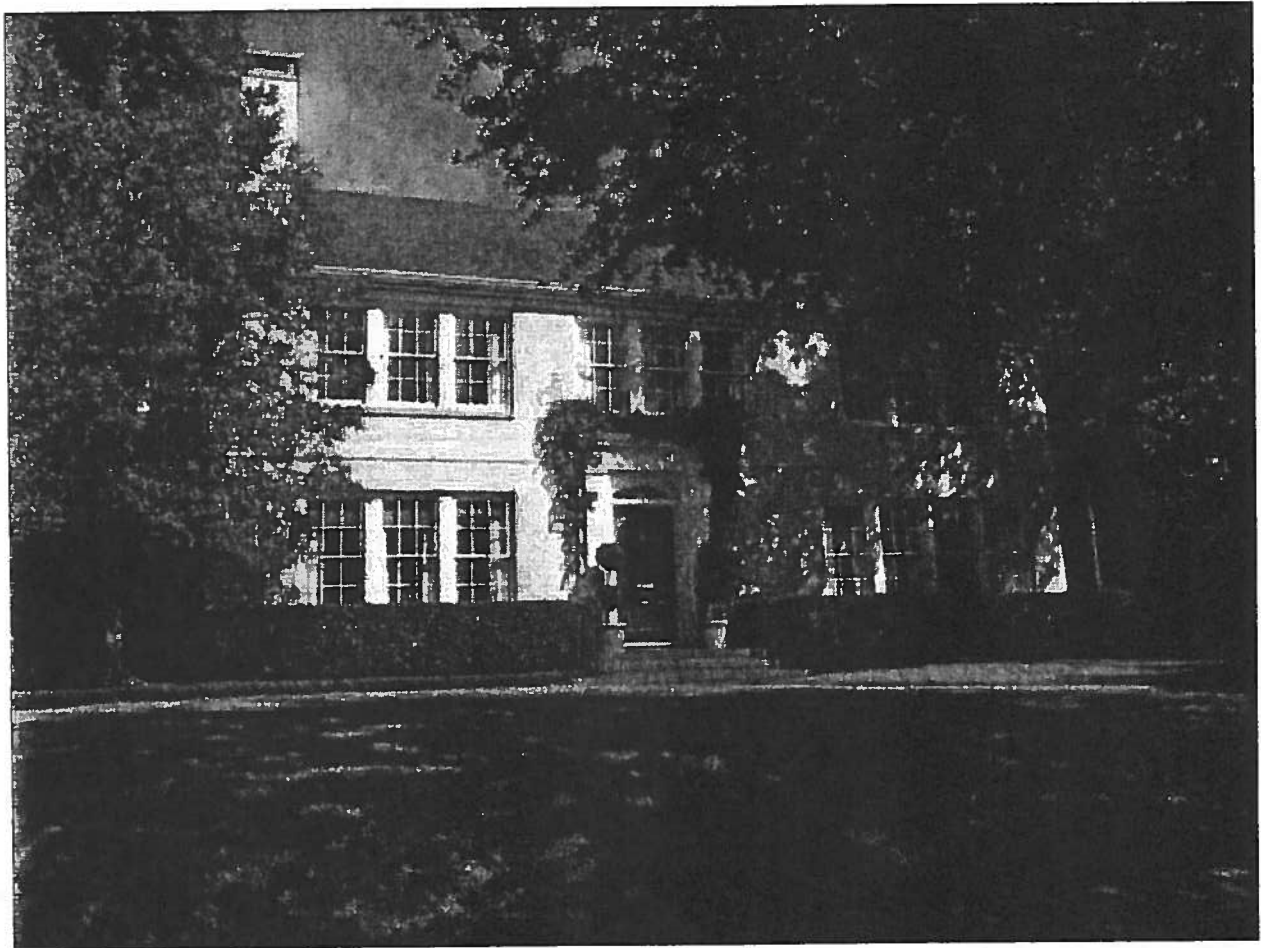
Archaeological & Historical Commission

Planning and Development Department

## EXHIBIT A

### PHOTOS

HORTENSE SPARKS AND WILLIAM WARD / M.D. ANDERSON HOUSE  
1902 SUNSET BOULEVARD



# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

---

## EASTERN PERSPECTIVE



# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## EXHIBIT B SITE MAP

HORTENSE SPARKS AND WILLIAM WARD / M.D. ANDERSON HOUSE  
1902 SUNSET BOULEVARD



City of Houston, Texas, Resolution No. 2014-\_\_\_\_\_

**A RESOLUTION DESIGNATING THE HORTENSE SPARKS AND WILLIAM WARD/M.D. ANDERSON HOUSE LOCATED AT 1902 SUNSET BOULEVARD WITHIN THE CITY OF HOUSTON AS A HISTORIC LANDMARK.**

\* \* \* \* \*

**WHEREAS**, Section 33-225(c) of the City of Houston Code of Ordinances authorizes the City Council to consider each application for designation of a historic landmark after receiving a recommendation from the Houston Archaeological and Historical Commission; and

**WHEREAS**, Section 33-224 of the City of Houston Code of Ordinances authorizes the City Council to consider the appropriate criteria as enumerated therein for the designation of a historic landmark; and

**WHEREAS**, Section 33-225(c) of the City of Houston Code of Ordinances authorizes the City Council to decide whether to designate the property as a historic landmark; and

**WHEREAS**, the City Council has considered the application for designation of the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, as a historic landmark after receiving a recommendation from the Houston Archaeological and Historical Commission; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That the City Council finds that the application for designation of the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, as a historic landmark satisfies the applicable criteria of Section 33-224 of the City of Houston Code of Ordinances.

**Section 2.** That the City Council hereby designates the property described in Exhibit "A," as a historic landmark.

**Section 3.** That the City Council approves the property description contained in Exhibit "A," attached hereto and made a part hereof.

**Section 4.** That this Resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution 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 \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Resolution is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

  
Assistant City Attorney

(Prepared by Legal Dept.  
SOI/fg 05/28/2014

Requested, Patrick Walsh, Interim Director, Department of Planning and Development  
L.D. File No. 0611400067001

G:\LANDIOMAR IZFAR\HISTORIC PRESERVATION\LANDMARK\1902 SUNSET BOULEVARD - HORTENSE SPARKS AND  
WILLIAM WARD\_MD ANDERSON HOUSE.DOC

## **EXHIBIT "A"**

### **PROPERTY DESCRIPTION:**

Lot 6, Block 32, Southampton Place, a subdivision in Harris County, Texas according to the map or plat thereof, recorded in Volume 6, Page 52, of the Map Records of Harris County, Texas. The site includes a historic two-story, brick, single-family residence.

### **STREET ADDRESS:**

1902 Sunset Boulevard, Houston, TX 77005.

### **BUILDING DESCRIPTION:**

Hortense Sparks and William Ward/M.D. Anderson House.

### **OWNER:**

Steve and Ashley Putman.

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District I

Item Creation Date: 5/27/2014

PLN-Hermann Estate Building at 204 Travis Street

Agenda Item#: 24.

**Summary:**

RESOLUTION designating the **HERMANN ESTATE BUILDING** located at 204 Travis Street within the City of Houston as a landmark and protected landmark - **DISTRICT I - GALLEGOS**

**Background:**

Approval of a resolution designating the Hermann Estate Building at 204 Travis Street as a Landmark and Protected Landmark in accordance with Chapter 33, Code of Ordinances

**Amount of Funding:**

N/A

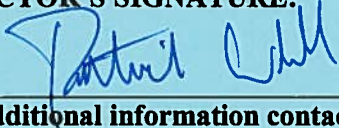
**Contact Information:**

John Gardosik 713-837-7944

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> PLN-Hermann Estate Building at 204 Travis Street	Signed Cover sheet
<input type="checkbox"/> backup	Backup Material
<input type="checkbox"/> Ord	Ordinance/Resolution/Motion

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

<b>SUBJECT:</b> Approval of a resolution designating the Hermann Estate Building at 204 Travis Street as a Landmark and Protected Landmark in accordance with Chapter 33, Code of Ordinances		<b>Category #</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b> Planning and Development		<b>Origination Date</b> May 6, 2014		<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> I		
<b>For additional information contact:</b> John Gardosik Phone: 713.837.7944		<b>Date and identification of prior authorizing Council action:</b> N/A		
<b>RECOMMENDATION: (Summary)</b> Approval of a resolution designating the Hermann Estate Building at 204 Travis Street as a Landmark and Protected Landmark				
<b>Amount and Source of Funding:</b> N/A			<b>Finance Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> A property owner may initiate an application for the designation of a Landmark and Protected Landmark, for which a 90-day waiver certificate may not be issued by the planning official. This application for Landmark and Protected Landmark designation of the Hermann Estate Building at 204 Travis Street was initiated by the Hermann Lofts Homeowners Association on behalf of its members.  A public hearing was held on March 27, 2014 by the Houston Archaeological and Historical Commission and there were no objections to the designation. The Houston Archaeological and Historical Commission determined that the application satisfied applicable criteria of the ordinance and unanimously recommended approval of the Landmark and Protected Landmark designation.				
Attachments: Application and Staff Report				
xc: Minnette Boesel, Mayor's Assistant for Cultural Affairs David M. Feldman, City Attorney Omar Izfar, Real Estate Section, Office of the City Attorney C.A. McClelland, Chief, Police Department Terry A. Garrison, Chief, Fire Department				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

*SLA*

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

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

**To Be Completed by Planning Staff**

Date accepted as complete: 2 / 27 / 14

HPO File Number: 14PL118

Accepted By: [Signature]

**APPLICANT INFORMATION**

Legal Owner's Name (Please print) <u>Multiple Owners</u>		
Address <u>204 Travis Street</u>		
City <u>Houston</u>	State <u>TX</u>	ZIP <u>77002</u>
Phone/Fax		
Email		
Signature		Date

Agent's Name (if applicable)(Please print) <u>Michael Marlotte*</u>		
Address <u>204 Travis Street #7D</u>		
City <u>Houston</u>	State <u>TX</u>	ZIP <u>77002</u>
Phone/Fax <u>713.226.8029</u>		
Email		
Signature <u>[Signature]</u>		Date <u>2.27.14</u>

**PROPOSED DESIGNATION**

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

\*Sec. 33-250 -90 day waiver certificate and Sec. 33-254 - Demolition by Neglect - see Code of Ord. -Chapter 33 VII - Historic Preservation - ([www.houston.tx.gov/codes/chapters31to35.html](http://www.houston.tx.gov/codes/chapters31to35.html))

**SITE INFORMATION**

NOTE: Site information is required and must accompany the application. Please provide a copy of the deed or other similar document verifying ownership and providing the property legal description.

Site Address <u>204 Travis Street, Houston</u>
General description <u>8 story residential loft building</u> <u>formerly World War I-era</u>

Tax account number	
Subdivision <u>South side Buffalo Bayou</u>	
Lot <u>1, 2, 3, 9, 10 &amp; 11</u>	Block <u>19</u>

Commercial office building.

**DOCUMENTATION MUST BE PROVIDED WITH APPLICATION (WHERE APPLICABLE)**

- IF Site is already designated as a City of Houston Landmark, OR listed individually in the National Register of Historic Place OR designated as a Recorded Texas Historic Landmark OR State Archeological Landmark:
  - A) Complete copy of the original nomination. If site has received multiple designations, or if there have been any amendments/revisions which provide information necessary to meet designation criteria found in the Historic Preservation Ordinance, please provide this information too.

\* President of the Hermann Lofts Homeowners Association on behalf of its members, the owners of the Proposed Protected Landmark

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## PROTECTED LANDMARK DESIGNATION REPORT

**LANDMARK NAME:** The Hermann Estate Building  
**OWNERS:** Hermann Lofts Homeowners Association  
**APPLICANT:** Michael Marcotte, President,  
Hermann Lofts Homeowners Association  
**LOCATION:** 204 Travis – Main Street Market Square

**AGENDA ITEM:** III  
**HPO FILE NO.:** 14PL118  
**DATE ACCEPTED:** Feb-27-2014  
**HAHC HEARING DATE:** Mar-27-2014

### SITE INFORMATION

Lots 1, 2, 3, 9, 10 & 11, Block 19, Southside Buffalo Bayou, City of Houston, Harris County, Texas. The site includes a historic eight-story brick residential building.

**TYPE OF APPROVAL REQUESTED:** Protected Landmark Designation

### HISTORY AND SIGNIFICANCE SUMMARY

The Hermann Estate Building, also known as the Hermann Lofts Building, was originally called the George Hermann Estate Building. Construction of the building began in 1916 and was completed in 1917.

The building was commissioned by the estate of George Henry Hermann (1843-1914), a Houston resident who accumulated a personal fortune through various business enterprises. Hermann was a philanthropist who donated much of the land on which Hermann Park now sits and funded what is now known as Memorial Hermann Hospital, among his many contributions to the City and residents of Houston.

The Hermann Estate Building was designed in the Neo-Classical style by Houston architect Louis A. Glover of F. Glover and Son architects. Louis Glover designed several other significant buildings in Houston including the Julia Ideson Building of the Houston Public Library, Lamar High School, Reagan High School, Milby High School, Deady Junior High School, and several private residences, including the Helm-McDonough house.

The Hermann Estate Building originally was designed to house personnel working in the cotton industry. The building housed cotton related businesses until approximately 1924. From 1924-58, the building housed various commercial businesses and tenants. In 1958, the building was sold to the Salvation Army, which occupied it until 1975. The building was vacant and boarded up from 1975 until 1996, when it was sold to private investors and converted into and sold as residential lofts, its current use.

The Hermann Estate Building is located within the Main Street Market Square Historic District, which is both a City of Houston historic district and listed in the National Register of Historic Places. The Hermann Estate Building was designated a "contributing" structure to both the city and national historic districts. The Hermann Estate Building is adjacent on its north side to the Houston Cotton Exchange Building (1884) and on its south side to the W.L. Foley Dry Goods Co. Building (1889).

# CITY OF HOUSTON

**Archaeological & Historical Commission**

**Planning and Development Department**

The Hermann Estate Building is a good and intact example of a World War I era commercial office building designed in the Neo-Classical style. The building's façade includes an iron sidewalk canopy, one of the very few remaining examples of this once prevalent architectural element in Houston.

## **HISTORY AND SIGNIFICANCE**

### *George Henry Hermann*

The Hermann Estate Building is significant because of its association with the estate of George Henry Hermann, an influential and wealthy Houston businessman and a significant philanthropist. George Hermann was the youngest of four sons of Martha and John Hermann of Davos, Switzerland, who arrived in Houston in 1838. John Hermann, a veteran of the Battle of Waterloo, established a bakery on Main Street. George Hermann was born in Houston on August 6, 1843.

At the age of eighteen, George Hermann joined the 26th Texas Calvary serving in the Confederate Army until it was disbanded on May 15, 1865. He saw action in Texas and Louisiana.

In 1872, Hermann formed a partnership with W.J. and J.J. Settegast to sell land and cattle. From 1884 on, Hermann dealt exclusively in real estate. Among his many transactions was a tract of land in northern Harris County which lay at the center of the Humble oil producing field that was discovered in 1904.

Hermann went on to amass a huge fortune. At the time of his death, his estate was worth approximately \$5 million dollars. In May 1914, five months prior to his death, Hermann donated over 275 acres of land to the City of Houston for the establishment of what is now known as Hermann Park, which borders Houston's museum district and Rice University, and is home to the Houston Zoo (since January 1925) and Miller Outdoor Theater (which opened in 1923).

Hermann died on October 21, 1914, in a hospital in Baltimore, Maryland. Hermann's funeral was held in Houston's City Auditorium on October 27, 1914. Houston's schools, business and government offices were closed for the day by a public proclamation. Flags were hung at half-mast and the bell on top of City Hall tolled.

Hermann, a bachelor, died without heirs. His will was read following his funeral service. It provided for the bulk of his estate to be used for the establishment and maintenance of a charity hospital, which was named Hermann Hospital (1925) and is now known as Memorial Hermann Hospital. Hermann also left the site of the Hermann family home at Walker and Smith Streets to the City of Houston to become "a resting spot or breathing space" and to be named Martha Hermann Square after his mother. Hermann Square is today the site of Houston's City Hall. Hermann's executors also used part of his estate for the construction of what is now the Hermann Building.

### *Louis Antonio Glover*

The Hermann Building also is significant because of its association with Louis Antonio Glover (1884-1959), the architect who designed the building. Louis Glover was born in 1884 and raised in Harrisburg, Texas. He was the son of Houston architect Frank S. Glover. Louis Glover began working as a draftsman in his father's firm as early as 1907. In 1911, Frank Glover changed his firm's name to F.S. Glover and Son, Architects. In 1912, F.S. Glover and Son, Architects, designed the Tel-Electric Building for George Hermann who, among his other business ventures, was then president of the Tel-Electric Company.

# CITY OF HOUSTON

## Archaeological & Historical Commission

## Planning and Development Department

Louis Glover died in 1959. At the time of his death, he was a member of Trinity Episcopal Church and the American Institute of Architects.

In addition to the Hermann Estate Building, Louis Glover designed several other significant buildings in Houston, including:

- The Julia Ideson Building of the Houston Public Library, 1926 (with Cram and Ferguson and William Ward Watkin)
- Mirabeau Lamar High School, 1937 (with John F. Staub, Kenneth Franzheim, Lamar Q. Cato and Harry D. Payne)
- John H. Reagan High School, 1926 (with John Staub)
- James W. Deady Junior High School, 1928
- Charles H. Milby High School, 1926
- Several private residences, including the Helm-McDonough house, which is located at 2107 Looscan Lane in River Oaks, and was designated a Landmark by the Houston Archaeological and Historical Commission in 2012.

### *Relationship to the Cotton Trade Business*

The Hermann Estate Building is significant in the area of commerce for its early association with the cotton industry, which played a significant role in the development of Texas and the City of Houston. The building is one block from the Old Market Square, the earliest open trading market in Houston and the site of the city's first City Hall. The Hermann Estate Building was constructed next door to the original Houston Cotton Exchange Building and originally was intended as an office building for "the use of cotton men and equipped with sampling and classing rooms." By 1916, when construction of the Hermann Estate Building began, the cotton trade in Houston was reaching its peak years and adequate space for people in the trade, including brokers, exporters and classers, was not available in the Cotton Exchange Building and they were spread throughout the area. Having a large office building next to the Cotton Exchange to house these workers was an obvious solution. When the Hermann Estate Building was completed in late 1917, it quickly filled with tenants. People in the cotton trade leased all of the upper floors, The Guaranty State Bank and the Federal Reserve Branch Bank shared the ground floor, and Gulf Publishing Company leased the basement. The relationship between the Hermann Estate Building and the cotton industry lasted for approximately seven years. A new Cotton Exchange Building was constructed at Prairie and Caroline Streets in 1924 and many of the Hermann Estate Building's cotton related tenants relocated there. In 1923, the Solo-Serve Company, Inc. (dry goods) moved into the Federal Reserve Bank quarters. In 1924, The Guaranty National Bank moved out and Solo-Serve took over the entire ground floor until the late 1950s when the building was sold to the Salvation Army. During World War II, the Selective Service rented all of the upper floors of the Hermann Estate Building. After the war, the building housed lawyers, union offices, real estate and finance loan companies.

By 1957, however, the building was nearly totally vacant. The Salvation Army bought the Hermann Estate Building in 1958 and occupied it until 1975. The building remained vacant until 1996 when it was sold to private developers (Douglas Crosson, Threshold Interests, Houston and Wally Hultin, Byers Street Properties, Denver) and converted into and sold by them as residential lofts. The renovated building offered the first residential lofts for sale in downtown Houston.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## ARCHITECTURAL SIGNIFICANCE AND RESTORATION HISTORY

The Hermann Estate Building is significant in the area of architecture as a good and intact example of a World War I-era commercial office building designed in the Neo-Classical style. The building's iron sidewalk canopy on its east facing façade is one of the very few remaining examples of what was once a prevalent architectural element in Houston. The exterior façade of the building, including the iron sidewalk canopy and balustrade, were restored and preserved in the 1996-1997 renovation and conversion of the building to residential lofts.

The building is eight stories high and has approximately 90,000 square feet of interior space. The upper floors form a T -configuration over the first floor base. The structure is built over a basement and sub-basement that currently serve as garage and storage areas for the building's residents. The structure is reinforced concrete construction. The east elevation is faced with yellow brick and the other three sides are painted stucco on masonry with steel framed windows. The upper seven floors of the building are composed of five repeating bays each containing three undecorated wood framed windows joined by a common stone-like sill. Each bay is divided by a brick pilaster that protrudes slightly from the wall surface, as do the sills.

An entrance lobby with marble floors and wainscoting is on the first floor, as is the entrance to the single elevator that serves the building. A cast iron sidewalk canopy runs the length of the Travis Street facade (approximately 100 feet) and extends from the top of the ground floor to the second floor. Six pairs of thin iron columns that reach to a decorated cast iron frieze support the canopy. An iron railing crowns the canopy on three sides, creating a balcony on the second floor.

The windows of the east elevation are double hung sash windows except on the second floor where the central window in each bay extends below the lintel and instead is a multi-pane French door. The size and type of windows on the north and south elevations vary from double hung sash type toward the front to large steel framed awning windows toward the rear. The west elevation also contains large steel framed awning windows.

A plain stone cornice that is upheld by oversized modillions decorates the roofline. Decorative terra cotta at the frieze level under the cornice enhances the Neo-Classical aspect of the building.

There is a commercial unit (currently housing a restaurant) on the ground floor of the building that is entered through a separate entry on Travis Street in the third bay.

In 1996-1997, the building was renovated and converted to 28 residential loft units. The historical integrity of the building's exterior was preserved in the renovation. As part of the renovation, all exterior masonry and terra cotta elements and stucco surfaces were cleaned and repaired; the cast iron balustrade and all components of the canopy were restored; the windows were replaced with energy efficient windows; the doorway entrances to the building located in the fourth and fifth bays of the ground floor were converted to entrances to the two parking garage levels; and a three tiered zig-zag metal fire escape that ran down the center of the east elevation that was not original to the building was removed.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

---

## BIBLIOGRAPHY

Architectural Plans for Hermann Lofts, No. 97-6498, Gensler

"Condo Lofts Slated for Downtown", *Houston Chronicle*, March 6, 1996

*Houston Architectural Survey No. 1, Downtown South of Texas Avenue, Downtown North of Texas Avenue*, Southwest Center for Urban Research (1980)

*Houston: The Unknown City 1836-1946*, Johnston, Marguerite (Texas A & M Press: 1991)

"Hermann Building Being Redeveloped into Lofts", *Downtown/Neartown This Week*, May 15, 1996

"Hermann Lofts: Purchasing a Piece of History", *News of the Downtown District*, Summer 1996

<http://www.nationalhistoricregister.com/TX/Harris/districts.html>

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

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## APPROVAL CRITERIA FOR PROTECTED LANDMARK DESIGNATION

### Sec. 33-224. Criteria for designation

(a) The HAHC, in making recommendations with respect to designation, and the city council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

- | S                                   | NA                                  |  | S - satisfies | D - does not satisfy | NA - not applicable |
|-------------------------------------|-------------------------------------|--|---------------|----------------------|---------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;                    |               |                      |                     |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;   |               |                      |                     |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;                    |               |                      |                     |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;  |               |                      |                     |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;   |               |                      |                     |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state, or nation; |               |                      |                     |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | (7) Whether specific evidence exists that unique archaeological resources are present;   |               |                      |                     |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.   |               |                      |                     |

### AND

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

### STAFF RECOMMENDATION

Staff recommends that the Houston Archaeological and Historical Commission recommend to City Council the Protected Landmark Designation of the Hermann Estate Building at 204 Travis Street.

### HAHC ACTION

Recommended to City Council the Protected Landmark Designation of the Hermann Estate Building at 204 Travis Street.

# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

**EXHIBIT A**  
**PHOTOS**  
HERMANN ESTATE BUILDING  
204 TRAVIS STREET



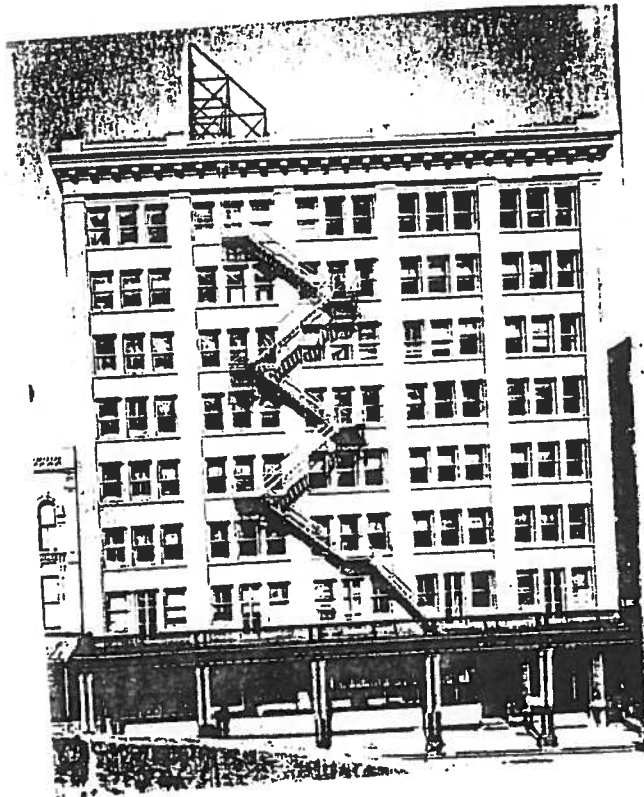
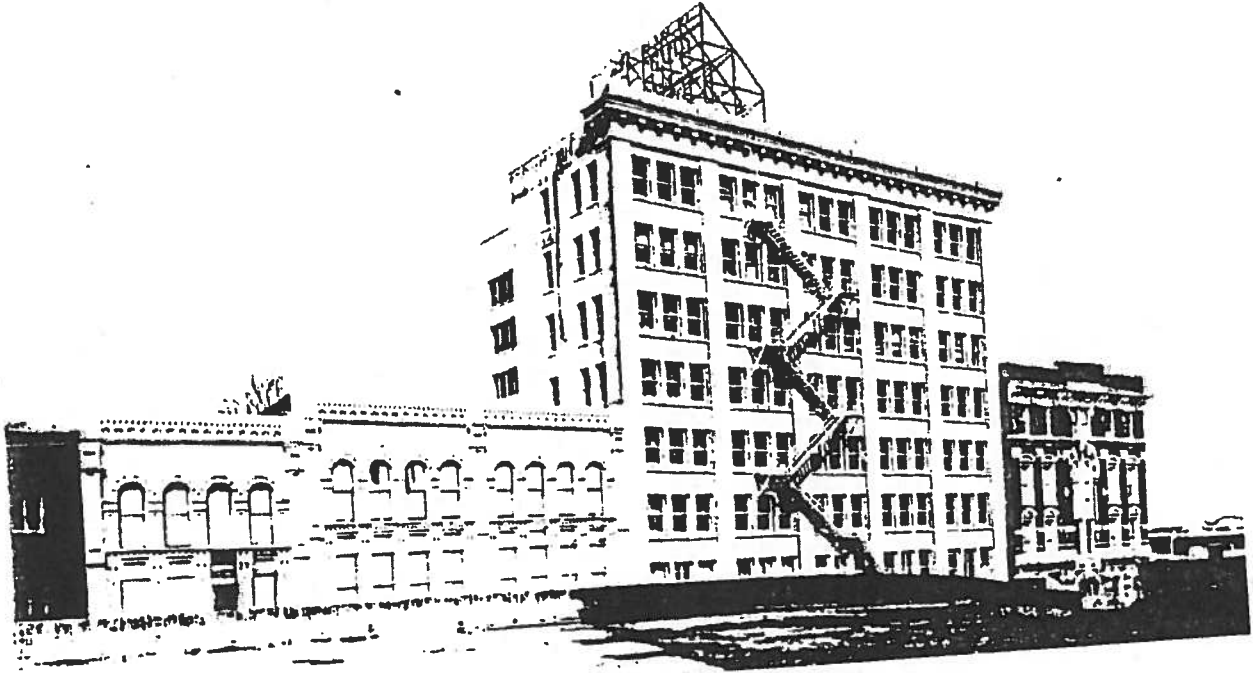
# CITY OF HOUSTON

Planning and Development Department

Archaeological & Historical Commission

APPEARANCE IN 1980 PRIOR TO LOFT CONVERSION

5

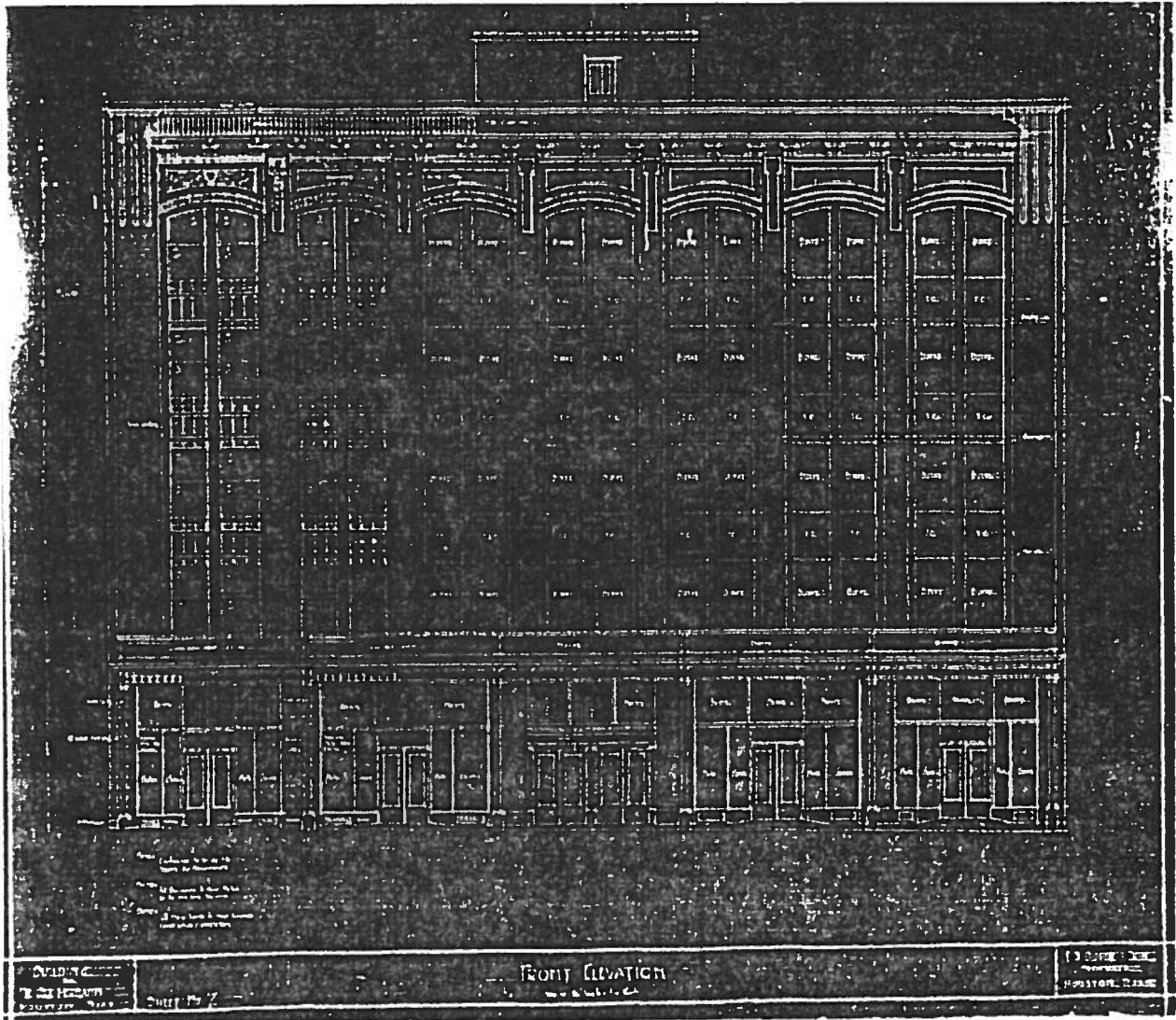


# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

## EXHIBIT B ORIGINAL ARCHITECTURAL DRAWING HERMANN ESTATE BUILDING 204 TRAVIS STREET



# CITY OF HOUSTON

Archaeological & Historical Commission

Planning and Development Department

**EXHIBIT C**  
**SITE MAP**  
HERMANN ESTATE BUILDING  
204 TRAVIS STREET

**MAIN STREET MARKET SQUARE HISTORIC DISTRICT**



City of Houston, Texas, Resolution No. 2014-\_\_\_\_\_

**A RESOLUTION DESIGNATING THE HERMANN ESTATE BUILDING LOCATED AT 204 TRAVIS STREET WITHIN THE CITY OF HOUSTON AS A LANDMARK AND PROTECTED LANDMARK.**

\* \* \* \* \*

**WHEREAS**, an application for designation of the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, (the "property"), was filed with the Department of Planning and Development requesting the designation of the property as a Landmark and Protected Landmark pursuant to Section 33-222 of the City of Houston Code of Ordinances (the "Code"); and

**WHEREAS**, the Houston Archaeological and Historical Commission (the "HAHC") has determined that the property meets the criteria for designation as a Landmark and Protected Landmark pursuant to Sections 33-224 and 33-229(a) of the Code, respectively, and recommended that the property be designated as a Landmark and Protected Landmark; and

**WHEREAS**, Sections 33-225(c) and 33-229(c) of the Code authorize the City Council to consider each application for designation as a Landmark and Protected Landmark after receiving a recommendation from the HAHC; and

**WHEREAS**, Section 33-224 of the Code authorizes the City Council to consider the appropriate criteria as enumerated therein for the designation of a Landmark and Protected Landmark; and

**WHEREAS**, Section 33-225(c) of the Code authorizes the City Council to decide whether to designate the property as a Landmark and Protected Landmark; and

**WHEREAS**, the City Council has considered an application for designation of the property as a Landmark and Protected Landmark after receiving a recommendation from the HAHC and the appropriate criteria; **NOW, THEREFORE**;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That the City Council finds that the application for designation of the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, as a Landmark and Protected Landmark satisfies the applicable criteria of Sections 33-224 and 33-229(a) of the City of Houston Code of Ordinances.

**Section 2.** That the City Council hereby designates the property listed on Exhibit

**Section 2.** That the City Council hereby designates the property listed on Exhibit "A," as a Landmark and Protected Landmark.

**Section 3.** That the City Council approves the property description as established in the description attached hereto and made a part of for all purposes as Exhibit "A."

**Section 4.** That this Resolution shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

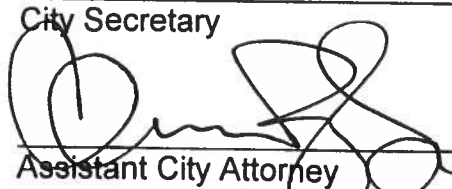
**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2014.

**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

 GWP

\_\_\_\_\_  
Assistant City Attorney

(Prepared by Legal Department:

SOI/fg 05/23/2014

Requested by Patrick Walsh, Director, Department of Planning and Development

L.D. File No. 0611400070001)

G:\LAND\OMAR IZFAR\HISTORIC PRESERVATION\PROTECTED LANDMARK\HERMANN ESTATE BUILDING.DOC

## **EXHIBIT "A"**

### **PROPERTY DESCRIPTION:**

Herman Lofts Condominium, a condominium project in the City of Houston, Harris County, Texas, as fully described in and as located, delineated and as defined in the condominium declaration for Herman Lofts Condominium, together with the survey plat, by-laws and exhibits attached thereto, Recorded under Film Code No. 172041, as amended under Film Code Nos. 173077 and 202096 of the Condominium Records of Harris County, Texas. The site includes a historic eight-story, brick residential building.

### **STREET ADDRESS:**

204 Travis Street, Houston, Texas 77002.

### **BUILDING DESCRIPTION:**

The Hermann Estate Building.

### **OWNER:**

Hermann Lofts Homeowners Association.

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/24/2014

HR-Revisions to the Master Classification Ordinance for City Employees

Agenda Item#: 25.

**Summary:**

ORDINANCE amending the City’s Master Classification Ordinance (City of Houston Ordinance No. 90-1292, as most recently amended by City of Houston Ordinance No. 2014-592) to add five job classifications, and revise two job classifications; providing a repealer; providing for severability

**Background:**

The Human Resources Department recommends the following revisions to the civilian Master Classification Listing. These revisions can be found on Exhibit A of the ordinance.

**A. Add job classification**

<u>Proposed Job Title</u>	<u>Proposed Pay Grade</u>
DWI Technician 13	
Senior DWI Technician 16	

New classifications dedicated to the HPD DWI testing function. Should enhance retention of employees with this key skill set.

<u>Proposed Job Title</u>	<u>Proposed Pay Grade</u>
Security Technician 17	
Senior Security Technician 23	
Security Technician Supervisor	25

Currently the General Services Department is using IT titles that leave the incumbents working out of classification. The proposed job classifications will correct that issue.

**B. Job Classification Revisions**

<u>Current Job Title</u>	<u>Proposed Job Title</u>
Parking Enforcement Officer	Parking Compliance Officer
Parking Enforcement Leader	Parking Compliance Leader

These classifications needed to be updated in order to compete in the current market place. The proposed job classifications will correct this issue.

**Prior Council Action:**


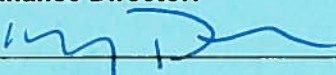
Rev. to Ord. 90-1292 as amended by Ord. 2014-592

**Contact Information:**

Omar Reid, Director Human Resources Department - (832) 393-6056

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> HR-Revisions to the Master Classification Ordinance for City Employees RCA	Signed Cover sheet
<input type="checkbox"/> HR-Revisions to the Master Classification Ordinance including Exhibit A	Ordinance/Resolution/Motion

<b>SUBJECT:</b> Revisions to the Master Classification Ordinance for City Employees		<b>Category</b> # 3	<b>Page</b> 1 of 1	<b>Agenda Item</b> #
<b>FROM (Department or other point of origin):</b> Human Resources Department		<b>Origination Date</b> September 18, 2014	<b>Agenda Date</b>	
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> ALL		
<b>For additional information contact:</b> Omar Reid Phone: (832) 393-6056		<b>Date and identification of prior authorizing Council action:</b> Rev. to Ord. 90-1292 as amended by Ord. 2014-592		
<b>RECOMMENDATION: (Summary)</b> Approve the proposed revisions to the Master Classification Ordinance by adding seven job classifications.				
<b>Amount &amp; Source of Funding:</b> None			<b>Budget:</b>	
<b>SPECIFIC EXPLANATION:</b> The Human Resources Department recommends the following revisions to the civilian Master Classification Listing. These revisions can be found on Exhibit A of the ordinance.				
<b>A. Add job classifications</b>				
<b>Proposed Job Title</b>		<b>Proposed Pay Grade</b>		
DWI Technician		13		
Senior DWI Technician		16		
New classifications dedicated to the HPD DWI testing function. Should enhance retention of employees with this key skill set.				
<b>Proposed Job Title</b>		<b>Proposed Pay Grade</b>		
Security Technician		17		
Senior Security Technician		23		
Security Technician Supervisor		25		
Currently the General Services Department is using IT titles that leave the incumbents working out of classification. The proposed job classifications will correct that issue.				
<b>REQUIRED AUTHORIZATION</b>				
<b>Finance Director:</b> 		<b>Other Authorization:</b>		<b>Other Authorization:</b>

**B. Job Classification Revisions**

<u>Current Job Title</u>	<u>Proposed Job Title</u>
Parking Enforcement Officer	Parking Compliance Officer
Parking Enforcement Leader	Parking Compliance Leader

These classifications needed to be updated in order to compete in the current market place. The proposed job classifications will correct this issue.

City of Houston, Texas, Ordinance No. 2014-\_\_\_\_\_

**AN ORDINANCE AMENDING THE CITY'S MASTER CLASSIFICATION ORDINANCE (CITY OF HOUSTON ORDINANCE NO. 90-1292, AS MOST RECENTLY AMENDED BY CITY OF HOUSTON ORDINANCE NO. 2014-592) TO ADD FIVE JOB CLASSIFICATIONS, AND REVISE TWO JOB CLASSIFICATIONS; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

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

**Section 1.** That City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2014-592) is hereby amended by replacing Exhibit A, which is attached hereto and incorporated herein for all purposes.

**Section 2.** That all ordinances and parts of ordinances in conflict herewith are hereby expressly repealed to the extent of such conflict only.

**Section 3.** 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 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 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 as follow: Exhibit A will take effect on the effective date of this Ordinance.

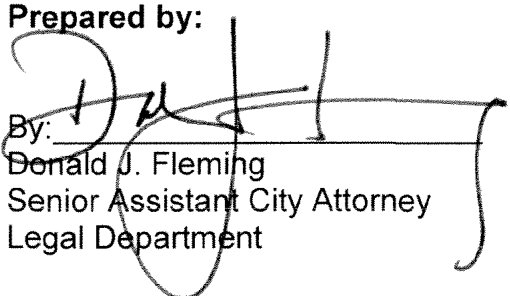
**PASSED AND APPROVED this \_\_\_ day of \_\_\_\_\_, 2014.**

\_\_\_\_\_  
Mayor of the City of Houston

**APPROVED:**

By: \_\_\_\_\_  
Omar C. Reid  
Director  
Human Resources Department

**Prepared by:**

By:   
Donald J. Fleming  
Senior Assistant City Attorney  
Legal Department

DJF:asr  
9/23/14

# **EXHIBIT A**

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
3-1-1 CUSTODIAN OF RECORDS	16
3-1-1 TELECOMMUNICATOR	13
3-1-1 TELECOMMUNICATOR SUPERVISOR	20
9-1-1 CUSTODIAN OF RECORDS	17
9-1-1 PSAP SUPERVISOR	21
9-1-1 PSAP SUPERVISOR-FIRE/EMS	23
9-1-1 TELECOMMUNICATOR	14
9-1-1 TELECOMMUNICATOR (CTO)	16
ABATEMENT SPECIALIST	14
ACCOUNT CLERK	10
ACCOUNT EXECUTIVE	19
ACCOUNTANT	17
ACCOUNTANT ASSOCIATE	14
ACCOUNTANT MANAGER	27
ACCOUNTANT SUPERVISOR	24
ACCOUNTING SERVICES SUPERVISOR	17
ADJUDICATION HEARING OFFICER	27
ADMINISTRATION & REGULATORY AFFAIRS DIRECTOR	37
ADMINISTRATION MANAGER	26
ADMINISTRATION MANAGER (EXECUTIVE LEVEL)	26
ADMINISTRATIVE AIDE	10
ADMINISTRATIVE ASSISTANT	17
ADMINISTRATIVE ASSISTANT (EXECUTIVE LEVEL)	17
ADMINISTRATIVE ASSOCIATE	13
ADMINISTRATIVE COORDINATOR	24
ADMINISTRATIVE COORDINATOR (EXECUTIVE LEVEL)	24
ADMINISTRATIVE JUDGE OF MUNICIPAL COURTS	31
ADMINISTRATIVE SPECIALIST	20
ADMINISTRATIVE SPECIALIST (EXECUTIVE LEVEL)	20
ADMINISTRATIVE SUPERVISOR	22
ADMINISTRATIVE SUPERVISOR (EXECUTIVE LEVEL)	22
AIRCRAFT GROUND CREWPERSON	5
AIRCRAFT MECHANIC	18
(Automatic \$25 biweekly increase with FAA Aircraft and Inspection License)	
AIRPORT BUSINESS DEVELOPMENT COORDINATOR	29
AIRPORT COMMUNICATIONS OPERATOR	13
AIRPORT COMMUNICATIONS SUPERVISOR	20
AIRPORT MANAGER (EXECUTIVE LEVEL)	32
AIRPORT OPERATIONS ASSISTANT	13
AIRPORT OPERATIONS COORDINATOR	20

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
AIRPORT OPERATIONS SPECIALIST	17
AIRPORT OPERATIONS SUPERVISOR	23
AIRPORT PROPERTIES ASSISTANT	20
AIRPORT PROPERTIES REPRESENTATIVE	23
AIRPORT SECURITY COORDINATOR	25
AIRPORT SECURITY INVESTIGATOR	23
AIRPORT SECURITY MANAGER	28
AIRPORT SUPERINTENDENT	25
AIRPORT SUPERVISOR	18
AIRPORT SYSTEMS TECHNICIAN	17
ANIMAL CARE TECHNICIAN	11
ANIMAL CONTROL MANAGER	25
ANIMAL CONTROL OFFICER	13
ANIMAL CONTROL OFFICER TRAINEE	11
ANIMAL CONTROL SUPERVISOR	22
AQUATIC CENTER SUPERVISOR	14
ARCHITECT	25
ARCHIVIST I	16
ARCHIVIST II	21
ARCHIVIST III	23
ARCHIVIST IV	25
ASSISTANT AIRPORT MANAGER	29
ASSISTANT AIRPORT SUPERINTENDENT	22
ASSISTANT BUYER	12
ASSISTANT C & E FACILITIES MANAGER	26
ASSISTANT CHIEF INSPECTOR	25
ASSISTANT CHIEF POLICY OFFICER (EXECUTIVE LEVEL)	32
ASSISTANT CITY ATTORNEY I	24
ASSISTANT CITY ATTORNEY II	27
ASSISTANT CITY AUDITOR I	14
ASSISTANT CITY AUDITOR II	19
ASSISTANT CITY AUDITOR III	25
ASSISTANT CITY AUDITOR IV	27
ASSISTANT CITY AUDITOR V	29
ASSISTANT CITY CONTROLLER I	13
ASSISTANT CITY CONTROLLER II	19
ASSISTANT CITY CONTROLLER III	25
ASSISTANT CITY CONTROLLER IV	27
ASSISTANT CITY CONTROLLER V	29
ASSISTANT CITY SECRETARY (EXECUTIVE LEVEL)	28

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
ASSISTANT CLERK OF THE COURT/ASSISTANT DIRECTOR (EXECUTIVE LEVEL)	32
ASSISTANT COMMUNICATIONS SUPERVISOR	21
ASSISTANT CUSTOMER SERVICE MANAGER	26
ASSISTANT DIRECTOR (EXECUTIVE LEVEL)	32
ASSISTANT DIRECTOR-AVIATION (EXECUTIVE LEVEL)	34
ASSISTANT DIRECTOR-CONTROLLER'S OFFICE (EXECUTIVE LEVEL)	28
ASSISTANT DIRECTOR-HUMAN RESOURCES (EXECUTIVE LEVEL)	32
ASSISTANT DIRECTOR-LIBRARY (EXECUTIVE LEVEL)	32
ASSISTANT DIRECTOR-MAYOR'S OFFICE (EXECUTIVE LEVEL)	23
ASSISTANT DIRECTOR-PARKS & RECREATION (EXECUTIVE LEVEL)	32
ASSISTANT DIRECTOR-PUBLIC HEALTH (EXECUTIVE LEVEL)	33
ASSISTANT DIRECTOR-PUBLIC WORKS (EXECUTIVE LEVEL)	34
ASSISTANT ELECTRICAL SUPERVISOR	22
ASSISTANT EMS PHYSICIAN DIRECTOR	33
ASSISTANT FIELD SUPERVISOR	15
ASSISTANT INDUSTRIAL MECHANIC	11
ASSISTANT OPERATIONS MANAGER	22
ASSISTANT POLICE ADMINISTRATOR (EXECUTIVE LEVEL)	26
ASSISTANT PROJECT MANAGER	20
ASSISTANT PUBLIC WORKS MAINTENANCE MANAGER	26
ASSISTANT PUBLIC WORKS OPERATIONS MANAGER	26
ASSISTANT REAL ESTATE ANALYST	17
ASSISTANT REAL ESTATE MANAGER	26
ASSISTANT RECREATION REGIONAL MANAGER	25
ASSISTANT SHOP MANAGER	20
ASSISTANT SUPERINTENDENT	20
ASSISTANT TENNIS CENTER MANAGER	17
ASSOCIATE EMS PHYSICIAN DIRECTOR	35
ASSOCIATE JUDGE OF MUNICIPAL COURTS (Number of positions not to exceed 60)	31
ASSOCIATE PLANNER	13
ASSOCIATE PRESIDING JUDGE OF MUNICIPAL COURTS	31
AUDITOR	17
AUDITOR ASSOCIATE	14
AUDITOR MANAGER	28
AUDITOR SUPERVISOR	25
AUTOMOTIVE SERVICE WRITER	15
AVIATION DIRECTOR	38
BREASTFEEDING PEER COUNSELOR	7
BUILDING MAINTENANCE SUPERVISOR	13

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
BUREAU CHIEF,DDS	30
BUREAU CHIEF,MD	32
BUREAU CHIEF,PUBLIC HEALTH	30
BUREAU CHIEF,PUBLIC HEALTH (EXECUTIVE LEVEL)	30
BUSINESS DEVELOPMENT COORDINATOR	18
BUSINESS DEVELOPMENT SUPERVISOR	22
BUYER	16
C & E FACILITIES DIRECTOR	36
C & E FACILITIES MANAGER	29
CABLE ACCESS OPERATIONS SUPERVISOR	22
CABLE ACCESS PROGRAM SUPERVISOR	22
CAR ATTENDANT	4
CAR ATTENDANT LEADER	10
CAR ATTENDANT SUPERVISOR	13
CARPENTER	14
CARPENTER LEADER	19
CASHIER	6
CEMENT FINISHER	11
CEMENT FINISHER SUPERVISOR	15
CENTER ADMINISTRATOR	25
CENTRAL NETWORK ADMINISTRATOR	26
CENTRAL PAYROLL CLERK	13
CENTRAL PAYROLL MANAGER	27
CENTRAL PAYROLL SUPERVISOR	20
CHEMIST I	14
CHEMIST II	17
CHEMIST III	21
CHEMIST IV	23
CHIEF ADMINISTRATIVE OFFICER (EXECUTIVE LEVEL)	39
CHIEF ARCHITECT	31
CHIEF INFORMATION OFFICER	36
CHIEF INSPECTOR	27
CHIEF NURSE,RN	25
CHIEF OF STAFF-MAYOR'S OFFICE (EXECUTIVE LEVEL)	36
CHIEF PHARMACIST	27
CHIEF PHYSICIAN,MD	35
CHIEF PROCUREMENT OFFICER (EXE LEV)	36
CHIEF SANITARIAN	28
CHIEF STATIONARY ENGINEER	19
CHIEF SURVEYOR	28

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
CHIEF VETERINARIAN, DVM	30
CITY ATTORNEY	39
CITY AUDITOR (EXECUTIVE LEVEL)	34
CITY CONTROLLER	NA
CITY SECRETARY	34
CLAIMS COORDINATOR	17
CLERK	5
CLERK OF THE COURT/DEPUTY DIRECTOR (EXECUTIVE LEVEL)	34
CLERK TYPIST	6
CLINIC ASSISTANT	9
CLINICAL EDUCATION COORDINATOR	18
CODE ENFORCEMENT OFFICER I	16
CODE ENFORCEMENT OFFICER II	18
CODE ENFORCEMENT OFFICER III	22
CODE ENFORCEMENT OFFICER TRAINEE	12
COLLECTIONS SUPERVISOR	18
COLLECTOR/ADJUSTOR	9
COMMUNICATIONS SPECIALIST	15
COMMUNICATIONS SPECIALIST SUPERVISOR	23
COMMUNICATIONS TECHNICIAN	15
COMMUNICATIONS TECHNICIAN SUPERVISOR	25
COMMUNITY DEVELOPMENT DIRECTOR	35
COMMUNITY INVOLVEMENT COORDINATOR	22
COMMUNITY LIAISON	18
COMMUNITY RELATIONS SPECIALIST	11
COMMUNITY SERVICE INSPECTOR	16
COMPENSATION SPECIALIST	18
COMPUTER OPERATOR	10
CONTRACT ADMINISTRATOR	22
CONTRACT COMPLIANCE OFFICER	15
CONTRACT COMPLIANCE SUPERVISOR	22
COUNCIL ADMINISTRATIVE ASSISTANT (EXECUTIVE LEVEL)	20
COUNCIL INTERN (EXECUTIVE LEVEL)	8
COUNCIL MEMBER	NA
COUNCIL RESEARCH ASSISTANT (EXECUTIVE LEVEL)	23
COUNCIL SECRETARY (EXECUTIVE LEVEL)	15
COUNSELOR	20
COURT INTERPRETER	17
COURT REPORTER	19
CREW LEADER	11

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
CRIMINAL INTELLIGENCE ANALYST	21
CRIMINALIST	20
CRIMINALIST LABORATORY MANAGER	29
CRIMINALIST SPECIALIST	25
CUSTODIAN	4
CUSTODIAN LEADER	8
CUSTOMER SERVICE CASHIER	12
CUSTOMER SERVICE CLERK	10
CUSTOMER SERVICE MANAGER	29
CUSTOMER SERVICE REPRESENTATIVE I	13
CUSTOMER SERVICE REPRESENTATIVE II	15
CUSTOMER SERVICE REPRESENTATIVE III	16
CUSTOMER SERVICE SECTION CHIEF	22
CUSTOMER SERVICE SUPERVISOR	18
DATA BASE ANALYST	22
DATA CONTROL CLERK	8
DATA ENTRY OPERATOR	8
DENTAL ASSISTANT	9
DENTAL HYGIENIST	12
DEPUTY AIRPORT MANAGER (EXECUTIVE LEVEL)	31
DEPUTY ASSISTANT DIRECTOR (EXECUTIVE LEVEL)	30
DEPUTY CHIEF POLICY OFFICER (EXECUTIVE LEVEL)	36
DEPUTY CITY CONTROLLER (EXECUTIVE LEVEL)	36
DEPUTY COURTS CLERK	11
DEPUTY DIRECTOR (EXECUTIVE LEVEL)	34
DEPUTY DIRECTOR-AVIATION (EXECUTIVE LEVEL)	36
DEPUTY DIRECTOR-CONTROLLER'S OFFICE (EXECUTIVE LEVEL)	31
DEPUTY DIRECTOR-FINANCE/ADMINISTRATION (EXECUTIVE LEVEL)	36
DEPUTY DIRECTOR-PARKS & RECREATION (EXECUTIVE LEVEL)	34
DEPUTY DIRECTOR-PLANNING (EXECUTIVE LEVEL)	35
DEPUTY DIRECTOR-PUBLIC HEALTH (EXECUTIVE LEVEL)	35
DEPUTY DIRECTOR-PUBLIC WORKS (EXECUTIVE LEVEL)	36
DEPUTY REGISTRAR-VITAL STATISTICS	22
DESKTOP PUBLISHER	14
DIRECTOR OF BUSINESS OPPORTUNITY	34
DIRECTOR OF MAYOR'S OFFICE OF SPECIAL EVENTS (EXECUTIVE LEVEL)	34
DIRECTOR OF NEIGHBORHOODS	35
DIRECTOR OF PUBLIC HEALTH	37
DIRECTOR OF STATE RELATIONS (EXECUTIVE LEVEL)	30
DISPATCHER	8

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
DIVISION MANAGER	29
DIVISION MANAGER (EXECUTIVE LEVEL)	29
<b>DWI TECHNICIAN</b>	<b>13</b>
EAP MANAGER	26
EEG NEUROFEEDBACK TECHNICIAN	12
ELECTRICAL ESTIMATOR	23
ELECTRICAL SUPERINTENDENT	26
ELECTRICAL SUPERVISOR	24
ELECTRICIAN	18
ELECTRICIAN APPRENTICE	10
(Automatic \$37.90 biweekly increase after 12 months)	
(Automatic \$39.10 biweekly increase after 24 months)	
(Automatic \$165.30 biweekly increase after 36 months)	
EMERGENCY MEDICAL TECHNICIAN INSPECTOR/INSTRUCTOR	18
EMS ADMINISTRATOR	27
EMS EDUCATOR	20
EMS EDUCATOR COORDINATOR	24
EMS PHYSICIAN DIRECTOR,MD (EXECUTIVE LEVEL)	37
ENGINEER	26
ENVIRONMENTAL INVESTIGATOR I	14
ENVIRONMENTAL INVESTIGATOR II	16
ENVIRONMENTAL INVESTIGATOR III	20
ENVIRONMENTAL INVESTIGATOR IV	23
ENVIRONMENTAL INVESTIGATOR V	28
EPIDEMIOLOGIST MANAGER	27
EPIDEMIOLOGIST SUPERVISOR	24
EQUIPMENT OPERATOR I	8
EQUIPMENT OPERATOR II	10
EQUIPMENT OPERATOR III	13
EQUIPMENT WORKER	13
ERP BUSINESS SYSTEMS ANALYST	24
ERP BUSINESS SYSTEMS CONSULTANT	28
ESTIMATOR	17
EVENT COORDINATOR	19
EVIDENCE TECHNICIAN	11
EVIDENCE TECHNICIAN SUPERVISOR	22
EXECUTIVE OFFICE ASSISTANT	15
EXECUTIVE RECRUITER	27
EXECUTIVE STAFF ANALYST (EXECUTIVE LEVEL)	30
FACILITIES TECHNICIAN I	9

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
FACILITIES TECHNICIAN II	13
FACILITIES TECHNICIAN III	17
FACILITIES TECHNICIAN IV	21
FACILITY & VEHICLE MAINTENANCE SUPERINTENDENT	24
FIELD SUPERVISOR	17
FINANCE DIRECTOR	37
FINANCIAL ANALYST I	15
FINANCIAL ANALYST II	18
FINANCIAL ANALYST III	21
FINANCIAL ANALYST IV	25
FINGERPRINT TECHNICIAN	10
FINGERPRINT TECHNICIAN SUPERVISOR	16
FIRE ADMINISTRATOR (EXECUTIVE LEVEL)	30
FIRE CHIEF	37
FIRE FIGHTER TRAINEE	10
FIRST ASSISTANT CITY ATTORNEY	37
FIXED ASSET CLERK	10
FIXED ASSET MANAGER	25
FIXED ASSET SPECIALIST	13
FIXED ASSET SUPERVISOR	21
FLEET MANAGEMENT DIRECTOR	35
FORENSIC ARTIST	19
FORENSIC PHOTOGRAPHER	14
FORENSIC PHOTOGRAPHER SUPERVISOR	19
FORESTER	15
GARDENER	8
GENERAL SERVICES DIRECTOR	35
GENERAL SUPERINTENDENT	21
GIS ANALYST	20
GIS MANAGER	29
GIS OPERATOR	8
GIS SUPERVISOR	26
GIS TECHNICIAN	12
GOLF PROFESSIONAL	19
GRADUATE ARCHITECT	22
GRADUATE ENGINEER	22
GRAPHIC DESIGNER	17
GROUND TRANSPORTATION REPRESENTATIVE	8
GROUNDSKEEPER	5
H.E.C. TELECOMMUNICATION SHIFT MANAGER	26

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
HEAD LIFEGUARD	9
HEALTH PLANNER	15
HEALTH PLANNING CHIEF	24
HEALTH PROGRAM SPECIALIST	10
HEARING OFFICER	27
HEATING & AIR CONDITIONING LEADER	18
HEATING & AIR CONDITIONING REPAIR PERSON	14
HORTICULTURIST	18
HOUSING COUNSELOR	16
HUMAN RESOURCES ASSISTANT	13
HUMAN RESOURCES DIRECTOR	35
HUMAN RESOURCES GENERALIST	17
HUMAN RESOURCES MANAGER	27
HUMAN RESOURCES SPECIALIST	17
HUMAN RESOURCES SUPERVISOR	24
HUMAN RESOURCES TECHNICIAN	12
HUMAN SERVICE PROGRAM COORDINATOR	17
HUMAN SERVICE PROGRAM MANAGER	25
IMAGING TECHNICIAN	5
INDUSTRIAL MECHANIC	17
INFORMATION SYSTEMS ADMINISTRATOR	30
INFORMATION SYSTEMS ADMINISTRATOR (EXECUTIVE LEVEL)	30
INFRASTRUCTURE ASSESSMENT TECHNICIAN I	7
INFRASTRUCTURE ASSESSMENT TECHNICIAN II	12
INFRASTRUCTURE ASSESSMENT TECHNICIAN SUPERVISOR	19
INSPECTOR	18
INSPECTOR TRAINEE	12
INSTRUMENT PERSON	11
INSTRUMENT TECHNICIAN	10
INVENTORY MANAGEMENT CLERK	9
INVENTORY MANAGEMENT SUPERVISOR	17
IRM MANAGER	29
IRON WORKER	13
IRRIGATION INSTALLER	12
IRRIGATION LEADER	18
IS/IT HELP DESK COORDINATOR	10
IT PROJECT MANAGER	28
JAIL ATTENDANT	9
JAIL MEDICAL SPECIALIST	17
JAIL MEDICAL SPECIALIST SUPERVISOR	22

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
JUDGE OF MUNICIPAL COURTS (Number of positions not to exceed 30)	31
JUVENILE CASE MANAGER	20
KENNEL ATTENDANT	8
LABORATORY MANAGER	28
LABORATORY SUPERVISOR	24
LABORATORY TECHNICIAN	6
LABORER	4
LACTATION CONSULTANT	19
LAN SPECIALIST	26
LAUNDRY WORKER	5
LEAD TRAFFIC SIGNAL TECHNICIAN	23
LEGAL ABTRACTOR	10
LEGAL INVESTIGATOR	18
LEGAL SECRETARY	13
LEGAL TITLE EXAMINER	16
LEGAL WORD PROCESSOR	11
LIBRARIAN I	16
LIBRARIAN II	21
LIBRARIAN III	23
LIBRARIAN IV	25
LIBRARIAN V	27
LIBRARY ASSISTANT	5
LIBRARY ASSISTANT SUPERVISOR	14
LIBRARY CHIEF	29
LIBRARY DIRECTOR	35
LIBRARY SERVICE SPECIALIST	13
LIBRARY SERVICE SUPERVISOR	21
LICENSED VOCATIONAL NURSE	12
LIFEGUARD	8
LINE TECHNICIAN I	8
LINE TECHNICIAN II	12
LINE TECHNICIAN III	16
LINE TECHNICIAN IV	20
LOAN OFFICER	24
MACHINIST	14
MAILROOM SUPERVISOR	13
MAINTENANCE MECHANIC I	8
MAINTENANCE MECHANIC II	12
MAINTENANCE MECHANIC III	14

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
MAINTENANCE SUPERVISOR	16
MANAGEMENT ANALYST I	15
MANAGEMENT ANALYST II	18
MANAGEMENT ANALYST III	21
MANAGEMENT ANALYST IV	25
MANAGEMENT INTERN	11
MANAGING ENGINEER	31
MARKETING SPECIALIST	25
MASTER CONTROL OPERATOR	14
MAYOR	NA
MECHANIC HELPER	5
MECHANIC I	11
MECHANIC II	15
MECHANIC III	19
MEDIA REPRESENTATIVE	22
MEDICAL RECORDS SUPERVISOR	19
MEDICAL SOCIAL WORKER	16
MESSENGER	6
METER READER	7
MICROBIOLOGIST I	14
MICROBIOLOGIST II	17
MICROBIOLOGIST III	21
MICROBIOLOGIST IV	23
MICROCOMPUTER ANALYST	20
MOBILITY SERVICE OFFICER	12
MULTI-DISCIPLINE INSPECTOR	21
MUNICIPAL COURTS ADMINISTRATOR	17
MUNICIPAL COURTS MANAGER	25
MUNICIPAL COURTS SECURITY OFFICER	12
MUNICIPAL COURTS SUPERVISOR	18
NATURAL RESOURCES MANAGER	26
NURSE PRACTITIONER	26
NUTRITION SERVICES CHIEF	25
NUTRITIONIST	14
NUTRITIONIST CONSULTANT	19
OCCUPATIONAL CASE MANAGEMENT SPECIALIST	19
OFFICE ASSISTANT	9
OFFICE SERVICE MANAGER	23
OFFICE SUPERVISOR	17
OFFSET PRESS OPERATOR	10

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
OPERATIONS MANAGER	27
OPERATIONS SUPERVISOR	18
PAINTER	11
PAINTER AIDE	4
PAINTER LEADER	15
PARALEGAL	12
PARK MAINTENANCE AIDE	4
PARK MAINTENANCE SUPERVISOR	13
PARK NATURALIST	18
<b>PARKING COMPLIANCE LEADER</b>	<b>14</b>
<b>PARKING COMPLIANCE OFFICER</b>	<b>10</b>
PARKING METER TECHNICIAN	10
PARKS & RECREATION DIRECTOR	36
PARTY CHIEF	19
PAYROLL CLERK	9
PAYROLL CONTROL CLERK	12
PAYROLL CONTROL SUPERVISOR	20
PAYROLL SUPERVISOR	17
PBX ATTENDANT	8
PHARMACY TECHNICIAN	9
PHYSICAL FITNESS COORDINATOR	18
PHYSICIAN ASSISTANT	26
PHYSICIAN,MD	33
PLAN ANALYST	14
PLAN ANALYST SUPERVISOR	22
PLANNER	16
PLANNER LEADER	24
PLANNING DIRECTOR	36
PLANT OPERATOR	11
PLANT OPERATOR SUPERVISOR	19
PLANT OPERATOR TRAINEE	6
PLUMBER	14
PLUMBER LEADER	18
POLICE ADMINISTRATOR (EXECUTIVE LEVEL)	30
POLICE AIDE	4
POLICE CHIEF	39
(Eligible to receive Equipment Allowance, Clothing Allowance & Educational Incentive Pay)	
POLICE SERVICE OFFICER	7
POLICE TELECOMMUNICATOR	14
POLICE TELECOMMUNICATOR SUPERVISOR	21

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
POLICE TRAINEE	10
POLLUTION CONTROL CHIEF	30
PRESIDING JUDGE OF MUNICIPAL COURTS	35
PROCUREMENT SPECIALIST	24
PRODUCTION SPECIALIST	15
PROGRAMMER	13
PROGRAMMER ANALYST I	16
PROGRAMMER ANALYST II	19
PROGRAMMER ANALYST III	22
PROGRAMMER ANALYST IV	25
PROJECT MANAGER	24
PROJECT TECHNICIAN I	8
PROJECT TECHNICIAN II	13
PROJECT TECHNICIAN III	17
PROJECT TECHNICIAN IV	20
PUBLIC HEALTH CLERK	8
PUBLIC HEALTH DENTIST, DDS	26
PUBLIC HEALTH EDUCATION CHIEF	26
PUBLIC HEALTH EDUCATION TECHNICIAN	10
PUBLIC HEALTH EDUCATOR	14
PUBLIC HEALTH INVESTIGATOR	12
PUBLIC HEALTH INVESTIGATOR MANAGER	26
PUBLIC HEALTH INVESTIGATOR SPECIALIST	20
PUBLIC HEALTH INVESTIGATOR SUPERVISOR	21
PUBLIC HEALTH NURSE I	15
PUBLIC HEALTH NURSE II	17
PUBLIC HEALTH NURSE III	21
PUBLIC HEALTH NURSE IV	22
PUBLIC HEALTH NURSING CHIEF	27
PUBLIC HEALTH PARAMEDIC	17
PUBLIC INFORMATION OFFICER	26
PUBLIC INFORMATION OFFICER (EXECUTIVE LEVEL)	26
PUBLIC LOSS INVESTIGATOR	22
PUBLIC WORKS DIRECTOR	39
PUBLIC WORKS MAINTENANCE MANAGER	29
PUBLIC WORKS MAINTENANCE SECTION CHIEF	22
PUBLIC WORKS OPERATIONS MANAGER	29
PUBLIC WORKS OPERATIONS SECTION CHIEF	22
PURCHASING MANAGER	27
RADIO INSTALLER	6

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
REAL ESTATE ANALYST	20
REAL ESTATE MANAGER	29
RECEPTIONIST	7
RECORDS ADMINISTRATOR	23
RECORDS MANAGER	25
RECORDS SUPERVISOR	18
RECORDS TECHNICIAN	9
RECREATION ASSISTANT	6
RECREATION FACILITY MANAGER	20
RECREATION SPECIALIST	12
RECREATION SUPERVISOR	16
REFUSE TRUCK DRIVER	6
REGIONAL AQUATIC MANAGER	21
REGISTERED MEDICAL RECORDS ADMINISTRATOR	23
REGISTRAR-VITAL STATISTICS	26
REGULATORY COMPLIANCE COORDINATOR	17
REGULATORY INVESTIGATOR	11
REGULATORY MANAGER	24
REGULATORY SUPERVISOR	20
RELOCATION COUNSELOR	15
RIGHT-OF-WAY APPRAISER	17
RODPERSON	5
SAFETY ADMINISTRATOR	27
SAFETY COORDINATOR	15
SAFETY OFFICER	21
SAFETY REPRESENTATIVE	19
SAFETY SUPERVISOR	24
SANITARIAN I	14
SANITARIAN II	17
SANITARIAN III	21
SECURITY OFFICER	8
SECURITY OFFICER INVESTIGATOR	14
<b>SECURITY TECHNICIAN</b>	<b>17</b>
<b>SECURITY TECHNICIAN SUPERVISOR</b>	<b>25</b>
SEMI-SKILLED LABORER	6
SENIOR 3-1-1 TELECOMMUNICATOR	15
SENIOR 9-1-1 TELECOMMUNICATOR	16
SENIOR 9-1-1 TELECOMMUNICATOR (CTO)	18
SENIOR ACCOUNT CLERK	13
SENIOR ACCOUNT EXECUTIVE	22

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
SENIOR ACCOUNTANT	20
SENIOR AIRCRAFT MECHANIC (Automatic \$25 biweekly increase with FAA Aircraft and Inspection License)	21
SENIOR AIRPORT COMMUNICATIONS OPERATOR	15
SENIOR AIRPORT MANAGER (EXECUTIVE LEVEL)	35
SENIOR AIRPORT PROPERTIES REPRESENTATIVE	26
SENIOR AIRPORT SYSTEMS TECHNICIAN	20
SENIOR ANIMAL CARE TECHNICIAN	15
SENIOR ANIMAL CONTROL OFFICER	16
SENIOR ARCHITECT	29
SENIOR ASSISTANT CITY ATTORNEY I	32
SENIOR ASSISTANT CITY ATTORNEY II	35
SENIOR ASSISTANT CITY ATTORNEY, SECTION CHIEF	35
SENIOR ASSISTANT CITY CONTROLLER (EXECUTIVE LEVEL)	32
SENIOR AUDITOR	21
SENIOR BREASTFEEDING PEER COUNSELOR	13
SENIOR BUSINESS DEVELOPMENT COORDINATOR	20
SENIOR BUYER	22
SENIOR CASHIER	10
SENIOR CENTRAL NETWORK ADMINISTRATOR	28
SENIOR CENTRAL PAYROLL CLERK	15
SENIOR CLAIMS COORDINATOR	21
SENIOR CLERK	8
SENIOR CLINICAL EDUCATION COORDINATOR	20
SENIOR COLLECTOR/ADJUSTOR	11
SENIOR COMMUNICATIONS SPECIALIST	20
SENIOR COMMUNICATIONS TECHNICIAN	19
SENIOR COMMUNITY LIAISON	23
SENIOR COMPENSATION SPECIALIST	22
SENIOR COMPUTER OPERATOR	14
SENIOR CONTRACT ADMINISTRATOR	27
SENIOR CONTRACT COMPLIANCE OFFICER	18
SENIOR COUNCIL AIDE (EXECUTIVE LEVEL)	28
SENIOR COUNSELOR	22
SENIOR COURTS CASHIER	12
SENIOR CUSTOMER SERVICE CASHIER	13
SENIOR CUSTOMER SERVICE CLERK	12
SENIOR DATA BASE ANALYST	25
SENIOR DATA CONTROL CLERK	12
SENIOR DATA ENTRY OPERATOR	12

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
SENIOR DENTAL HYGIENIST	15
SENIOR DEPUTY COURTS CLERK	15
SENIOR DISPATCHER	12
<b>SENIOR DWI TECHNICIAN</b>	<b>16</b>
SENIOR EMS EDUCATOR	22
SENIOR ERP BUSINESS SYSTEMS ANALYST	26
SENIOR EVIDENCE TECHNICIAN	15
SENIOR FINGERPRINT TECHNICIAN	13
SENIOR FIXED ASSET SPECIALIST	17
SENIOR FORESTER	18
SENIOR GIS ANALYST	24
SENIOR GIS TECHNICIAN	17
SENIOR GRAPHIC DESIGNER	21
SENIOR HEALTH PLANNER	20
SENIOR HUMAN RESOURCES GENERALIST	21
SENIOR HUMAN RESOURCES SPECIALIST	21
SENIOR IMAGING TECHNICIAN	13
SENIOR INSPECTOR	22
SENIOR INSTRUMENT TECHNICIAN	14
SENIOR INVENTORY MANAGEMENT CLERK	12
SENIOR IS/IT HELP DESK COORDINATOR	14
SENIOR IT PROJECT MANAGER (EXECUTIVE LEVEL)	30
SENIOR JAIL ATTENDANT	13
SENIOR JAIL MEDICAL SPECIALIST	19
SENIOR JUVENILE CASE MANAGER	23
SENIOR LEGAL ABTRACTOR	13
SENIOR LEGAL TITLE EXAMINER	19
SENIOR LEGAL WORD PROCESSOR	13
SENIOR LIBRARY ASSISTANT	9
SENIOR LIBRARY SERVICE SPECIALIST	16
SENIOR MARKETING SPECIALIST	28
SENIOR MICROCOMPUTER ANALYST	23
SENIOR MOTOR VEHICLE OPERATOR	8
SENIOR NUTRITIONIST	18
SENIOR OFFICE ASSISTANT	12
SENIOR OFFSET PRESS OPERATOR	13
SENIOR PARALEGAL	19
SENIOR PARKING METER TECHNICIAN	12
SENIOR PAYROLL CLERK	13
SENIOR PAYROLL CONTROL CLERK	14

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
SENIOR PLAN ANALYST	18
SENIOR PLANNER	20
SENIOR PLANT OPERATOR	15
SENIOR POLICE SERVICE OFFICER	12
SENIOR POLICE TELECOMMUNICATOR	17
SENIOR POLICE TRAINEE	10
SENIOR PROCUREMENT SPECIALIST	27
SENIOR PROJECT MANAGER	27
SENIOR PUBLIC HEALTH DENTIST, DDS	28
SENIOR PUBLIC HEALTH EDUCATOR	18
SENIOR PUBLIC HEALTH INVESTIGATOR	16
SENIOR PUBLIC LOSS INVESTIGATOR	24
SENIOR REAL ESTATE ANALYST	24
SENIOR RECREATION SPECIALIST	14
SENIOR REFUSE TRUCK DRIVER	8
SENIOR REGULATORY INVESTIGATOR	14
SENIOR RIGHT-OF-WAY APPRAISER	19
SENIOR RODPERSON	9
<b>SENIOR SECURITY TECHNICIAN</b>	<b>23</b>
SENIOR SIDELoader OPERATOR	9
SENIOR SLUDGE PROCESSOR	15
SENIOR SPECIAL SERVICE REPRESENTATIVE	15
SENIOR STAFF ANALYST	28
SENIOR STAFF ANALYST (EXECUTIVE LEVEL)	28
SENIOR SUPERINTENDENT	27
SENIOR TELECOMMUNICATIONS SPECIALIST	21
SENIOR TRAFFIC ANALYST	13
SENIOR TRAINER	21
SENIOR TREASURY ANALYST	26
SENIOR UTILITY MECHANIC	16
SENIOR WORD PROCESSOR	12
SHELTER SUPERVISOR	22
SHOP MANAGER	23
SIDELoader OPERATOR	7
SIGN PROCESSOR	9
SLUDGE PROCESSOR	11
SOLID WASTE DIRECTOR	37
SOLID WASTE PLANNING MANAGER	29
SOLID WASTE SUPERVISOR	22
SOUND TECHNICIAN	12

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
SPECIAL SERVICE REPRESENTATIVE	13
STABLE ATTENDANT	8
STABLE SUPERVISOR	14
STAFF ANALYST	26
STAFF ANALYST (EXECUTIVE LEVEL)	26
STAFF EPIDEMIOLOGIST	22
STAFF PHARMACIST	25
STAFF PSYCHOLOGIST	27
STAFF VETERINARIAN,DVM	28
STAGE MANAGER	19
STAGE SUPERVISOR	15
STAGEHAND	12
STATIONARY ENGINEER	14
(Upon receipt of 1st grade license, automatic \$50 biweekly increase)	
(Upon receipt of 2nd grade license, automatic \$25 biweekly increase)	
STATIONARY ENGINEER APPRENTICE	7
STATISTICAL ANALYST	17
STUDENT INTERN I	4
STUDENT INTERN II	10
SUPERINTENDENT	24
SUPERVISING ENGINEER	29
SURVEILLANCE INVESTIGATOR-EPIDEMIOLOGY	17
SYSTEMS ACCOUNTANT I	20
SYSTEMS ACCOUNTANT II	23
SYSTEMS ACCOUNTANT III	27
SYSTEMS ACCOUNTANT IV	29
SYSTEMS CONSULTANT	26
SYSTEMS SUPPORT ANALYST I	16
SYSTEMS SUPPORT ANALYST II	19
SYSTEMS SUPPORT ANALYST III	22
SYSTEMS SUPPORT ANALYST IV	25
TAPE LIBRARIAN	11
TECHNICAL HARDWARE ANALYST I	17
TECHNICAL HARDWARE ANALYST II	21
TECHNICAL HARDWARE ANALYST III	23
TECHNICAL INSTRUCTOR	15
TELECOMMUNICATIONS SPECIALIST	18
TENNIS CENTER MANAGER	21
THEATER EVENT COORDINATOR	20
TRAFFIC ANALYST	7

Master Classification Ordinance Exhibit

CITY OF HOUSTON  
ALPHABETICAL LISTING OF MUNICIPAL CLASSIFICATIONS

CLASSIFICATION	PAY GRADE
TRAFFIC SIGNAL SUPERVISOR	22
TRAINER	17
TRAINING ADMINISTRATOR	24
TRAINING COORDINATOR	24
TRANSLATOR	11
TREASURY ANALYST	21
TREASURY MANAGER	30
TRUCK DRIVER	6
URBAN GARDEN MANAGER	23
URBAN PARK RANGER	12
URBAN PARK RANGER SUPERVISOR	17
UTILITY MECHANIC	12
UTILITY WORKER	12
VETERINARIAN TECHNICIAN SUPERVISOR	21
VETERINARY TECHNICIAN	15
WATER SERVICE INSPECTOR I	11
WATER SERVICE INSPECTOR II	15
WATER SERVICE INSPECTOR III	17
WEB COORDINATOR	17
WEB DESIGNER	21
WEB PRODUCTION ASSISTANT	13
WEBMASTER	26
WORD PROCESSOR	10
X-RAY TECHNICIAN	13
YOUTH SPORTS PROGRAM-ASSISTANT MANAGER	20
YOUTH SPORTS PROGRAM-MANAGER	25

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

HHS-Tx Dept Aging and Disability Svcs (DADS) grant for FY 2015-2016 Area Plan for HC Area on Aging

Agenda Item#: 26.

**Summary:**

ORDINANCE approving a grant from the Department of Aging and Disability Services (DADS) and accepting the FY2015-2016 Area Plan for the Harris County Area Agency on Aging (“HCAAA”); declaring HCAAA’s eligibility for the Area Plan grant funding for FY2015-2016; authorizing the Director of the Health and Human Services Department of the City of Houston 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

**Background:**

**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 funding for the period from 10/1/14 - 9/30/15 is \$11,295,824.00. The grant requires a 25% in-kind match on administration and a minimum of 10% in-kind match on program activities. A portion of the general funds and space within the multi-service centers and other city facilities will be utilized for documentation of the administration in-kind match. Contractors, vendors and sub-recipients are required to provide documentation of the 10% in-kind match through their funded agreements with the City.

HDHHS also requests that City Council authorize the Mayor to execute the finalized agreement from DADS as approved by the Legal Department, and 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 FY 2015
Home Delivered Meals	Approx. 895,500 in FY 2015
Transportation	Approx. 134,000 in FY 2015

**Prior Council Action:**

07/14/10; 2010-0558

**Amount of Funding:**

Federal/State/Local Pass Through Fund (5030); \$10,681,141.00

State Fund (5010): \$614,683.00  
Total Projected Funding from 10/1/14 - 9/30/15: \$11,295,824.00

HDHHS In-Kind Match Total: General Fund (1000): \$143,306.00

**Source of Funding:**

General Fund, Grant Fund

**Contact Information:**

Kathy Barton

**Telephone:** 832-393-5045; 713-826-5801

**ATTACHMENTS:**


Description	Type
☐ RCA	Backup Material

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>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</b>	<b>Category # 9</b>	<b>Page 1 of 1</b>	<b>Agenda Item #</b>
---	---------------------	--------------------	----------------------

<b>FROM (Department or other point of origin):</b> Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services	<b>Origination Date</b> 9/25/14	<b>Agenda Date</b>
--	------------------------------------	--------------------

<b>DIRECTOR'S SIGNATURE:</b> 	<b>Council District affected:</b> ALL
--	--

<b>For additional information contact: Kathy Barton</b> <b>Telephone: 832-393-5045; 713-826-5801</b>	<b>Date and identification of prior authorizing Council action:</b> 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.

<b>Amount of Funding:</b> Federal/State/Local Pass Through Fund (5030): \$10,681,141.00 State Fund (5010): \$614,683.00 Total Projected Funding from 10/1/14 – 9/30/15: \$11,295,824.00  HDHHS In-Kind Match Total: General Fund (1000): \$143,306.00	<b>Finance Department:</b>
---	----------------------------

**SOURCE OF FUNDING:** [ X ] General Fund [ X ] 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 funding for the period from 10/1/14 – 9/30/15 is \$11,295,824.00. The grant requires a 25% in-kind match on administration and a minimum of 10% in-kind match on program activities. A portion of the general funds and space within the multi-service centers and other city facilities will be utilized for documentation of the administration in-kind match. Contractors, vendors and sub-recipients are required to provide documentation of the 10% in-kind match through their funded agreements with the City.

HDHHS also requests that City Council authorize the Mayor to execute the finalized agreement from DADS as approved by the Legal Department, and 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**

<b>Finance Department</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
---------------------------	-----------------------------	-----------------------------

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/19/2014

MYR-FY 2014 Homeland Security Grant Sub-recipient Agreements

Agenda Item#: 27.

**Summary:**

ORDINANCE authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to execute four Subrecipient Grant Agreements with the **TEXAS DEPARTMENT OF PUBLIC SAFETY** accepting FY2014 Homeland Security Grant Funding from the Urban Area Security Initiative Grant Program, the Urban Area Security Initiative Law Enforcement Terrorism Prevention Activities Program, and the State Homeland Security Program, and the State Homeland Security Program - Economic Recovery; declaring the City's eligibility for such grants; authorizing the Director to execute all modifications to the agreements and to execute any subsequent documents necessary to secure the City's allocations throughout the life of these grant awards

**Background:**

The U.S. Department of Homeland Security provides grants to enhance the capacity of state and local governments to respond to incidents of terrorism and natural disasters. The Homeland Security Grant Program includes both the Urban Area Security Initiative (UASI) and State Homeland Security Grant Program (SHSP) the UASI program specifically addresses the unique needs of high risk urban areas with funding to develop an enhanced and sustainable capacity to prevent, protect against, respond to and recover from threats or acts of terrorism. In Texas, the agency that manages and administers these programs is the Texas Department of Public Safety (DPS), which has forwarded the City of Houston's FY 2014 HSGP grant awards in **four component sub-recipient agreements**.

Local allocations of UASI funds are governed by an executive committee that includes representation from the City of Houston and Harris, Fort Bend and Montgomery counties. The committee receives proposals from jurisdictions across the region that are reviewed and prioritized by committees of subject matter experts. After deciding which projects will best "buy down" the region's risk, the successful proposals are included in a formal grant application to DHS. Therefore, the award is implementation of a specific, approved set of projects.

- **UASI** (\$6,256,809.47) – Funds are allocated for planning, equipment, training and exercises. The largest projects that will be implemented for FY 2014 include:
  - \$1,200,000 for interoperable communications equipment and software to support first responders
  - \$1,027,577 for personnel, training and sustainment costs for technologies that have deployed to support the entire region, including WebEOC and PIER
- **UASI – Law Enforcement Terrorism Prevention** (\$3,839,620.00) – These funds are allocated for planning, organization (e.g., fusion center analysts), equipment, and training, and can only be spent on a specific subset of allowable law enforcement-related activities. The largest projects that will be implemented for FY 2014 include:
  - \$1,389,480 for the public safety video initiative to enhance protection of critical infrastructure
  - \$1,036,676 for civilian analysts, a system analyst, software, and training for the Houston Regional Service Center (our regional fusion center)
- **State Homeland Security Grant Program** (\$108,000.00) – These funds are allocated to sustain planning support for the Regional Catastrophic Preparedness Initiative, ensuring plans and procedures are updated, trained and tested.
- **State Homeland Security Grant Program – Economic Recovery** (\$150,000) – This competitive award has been allocated to the City of Houston to analyze sharing economy platforms and their impact on disaster response and recovery in the H-GAC Region.

**RECOMMENDATION**

It is recommended that Council authorize the director of the Mayor's Office of Public Safety & Homeland Security to execute this sub-recipient agreement and to request and/or accept any amendments/modifications to this agreement or any subsequent agreements necessary to secure Houston's allocations through this grant program.

**Amount of Funding:**

\$10,254,429.47 - Texas Division of Emergency Management (pass-through from DHS)

**Source of Funding:**

Grant Fund

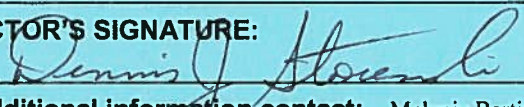
**Contact Information:**

Melanie Bartis

**Phone:** 832-393-0917

**ATTACHMENTS:**

Description	Type
☐ RCA	Backup Material
☐ Ordin	Ordinance/Resolution/Motion

<b>SUBJECT:</b> FY2014 Homeland Security Grant Program Sub-recipient Agreements		<b>Category</b>	<b>Page</b> 1 of 1	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b> Dennis J. Storemski, Mayor's Office of Public Safety and Homeland Security		<b>Origination Date:</b> 9/19/2014		<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> All		
<b>For additional information contact:</b> Melanie Bartis <b>Phone:</b> 832-393-0917		<b>Date and Identification of prior authorizing Council action:</b>		
<b>RECOMMENDATION: (Summary)</b> Approval of an ordinance authorizing execution of sub-recipient agreements with the Texas Department of Public Safety to accept FY2014 Homeland Security Grant Program funding.				
<b>Amount of Funding:</b> \$10,254,429.47		<b>F &amp; A Budget:</b>		
<b>SOURCE OF FUNDING:</b> <input checked="" type="checkbox"/> <b>Grant Funds:</b> \$10,254,429.47 Texas Division of Emergency Management (pass-through from DHS)				
<b>SPECIFIC EXPLANATION:</b> <p>The U.S. Department of Homeland Security provides grants to enhance the capacity of state and local governments to respond to incidents of terrorism and natural disasters. The Homeland Security Grant Program includes both the Urban Area Security Initiative (UASI) and State Homeland Security Grant Program (SHSP) The UASI program specifically addresses the unique needs of high risk urban areas with funding to develop an enhanced and sustainable capacity to prevent, protect against, respond to and recover from threats or acts of terrorism. In Texas, the agency that manages and administers these programs is the Texas Department of Public Safety (DPS), which has forwarded the City of Houston's FY2014 HSGP grant awards in <b>four component sub-recipient agreements</b>.</p> <p>Local allocations of UASI funds are governed by an executive committee that includes representation from the City of Houston and Harris, Fort Bend and Montgomery counties. The committee receives proposals from jurisdictions across the region that are reviewed and prioritized by committees of subject matter experts. After deciding which projects will best "buy down" the region's risk, the successful proposals are included in a formal grant application to DHS. Therefore, this award is for implementation of a specific, approved set of projects.</p> <ul style="list-style-type: none"> <li>▪ <b>UASI (\$6,256,809.47)</b> – Funds are allocated for planning, equipment, training and exercises. The largest projects that will be implemented for FY2014 include: <ul style="list-style-type: none"> <li>– \$1,200,000 for interoperable communications equipment and software to support first responders</li> <li>– \$1,027,577 for personnel, training and sustainment costs for technologies that have been deployed to support the entire region, including WebEOC and PIER</li> </ul> </li> <li>▪ <b>UASI-Law Enforcement Terrorism Prevention (\$3,839,620.00)</b> – These funds are allocated for planning, organization (e.g., fusion center analysts), equipment, and training, and can only spent on a specific subset of allowable law enforcement-related activities. The largest projects that will be implemented for FY2014 include: <ul style="list-style-type: none"> <li>– \$1,389,480 for the public safety video initiative to enhance protection of critical infrastructure</li> <li>– \$1,036,676 for civilian analysts, a system analyst, software, and training for the Houston Regional Intelligence Service Center (our regional fusion center)</li> </ul> </li> <li>▪ <b>State Homeland Security Grant Program (\$108,000.00)</b> – These funds are allocated to sustain planning support for the Regional Catastrophic Preparedness Initiative, ensuring plans and procedures are updated, trained, and tested.</li> <li>▪ <b>State Homeland Security Grant Program – Economic Recovery (\$50,000)</b> – This competitive award has been allocated to the City of Houston to analyze sharing economy platforms and their impact on disaster response and recovery in the H-GAC Region.</li> </ul> <p><b>RECOMMENDATION</b>  It is recommended that Council authorize the director of the Mayor's Office of Public Safety &amp; Homeland Security to execute this sub-recipient agreement and to request and/or accept any amendments/modifications to this agreement or any subsequent agreements necessary to secure Houston's allocations through this grant program.</p>				
<b>REQUIRED AUTHORIZATION</b>				
<b>F &amp; A Director:</b>		<b>Other Authorization:</b>		<b>Other Authorization:</b>

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 AUTHORIZING THE DIRECTOR OF THE MAYOR'S OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY TO EXECUTE FOUR SUBRECIPIENT GRANT AGREEMENTS WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY ACCEPTING FY2014 HOMELAND SECURITY GRANT FUNDING FROM THE URBAN AREA SECURITY INITIATIVE GRANT PROGRAM, THE URBAN AREA SECURITY INITIATIVE LAW ENFORCEMENT TERRORISM PREVENTION ACTIVITIES PROGRAM, AND THE STATE HOMELAND SECURITY PROGRAM, AND THE STATE HOMELAND SECURITY PROGRAM – ECONOMIC RECOVERY; DECLARING THE CITY'S ELIGIBILITY FOR SUCH GRANTS; AUTHORIZING THE DIRECTOR TO EXECUTE ALL MODIFICATIONS TO THE AGREEMENTS AND TO EXECUTE ANY SUBSEQUENT DOCUMENTS NECESSARY TO SECURE THE CITY'S ALLOCATIONS THROUGHOUT THE LIFE OF THESE GRANT AWARDS; 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. That the City of Houston is eligible to receive these grants pursuant to the Homeland Security Appropriations Act, as amended from time to time, and the eligibility rules of the Texas Department of Public Safety.

Section 2. That the City will provide no matching funds; however, the City is obligated to repay any funds not spent according to the grant terms.

Section 3. The City Council hereby approves and authorizes the agreements or other undertakings described in the title of this Ordinance, in substantially the form as shown in the documents which are attached hereto and in conformity with the Houston Urban Area's FY 2014 Investment Justifications on file with the Texas Department of Public Safety, which are hereby incorporated by reference:

**Urban Area Security Initiative** for \$6,256,809.47 for the period from September 1, 2014, to June 30, 2016;

**Urban Area Security Initiative – Law Enforcement Terrorism Prevention** for \$3,839,620.00 for the period from September 1, 2014, to June 30, 2016;

**State Homeland Security Program** for \$108,000.00 for the period from September 1, 2014, to January 31, 2016; and

**State Homeland Security Program – Economic Recovery** for \$50,000.00 for the period from October 1, 2014, to June 30, 2016.

Section 4. The Director is hereby designated as the grantee's authorized official for this grant program, and is authorized to execute the grant award documents and all related documents on behalf of the City of Houston, to apply for and accept subsequent grants or supplemental funding through these programs during the life of these grant awards, and is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreements or other undertakings described in the title of this ordinance, in the event of changed circumstances.

Section 6. 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 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Tex. Gov't Code Ann. Ch. 551, and that this meeting has been open to the public as required by law at all times during

which this Ordinance and the subject matter has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and contents and posting.

Section 8. 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. \_\_\_\_\_)

(LAC 9/23/2014)

Assistant City Attorney

(Requested by Dennis Storemski, Director, Mayor's Office of Public Safety & Homeland Security)

(L.D. # 042-1300171-002)

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014  
District F, District J

Item Creation Date: 9/10/2014

MYR - Southwest Houston Zone (Reinvestment Zone #20)

Agenda Item#: 28.

**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
<input type="checkbox"/> TIRZ 20 Southwest Houston RCA	Signed Cover sheet
<input type="checkbox"/> TIRZ 20 Southwest Houston Backup	Backup Material
<input type="checkbox"/> TIRZ 20 Southwest Houston PRIOR AUTHORIZING	Backup Material



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

P R O F I L E	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

N A R R A T I V E	<b>Zone Purpose:</b>
	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 98% complete
	Completed a private placement of \$49.6 Million in bonds to re-finance two existing tranches of bonds, and generate proceeds for additional projects in the zone.
	Approved a reimbursement agreement to Midway for affordable multifamily housing project in the zone.
	Have begun a targeting of property for greenspace / drainage usages.
	Have begun preparation of engineering plans for pedestrian and lighting improvements in the social service corridor East of US 59

		Total Plan	Cumulative Expenses (to 6/30/13)	Variance
P R O J E C T  P L A N	<b>Capital Projects:</b>			
	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
	<b>Total Capital Projects</b>	<b>\$ 160,250,000</b>	<b>\$ 48,814,132</b>	<b>\$ 111,435,868</b>
	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	-	-	-	
<b>Total Project Plan</b>	<b>\$ 192,750,000</b>	<b>\$ 61,437,869</b>	<b>\$ 131,312,131</b>	

		FY2014 Budget	FY2014 Estimates	FY2015 Budget
D E B T	<b>Additional Financial Data</b>			
	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
		<b>Balance as of 6/30/13</b>	<b>Projected Balance as of 6/30/14</b>	<b>Projected Balance as of 6/30/15</b>
	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
<b>RESOURCES</b>			
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	\$ 33,817,836
<b>Beginning Balance</b>	<b>\$ 7,688,803</b>	<b>\$ 8,524,837</b>	<b>\$ 36,502,187</b>
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	\$ -	\$ -	\$ -
<b>Incremental property tax revenue</b>	<b>\$ 6,722,252</b>	<b>\$ 5,993,673</b>	<b>\$ 7,140,281</b>
	\$ -	\$ -	\$ -
<b>Miscellaneous revenue</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
COH TIRZ interest	\$ -	\$ -	\$ -
Interest Income	\$ 13,134	\$ 8,200	\$ 148,420
<b>Other Interest Income</b>	<b>\$ 13,134</b>	<b>\$ 8,200</b>	<b>\$ 148,420</b>
	\$ -	\$ -	\$ -
<b>Grant Proceeds</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
	\$ -	\$ -	\$ -
<b>Proceeds from Bank Loan</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
	\$ -	\$ 49,580,000	\$ -
<b>Contract Revenue Bond Proceeds</b>	<b>\$ -</b>	<b>\$ 49,580,000</b>	<b>\$ -</b>
<b>TOTAL AVAILABLE RESOURCES</b>	<b>\$ 14,424,189</b>	<b>\$ 64,106,710</b>	<b>\$ 43,790,887</b>

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
<b>EXPENDITURES</b>			
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
<b>TIRZ Administration and Overhead</b>	<b>\$ 140,920</b>	<b>\$ 130,855</b>	<b>\$ 140,920</b>
Engineering Consultants	\$ -	\$ -	\$ -
Legal	\$ 12,000	\$ 5,300	\$ 12,000
Construction Audit	\$ -	\$ -	\$ -
Planning Consultants	\$ -	\$ -	\$ -
<b>Program and Project Consultants</b>	<b>\$ 12,000</b>	<b>\$ 5,300</b>	<b>\$ 12,000</b>
<b>Management consulting services</b>	<b>\$ 152,920</b>	<b>\$ 136,155</b>	<b>\$ 152,920</b>
Capital Expenditures (See CIP Schedule)	\$ 1,200,000	\$ 923,543	\$ 11,410,000
	\$ -	\$ -	\$ -
<b>TIRZ Capital Expenditures</b>	<b>\$ 1,200,000</b>	<b>\$ 923,543</b>	<b>\$ 11,410,000</b>
Midway	\$ 175,000	\$ 750,000	\$ -
<b>Developer / Project Reimbursements</b>	<b>\$ 175,000</b>	<b>\$ 750,000</b>	<b>\$ -</b>
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	\$ -
<b>System debt service</b>	<b>\$ 3,038,838</b>	<b>\$ 25,049,142</b>	<b>\$ 4,166,717</b>
<b>TOTAL PROJECT COSTS</b>	<b>\$ 4,566,758</b>	<b>\$ 26,858,840</b>	<b>\$ 15,729,637</b>

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
<b>Total Transfers</b>	<b>\$ 782,113</b>	<b>\$ 745,684</b>	<b>\$ 803,014</b>
<b>Total Budget</b>	<b>\$ 5,348,871</b>	<b>\$ 27,604,524</b>	<b>\$ 16,532,651</b>
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	\$ 33,817,836	\$ 24,573,885
<b>Ending Fund Balance</b>	<b>\$ 9,075,318</b>	<b>\$ 36,502,187</b>	<b>\$ 27,258,236</b>
<b>Total Budget &amp; Ending Fund Balance</b>	<b>\$ 14,424,189</b>	<b>\$ 64,106,710</b>	<b>\$ 43,790,887</b>

Notes:

Council District	CIP No.	Project	Fiscal Year Planned Appropriations										Cumulative Total (To Date)	
			Through 2013	Projected 2014	2015	2016	2017	2018	2019	FY15 - FY19 Total				
F, J	T-2001	Bellaire Access Management Mobility	\$ 27,049,693	199,383	-	-	-	-	-	-	-	-	-	27,249,076
F, J	T-2002	Fondren Access Management Mobility Improvements	\$ 345,213	634,160	-	-	-	-	-	-	-	-	-	979,373
F, J	T-2003	Social Services Project	\$ -	-	1,000,000	-	-	-	-	-	-	-	1,000,000	1,000,000
F, J	T-2004	Land Acquisition	\$ -	-	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	\$ -	90,000	910,000	-	-	-	-	-	-	-	910,000	1,000,000
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	-	-	-	-	-	1,500,000	1,500,000
<b>Totals</b>			<b>\$ 27,579,121</b>	<b>\$ 923,543</b>	<b>\$ 11,410,000</b>	<b>\$ 9,500,000</b>	<b>\$ 500,000</b>	<b>\$ 1,000,000</b>	<b>\$ -</b>	<b>\$ 22,410,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 50,912,664</b>	

\* NOTE:

\*\* NOTE:

\*\*\* NOTE:

Source of Funds	Fiscal Year Planned Appropriations										Cumulative Total (To Date)
	Through 2013	Projected 2014	2015	2016	2017	2018	2019	FY15 - FY19 Total			
TIRZ Funds	27,579,121	923,543	11,410,000	9,500,000	500,000	1,000,000	-	22,410,000	50,912,664		
City of Houston	-	-	-	-	-	-	-	-	-	-	
Grants	-	-	-	-	-	-	-	-	-	-	
Other	-	-	-	-	-	-	-	-	-	-	
<b>Project Total</b>	<b>27,579,121</b>	<b>923,543</b>	<b>11,410,000</b>	<b>9,500,000</b>	<b>500,000</b>	<b>1,000,000</b>	<b>-</b>	<b>22,410,000</b>	<b>50,912,664</b>		

Project:		Social Services Project		City Council District		Key Map:		WBS.:		T-2003						
Description:		Sidewalks and lighting added to the new annexed area.		Location:		Geo. Ref.:		Served:		Neighborhood:						
Justification:		Enhance accessibility to Ripley House and the Multi-Service Center.		2015		2016		2017		2018		2019		Total		
				Personnel	-	-	-	-	-	-	-	-	-	-	\$	
				Supplies	-	-	-	-	-	-	-	-	-	-	-	\$
				Svcs. & Chgs.	-	-	-	-	-	-	-	-	-	-	-	\$
				Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	\$
				Total	\$	-	\$	-	\$	-	\$	-	\$	-	\$	
				FTEs												
<b>Fiscal Year Planned Expenses</b>																
Project Allocation	Phase	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)					
1	Planning	-	-	-	100,000	-	-	-	-	100,000	\$ 100,000					
2	Acquisition	-	-	-	-	-	-	-	-	-	\$ -					
3	Design	-	-	-	-	-	-	-	-	-	\$ -					
4	Construction	-	-	-	900,000	-	-	-	-	900,000	\$ 900,000					
5	Equipment	-	-	-	-	-	-	-	-	-	\$ -					
6	Close-Out	-	-	-	-	-	-	-	-	-	\$ -					
7	Other	-	-	-	-	-	-	-	-	-	\$ -					
											\$ -	\$ -				
<b>Other Sub-Total:</b>											\$ -	\$ -				
<b>Total Allocations</b>		\$ -	\$ -	\$ -	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000					
<b>Source of Funds</b>																
TIRZ Funds		-	-	-	1,000,000	-	-	-	-	-	\$ 1,000,000					
City of Houston		-	-	-	-	-	-	-	-	-	\$ -					
Grants		-	-	-	-	-	-	-	-	-	\$ -					
Other		-	-	-	-	-	-	-	-	-	\$ -					
<b>Total Funds</b>		\$ -	\$ -	\$ -	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000					

Project: Land Acquisition		City Council District		Key Map:		WBS.:		T-2004			
		Location: F, J		Geo. Ref.:							
		Served: F, J		Neighborhood:							
Description:	Justification:	Operating and Maintenance Costs: (\$ Thousands)									
		2015	2016	2017	2018	2019	Total				
Land acquisition for drainage/detention facilities.											
		Personnel	-	-	-	-	-	-	\$ -		
		Supplies	-	-	-	-	-	-	\$ -		
		Svcs. & Chgs.	-	-	-	-	-	-	\$ -		
		Capital Outlay	-	-	-	-	-	-	\$ -		
		<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
		FTEs							-		
Fiscal Year Planned Expenses											
Project Allocation	Phase	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
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	-	-	-	-	-	-	-	-	\$ -	\$ -
	<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Allocations</b>		\$ -	\$ -	\$ -	\$ 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		-	-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Funds</b>		\$ -	\$ -	\$ -	\$ 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		F, J		Geo. Ref.:		26		Neighborhood:			
Served:		F, J		F, J		2016		2017		2018		2019	
Operating and Maintenance Costs: (\$ Thousands)		2015		2016		2017		2018		2019		Total	
<b>Description:</b>	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, Harwint and Westpark Improvements.												
<b>Justification:</b>	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.												
	Personnel	-	-	-	-	-	-	-	-	-	-	-	\$
	Supplies	-	-	-	-	-	-	-	-	-	-	-	\$
	Svcs. & Chgs.	-	-	-	-	-	-	-	-	-	-	-	\$
	Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	\$
	<b>Total</b>	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
	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)			
<b>Phase</b>													
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	-	-	-	-	-	-	-	-	-	\$	-	-	-
	-	-	-	-	-	-	-	-	-	\$	-	-	-
<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	-	\$	-	-	-
<b>Total Allocations</b>	\$ 184,215	\$ -	\$ -	\$ 6,000,000	\$ 6,000,000	\$ -	\$ -	\$ -	\$ 12,000,000	\$ 12,184,215	\$ -	\$ -	\$ -
<b>Source of Funds</b>													
TIRZ Funds	184,215	-	-	6,000,000	6,000,000	-	-	-	12,000,000	\$ 12,184,215	-	-	-
City of Houston	-	-	-	-	-	-	-	-	-	\$	-	-	-
Grants	-	-	-	-	-	-	-	-	-	\$	-	-	-
Other	-	-	-	-	-	-	-	-	-	\$	-	-	-
<b>Total Funds</b>	\$ 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		F, J		Geo. Ref.:								
Served: F, J		F, J		Neighborhood:								
Description:	Improvements to park facilities, landscaping, lighting.	Operating and Maintenance Costs: (\$ Thousands)										
		2015	2016	2017	2018	2019	Total					
Justification:	Upgrades needed to bring area parks to standard.	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)
1 Planning	-	-	-	-	-	-	-	-	\$	\$
2 Acquisition	-	-	-	-	-	-	-	-	\$	\$
3 Design	-	150,000	90,000	-	-	-	-	-	\$	90,000
4 Construction	-	850,000	-	910,000	-	-	-	-	\$	910,000
5 Equipment	-	-	-	-	-	-	-	-	\$	\$
6 Close-Out	-	-	-	-	-	-	-	-	\$	\$
7 Other	-	-	-	-	-	-	-	-	\$	\$
									\$	\$
									\$	\$
									\$	\$
									\$	\$
									\$	\$
									\$	\$
Other Sub-Total:	-	-	-	-	-	-	-	-	\$	\$
Total Allocations	\$	\$ 1,000,000	\$ 90,000	\$ 910,000	\$	\$	\$	\$	\$ 910,000	\$ 1,000,000
Source of Funds										
TIRZ Funds	-	1,000,000	90,000	910,000	-	-	-	-	\$ 910,000	\$ 1,000,000
City of Houston	-	-	-	-	-	-	-	-	\$	\$
Grants	-	-	-	-	-	-	-	-	\$	\$
Other	-	-	-	-	-	-	-	-	\$	\$
Total Funds	\$	\$ 1,000,000	\$ 90,000	\$ 910,000	\$	\$	\$	\$	\$ 910,000	\$ 1,000,000

Project: Sharpstown Park		City Council District		Key Map:		WBS: T-2007				
Location: F,J		F,J		Geo. Ref.:						
Served: F,J		F,J		Neighborhood:						
<b>Description:</b> Reconstruction of swimming pool.		Operating and Maintenance Costs: (\$ Thousands)						Total		
		2015	2016	2017	2018	2019				
<b>Justification:</b> repair and recondition aged facility, repair leaks.		Personnel	-	-	-	-	\$ -			
		Supplies	-	-	-	-	\$ -			
		Svcs. & Chgs.	-	-	-	-	\$ -			
		Capital Outlay	-	-	-	-	\$ -			
		<b>Total</b>	\$ -	\$ -	\$ -	\$ -	\$ -			
		FTEs	-	-	-	-	-			
<b>Fiscal Year Planned Expenses</b>										
Project Allocation	Projected Expenses thru 6/30/13	2014 Budget	2014 Estimate	2015	2016	2017	2018	2019	FY15 - FY19 Total	Cumulative Total (To Date)
<b>Phase</b>										
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	-	-	-	-	-	-	-	\$ -	\$ -
<b>Other Sub-Total:</b>										
		-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Allocations</b>		\$ -	\$ -	\$ 1,000,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 2,000,000	\$ 2,000,000
<b>Source of Funds</b>										
TIRZ Funds		-	-	1,000,000	1,000,000	-	-	-	\$ 2,000,000	\$ 2,000,000
City of Houston		-	-	-	-	-	-	-	\$ -	\$ -
Grants		-	-	-	-	-	-	-	\$ -	\$ -
Other		-	-	-	-	-	-	-	\$ -	\$ -
<b>Total Funds</b>		\$ -	\$ -	\$ 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.:		T-2008	
Location:		F, J		F, J		Geo. Ref.:		26		Neighborhood:			
Served:		F, J		F, J		Neighborhood:		26		Neighborhood:			
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 - FY19 Total	Cumulative Total (To Date)	
<b>Phase</b>											
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	-	-	-	-	-	-	-	-	\$ -	\$ -	
	-	-	-	-	-	-	-	-	\$ -	\$ -	
	-	-	-	-	-	-	-	-	\$ -	\$ -	
	-	-	-	-	-	-	-	-	\$ -	\$ -	
	-	-	-	-	-	-	-	-	\$ -	\$ -	
	-	-	-	-	-	-	-	-	\$ -	\$ -	
	-	-	-	-	-	-	-	-	\$ -	\$ -	
<b>Other Sub-Total:</b>	-	-	-	-	-	-	-	-	\$ -	\$ -	
<b>Total Allocations</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 1,000,000	\$ -	\$ 1,500,000	\$ 1,500,000	
<b>Source of Funds</b>											
TIRZ Funds	-	-	-	-	-	500,000	1,000,000	-	\$ 1,500,000	\$ 1,500,000	
City of Houston	-	-	-	-	-	-	-	-	\$ -	\$ -	
Grants	-	-	-	-	-	-	-	-	\$ -	\$ -	
Other	-	-	-	-	-	-	-	-	\$ -	\$ -	
<b>Total Funds</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 1,000,000	\$ -	\$ 1,500,000	\$ 1,500,000	

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/23/2014

25GM295 - Environmental Remediation, Underground Storage Tank Removal and Demolition Services Task Order Contracting Program for FY 2015

Agenda Item#: 29.

**Summary:**

ORDINANCE appropriating \$150,000.00 out of Parks Consolidated Construction Fund, \$180,000.00 out of Fire Consolidated Construction Fund, \$475,000.00 out of Police Consolidated Construction Fund, \$120,000.00 out of Public Library Consolidated Construction Fund, \$30,000.00 out of Public Health Consolidated Construction Fund and \$50,000.00 out of Solid Waste Consolidated Construction Fund for the Environmental Remediation, Underground Storage Tank Removal and Demolition Services Task Order Contracting Program for FY2015 (Approved by Ordinance No. 2012-0341)

**Background:**

**SPECIFIC EXPLANATION:** The General Services Department recommends that City Council appropriate \$1,005,000.00 for the Environmental Remediation, Underground Storage Tank Removal and Demolition Services Task Order Contracting Program (the Program) for FY 2015 for City facilities and dangerous buildings. The Program is funded through supplemental allocations from various departmental budgets or appropriations from various bond funds. Periodically, as departments identify projects and specific funding for each project, Council may be requested to appropriate additional funds for the Program.

**PROJECT LOCATIONS:** Citywide

**PROJECT DESCRIPTION:** The scope of work consists of environmental abatement and demolition of dangerous buildings, asbestos mold and lead abatement, underground storage tank removal, soil and groundwater remediation, loading, hauling and proper disposal of waste material generated as a result of all activities.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On April 18, 2012, Ordinance No. 2012-0341, City Council awarded three, five-year task order construction contracts to ARC Abatement, Inc., AAR Incorporated and Cherry Moving Company, Inc. dba Cherry Demolition, set a maximum contract amount for each contract of \$2,000,000.00, and appropriated \$315,000.00 for the Program for FY2012. On February 20, 2013, Ordinance No. 2013-0151, City Council appropriated an additional \$126,184.63 for services at the Teague Maintenance Facility for the Department of Public Works & Engineering during FY 2012. On February 19, 2014, Ordinance No. 2014-0122, City Council awarded three additional five-year task order contracts to Inland Environments, Ltd., RNDI Companies, Inc. and Arrow Services, Inc. for the Program, set a maximum contract amount for each contract of \$2,000,000.00, and appropriated \$708,000.00 for FY2014.

**MBE/SBE PARTICIPATION:** A 5% MBE goal and 10% SBE goal have been established for each contract. To date, each contractor has achieved the following MBE/SBE participation:

**No. Contractor MBE/SBE Subcontractor(s) Amount Authorized to Date MBE/SBE Participation**

1 ARC Abatement, Inc. Smith- Mobley (MBE) Velez Trucking (SBE) \$576,422.00 0.0% 12.5%

2 AAR Incorporated Velez Trucking (MBE/SBE) \$822,221.58 36.0% 18.4%

3 Cherry Moving Company, dba Cherry Demolition J&B Transport, Inc. (MBE) Gellegos & Sons Trucking (SBE) \$528,584.00 9.8% 4.77%

4 Inland Environments, Ltd. Atlantic Petroleum (MBE) L. Mobley (SBE) \$110,085.00 6.65% 2.7%

5 RNDI Companies, Inc. Tuco Trucking Services (MBE/SBE) \$0.0 0%

6 Arrow Services, Inc. Velez Trucking (MBE) CRG Texas, LLC (SBE) \$0.0 0%

**Prior Council Action:**

Ordinance: 2012-0341; Dated: 04-18-2012

Ordinance: 2014-0122; Dated: 02-19-2014

**Amount of Funding:**

**Maximum Contract Amount for each contract: \$2,000,000.00 – 5 years**

\$150,000.00 – Parks Consolidated Construction Fund (4502)

\$180,000.00 – Fire Consolidated Construction Fund (4500)

\$475,000.00 – Police Consolidated Construction Fund (4504)

\$120,000.00 – Public Library Consolidated Construction Fund (4507)

\$ 30,000.00 – Public Health Consolidated Construction Fund (4508)

\$ 50,000.00 – Solid Waste Consolidated Construction Fund (4503) **\$1,005,000.00 Total Appropriation**

**Source of Funding:**

Other (Specify)

Parks Consolidated Construction Fund (4502) Fire Consolidated Construction Fund (4500) Police Consolidated Construction Fund (4504) Public Library Consolidated Construction Fund (4507) Public Health Consolidated Construction Fund (4508) Solid Waste Consolidated Construction Fund (4503)





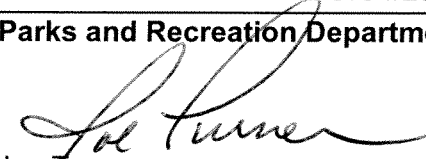
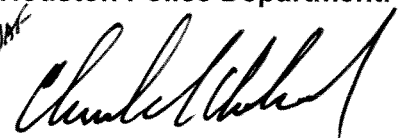



**Contact Information:**

Jacquelyn L. Nisby

Phone: 832-393-8023

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Award RCA	Signed Cover sheet
<input type="checkbox"/> Ordinance	Ordinance/Resolution/Motion
<input type="checkbox"/> City Map	Backup Material
<input type="checkbox"/> Previous RCA and Ordinance	Backup Material
<input type="checkbox"/> Form A Fair Campaign	Backup Material
<input type="checkbox"/> Form B	Backup Material
<input type="checkbox"/> Delinquent Tax Report	Backup Material
<input type="checkbox"/> CIP Form A	Backup Material
<input type="checkbox"/> Fund Reservation Form	Financial Information

<b>SUBJECT:</b> Appropriate Funds for the Environmental Remediation, Underground Storage Tank Removal and Demolition Services Task Order Contracting Program for FY 2015. WBS Nos: F-000509-0080-4, C-000185-0003-4, G-000144-0004-4 E-000163-0003-4, H-000099-0001-4, L-000052-0010-4		<b>Page</b> 1 of 2	<b>Agenda Item</b>
<b>FROM (Department or other point of origin):</b> General Services Department		<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE</b> Scott Minnix 		<b>Council Districts affected:</b> All	
<b>For additional information contact:</b> Jacquelyn L. Nisby  Phone: 832-393-8023		<b>Date and identification of prior authorizing Council actions:</b> Ordinance: 2012-0341; Dated: 04-18-2012 Ordinance: 2014-0122; Dated: 02-19-2014	
<b>RECOMMENDATION:</b> Appropriate funds for the Environmental Remediation, Underground Storage Tank Removal and Demolition Services Task Order Contracting Program for FY 2015.			
<b>Maximum Contract Amount for each contract: \$2,000,000.00 – 5 years</b>		<b>Finance Budget:</b>	
<b>Amount and Source of Funding:</b> \$150,000.00 – Parks Consolidated Construction Fund (4502) \$180,000.00 – Fire Consolidated Construction Fund (4500) \$475,000.00 – Police Consolidated Construction Fund (4504) \$120,000.00 – Public Library Consolidated Construction Fund (4507) \$ 30,000.00 – Public Health Consolidated Construction Fund (4508) \$ 50,000.00 – Solid Waste Consolidated Construction Fund (4503) <b>\$1,005,000.00 Total Appropriation</b>			
<b>SPECIFIC EXPLANATION:</b> The General Services Department recommends that City Council appropriate \$1,005,000.00 for the Environmental Remediation, Underground Storage Tank Removal and Demolition Services Task Order Contracting Program (the Program) for FY 2015 for City facilities and dangerous buildings. The Program is funded through supplemental allocations from various departmental budgets or appropriations from various bond funds. Periodically, as departments identify projects and specific funding for each project, Council may be requested to appropriate additional funds for the Program.			
<b>REQUIRED AUTHORIZATION</b> <span style="float: right;">CUIC #25GM295</span>			
<b>General Services Department:</b>  Humberto Bautista, P.E. Assistant Director	<b>Houston Public Library:</b>  Rhea Brown Lawson, Ph.D. Director	<b>Parks and Recreation Department:</b>  Joe Turner Director	
<b>Houston Police Department:</b>  Charles A. McClelland, Jr. Chief of Police	<b>Houston Fire Department:</b>  Terry A. Garrison Chief	<b>Department of Health and Human Services:</b>  Stephen L. Williams, M.ED, MPA Director	
<b>Solid Waste Management Department:</b>  Harry J. Hayes Director			

<b>Subject:</b> Appropriate Funds for the Environmental Remediation, Underground Storage Tank Removal and Demolition Services Task Order Contracting Program for FY 2015. WBS Nos: F-000509-0080-4, C-000185-0003-4, G-000144-0004-4 E-000163-0003-4, H-000099-0001-4, L-000052-0010-4	<b>Originator's Initials</b> GM	<b>Page</b> 2 of 2
--	------------------------------------	-----------------------

**PROJECT LOCATIONS:** Citywide

**PROJECT DESCRIPTION:** The scope of work consists of environmental abatement and demolition of dangerous buildings, asbestos mold and lead abatement, underground storage tank removal, soil and groundwater remediation, loading, hauling and proper disposal of waste material generated as a result of all activities.

**PREVIOUS HISTORY AND PROJECT SCOPE:** On April 18, 2012, Ordinance No. 2012-0341, City Council awarded three, five-year task order construction contracts to ARC Abatement, Inc., AAR Incorporated and Cherry Moving Company, Inc. dba Cherry Demolition, set a maximum contract amount for each contract of \$2,000,000.00, and appropriated \$315,000.00 for the Program for FY2012. On February 20, 2013, Ordinance No. 2013-0151, City Council appropriated an additional \$126,184.63 for services at the Teague Maintenance Facility for the Department of Public Works & Engineering during FY 2012. On February 19, 2014, Ordinance No. 2014-0122, City Council awarded three additional five-year task order contracts to Inland Environments, Ltd., RNDI Companies, Inc. and Arrow Services, Inc. for the Program, set a maximum contract amount for each contract of \$2,000,000.00, and appropriated \$708,000.00 for FY2014.

**MBE/SBE PARTICIPATION:** A 5% MBE goal and 10% SBE goal have been established for each contract. To date, each contractor has achieved the following MBE/SBE participation:

No.	Contractor	MBE/SBE Subcontractor(s)	Amount Authorized to Date	MBE/SBE Participation
1	ARC Abatement, Inc.	Smith- Mobley (MBE) Velez Trucking (SBE)	\$576,422.00	0.0% 12.5%
2	AAR Incorporated	Velez Trucking (MBE/SBE)	\$822,221.58	36.0% 18.4%
3	Cherry Moving Company, dba Cherry Demolition	J&B Transport, Inc. (MBE) Gellegos & Sons Trucking (SBE)	\$528,584.00	9.8% 4.77%
4	Inland Environments, Ltd.	Atlantic Petroleum (MBE) L. Mobley (SBE)	\$110,085.00	6.65% 2.7%
5	RNDI Companies, Inc.	Tuco Trucking Services (MBE/SBE)	\$0.0	0%
6	Arrow Services, Inc.	Velez Trucking (MBE) CRG Texas, LLC (SBE)	\$0.0	0%

SM:HB:JLN:GM:FK:fk

c: Marta Crinejo  
Jacquelyn L. Nisby  
Carlecia Wright  
Calvin R. Curtis  
Gabriel Mussio  
Felicia Williams  
File

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014  
District A, District F, District G

Item Creation Date: 9/23/2014

20JSW93-First Amend to Interlocal Agmnt with HGAC

Agenda Item#: 30.

**Summary:**

ORDINANCE approving and authorizing first amendment to Interlocal Agreement between the City of Houston and **HOUSTON-GALVESTON AREA COUNCIL** for the Greater West Houston Subregional Planning Study; (Approved by Ordinance No. 2012-309, as amended) - **DISTRICTS A - STARDIG; F - NGUYEN and G - PENNINGTON**

**Background:**

**SUBJECT:** Approve an ordinance authorizing a first amendment to the Interlocal Agreement with Houston-Galveston Area Council (H-GAC) for the Greater West Houston Subregional Planning Study ("Study").

**RECOMMENDATION: (Summary)**

That City Council approves an ordinance authorizing a First Amendment to the existing Interlocal Agreement with Houston-Galveston Area Council (H-GAC) to add four (4) additional development scenarios and an additional allocation of funds for the completion of the Greater West Houston Subregional Planning Study ("Study")

**SPECIFIC EXPLANATION:**

On April 11, 2012 City Council approved an Interlocal Agreement with Houston-Galveston Area Council under Ordinance No. 2012-309 allowing the City of Houston to participate in the Greater West Houston Subregional Planning Study.

It was determined that the results from 2040 model year development scenarios did not provide useful results due to the excessive congestion projected by the transportation model. These additional scenarios will provide more meaningful results from which to develop planning recommendations for the study.

For land use and development scenarios, the consultant will focus on the development, evaluation and visualization of a maximum of eight alternative land use and transportation scenarios for Year 2025 and 2040 that reflect a range of intensities of future conditions and needs of the Greater West Houston Subregional Planning Study area the four additional 2025 scenarios will be developed and evaluated in the same manner as the 2040 scenarios. The Study aims to connect the management districts' development plans, identify key transportation projects, and address future needs of rapid growth.

**Prior Council Action:**

Ordin. 2012-309 April 11, 2012

**Amount of Funding:**

\$2,944.90

**Source of Funding:**

Other (Specify)

Fund 2310 Dedicate Drainage & Street Renewal

**Contact Information:**

Khang M. Nguyen P.E., PTOE 832-395-3008

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> RCA	Backup Material
<input type="checkbox"/> 20JSW93-First Amend to Interlocal Agmnt with HGAC ORDINANCE	Ordinance/Resolution/Motion

- ☐ Prior council action
- ☐ Map
- ☐ Backup
- ☐ HGAC Interlocal Agmt

- Backup Material
- Backup Material
- Backup Material
- Backup Material





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 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. The total allocation for the contract, agreement or other undertaking approved and authorized hereby shall never exceed **\$2,944.90**, unless and until this sum is increased by ordinance of City Council.

Section 5. 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. \_\_\_\_\_)

(ARC/dg 9/22/14) Assistant City Attorney

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

(L.D. File No. 0631100317002)

G:\Contracts\DLG\ARC\Ordinances.H-GAC.doc

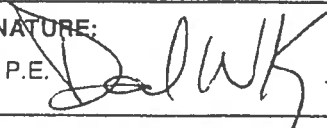


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> An Ordinance authorizing an Interlocal Agreement with Houston-Galveston Area Council (H-GAC) to fund the Greater West Houston Subregional Planning Study ("Study").	Page 1 of 1	Agenda Item # 29
---	----------------	------------------------

<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering	<b>ORIGINATION DATE:</b>	<b>AGENDA DATE:</b> APR 11 2012
--	--------------------------	------------------------------------

<b>DIRECTOR'S SIGNATURE:</b> Daniel W. Krueger, P.E. 	<b>COUNCIL DISTRICTS AFFECTED:</b> A, F, G
---	---

<b>FOR ADDITIONAL INFORMATION CONTACT:</b> Jeffrey Weatherford, P.E., PTOE, (832) 395-2461	<b>DATE AND IDENTIFICATION OF PRIOR AUTHORIZING COUNCIL ACTION:</b>
--	---

**RECOMMENDATION (Summary):** Approve an Ordinance authorizing an Interlocal Agreement between the City of Houston and Houston-Galveston Area Council for the commencement of a Subregional Planning Study and allocate funds.

**AMOUNT AND SOURCE OF FUNDING:** \$50,000.00 from Fund No. 2310 – Dedicated Drainage & Street Renewal. *PLR*

**SPECIFIC EXPLANATION:** The Energy Corridor, Memorial City, and Westchase Management Districts have jointly pursued and received federal funding for the Greater West Houston Subregional Planning Study in partnership with H-GAC and the City of Houston. The Study aims to connect the management districts' development plans, identify key transportation projects, and address future needs in this area of rapid growth.

The Study will (a) identify land use goals and priorities of the west Houston subregional areas to create a subregional vision statement; (b) assess existing conditions to develop supportive strategies; (c) use modeling and forecasting to evaluate transportation and land use alternatives through the year 2040; and (d) develop recommendations and implementation strategies to complete a Subregional Planning Initiative Plan. The Study area is generally bound by FM 529/SH 290 (north), Fairbanks/Blaylock/Beltway 8 (east), Bellaire (south), and SH 99 (west) and is located in Key Map Grids: 405-410, 445-450, 485-490, & 525-529A-G.


The Study will cost \$412,100.00, with 80% (\$329,680.00) of the contribution furnished from federal funds and the remaining 20% (\$82,420.00) cash match from local, sponsoring entities. The Study's expected duration is approximately 12 months.

The Director of Public Works and Engineering and H-GAC Executive Director mutually recommend an Interlocal Agreement, whereby the City of Houston, as a sponsoring entity, agrees to furnish H-GAC with a contribution of 58.9% (\$48,543.69) of the Study's 20% (\$82,420.00) cash match, as well as reimbursement (\$1,456.31) for a contract oversight fee. In total, the City of Houston will contribute \$50,000.00 towards the Study's cost.

Upon execution of this agreement, the City of Houston will deliver \$50,000.00 to H-GAC. Upon receipt of funds, H-GAC will prepare the Study's scope in consultation with the City and afterwards award and manage the professional services contract providing the Study.

REQUIRED AUTHORIZATION

CUIC ID 20JSW64

<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  3/30/12 Jeffrey Weatherford, P.E., PTOE, Deputy Director Traffic Operations Division
----------------------------	-----------------------------	--

City of Houston, Texas Ordinance No. 2012-309

AN ORDINANCE APPROVING AND AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF HOUSTON AND HOUSTON-GALVESTON AREA COUNCIL TO FUND THE GREATER WEST HOUSTON SUBREGIONAL PLANNING STUDY; 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 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 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 11<sup>th</sup> day of April, 2012.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Houston, Texas.



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District D, District K

20RPS52-Pipeline Permit to Enerfin Field Services, LLC

Agenda Item#: 31.

**Summary:**

ORDINANCE issuing a permit to **ENERFIN FIELD SERVICES LLC** to operate, maintain, improve, repair and replace one existing pipeline in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which the permit is issued - **DISTRICTS D - BOYKINS and K - GREEN**

**Background:**

It is recommended that City Council approve a pipeline permit pursuant to the provisions of Article IX of Chapter 40 of the Code of Ordinances, authorizing Enerfin Field Services LLC, a Limited Liability Corporation; to operate, maintain, improve, repair and replace open existing pipeline for the underground transportation of materials under portions of certain street rights of way in the City, as listed below and more specifically detailed in the permit ordinance:

<u>Pipeline Name</u>	<u>Diameter Size</u>	<u>Materials</u>
Missouri City System	10-inch	Natural Gas

LOCATION: The pipeline is located in Key Map grid(s) 532Z, 570V, 571HLMPQS, 572DE

**Contact Information:**

Richard Smith, P.E., PTOE

**Phone:** (832) 394-9137

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> RCA	Backup Material
<input type="checkbox"/> Ordin	Ordinance/Resolution/Motion
<input type="checkbox"/> map	Backup Material
<input type="checkbox"/> Pipeline Ordn Exhibit A	Other
<input type="checkbox"/> certificate of ins	Other
<input type="checkbox"/> Application permit ord & questionnaire	Other

**REQUEST FOR COUNCIL ACTION**

TO: Mayor via City Secretary

RCA #20RPS52

<p><b>SUBJECT:</b> Ordinance to issue a pipeline permit to Enerfin Field Services LLC for one existing pipeline for the underground transportation of materials within portions of certain City street rights of way.</p>	<p><b>Category #</b></p>	<p><b>Page</b> 1 of 1</p>	<p><b>Agenda Item#</b></p>						
<p><b>FROM: (Department or other point of origin):</b>  Public Works and Engineering</p>	<p><b>Origination Date</b> 9/25/14</p>		<p><b>Agenda Date</b></p>						
<p><b>DIRECTOR'S SIGNATURE:</b> <i>Dale A. Rudick</i> Dale A. Rudick, P.E. Director</p>	<p><b>Council Districts affected:</b> D, K</p>								
<p><b>For additional information contact:</b> Richard Smith, P.E., PTOE <i>Richard Smith</i> <b>Phone:</b> (832) 394-9137 <i>9/12/14</i></p>	<p><b>Date and identification of prior authorizing Council Action:</b></p>								
<p><b>RECOMMENDATION: (Summary)</b> Approve an ordinance granting a permit to Enerfin Field Services LLC, a Limited Liability Corporation; to operate, maintain, improve, repair and replace one existing pipeline for underground transportation of materials under portions of certain street rights of way.</p>									
<p><b>SPECIFIC EXPLANATION:</b> It is recommended that City Council approve a pipeline permit pursuant to the provisions of Article IX of Chapter 40 of the Code of Ordinances, authorizing Enerfin Field Services LLC, a Limited Liability Corporation; to operate, maintain, improve, repair and replace one existing pipeline for the underground transportation of materials under portions of certain street rights of way in the City, as listed below and more specifically detailed in the permit ordinance:</p> <table border="1" style="width:100%; margin: 10px 0;"> <thead> <tr> <th style="width:45%;">Pipeline Name</th> <th style="width:25%;">Diameter Size</th> <th style="width:30%;">Materials</th> </tr> </thead> <tbody> <tr> <td>Missouri City System</td> <td>10-inch</td> <td>Natural Gas</td> </tr> </tbody> </table> <p>Enerfin Field Services LLC, submitted the initial required application permit fee of \$2,141.01 plus \$1,070.50 per pipeline for a total of \$3,211.51. A fee of \$1,070.50, plus any consumer price index (CPI) increases is due and payable January 1 of each year during the term of this permit ordinance. The permit is for 30 years.</p>				Pipeline Name	Diameter Size	Materials	Missouri City System	10-inch	Natural Gas
Pipeline Name	Diameter Size	Materials							
Missouri City System	10-inch	Natural Gas							
<p><b>LOCATION:</b> The pipeline is located in Key Map grid(s) 532Z, 570V, 571HLMPQS, 572DE DWK:MLL:JTL:RPS:tss</p> <p>cc: Marta Crinejo Mark L. Loethen, P.E., PTOE, CFM Deborah McAbee Mary F. Buzak</p>									
<b>LTS No. 12949</b>		<b>REQUIRED AUTHORIZATION</b>							
<p><b>Finance Director:</b></p>	<p><b>Other Authorization:</b></p>	<p><b>Other Authorization:</b> <i>Mark L. Loethen</i> Mark L. Loethen, P.E., PTOE, CFM Planning &amp; Development Services</p>							

City of Houston, Texas, Ordinance No. 2014-\_\_\_\_\_

**AN ORDINANCE ISSUING A PERMIT TO ENERFIN FIELD SERVICES LLC TO OPERATE, MAINTAIN, IMPROVE, REPAIR AND REPLACE ONE EXISTING PIPELINE IN CERTAIN PORTIONS OF SPECIFIED PUBLIC STREET RIGHTS-OF-WAY AND PRESCRIBING THE CONDITIONS AND PROVISIONS UNDER WHICH THE PERMIT IS ISSUED; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS, ENERFIN FIELD SERVICES LLC**, a Texas limited liability company ("*Permittee*"), has applied to the City of Houston, Texas ("*City*"), for a permit to operate, maintain, improve, repair and replace one existing pipeline for underground transportation of materials in specified portions of public street rights-of-way of the City, in accordance with Article IX of Chapter 40 (the "*Transmission Pipeline Ordinance*") of the Code of Ordinances, Houston, Texas (the "*Code*"); and

**WHEREAS**, the Director of the Department of Public Works & Engineering has reviewed the application and other information supplied by Permittee (collectively, the "*Plans*") and recommends that the permit ordained hereby (this "*Permit*") be issued to Permittee; **NOW, THEREFORE**,

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

**Section 1. Adoption of Recitals.** That the City Council hereby ratifies, confirms, and adopts the findings and recitals contained in the preamble to this Ordinance and further finds that said findings and recitals are true and correct.

**Section 2. Definitions.** For the purposes of this Permit, the terms used herein have the meanings ascribed to them in Section 40-228 of the Code, unless the context clearly indicates otherwise.

**Section 3. Issuance of Permit.** Permittee is permitted to operate, maintain, improve, and repair (1) the Pipeline designated in Exhibit "A", attached and incorporated by reference, at the Street locations specified in such exhibit and (2) all future pipelines permitted by the Director in accordance with the Transmission Pipeline Ordinance at the permitted street locations. This Permit shall extend to and be binding upon: (1) Permittee, (2) each Permitted Affiliate specified in Exhibit "A", (3) Permittee's affiliates hereafter approved by resolution or ordinance of the City Council of Houston or added pursuant to Section 40-232(e) of the Code, and (4) each assignee of the Permittee or Permittee's Affiliate(s) described in Section 40-234(r)(5) of the Code.

**Section 4. Exclusions and Limitations.** *It is expressly understood that Permittee is not being granted a franchise, easement, lease or other interest in*

**land notwithstanding any contrary inference contained in any document prepared by the City or submitted to the City by Permittee.** No agent, officer, director, official, legal representative, employee or assignee of the City is empowered to authorize Permittee or any of its agents or employees to do or perform any act contrary to the terms of this Permit or the law or ordinances of the City. Furthermore, no act or deed, including but not limited to approval of the Plans or any future construction, by the Director or by any agent, officer, director, official, legal representative, employee or assignee of the City purporting to authorize or permit Permittee to do or perform any act contrary to the terms of this Permit or any applicable law or ordinances of the City shall ever be held to work an estoppel or waiver upon the City or in any manner be held to justify or excuse any such act on the part of Permittee or to create a duty of the City not expressly provided for in this Permit.

**Section 5. Material Transported.** Permittee may operate the Pipeline permitted by this Permit for the purpose of transporting in such Pipeline only the material or materials indicated in Exhibit "A" or described in any notice hereafter filed with the Director pursuant to Section 40-234(d) of the Code. Notwithstanding anything contained herein to the contrary, this Permit does not authorize any transportation or distribution of natural gas by Permittee whose use of Streets is subject to City action or approval under Article 1175 Tex. Rev. Civ. Stat., as amended or codified from time to time.

**Section 6. Expenses and Operations.** Permittee will be solely responsible for and pay all costs and expenses connected with the Pipeline permitted, including, without limitation, costs and expenses for construction, operation, maintenance, repair, insurance, taxes and assessments by public authorities.

**Section 7. Events of Termination.** This Permit may be terminated in accordance with the provisions of Section 40-234(q) of the Code.

**Section 8. Charter and Ordinances.** Permittee will, at all times, construct, maintain, operate, improve, repair, extend, and replace the Pipeline permitted by this Permit in accordance with all applicable laws, regulations, and charter provisions and ordinances of the City, now or hereafter in effect as may be amended, including, but not limited to, all applicable terms and requirements contained in Chapter 40 of the Code, which are incorporated herein by reference, except that (1) Sections 40-136(b)(8) and 40-147 of the Code will be pre-empted by the insurance and indemnity requirements of this Permit and (2) Sections 40-143 and 40-145 of the Code will not apply to the Pipeline permitted by this Permit.

**Section 9. Fees.** Permittee has paid the City all fees due and payable upon application for this Permit in accordance with the provisions of Section 40-234(f)(1) and (2) of the Code. By receiving the foregoing fees the City does not waive and expressly reserves its right to assess any other additional lawful fees or charges for the use or presence of the Pipeline permitted by this Permit in its Streets that the City may be required or allowed to assess pursuant to all applicable federal, state or local law, now or hereafter existing, which authorizes the City to make a charge for the use of its Streets in excess of the charges herein.

**Section 10. Indemnity; Release.** PERMITTEE MUST RELEASE, PROTECT, DEFEND, AND HOLD HARMLESS THE CITY, ITS EMPLOYEES, OFFICERS, AND LEGAL REPRESENTATIVES (COLLECTIVELY IN THIS SECTION, THE "CITY") FROM ANY AND ALL PERMITTEE AND/OR THIRD PARTY CLAIMS, DEMANDS, AND LIABILITY, INCLUDING DEFENSE COSTS, RELATING IN ANY WAY TO DAMAGES, CLAIMS, OR FINES (COLLECTIVELY, "CLAIMS") ARISING BY REASON OF OR IN CONNECTION WITH: (1) THE CITY'S ACTUAL OR ALLEGED NEGLIGENCE ARISING SOLELY FROM THE GRANT OF, ADMINISTRATION OF, OR OPERATIONS UNDER THIS PERMIT, INCLUDING BUT NOT LIMITED TO THE CITY'S APPROVAL OF WORK PLANS, CITY INSPECTION OF PERMITTEE'S PIPELINE OR THE REPAIR OR MAINTENANCE OF PERMITTEE'S PIPELINE, THE CITY'S RECEIPT OR FAILURE TO RECEIVE INSURANCE POLICIES, OR SIMILAR ACTS OR OMISSIONS OF THE CITY IN CONNECTION WITH ITS RIGHTS, DUTIES, OR OBLIGATIONS UNDER THIS PERMIT TOGETHER WITH (2) PERMITTEE'S ACTUAL OR ALLEGED NEGLIGENCE IN THE CONSTRUCTION, MAINTENANCE, OR OPERATION OF ITS PIPELINE IN THE RIGHTS OF WAY UNDER THIS PERMIT, PROVIDED, HOWEVER, THAT PERMITTEE SHALL NOT BE REQUIRED TO INDEMNIFY OR PAY THE DEFENSE COSTS OF THE CITY WHERE: (1) THE CLAIMS ARISE IN WHOLE OR IN PART OUT OF PERMITTEE'S COMPLIANCE WITH THE CITY'S DIRECTIVES (OTHER THAN THOSE ORDERING COMPLIANCE WITH APPLICABLE LAWS, ORDINANCES, RULES, OR REGULATIONS) RELATING TO THE TIME, PLACE, OR MANNER OF THE ACTIVITIES OF PERMITTEE ALLEGED OR FOUND TO BE NEGLIGENT; AND ADDITIONALLY (2) THERE IS A FINDING IN A FINAL, NONAPPEALABLE ORDER OR JUDGMENT THAT THE CITY IS 51 PERCENT OR MORE AT FAULT.

**Section 11. Insurance.** During the Term of this Permit, Permittee must provide and maintain in full force and effect one or more policies of insurance providing the coverage, on the terms, and with the endorsements and agreements specified in Section 40-234(p) of the Code or must self-insure against the risks described in such Section in accordance with the provisions of Section 40-234(p) of the Code. Permittee must assume and bear any claims or losses to the extent of deductible amounts and waives any claim it may ever have for the same against the City and its officers, agents or employees in respect of any covered event. At the request of the Director of Administration and Regulatory Affairs, Permittee must provide certificates of insurance reflecting that the terms of this Section have been met. Permittee's compliance with the requirements of Section 40-234(p) is attached and incorporated herein as Exhibit "B". If, during the Term of this Permit, any self-insurance program maintained in lieu of commercial insurance ceases or the self-insured's assets, reserves or net worth are no longer adequate to provide the required coverage, Permittee must immediately notify the City of such lapse of coverage and obtain or cause to be obtained commercial insurance in accordance with the requirements of this Section within thirty (30) days. If Permittee self-insures, Permittee must defend the City in the same manner as with commercial insurance in any suit seeking damages against the City in connection with Permittee's Pipeline, and Permittee will pay all costs and expenses of such defense or reimburse the City for all costs and expenses incurred by the City for such defense.

**Section 12. Updating Information.** Permittee must not knowingly make a material misrepresentation of any information provided to the City in connection with this Permit. Permittee must supply to the Director any new or changed information on the Pipeline permitted by this Permit within thirty (30) days after changes occur, for the purpose of updating information previously filed with the Director. Upon request by the Director, made no more frequently than annually, Permittee must certify in writing to the Director that Permittee's information filed with the City is true, correct and complete.

**Section 13. Transfer of Authority.** This Permit may not be assigned, in whole or in part, except in accordance with the provisions of Section 40-234(r) of the Code. No assignment in law or otherwise shall be effective until the assignee has filed with the Director an instrument, duly executed, reciting the fact of such assignment, accepting the terms of this Permit, and agreeing to comply with all of the provisions of the Permit. A mortgage or other pledge of assets in a bona fide lending transaction shall not be considered an assignment for the purposes of this Section.

**Section 14. Successors.** This Permit and all limitations and obligations imposed thereby and under this Permit shall inure to the benefit of and be binding upon the successors, in law or otherwise, of Permittee.

**Section 15. Term.** The term ("*Term*") of this Permit, subject to the termination provisions herein, shall extend for a period of thirty (30) years from and after the effective date of this Ordinance unless this Permit is sooner repealed by the City Council of the City or terminated in accordance with Section 40-234(q) of the Code.

**Section 16. Acceptance of Permit.** Permittee must file a written acceptance of this Permit, satisfying the requirements of Section 40-234(m) of the Code, with the City Secretary within thirty (30) days after the date of passage thereof and shall thereupon be bound by all of the terms and conditions hereof. Such written acceptance will constitute, whether or not expressly stated therein, an acceptance of and agreement to observe and perform all limitations and obligations contained in this Permit and the Transmission Pipeline Ordinance. This Permit will commence and inure to the benefit of Permittee, effective immediately upon the filing of such written acceptance by Permittee. If Permittee or a Permitted Affiliate is an entity other than a natural person, such entity shall file with such acceptance a copy of its corporate resolution or other document appropriate to demonstrate that such entity is duly authorized to accept this Permit.

**Section 17. Notices to Permittee.** All notices required or permitted to be given to Permittee pursuant to this Permit must be in writing and be addressed and sent to Permittee at the following address:

**ENERFIN FIELD SERVICES LLC**  
ATTN: Jerry Crafton  
2500 CityWest Blvd., Suite 400  
Houston, TX 77042

Permittee may change the address for notification from the City by notifying the City Secretary, Director and Director of Administration and Regulatory Affairs as provided herein. Notice from the City will be effective when addressed to Permittee in accordance with this Section and deposited with the United States Postal Service, certified mail, return receipt requested.

**Section 18. Notice to City.** Any notice to the City by Permittee must be in writing to the City Secretary, Director, and Director of Administration and Regulatory Affairs by United States certified mail, return receipt requested and addressed as follows:

City Secretary  
City of Houston, Texas  
P.O. Box 1562  
Houston, Texas 77251-1562

Director of Public Works & Engineering  
City of Houston, Texas  
City Engineer's Office  
ATTN: Pipeline Permits  
1002 Washington Avenue  
Houston, Texas 77002

Director of Administration and Regulatory Affairs  
City of Houston, Texas  
ATTN: Franchise Administration  
611 Walker, 7<sup>th</sup> Floor  
Houston, TX 77002

Such notice to the City shall be effective when addressed to such persons in accordance with this Section and deposited with the United States Postal Service, certified mail, return receipt requested.

**Section 19. Enforcement.** The City Attorney or his/her designee will have the right to enforce all legal rights and obligations under the Permit without further authorization. Permittee must provide to the Director, Director of Administration and Regulatory Affairs and/or City Attorney documents and records that the Director, Director of Administration and Regulatory Affairs and/or City Attorney deems reasonably necessary to determine or demonstrate Permittee's compliance with the Permit, with the exception of those documents made privileged and/or confidential by federal or state law or regulation or any documents that would be privileged under the Texas Rules of Civil Procedure.

**Section 20. Severability.** If any Section, subsection, sentence, clause, phrase, or portion of this Permit Ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion will be deemed a separate, distinct, and independent provision and such holding will not affect the validity of the remaining portions thereof.

**Section 21. Approval of Ordinance.** There exists a public emergency requiring that this Permit Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Permit 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 Permit Ordinance within five (5) days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter of the City of Houston, Texas. The Mayor (or in the absence of the Mayor, the Mayor Pro Tem) is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in issuing this Permit in the event of changed circumstances.

**PASSED AND ADOPTED** on this, the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**APPROVED** on this, the \_\_\_\_\_ 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 of the City of Houston, Texas

RECOMMENDED AND APPROVED:



\_\_\_\_\_  
Dale A. Rudick, P.E.  
Director  
Department of Public Works & Engineering



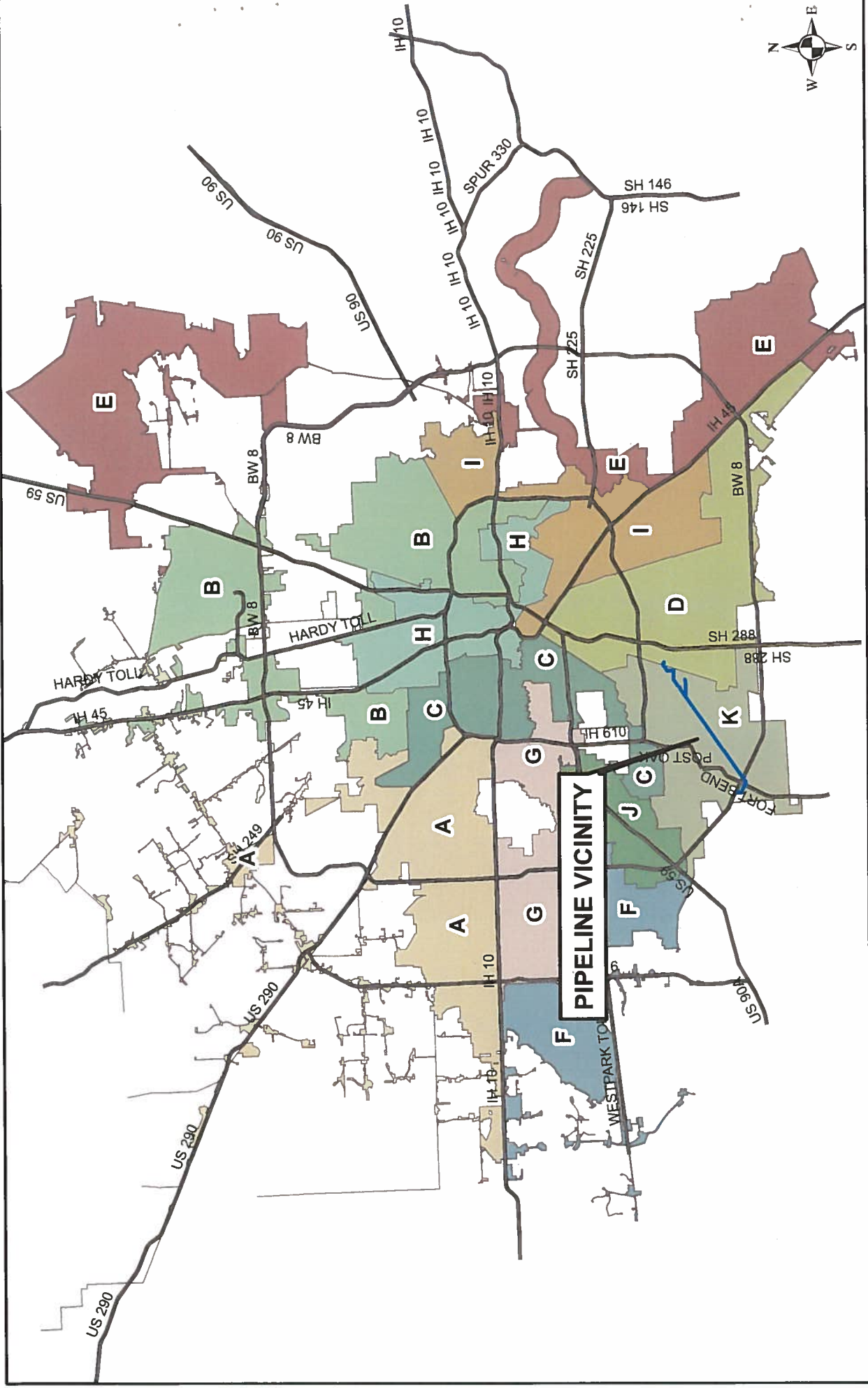
APPROVED AS TO FORM:

 GMD

\_\_\_\_\_  
Mary Frances Buzak  
Senior Assistant City Attorney

L.D. # 0611400105001












G:\RealEstate\Buzak\Ordinances\Pipelines\Enerfin\draft permit 8-20-14.doc





**CITY OF HOUSTON**  
**PUBLIC WORKS & ENGINEERING**  
 Enerfin Field Services LLC  
 Permit Request  
 N.T.S.  
 Vicinity Map  
 Council District(s):  
 "DK"

Drawn By: T. Shannon August 6, 2014 Sheet 1

**LEGEND**

	DISTRICT A		DISTRICT E		DISTRICT I
	DISTRICT B		DISTRICT F		DISTRICT J
	DISTRICT C		DISTRICT G		DISTRICT K
	DISTRICT D		DISTRICT H		

 Enerfin Field Services LLC  
 Missouri City System

Document Control  
 Number 2014-011

OWNER_NAME	SYSTEM TYPE	PIPELINE NAME	PIPE SIZE (in.)	NOP	MOP	PRODUCT	*LOCATION	KEYMAP	COUNCIL DISTRICT	EXHIBIT MAP PAGE
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	14501-14599 W Hilcroft Ave	570V, 571S	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	14501-14599 Ft Bend Pkwy	570V	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	14800 Blue Ridge Rd	571S	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	6801-7199 S Sam Houston Pkwy W	571S	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	7101-7199 S BW & W	571S	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	14430 Warkworth Dr	571P	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	6301-6101 McKinstry Blvd	571P	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	6350 Newquay St	571P	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	6130 Delbury St	571P	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	6111 Heatherbrook Dr	571P	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	14080 Croquet Ln	571P	K	2
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	13950 Ambler Ln	571P	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	5950 Daringhurst Dr	571PQ	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	13850 S Post Oak Rd	571Q	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	5460 W Orem Dr	571L	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	13750 Sunrise Ln	571L	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	5250 Willomine Way	571L	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	4930 Trail Lake Dr	571M	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	13350 Stancliff Rd	571M	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	4780 Tidewater Dr	571M	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	13260 Buxley St	571M	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	4650 Lotus St	571M	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	13150 Player St	571M	K	3
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	12850 Hiram Clarke Rd	571H	K	4
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	12955 Glenwyck St	572E	K	4
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	4360 Regency Dr	572E	K	4
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	4101-4399 Worell Dr	572E	K	4
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	12850 Regg Dr	572E	K	4
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	3980 W Airport Blvd	572E	K	4
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	2350 Reed Rd	572D	K	5
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	9660 Knight Rd	532Z	K	5
Enerfin Field Services LLC	Transmission	Missouri City	10	0	0	Natural Gas	10850 Alameda Rd	532Z	D	5

\*Pipeline crossings at the approximate 100 blocks of the streets specified. These locations should not be relied on for excavation or other purposes. Permittee should be contacted to establish concise locations.

**PIPELINE ORDINANCE EXHIBIT "B"**

**INSURANCE COMPLIANCE UNDER SECTION 40-234(p)  
OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**

  X   Permittee has submitted certificates of insurance evidencing the terms and coverage required by Section 40-234(p), Code of Ordinances, Houston, TX.

       Permittee has provided documents showing that Permittee satisfies the self-insurance requirements of Section 40-234(p), Code of Ordinances, Houston, TX.

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ETJ

Item Creation Date: 9/24/2014

20HM011-Northeast Water Purification Plant Extension Project

Agenda Item#: 32.

**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 Water Purification Plant Expansion Project; authorizing the acquisition of fee simple title interest in or easement to a parcel of land required for the project and situated in the Victor Blanco Five League Grant, Abstract No. 2, Harris County, Texas, by gift, dedication, purchase or 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 parcel of land required for the project

**Background:**

**SUBJECT:** Recommendation that an ordinance for the NORTHEAST WATER PURIFICATION PLANT EXPANSION PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation

**RECOMMENDATION: (Summary)**

An ordinance for the NORTHEAST WATER PURIFICATION PLANT EXPANSION PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

**SPECIFIC EXPLANATION:**

The NORTHEAST WATER PURIFICATION PLANT EXPANSION PROJECT provides for the acquisition of land necessary to expand the Northeast Water Purification Plant located at 12121 North Sam Houston Parkway East, Humble, Texas 77346.

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 of 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 land, rights-of-way and /or 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 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, rights-of-way and /or easements in support of the NORTHEAST WATE PURIFICATION PLANT EXPANSION PROJECT.

**Prior Council Action:**

Ordinance 2013-0537 June 5, 2013

**Amount of Funding:**

No additional funding required (covered under Blanket Appropriation Ordinance 2013-0537)

**Contact Information:**

Nancy P. Collins - Sr. Asst Dir. - 832.395.3130

**ATTACHMENTS:**

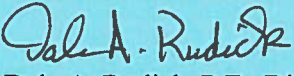
Description	Type
☐ RCA	Signed Cover sheet
☐ Maps	Backup Material
☐ Ordinance	Ordinance/Resolution/Motion
☐ Exhibit A - Legal Property Description	Backup Material


To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> Recommendation that an ordinance for the NORTHEAST WATER PURIFICATION PLANT EXPANSION PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation. WBS S-000066-0019-2-01	<b>Page</b> 1 of 1	<b>Agenda Item #</b>
--	-----------------------	----------------------

<b>FROM: (Department or other point of origin):</b>  Department of Public Works and Engineering	<b>Origination Date</b>	<b>Agenda Date</b>
---	-------------------------	--------------------

<b>DIRECTOR'S SIGNATURE:</b>  Dale A. Rudick, P.E., Director	<b>Council District affected: ETJ</b>  Key Map 377S <span style="float: right;">H.M.</span>	
--	---	--

<b>For additional information contact:</b>  Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director – Real Estate Planning and Development Services Division	<b>Date and identification of prior authorizing Council Action:</b> Ordinance 2013-0537, passed June 5, 2013	
---	---	--

**RECOMMENDATION: (Summary)**  
An ordinance for the NORTHEAST WATER PURIFICATION PLANT EXPANSION PROJECT be passed approving and authorizing the acquisition of parcels by dedication, purchase, or condemnation.

**Amount and Source of Funding:** No additional funding required (covered under Blanket Appropriation Ordinance 2013-0537)  
*M.P. 9/15/2014*

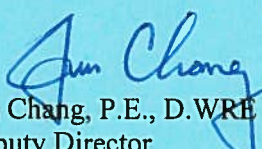
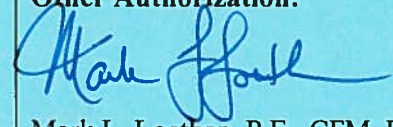
**SPECIFIC EXPLANATION:**  
The NORTHEAST WATER PURIFICATION PLANT EXPANSION PROJECT provides for the acquisition of land necessary to expand the Northeast Water Purification Plant located at 12121 North Sam Houston Parkway East, Humble, Texas 77346.

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 land, rights-of-way and/or 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, rights-of-way and/or easements in support of the NORTHEAST WATER PURIFICATION PLANT EXPANSION PROJECT.

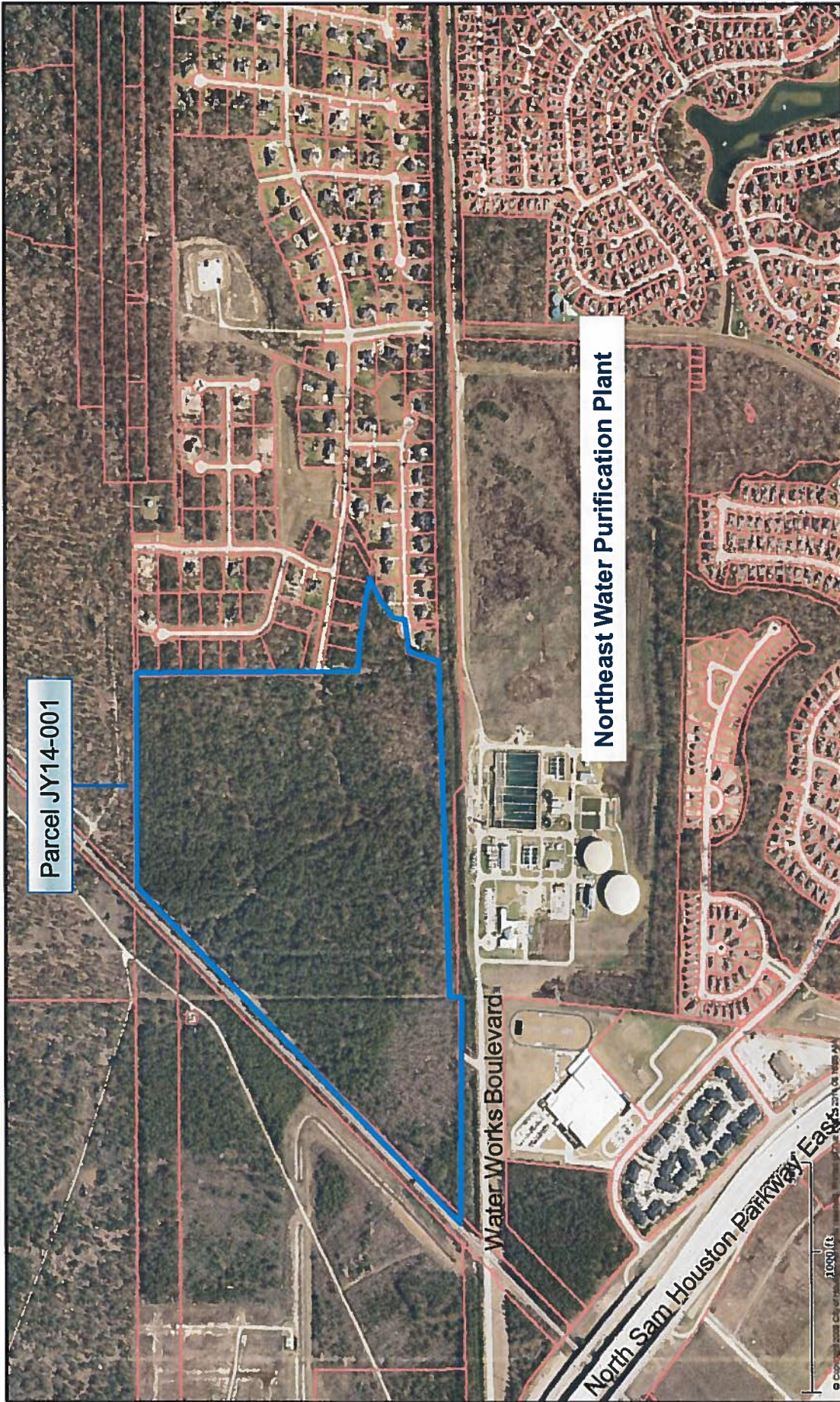
DAR:NPC:hm  
cc: Marta Crinejo

LTS No. 10303 CUIC #20HM011

REQUIRED AUTHORIZATION

<b>Other Authorization:</b>	<b>Other Authorization:</b>  Jun Chang, P.E., D.WRE Deputy Director Public Utilities Division	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
-----------------------------	--	--

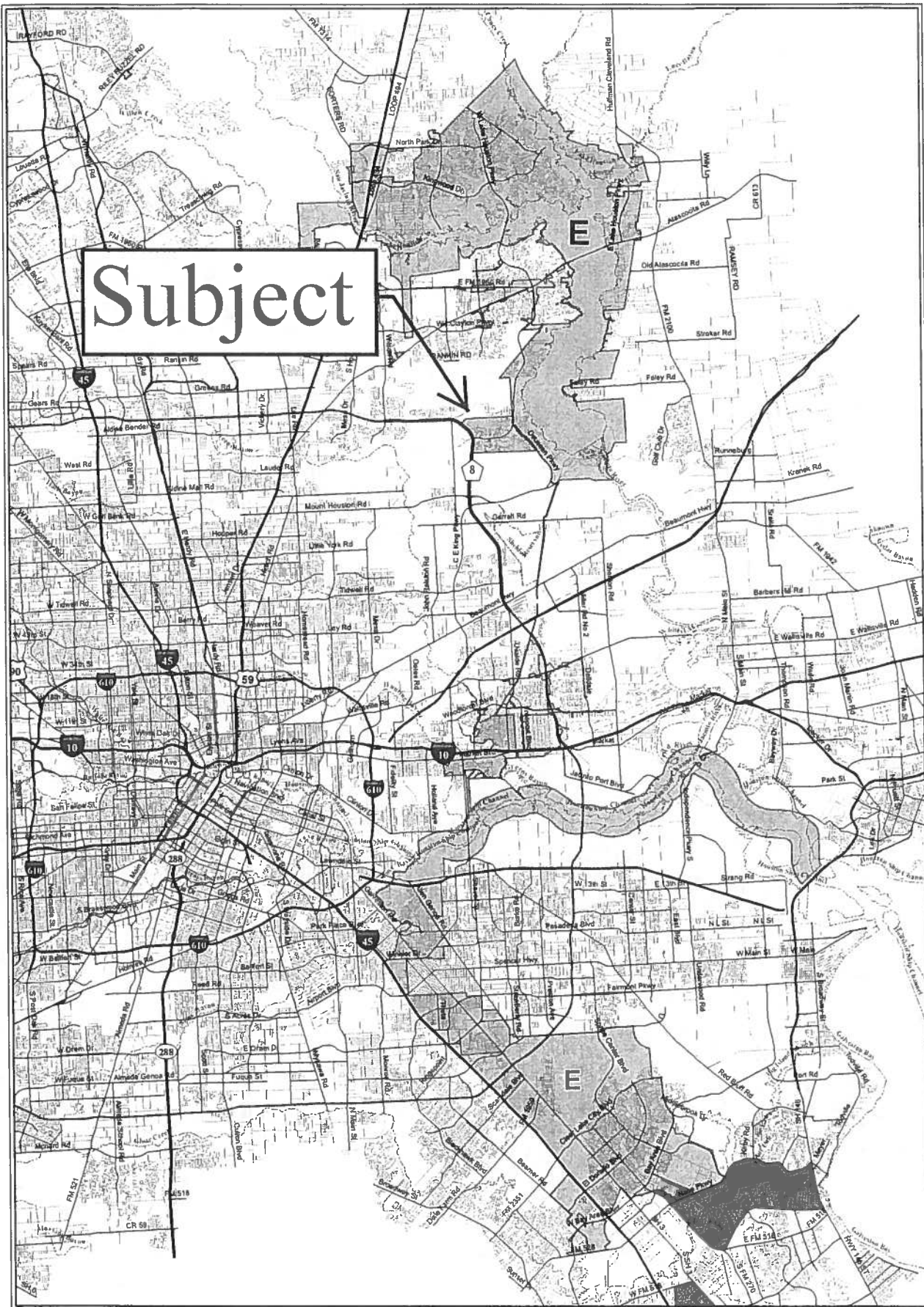




## City of Houston Generated by the My City Application

**Disclaimer**  
This 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.

# Subject



### Legend

- Waterway
- District E

### City of Houston Council District E Dave Martin



Source: COHGIS Database  
Date: January 2014  
Reference: pj17375\_E

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: 9/30/2014

ALL

Item Creation Date: 9/19/2014

ARA-Ordinances granting Commercial Solid Waste Operator Franchises - Ching Lo

Agenda Item#: 33.

**Summary:**

ORDINANCE granting to **CHING LO dba A. URANUS SERVICE, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions

**FIRST READING**

**Background:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**Amount of Funding:**

n/a

**Source of Funding:**

Other (Specify)

n/a

**Contact Information:**

Lara Cottingham Phone: (832) 393-8503

Juan Olguin Phone: (832) 393- 8528

**ATTACHMENTS:**

Description	Type
☐ 9.19.2014 ARA Solid Waste Franchise RCA	Signed Cover sheet
☐ 9.17.2014 Solid Waste Franchise Captions	Backup Material
☐ Ching Lo DBA A. Uranus Service Ord.	Ordinance/Resolution/Motion

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**  
Ordinances granting Commercial Solid Waste Operator Franchises

**Category #**

**Page 1 of 1**

**Agenda Item#**

**FROM: (Department or other point of origin):**

Tina Paez, Director  
Administration & Regulatory Affairs

**Origination Date**  
9/19/2014

**Agenda Date**

**DIRECTOR'S SIGNATURE:**

**Council Districts affected:**  
ALL

**For additional information contact:**

Lara Cottingham                      **Phone:** (832) 393- 8503  
Juan Olguin                              **Phone:** (832) 393- 8528

**Date and identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve ordinances granting Commercial Solid Waste Operator Franchise

**Amount of Funding:**  
N/A

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**REQUIRED AUTHORIZATION**

**Finance Director:**

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/19/2014

ARA-Ordinances granting Commercial Solid Waste Operator Franchises - Progressive Waste

Agenda Item#: 34.

**Summary:**

ORDINANCE granting to **PROGRESSIVE WASTE SOLUTIONS OF TX, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions

**FIRST READING**

**Background:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**Amount of Funding:**

n/a

**Source of Funding:**

Other (Specify)

n/a

**Contact Information:**

Lara Cottingham Phone: (832) 393-8503

Juan Olguin Phone: (832) 393- 8528

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> 9.19.2014 ARA Solid Waste Franchise RCA	Signed Cover sheet
<input type="checkbox"/> 9.17.2014 Solid Waste Franchise Captions	Backup Material
<input type="checkbox"/> Progressive Waste Solutions of TX, Inc. Ord.	Ordinance/Resolution/Motion

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**  
Ordinances granting Commercial Solid Waste Operator Franchises

**Category #**

**Page 1 of 1**

**Agenda Item#**

**FROM: (Department or other point of origin):**

Tina Paez, Director  
Administration & Regulatory Affairs

**Origination Date**  
9/19/2014

**Agenda Date**

**DIRECTOR'S SIGNATURE:**

**Council Districts affected:**  
ALL

**For additional information contact:**

Lara Cottingham                      **Phone:** (832) 393- 8503  
Juan Olguin                              **Phone:** (832) 393- 8528

**Date and identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve ordinances granting Commercial Solid Waste Operator Franchise

**Amount of Funding:**  
N/A

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**REQUIRED AUTHORIZATION**

**Finance Director:**

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/19/2014

ARA-Ordinances granting Commercial Solid Waste Operator Franchises - Arrow Services

Agenda Item#: 35.

**Summary:**

ORDINANCE granting to **ARROW SERVICES 123, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions

**FIRST READING**

**Background:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**Amount of Funding:**

n/a

**Source of Funding:**

Other (Specify)

n/a

**Contact Information:**

Lara Cottingham Phone: (832) 393-8503

Juan Olguin Phone: (832) 393- 8528

**ATTACHMENTS:**

Description	Type
❑ 9.19.2014 ARA Solid Waste Franchise RCA	Signed Cover sheet
❑ 9.17.2014 Solid Waste Franchise Captions	Backup Material
❑ Arrow Services 123, Inc. Ord.	Ordinance/Resolution/Motion

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**  
Ordinances granting Commercial Solid Waste Operator Franchises

**Category #**

**Page 1 of 1**

**Agenda Item#**

**FROM: (Department or other point of origin):**

Tina Paez, Director  
Administration & Regulatory Affairs

**Origination Date**  
9/19/2014

**Agenda Date**

**DIRECTOR'S SIGNATURE:**

**Council Districts affected:**  
ALL

**For additional information contact:**

Lara Cottingham                      **Phone:** (832) 393- 8503  
Juan Olguin                              **Phone:** (832) 393- 8528

**Date and identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve ordinances granting Commercial Solid Waste Operator Franchise

**Amount of Funding:**  
N/A

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**REQUIRED AUTHORIZATION**

**Finance Director:**

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/19/2014

ARA-Ordinances granting Commercial Solid Waste Operator Franchises - Miggins Interests

Agenda Item#: 36.

**Summary:**

ORDINANCE granting to **MIGGINS INTERESTS, LLC dba HYDRO TECH UTILITIES, A Texas Limited Liability Company**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions

**FIRST READING**

**Background:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**Amount of Funding:**

n/a

**Source of Funding:**

Other (Specify)

n/a

**Contact Information:**

Lara Cottingham Phone: (832) 393-8503

Juan Olguin Phone: (832) 393- 8528

**ATTACHMENTS:**

Description	Type
☐ 9.19.2014 ARA Solid Waste Franchise RCA	Signed Cover sheet
☐ 9.17.2014 Solid Waste Franchise Captions	Backup Material
☐ Miggins Interests, LLC DBA Hydro Tech Utilities Ord.	Ordinance/Resolution/Motion

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**  
Ordinances granting Commercial Solid Waste Operator Franchises

**Category #**

**Page 1 of 1**

**Agenda Item#**

**FROM: (Department or other point of origin):**

Tina Paez, Director  
Administration & Regulatory Affairs

**Origination Date**  
9/19/2014

**Agenda Date**

**DIRECTOR'S SIGNATURE:**

**Council Districts affected:**  
ALL

**For additional information contact:**

Lara Cottingham                      **Phone:** (832) 393- 8503  
Juan Olguin                              **Phone:** (832) 393- 8528

**Date and identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve ordinances granting Commercial Solid Waste Operator Franchise

**Amount of Funding:**  
N/A

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**REQUIRED AUTHORIZATION**

**Finance Director:**

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

ALL

Item Creation Date: 9/19/2014

ARA-Ordinances granting Commercial Solid Waste Operator Franchises - Mouser Container

Agenda Item#: 37.

**Summary:**

ORDINANCE granting to **MOUSER CONTAINER SERVICE, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions

**FIRST READING**

**Background:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**Amount of Funding:**

n/a

**Source of Funding:**

Other (Specify)

n/a

**Contact Information:**

Lara Cottingham Phone: (832) 393-8503

Juan Olguin Phone: (832) 393- 8528

**ATTACHMENTS:**

Description	Type
❑ 9.19.2014 ARA Solid Waste Franchise RCA	Signed Cover sheet
❑ 9.17.2014 Solid Waste Franchise Captions	Backup Material
❑ Mouser Container Service, Inc.	Ordinance/Resolution/Motion

**REQUEST FOR COUNCIL ACTION**

**TO:** Mayor via City Secretary

**RCA #**

**SUBJECT:**  
Ordinances granting Commercial Solid Waste Operator Franchises

**Category #**

**Page 1 of 1**

**Agenda Item#**

**FROM: (Department or other point of origin):**

Tina Paez, Director  
Administration & Regulatory Affairs

**Origination Date**  
9/19/2014

**Agenda Date**

**DIRECTOR'S SIGNATURE:**

**Council Districts affected:**  
ALL

**For additional information contact:**

Lara Cottingham                      **Phone:** (832) 393- 8503  
Juan Olguin                              **Phone:** (832) 393- 8528

**Date and identification of prior authorizing Council Action:**

**RECOMMENDATION: (Summary)**

Approve ordinances granting Commercial Solid Waste Operator Franchise

**Amount of Funding:**  
N/A

**FIN Budget:**

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

**SPECIFIC EXPLANATION:**

The Administration & Regulatory Affairs Department (ARA) recommends that City Council approve ordinances granting Commercial Solid Waste Operator Franchise to the following solid waste operators pursuant to Article VI, Chapter 39 of the City Code of Ordinances.

The proposed Franchises are:

1. Ching Lo DBA A. Uranus Service
2. Progressive Waste Solutions of TX, Inc.
3. Arrow Services 123, Inc.
4. Miggins Interests, LLC DBA Hydro Tech Utilities
5. Mouser Container Service, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to four percent of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the Franchise, the Franchisee company has the duty to maintain required customer records, which the City has the right to inspect during regular business hours. The Franchise agreement contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed Franchise term is 10 years from the effective date.

**REQUIRED AUTHORIZATION**

**Finance Director:**

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

Item Creation Date: 9/19/2014

MYR ~ 2014 Houston FIRST Corp. Council Nominations

Agenda Item#: 38.

**Summary:**

MOTION to set a date not less than seven days from October 1, 2014, to receive nominations for Position B13 for the **HOUSTON FIRST CORPORATION BOARD OF DIRECTORS**, for a two year term ending December 31, 2015

**Background:**

Motion to set a date not less than seven (7) days from October 1, 2014, to receive nominations for Position B13 for the Houston First Corporation Board of Directors for a two-year term ending December 31, 2015.

JC/jsk

cc: Ms. Marta Crinejo, Agenda Director

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> MYR ~ 2014 Houston FIRST Corp. Council Nominations	Signed Cover sheet

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District G

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

Agenda Item#: 39.

**Summary:**

MOTION by Council Member Gonzalez/Seconded by Council Member Pennington to adopt 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**

**TAGGED BY COUNCIL MEMBER PENNINGTON**

This was Item 3 on Agenda of September 24, 2014

**Background:**

Chuck Davis, C.L. Davis & Company, 1500 Winding Way, Friendswood, Texas 77546, on behalf of Cameron Village, 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
<input type="checkbox"/> 20CJS9468-A&S Parcels SY14-092A, SY14-092B and KY15-071 - Harbor Oaks RCA and Maps	Backup Material
<input type="checkbox"/> Tagged Motion for Harbor Oaks	Ordinance/Resolution/Motion

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

<b>SUBJECT:</b> 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. <b>Parcels SY14-092A, SY14-092B, and KY15-071</b>		<b>Page</b> <u>1</u> of <u>2</u>	<b>Agenda Item #</b>
<b>FROM (Department or other point of origin):</b>  Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b>  Dale A. Rudick, P.E., Director		<b>Council District affected:</b> G  CS  <b>Key Map:</b> 489L	
<b>For additional information contact:</b>  Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director-Real Estate		<b>Date and identification of prior authorizing Council Action:</b>	
<b>RECOMMENDATION: (Summary)</b> 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. <b>Parcels SY14-092A, SY14-092B, and KY15-071</b>			
<b>Amount and Source of Funding:</b> Not Applicable			
<b>SPECIFIC EXPLANATION:</b>  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	
<b>REQUIRED AUTHORIZATION</b>			
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division	

<b>Date:</b>	<b>Subject:</b> 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 Survey, A-3. <b>Parcels SY14-092A, SY14-092B, and KY15-071</b>	<b>Originator's Initials</b>  CS	<b>Page</b> <u>2</u> of <u>2</u>
--------------	---	--	-------------------------------------

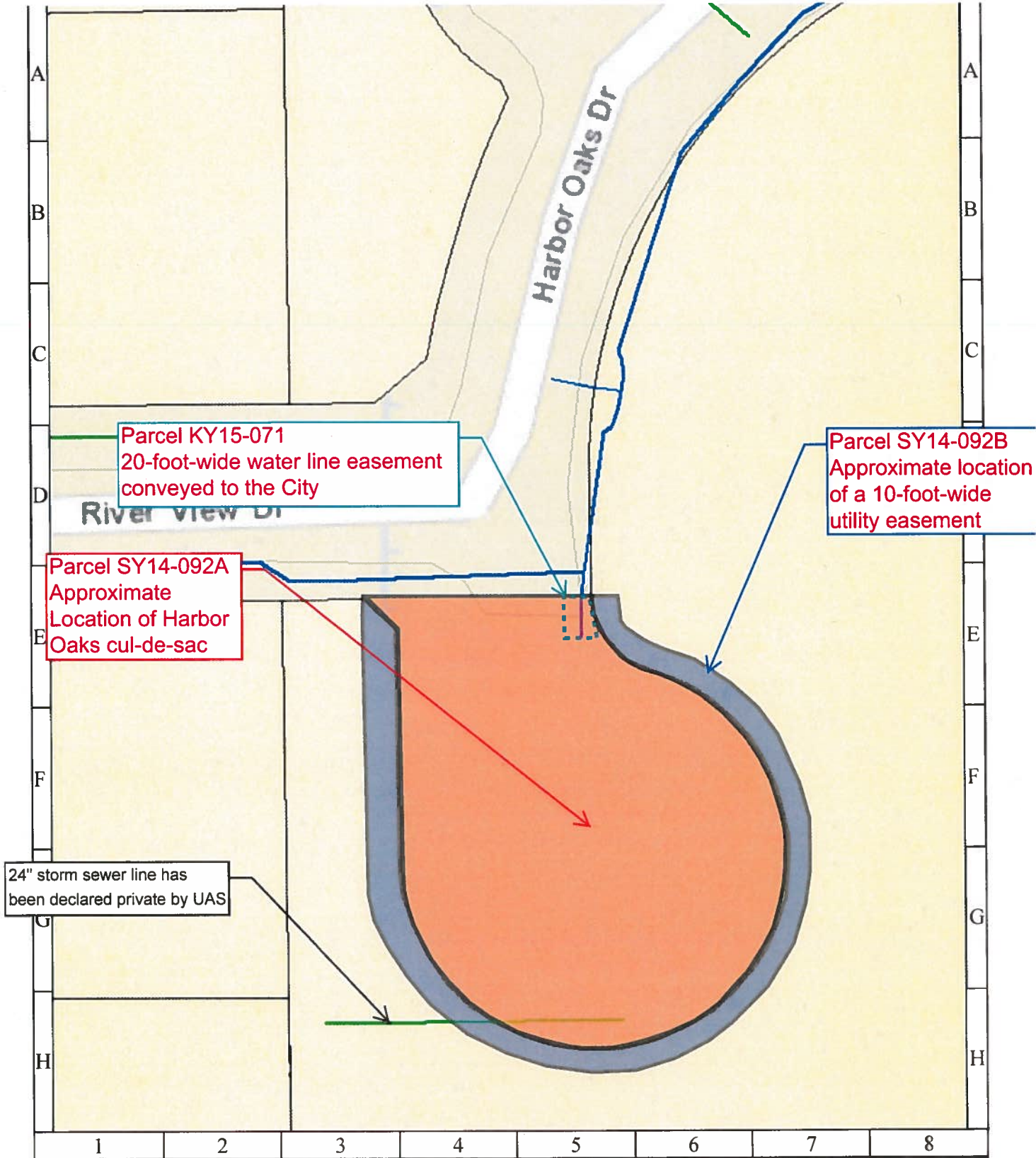
4. The Legal Department be authorized to prepare the necessary transaction documents; and
5. Inasmuch as the value of the City's property interests are not expected to exceed \$1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

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 Survey, A-3. Parcels SY14-092A, SY14-092B, and KY15-071



CITY OF HOUSTON

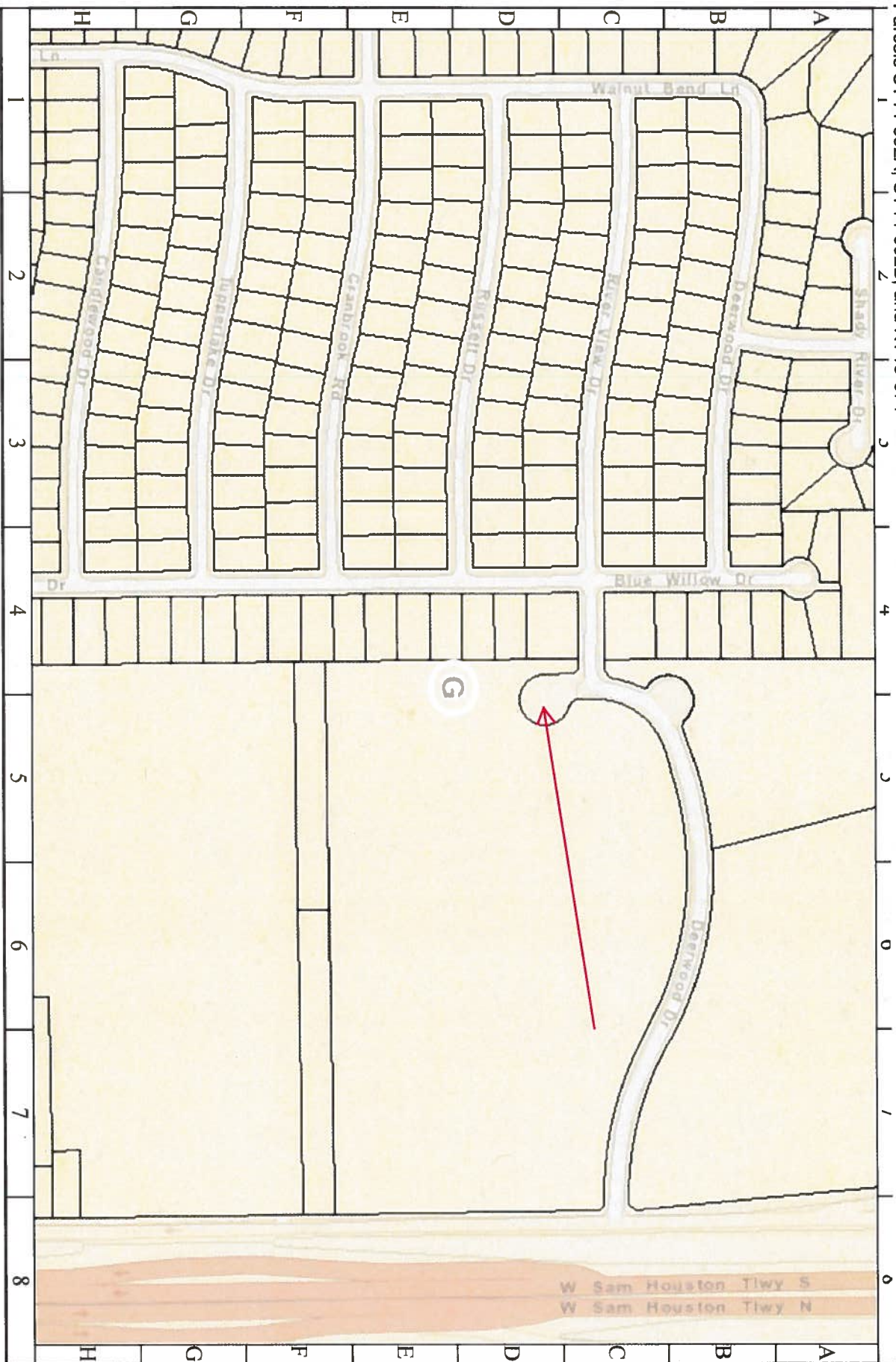
Department of Public Works and Engineering

1 inch = 13 feet 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.



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



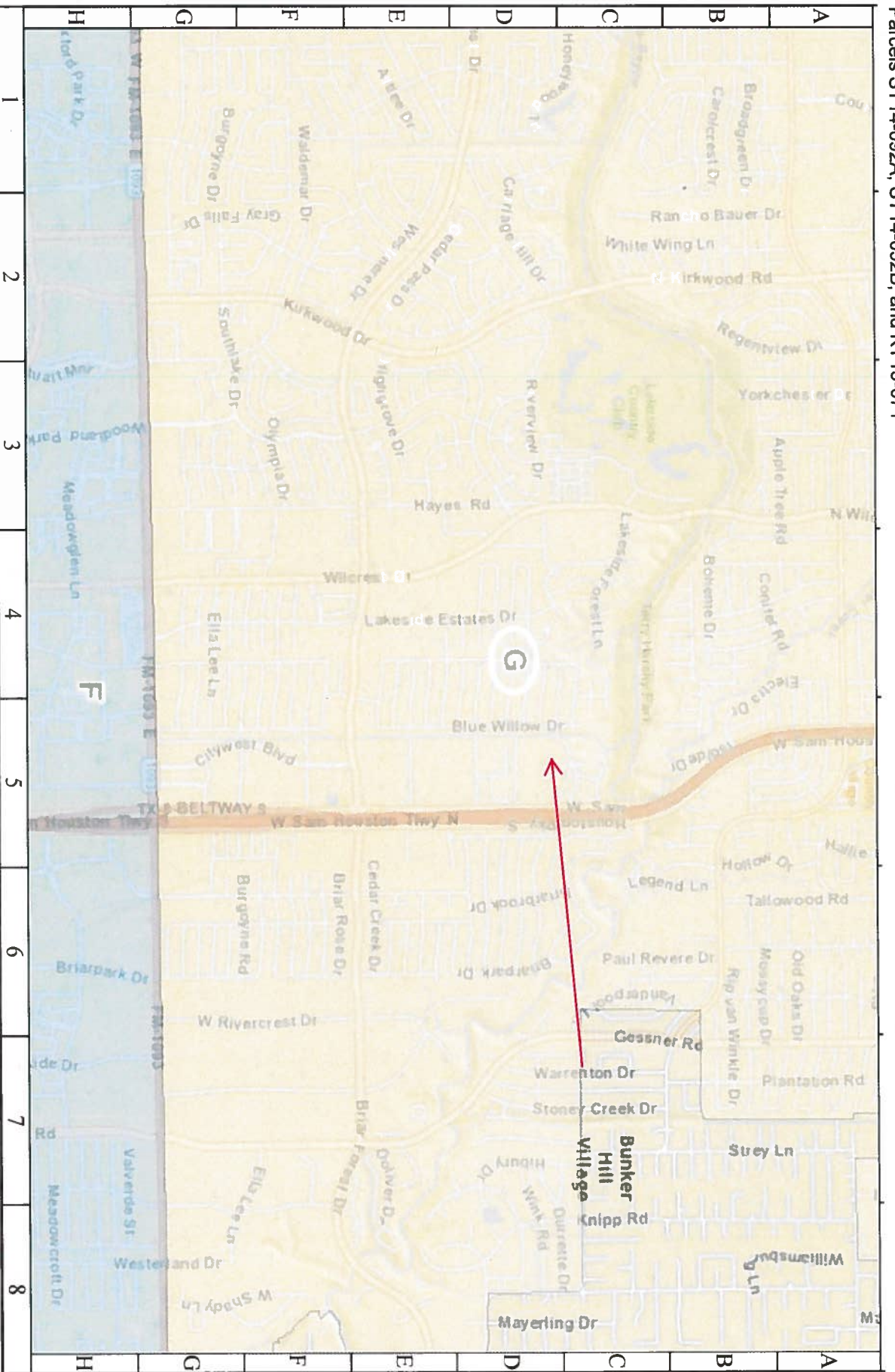
1 inch = 110 feet

**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.



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



1 inch = 884 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.



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 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), 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 Survey, A-3, Parcels SY14-092A, SY14-092B and KY15-071, be adopted as follows:

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.

Seconded by Council Member Pennington

On 9/24/14 the above motion was tagged by Council Member Pennington.

cr

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

LGL-Amending Smoking ORD

Agenda Item#: 40.

**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

**TAGGED BY COUNCIL MEMBER GREEN**

This was Item 11 on Agenda of September 24, 2014

**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
<input type="checkbox"/> LGL-Amending Smoking ORD RCA	Backup Material
<input type="checkbox"/> Ordinance	Backup Material
<input type="checkbox"/> Redline Ordinance	Backup Material

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

<b>SUBJECT:</b> AN ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO SMOKING		<b>Page</b> 1 of 1	<b>Agenda Item</b> #
<b>FROM (Department or other point of origin):</b>  Legal Department		<b>Origination Date</b> September 19, 2014	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b>  All	
<b>For additional information contact:</b> David M. Feldman Phone: 832-393-6412		<b>Date and identification of prior authorizing Council action:</b>  None	
<b>RECOMMENDATION: (Summary)</b> AN ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO SMOKING			
<b>Amount and Source of Funding:</b> N/A			
<b>SPECIFIC EXPLANATION:</b> 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.			
<b>REQUIRED AUTHORIZATION</b>			
<b>Other Authorization:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>	

**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 than 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: 9/30/2014

ALL

Item Creation Date: 9/17/2014

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

Agenda Item#: 41.

**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

**TAGGED BY COUNCIL MEMBER PENNINGTON**

This was Item 12 on Agenda of September 24, 2014

**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	<b>Phone:</b> 832-393-9101
Charisse Mosely	<b>Phone:</b> 832-393-3529

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

District I

Item Creation Date: 6/20/2014

HAS - Lease Agreement with Black Forest for FBO (HOU)

Agenda Item#: 42.

**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**

**TAGGED BY COUNCIL MEMBER GALLEGOS**

This was Item 24 on Agenda of September 24, 2014

**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
<input type="checkbox"/> RCA - HAS - Lease Agreement with Black Forest for FBO	Signed Cover sheet
<input type="checkbox"/> Location Map	Backup Material

TO: Mayor via City Secretary

**REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Lease Agreement between the City of Houston and Black Forest Ventures Aviation RE, LLC – William P. Hobby Airport (HOU).		<b>Category #</b>	<b>Page 1 of 2</b>	<b>Agenda Item #</b>						
<b>FROM (Department or other point of origin):</b> Houston Airport System		<b>Origination Date</b> June 20, 2014	<b>Agenda Date</b>							
<b>DIRECTOR'S SIGNATURE:</b> 		<b>Council District affected:</b> I								
<b>For additional information contact:</b> Kathy Elek <i>Kae</i> Phone: 281/233-1826 Ian Wadsworth <i>IW</i> 281/233-1682		<b>Date and identification of prior authorizing Council action:</b> N/A								
<b>AMOUNT &amp; SOURCE OF FUNDING:</b> <b>REVENUE:</b> \$231,739.20 annually		<b>Prior appropriations:</b> N/A								
<b>RECOMMENDATION: (Summary)</b> 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).										
<b>SPECIFIC EXPLANATION:</b> 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: <table border="0" style="margin-left: 40px;"> <tr> <td>Right of Entry</td> <td>\$23,173.92</td> </tr> <tr> <td>Construction Period</td> <td>\$115,869.60</td> </tr> <tr> <td>Lease Commencement</td> <td>\$231,739.20</td> </tr> </table> <p style="margin-left: 40px;">Following each fifth year of term, the rent shall be increased by approximately 15%.</p>					Right of Entry	\$23,173.92	Construction Period	\$115,869.60	Lease Commencement	\$231,739.20
Right of Entry	\$23,173.92									
Construction Period	\$115,869.60									
Lease Commencement	\$231,739.20									

**REQUIRED AUTHORIZATION**

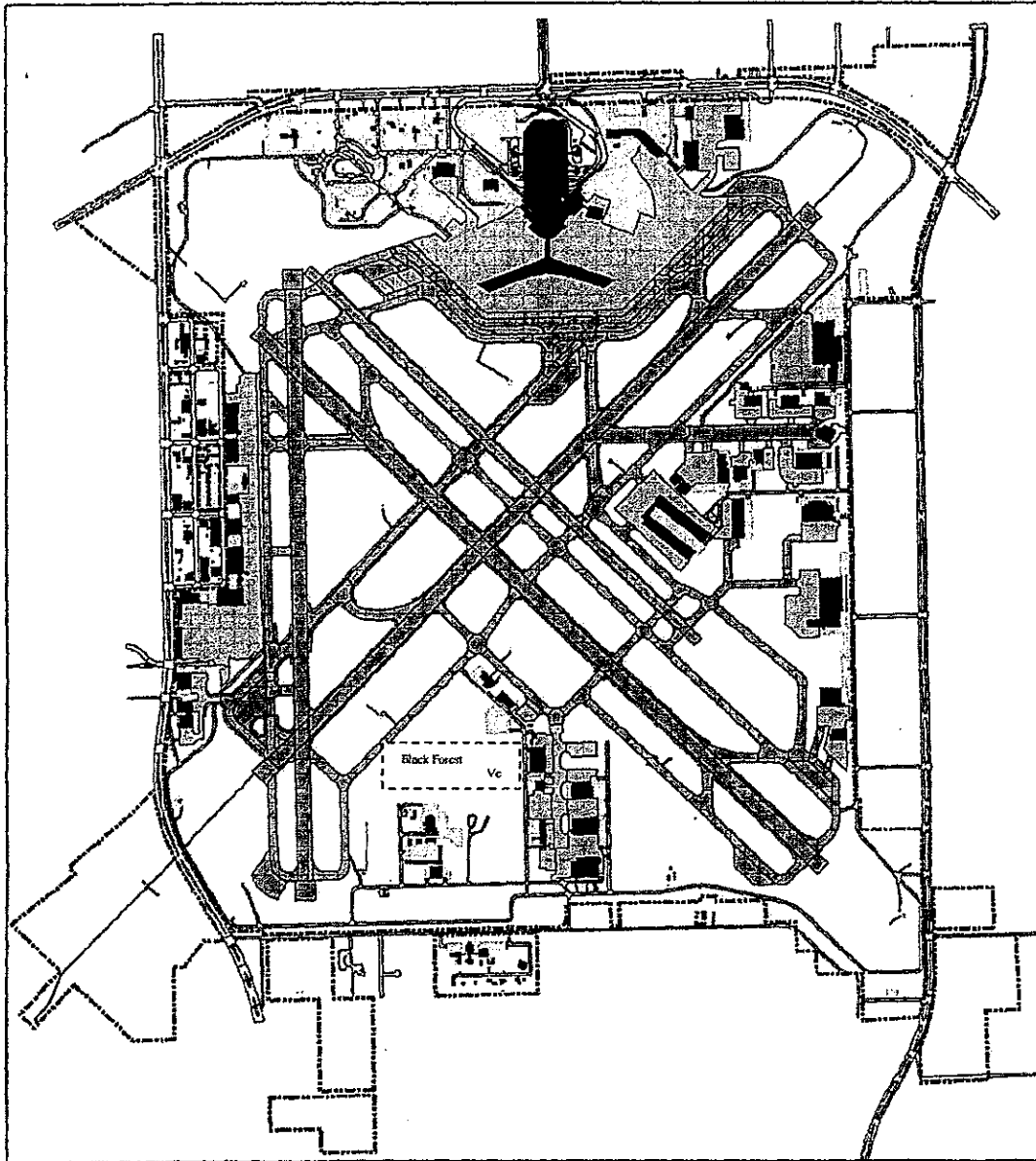
<b>Finance Department:</b>	<b>Other Authorization:</b>	<b>Other Authorization:</b>
----------------------------	-----------------------------	-----------------------------

<b>Date</b> June 20, 2014	<b>Subject:</b> Lease Agreement between the City of Houston and Black Forest Ventures Aviation RE, LLC– William P. Hobby Airport (HOU).	<b>Originator's Initials</b>	<b>Page</b> 2 of 2
------------------------------	---	------------------------------	-----------------------

- 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.

EXHIBIT "A"

**WILLIAM P. HOBBY AIRPORT**



WILLIAM P. HOBBY AIRPORT SYSTEM  
Proj Mgr: Roxanne Bustos  
Proj Date: 2/14/2014  
Author: Brad Redman  
Check By: Joe Caudillo  
Print Date: 2/14/2014

**William P. Hobby  
Airport Layout**



NOT TO SCALE

**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 9/30/2014

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#: 43.

**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

**TAGGED BY COUNCIL MEMBERS GONZALEZ and STARDIG**

This was Item 29 on Agenda of September 24, 2014

**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.

<b>Administrative / Industrial</b>	<b>Information Technology</b>
*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 Campaign	Backup Material
❏ Topp Knotch- Fair Campaign	Backup Material
❏ ICON Fair Campaign	Backup Material
❏ LaneStaffing Fair Campaign	Backup Material
❏ Silver Fair Campaign	Backup Material
❏ Departmental 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):**

Calvin D. Wells  
City Purchasing Agent  
Finance Department

**Origination Date**

September 12, 2014

**Agenda Date**

SEP 24 2014

**DIRECTOR'S SIGNATURE**

*Calvin D. Wells*  
For additional information contact:  
Ramiro Cano Phone: (832) 393-6060  
Conley Jackson Phone: (832) 393-8733

**Council District(s) affected**  
All

**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:

- 22<sup>nd</sup> 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.

<b>Administrative / Industrial</b>	<b>Information Technology</b>
*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 MW/DBE vendor.

The MW/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

Date: 9/12/2014	Subject: Approve an Ordinance Awarding a Contract to the Best Respondents for the Temporary Employee Services Program for the Human Resources Department/S33-T25055	Originator's Initials CJ	Page 3 of 3
--------------------	---	-----------------------------	-------------

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

**MWBE Subcontracting:**

This RFP was issued as a goal-oriented contract with a 5% MWBE participation level. The prime contractors have designated the below-named companies as its certified MWBE subcontractors.

Prime Contractor	MWBE 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 MWBE 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:

	<b>FY2015-2020</b>	<b>FY2011-2014</b>	<b>FY2011-2009</b>
<b>Agreements Recommended</b>	<b>12</b>	<b>14</b>	<b>12</b>
Administrative/Industrial	8	7	7
Information Technology	4	7	5
<b>Agency mark-ups (Low-High) *</b>	<b>%s</b>	<b>%s</b>	<b>%s</b>
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
<b>Noted Departments account for 86% Utilization</b>	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: 9/30/2014

ALL

Item Creation Date: 9/15/2014

HITS-Cyber Security Approp - ORDINANCE

Agenda Item#: 44.

**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

**TAGGED BY COUNCIL MEMBER STARDIG**

This was Item 30 on Agenda of September 24, 2014

**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):**  
Charles T. Thompson  
Chief Information Officer  
Houston Information Technology Services

**Origination Date**  
September 15, 2014

**Agenda Date**

**DIRECTORS SIGNATURE**



**Council District(s) affected**  
All

**For additional information contact:**  
Somayya Scott                      Phone: (832) 393-0082

**Date and Identification of prior authorizing Council Action:**

**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:

Date: 09/15/2014	Subject: Approve an Ordinance to Appropriate Funds from the FY15 Equipment Acquisition Consolidated Fund (1800) for the Information & Cyber Security Program	Originator's Initials LS	Page 2 of 2
---------------------	--	--------------------------------	-------------

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: 9/30/2014

Review on Record - Prestige Collision

Agenda Item#: 45.

**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

**DELAYED BY MOTION #2014-871, 9/24/14**

This was Item 37 on Agenda of September 24, 2014

**Background:**

Review on Record

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Correspondence	Backup Material
<input type="checkbox"/> Transcript	Backup Material
<input type="checkbox"/> Delayed Motion 2014 0871	Signed Cover sheet



**CITY OF HOUSTON**  
Legal Department

**Interoffice**  
Correspondence

**To:** Anna Russell  
City Secretary

**From:** Tracy Calabrese *TC*  
Section Chief  
General Counsel Section

**Date:** September 2, 2014

**Subject:** Automotive Board Appeal -  
Ibrahim Eter - Sarah Investments,  
Inc. d\b\la 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\la 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:** Mr. David Feldman  
City Attorney

**From:** Anna Russell  
City Secretary

**Date:** August 25, 2014

**Attn:** Tracy Calabrese

**Subject:** LETTER OF APPEAL

Dear Mr. Feldman:

Attached is copy of letter of appeal, with copy of disk, filed by Jonathan E. Bruce on the decision by the Automotive Board of the revocation of Ibrahim Eter - Sarah Investments, Inc., d/b/a Prestige Collision's Auto repair facility license and application, to advise if the appeal may be granted.

A handwritten signature in cursive script, appearing to read "Anna Russell".

Anna Russell, City Secretary

AR/cdd

Attachments: Letter and Disk

cc: Jonathan E. Bruce  
12810 Travata Drive  
Houston, Texas 77024

Chief Charles McClelland  
Police Department

THE LAW OFFICE OF  
JONATHAN E. BRUCE

12810 TRAVIATA DRIVE  
HOUSTON, TEXAS 77024

TELEPHONE (713) 782-6857  
FAX (713) 808-9852

JONATHAN E. BRUCE  
E-MAIL JBRUCELAW@GMAIL.COM

August 22, 2014

City Secretary Anna Russell  
City of Houston  
900 Bagby, Public Level,  
Houston, Texas 77002  
*Via Hand Delivery*

Re: Ibrahim Eter - Sarah Investments, Inc., d/b/a Prestige Collision  
9001 Bellflower St.  
Houston, Texas 77063

Automotive Board Hearing of August 12, 2014  
Revocation of License

### NOTICE OF APPEAL

Dear Ms. Russell:

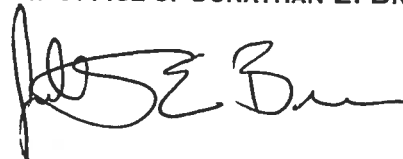
This letter will serve as notice and request of appeal to Houston City Council of the Automotive Board's revocation of Ibrahim Eter - Sarah Investments, Inc., d/b/a Prestige Collision's auto repair facility license and application on August 12, 2014.

I have enclosed disk containing a copy of the court reporter's transcript of the hearing in a PDF format.

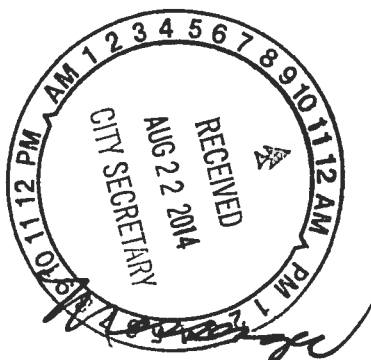
If you should have any questions regarding this matter, please contact me at 713-782-6857. Thank you for your attention to this matter.

Sincerely,

LAW OFFICE OF JONATHAN E. BRUCE



Jonathan E. Bruce



1 CITY OF HOUSTON ) AUTOMOTIVE BOARD  
 2 V. ) COUNTY OF HARRIS  
 3 IBRAHIM ETER, PRESTIGE COLLISION ) STATE OF TEXAS  
 4  
 5  
 6

7 \*\*\*\*\*

8 REVOCATION OF LICENSE HEARING

9 VOLUME 1 OF 1

10 AUGUST 12, 2014

11 \*\*\*\*\*

12  
 13 BEFORE THE CITY OF HOUSTON AUTOMOTIVE BOARD, the  
 14 above-styled matter came to be heard on the 12th day of  
 15 August, 2014, from 10:07 a.m. to 11:23 a.m., proceedings  
 16 reported in machine shorthand by Cylena Korkmas,  
 17 Certified Shorthand Reporter No. 8304 in and for the  
 18 State of Texas, at the Houston Permitting Center, 1002  
 19 Washington Avenue, Basement Level, Room B2, Houston,  
 20 Texas.  
 21  
 22

23 TAXABLE COST:  
 24 PAID BY:  
 TBA. NO:  
 25 JOB NUMBER:

1 INDEX

2 Page No.

3 Appearances..... 3

4 Proceedings..... 4

5 Vote on Motion..... 67

6 Reporter's Certification..... 68

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

1 P R O C E E D I N G S

2 MR. GRIFFIN: Now, this is -- this is  
3 really for the new board members' education.  
4 Occasionally, we will -- auto dealers will bring  
5 people's businesses to the board because of repeated  
6 violations over extended periods of time that they  
7 refuse to correct.

8 So this isn't based on criminal history  
9 violation, as you're going to see for the remainder of  
10 the day and this first gentleman here. So this is auto  
11 dealers going in and identifying problems and over time  
12 if the problem doesn't get fixed or it gets works, then  
13 we bring this to the board and this is for the  
14 revocation of a business license today.

15 For everyone who's going to testify today,  
16 will you raise your right hand? Do you swear to tell  
17 the truth, the whole truth, and nothing but the truth?

18 THE WITNESS: I do.

19 MR. ULMER: And, I guess, for the court  
20 reporter, would you like everybody to identify  
21 themselves? Would you all identify yourselves as we go  
22 around?

23 OFFICER CARTER: I'm Officer Carter,  
24 Houston Police Department, Auto Dealers' Detail.

25 OFFICER MARTINEZ: Officer Martinez,

1 Houston Police Department Auto Dealers' detail.

2 MR. BRUCE: Jonathan Bruce, attorney for  
3 Mr. Eter.

4 MS. FLORES: Dawn Flores, office manager  
5 for Prestige Auto Collision.

6 MR. ULMER: Ma'am, did you want you us --  
7 the board members to identify themselves, also or --

8 THE REPORTER: No, sir. I'm good.

9 MR. ULMER: We're ready.

10 MR. GRIFFIN: We're ready if y'all are  
11 ready.

12 MR. ULMER: Okay. Let's begin.

13 OFFICER CARTER: This business is being  
14 brought before the board today for the following Chapter  
15 A Code violations: Automotive parts on the ground,  
16 illegal dumping, open storage of tires, and engaging in  
17 business other than specifically licensed for; and  
18 basically, that's the storage lot license.

19 According to the auto dealer's records,  
20 this business has been in operation since March the  
21 6th, 2001. On the dates listed on the exhibit sheet,  
22 this business was inspected on all of those dates. On  
23 July 24th, 2014, the manager who was there and Dawn  
24 Flores were both presented and hand-delivered the  
25 necessary paperwork from the automotive board because of

1 reoccurring violations.

2 So if you look at your exhibit sheet,  
3 Exhibit A is just going to be the Automotive Dealers'  
4 Letter and the notice of the violations, the Notice to  
5 Appear, the Notice of Rights to Appeal.

6 A copy of the Exhibit B is a Notice to  
7 Appear. Exhibit C is going to be a Notice to Rights of  
8 Appeal. Exhibit D is going to be a copy of the  
9 Automotive Repair Facility Application and Deed  
10 Restrictions. Exhibit E is going to be a copy of the  
11 Certificate of Occupancy and the D/B/A. Exhibit F is  
12 going to be a copy of the current license. So  
13 basically, I would like to start with -- start my case  
14 off by going there; and I understand it's kind of quick.  
15 So I'll go slow so you guys can follow along with me.

16 On December 17th, which is Exhibit G that  
17 I'm speaking about.

18 MS. RICHARDSON: What's that exhibit  
19 number?

20 OFFICER CARTER: "G," as in "George."

21 Basically, this complaint was received by  
22 Oscar Sambrano with press -- Progressive Insurance  
23 Company. He's a special investigator. This complaint  
24 was received from him, alleging several allegations due  
25 to a very expensive luxury car that entered the facility

1 for repair. After continuous investigation, I found  
2 most of the allegations to be true and also additional  
3 allegations. Basically, they were being charged -- they  
4 were charging his client storage of \$4,335.50; and this  
5 business did not have a storage-lot license.

6 MR. BRUCE: Well, we're going to object to  
7 Exhibit G, in that our copy given to us is not the same  
8 copy as the -- that's in here.

9 OFFICER CARTER: This is the complaint.

10 MR. BRUCE: I understand.

11 OFFICER CARTER: You don't have the  
12 complaint, sir.

13 MR. BRUCE: Well, this is -- this is --  
14 okay. Fair enough. Go ahead.

15 MR. GRIFFIN: So is this --

16 OFFICER CARTER: Would you like me to  
17 explain it?

18 MR. ULMER: Go ahead.

19 MR. GRIFFIN: The first -- the complaint  
20 is actually "G" --

21 MR. BRUCE: Okay.

22 MR. GRIFFIN: -- and all the inspections  
23 are --

24 MR. BRUCE: Okay. Got you.

25 MR. GRIFFIN: -- go with "G," too.

1 MR. BRUCE: Okay. Fair enough. Fair  
2 enough.

3 OFFICER CARTER: Do you want me to try --

4 MR. BRUCE: Go ahead. I'm sorry. Go  
5 ahead, Officer. I didn't mean to interrupt you. Well,  
6 I did mean to but --

7 OFFICER CARTER: Okay.

8 So basically, as I was saying, they were  
9 charged storage for \$4,335.50, as you can see here on  
10 the second page. There was a storage-fee charge. There  
11 were also some allegations about component parts being  
12 missing, receipts for these parts being found; and we  
13 could not locate any of the receipts.

14 There was also evidence of new parts being  
15 put on the car and we could not find the evidence of  
16 those parts being put on the vehicle, nor could we find  
17 receipts for those.

18 So basically, in conclusion, Prestige  
19 Collision reduced the charge from \$47,988 to \$29,000;  
20 and all of that can be found in this packet. So that's  
21 one example of the storage that was being charged.

22 MS. PALMER: There was storage on the  
23 property?

24 OFFICER CARTER: No, ma'am, not the  
25 repairs. There was many allegations on it but

1 basically, today, I'm just focusing on the storage; but  
2 in order to present the whole complaint, I was just  
3 going through what was in the file that was alleged in  
4 the complaint.

5 MS. PALMER: Okay.

6 OFFICER CARTER: On August the 20th, I  
7 received a call from another investigator with  
8 Progressive County Mutual Insurance Company, who stated  
9 that Prestige is refusing to release one of their  
10 client's vehicles because they claim they have a license  
11 to provide storage.

12 MR. ULMER: Is that "G(3)" --

13 OFFICER CARTER: We're going --

14 MR. ULMER: -- so we can follow --

15 OFFICER CARTER: -- to be on "G(2)."

16 MR. ULMER: -- or "G(2)"?

17 OFFICER CARTER: Uh-huh. You will see  
18 here that I went out to investigate this complaint.  
19 When I arrived, the owner was not at the location. I  
20 asked the receptionist, who was Vicki at the time -- it  
21 wasn't Dawn. She wasn't working there yet. I asked  
22 Vicki to call the owner, Ibrahim. So I checked the  
23 license again to see if they had applied for a  
24 storage-lot license because the last time I was there at  
25 the location on the first previous complaint, myself and

1 Sergeant Clark advised the owner that they could not  
2 charge for storage on 12/17.

3 The owner was told how to apply for a  
4 body-shop and storage-lot privileges and told where to  
5 find it at, and he had not applied for one yet. I did  
6 not observe -- I did not observe the license on the wall  
7 for a city/state -- city or state storage license lot --  
8 city or state storage-lot license. However, the owner  
9 did tell me that he had a state license; but at the time  
10 of the inspection, we could not find it.

11 After reviewing the file, which is -- if  
12 you go to G(3) in the file -- and after observing, I  
13 conducted -- I conducted a small, random audit at that  
14 time; and the audit is going to be listed in Exhibit  
15 G(3). I asked for random files. The clerk -- I mean,  
16 the secretary there just -- Vicki, she picked four  
17 random files for me. I looked through those files,  
18 which are here listed on G(3); and as you could see, all  
19 of them had storage on it.

20 So if you're on G(3) -- if you want to  
21 follow with me -- the first one is a 2001 White Dodge.  
22 It has storage for \$100. The next one is a 2010 Ford.  
23 It has storage for \$775. The black Mercedes, '04 --

24 MR. ULMER: I think that's actually 275;  
25 isn't it?

1 OFFICER CARTER: Oh, I'm sorry. Yes, sir,  
2 275.

3 MR. ULMER: Okay.

4 OFFICER CARTER: And if you look, I kind  
5 of put, like, a little arrow pointing to the storage lot  
6 so you can kind of follow along with it.

7 On the '04 Mercedes, \$875 of storage. The  
8 next one is a '06 black Ford, \$525 storage. Then you  
9 see a letter here still saying that they're charging  
10 storage. The business had been reminded on the previous  
11 occasions to take down all signs and all paperwork that  
12 indicate that they would be charging storage fees  
13 because they did not have a storage-lot license. So  
14 that was on 12/17, and this is still occurring.

15 The 2006 black Mercedes, \$900 in storage.  
16 Then you have another letter that's indicating the  
17 storage again, and this is just slips within the file.  
18 Also, on this inspection on Exhibit G(2), they were  
19 given the inspection form, saying that they were engaged  
20 in business other than specifically licensed for a body  
21 shop with storage-lot privileges and the licenses that  
22 I'm referring to.

23 They had automotive parts on the ground,  
24 and they failed to maintain accurate records. They also  
25 had open storage of tires.

1 MR. ULMER: Officer Carter --

2 OFFICER CARTER: Yes, sir.

3 MR. ULMER: -- while you're going through  
4 these, can you clarify something in G(3)? There are  
5 some road-aid towing bills that are toward the back.

6 OFFICER CARTER: That was all part of the  
7 file.

8 MR. ULMER: Okay. Well, I'm referring to  
9 this very first one of \$950.

10 OFFICER CARTER: If I'm not mistaken --  
11 you can correct me if I'm wrong -- this is supposed to  
12 be from an accident scene from home and the person was  
13 supposed to live in San Antonio or something, they told  
14 me.

15 MR. BRUCE: I'm sorry. Which one is that?

16 OFFICER CARTER: The first tow bill on  
17 the -- the tow number on it is 1463, Road A towing. I'm  
18 sorry. 14630.

19 THE WITNESS: That's not our tow slip.

20 OFFICER CARTER: I know; but didn't you  
21 tell me something about this person's legal consent in  
22 San Antonio?

23 THE WITNESS: Yeah, the car --

24 OFFICER CARTER: It was from an accident  
25 scene in Houston -- because I wrote my notes on the

1 second page -- and they were going to San Antonio is the  
2 reason why they said the bill was so high.

3 Lots of the records there, they were not  
4 accurate. So when we wanted to see certain things and  
5 it needed to be a continuation of what was actually the  
6 original receipt or bill, we -- we couldn't find it.

7 MR. ULMER: It looks like there's a few  
8 bills from Road A Towing.

9 OFFICER CARTER: Uh-huh.

10 MR. ULMER: Is anybody going to take a  
11 look at Road A Towing?

12 MR. GRIFFIN: They're in San Antonio.

13 OFFICER CARTER: They called him, yeah.  
14 Yeah, they're in San Antonio. According to -- didn't  
15 they call them or something, you told me? Because I  
16 remember --

17 THE WITNESS: Yeah. The customer wanted  
18 to bring the car to the shop. So they had Road A towing  
19 tow their car from San Antonio to our facility --

20 MR. ULMER: Oh, the accident was in San  
21 Antonio?

22 MR. BRUCE: If you don't -- if you know,  
23 you know. Do you know where the accident was?

24 THE WITNESS: No.

25 MR. ULMER: Okay.

1           OFFICER CARTER: I do remember talking to  
2 them about it --

3           MR. ULMER: Okay.

4           OFFICER CARTER: -- because it was kind of  
5 different.

6           All right. So let's move on to Exhibit  
7 G(4).

8           MR. ULMER: Okay.

9           OFFICER CARTER: All right. G(4). All  
10 right. So on G(4), I received this complaint from  
11 Safeway Insurance Company. Mr. Mark was basically  
12 saying he was upset because there was a teardown fee  
13 charged that was not authorized, and a 25-dollar-a-day  
14 storage that was being charged. So, again, we're  
15 charging storage on a third time after being warned.

16           So when I first went to the business, I --  
17 first, I called Mr. Eter; and I asked him could he fax  
18 me over the invoice sheet because when I originally had  
19 the complaint, there was no VIN number or anything in  
20 it. So I was just asking him for a description of that  
21 vehicle and on that day, he wouldn't find it and I  
22 couldn't get in contact with the insurance agent,  
23 Mr. Mark right away.

24           So once I got there, he said he would fax  
25 it over to me; but he couldn't find it. So once I got

1 all the information on the vehicle from Mr. Mark, I  
2 went -- myself and Officer Fong -- later that evening on  
3 overtime, we went to the business and conducted an  
4 inspection.

5 We looked for this file for over an  
6 hour -- myself, Officer Fong, and the staff. We  
7 couldn't find it. We went through over approximately a  
8 hundred files. The file could not be found. At that  
9 time, I advised Mr. Eter about record-keeping and the  
10 occupational code and how he needed to keep records of  
11 certain vehicle repair sales and purchases on file and  
12 readily available.

13 About 40 percent of those files were  
14 incomplete, that we observed. They had detailed  
15 information missing like the VIN plates, the license  
16 plate, the customer's name, information. All of that  
17 information had been missing.

18 On 5/26, I called them. The file still  
19 hadn't been located. On 5/27 she called me back and  
20 said that she had not located the file and the customer  
21 signed everything and took a rental car. She basically  
22 said that, because of the inconvenience, that they would  
23 refund the storage fee and the teardown fee in question.

24 So if you go to -- past all of my  
25 information, you'll see that Prestige returned a check

1 of \$775, returning the storage fee and the teardown fee;  
2 and they wrote that check on 6/25.

3 At that time, again, they were warned to  
4 stop charging storage. And this Exhibit G(6) is,  
5 basically, just the inspection that we did when we went  
6 there -- me and Officer Fong -- and you can see when we  
7 did the audit, we just pulled certain files; and you  
8 could see, again, that they were charging storage on  
9 5/19.

10 So if you go to 5/19, they inspected on  
11 5/19 -- Exhibit G(7). On the first one, it's a 2008  
12 Nissan. They charged a hundred-dollar storage for four  
13 days. The next one, it's \$460. The next one, they  
14 charged \$400. The next one, they charged \$325. This  
15 one is a Silver -- it's not -- they charged a hundred  
16 dollars; but if you just take a look at the file, you  
17 can see the file is still not accurate. There's no  
18 phone number. There's no year of the car. There's only  
19 the customer's name. There's no license plate, no VIN.

20 The '93 white Toyota, 500-dollar storage.  
21 This is an '07 silver Jeep. They charged -- this is --  
22 this was questionable to me because, first, they told me  
23 it was a teardown fee, a flat fee of \$500. This says  
24 \$825. I'm not sure why that changed but --

25 MR. ULMER: It looks like they marked out

1 the storage and wrote 825 for the storage.

2 OFFICER CARTER: Yeah. The next one is  
3 \$800 for a 2012 black Volkswagon. \$70.50. \$360, the  
4 next one. 207 -- I mean, 2007 green Ford is -- I guess  
5 that's charged 220, I think -- 220. The 2003 blue  
6 Honda, \$800. If you go to the next one, it's is for a  
7 1999 Honda. And I think you guys get the point now, but  
8 it's just continuous storage being charged. So I want  
9 to move on to Exhibit H and make it --

10 MR. ULMER: G8, G10, all those are the  
11 same?

12 OFFICER CARTER: I'm sorry?

13 MR. ULMER: G8 and G10, are those all the  
14 same?

15 MR. GRIFFIN: They're just more examples  
16 of them charging storage when they're not supposed to.

17 MR. ULMER: How many more are there? How  
18 many examples of them charging storage are there?

19 OFFICER CARTER: Ken, I'm not exactly sure  
20 of the number. I know one time I got four and I know  
21 one time I got 12, but I'm not exactly sure of the  
22 number.

23 MR. ULMER: Okay.

24 OFFICER CARTER: Okay. So I'm going to  
25 let Officer Martinez take over now because he did the

1 inspection on 7/23, and he took the pictures.

2 OFFICER MARTINEZ: Can you go ahead and do  
3 it?

4 OFFICER CARTER: Okay. I'll do it.

5 Okay. So on Exhibit G, H, Officer  
6 Martinez went out there on 7/23; and if you could get  
7 your picture on Exhibit H and kind of go back and forth  
8 with me and compare to the inspection form.

9 MS. PALMER: Which inspection forms are  
10 they?

11 OFFICER CARTER: "G," as in "George" and  
12 the Number 8. I'm sorry. They're kind of all running  
13 together. And then if you would look at Exhibit H, I  
14 just kind of want to compare the two.

15 MR. ULMER: Okay.

16 OFFICER CARTER: Okay. So on 7/23,  
17 Officer Martinez went out to the location and found  
18 automotive parts on the ground; and as you can see in  
19 the first picture and the second picture on the top  
20 row -- one, two, and three -- he has parts on the  
21 ground.

22 And if you look on the second row, the  
23 middle picture, there's a battery on the ground; and if  
24 you look at the third row, the middle picture, there's a  
25 door on the ground.

1 MS. PALMER: And Officer Carter, the first  
2 row, third picture --

3 OFFICER CARTER: Yes, ma'am.

4 MS. PALMER: -- is that some kind of fluid  
5 or --

6 OFFICER MARTINEZ: That's -- it looks like  
7 some kind of hydraulic fluid or transmission fluid.

8 OFFICER CARTER: They also failed to  
9 construct and maintain a solid fence. They had open  
10 storage of tires, as you can see the tires on the second  
11 row and the third row, the first picture. They also had  
12 an accumulation of transmission fluid, which Ms. Palmer  
13 was just speaking on, on the first row, third picture;  
14 and they had storage of batteries on the ground, which  
15 is on the second row, the second picture. And on the  
16 back, they also had some parts on the ground.

17 You can see with where they failed to  
18 construct and maintain a solid fence, and vehicles have  
19 been parked there over 30 days. So they would need a  
20 solid fence. That's the reason being. And -- they also  
21 had building materials on the ground.

22 MS. RICHARDSON: So they met within the  
23 300-foot rule? There's no residential areas or anything  
24 like that?

25 MR. GRIFFIN: The 300-foot rule doesn't

1 apply to auto-repair facilities, only storage and  
2 salvage.

3 MS. RICHARDSON: Yes, you're right; but by  
4 looking at this, it looks like -- I don't see any  
5 automotive repair. I see a body shop.

6 MR. GRIFFIN: Well, it carries the same  
7 license. We don't differentiate between mechanics and  
8 body shops. It's just an auto-repair-facility license.

9 MS. RICHARDSON: So an  
10 auto-repair-facility license can also be a body shop?

11 MR. GRIFFIN: Correct. Now, we have an  
12 internal designation so that we know which one it is;  
13 but the license itself is just an A.R.F. license.

14 Well -- yeah. Ms. Duran just informed me  
15 that she wanted me to remind you that, yes, if -- the  
16 separate license that he is alleged to have not gotten  
17 is a body-shop-with-storage-lot-privilege --

18 MS. RICHARDSON: Right.

19 MR. GRIFFIN: -- license --

20 MS. RICHARDSON: Yes.

21 MR. GRIFFIN: -- in which case, the  
22 300-foot rule would come into play.

23 MS. RICHARDSON: Would come into play?

24 Okay.

25 Officer Carter, do they have a paint

1 booth?

2 OFFICER MARTINEZ: They do have a paint  
3 booth. They do have an area --

4 MS. RICHARDSON: They do have a paint  
5 booth? Because I haven't seen it in any of the photos.  
6 They have an area, or they have a paint booth?

7 OFFICER MARTINEZ: They have a paint  
8 booth -- a state-of-the-art paint booth. They do.

9 MR. ULMER: But we ought to actually limit  
10 our discussion to actual points in the complaint.

11 Does that conclude your case?

12 OFFICER CARTER: No, sir. He's going to  
13 have to present the last exhibit --

14 OFFICER MARTINEZ: On Exhibit G10 --

15 OFFICER CARTER: -- G10.

16 OFFICER MARTINEZ: With respect to G10, I  
17 inspected it yesterday.

18 MR. ULMER: Hold on. Let us find G10.  
19 You've got a lot of exhibits.

20 OFFICER CARTER: I'm sorry.

21 MR. ULMER: No, that's find.

22 OFFICER MARTINEZ: The tires have been  
23 moved and put under cover. They cleaned up the fluid  
24 and picked up most of the parts; but as you can see on  
25 the second photo in the first row, there's still some

1 bumpers on the ground. And on the first photo on the  
2 first row, that is a bed liner, which is also an  
3 automotive part and it's on the ground and it's full of  
4 body parts.

5 I went over that with him yesterday and  
6 also -- we had mentioned it before -- but you can see in  
7 the second row, the first photo, those are two big oil  
8 containers there that are -- that are not diked; and we  
9 went over that, as well, yesterday. But as far as the  
10 tires, those have been put under cover and removed from  
11 the area and a lot of the parts have been picked up.

12 MR. GRIFFIN: Mr. Bruce, the pictures that  
13 you provided to the board, who took those? They were  
14 passed around. They were taken yesterday?

15 MR. BRUCE: They were taken yesterday.

16 OFFICER CARTER: Some yesterday and some  
17 after the first inspection.

18 MR. GRIFFIN: Okay. So they're there for  
19 y'all to peruse?

20 MR. BRUCE: And I think -- and I may be  
21 just a ahead on this -- but since we're going around,  
22 the one where they showed that bed liner here, there's  
23 actually a picture of that; and that -- all that in this  
24 little area is now gone. And if you look on the one  
25 with the bumpers on the ground, they are actually on a

1 pallet. So they are off -- off the ground, unlike the  
2 officer's pictures.

3 MR. ULMER: Okay. So, in other words, we  
4 took some photos after we corrected some of the  
5 officers' issues?

6 MR. BRUCE: As the officer testified,  
7 they've been -- since this is kind of the start of the  
8 hearing -- they've been cleaning up the establishment.  
9 Those -- our pictures have been taken kind of as they've  
10 been doing the cleanup. The officer did a reinspection  
11 yesterday, pointed out the bed liner with the parts on  
12 it --

13 MR. ULMER: Okay.

14 MR. BRUCE: -- and that was immediately  
15 removed, and that's why we brought that picture.

16 MR. ULMER: So it was corrected after  
17 yesterday's inspection?

18 MR. BRUCE: Yes, it was corrected after.

19 MR. ULMER: Okay. That's what I was  
20 wondering.

21 MR. BRUCE: Yeah. They were thinking  
22 because it was in a bed liner, that it was off the  
23 ground; but I understand that didn't mean that. So --  
24 but, yes, our pictures of kind of a series of pictures  
25 showing cleanup in progress. There's also some invoices

1 in there showing oil being picked up; also, a battery  
2 disposal and things like that.

3 MS. RICHARDSON: You have a manifest?

4 MR. BRUCE: Those are the invoices we have  
5 today. They turned in the batteries, and the -- and  
6 the -- that -- the batteries were shown being put up --  
7 up on racks and things.

8 MS. RICHARDSON: And you picked up the  
9 oil?

10 OFFICER CARTER: Did you show me a  
11 manifest?

12 MR. BRUCE: I think we did show you a  
13 manifest.

14 OFFICER CARTER: He showed me a manifest  
15 on one of the inspections. I think it was the --

16 MR. ULMER: Again, but that's not anything  
17 that's noted on the violation. I'm just --

18 MR. BRUCE: Right. I know we jumped a  
19 little bit ahead here, Officer. I'm not defending this.  
20 I'm --

21 OFFICER MARTINEZ: That's fine.

22 MR. BRUCE: If I could go ahead and  
23 proceed with the officer?

24 MR. ULMER: Absolutely.

25 MR. BRUCE: Just to be clear, we're not --

1 you're not claiming that he didn't have a -- that he  
2 violated the Vehicle Storage Facility Act, as far as the  
3 storage because that doesn't really apply in this case;  
4 correct? You had mentioned the Occupations Code; but  
5 since they're not a vehicle storage facility and they're  
6 not -- there's no nonconsent storage going on there,  
7 they don't have to have a state license; correct?

8 OFFICER CARTER: No, no, no. What I was  
9 saying is: When I was there, the owner told me they had  
10 a state license there at the facility; but I couldn't  
11 find it and it didn't matter whether he did or didn't.

12 MR. BRUCE: I understand. But we're not  
13 here -- I mean, there's no -- because there's no  
14 nonconsensual storage.

15 OFFICER CARTER: Uh-huh.

16 MR. BRUCE: -- which would make the  
17 Occupations Code apply really. You had mentioned that  
18 they weren't complying with the Occupational Code; but  
19 that doesn't really apply here because there's no  
20 nonconsent storage.

21 OFFICER MARTINEZ: She mentioned that  
22 because of the records. They have to keep the records  
23 by the Occupation Code of the vehicles that are  
24 repaired.

25 MR. BRUCE: Not for -- under the Vehicle

1 Storage Facility Act because they're not a V.S.F.; and  
2 that only applies to nonconsensual storage. If you read  
3 the V.S.F. Act --

4 OFFICER CARTER: I have.

5 MR. BRUCE: -- the Vehicle Storage  
6 Facility Act, it says it applies to nonconsensual  
7 storage. If you do consensual storage, the state law  
8 doesn't apply to you; and body shops, by definition, do  
9 consensual storage.

10 OFFICER CARTER: Well --

11 (simultaneous talking)

12 MR. BRUCE: And in the Act, you'll see  
13 this only applies to nonconsensual storage.

14 It's in the definition section of the Act.

15 OFFICER CARTER: I'm sorry?

16 MR. BRUCE: I was just saying in the  
17 definition section of the Vehicle Storage Facility Act,  
18 it only applies to nonconsensual storage.

19 OFFICER CARTER: This is for repairs.

20 MR. BRUCE: Okay. But -- but under --  
21 under the Vehicle Storage Facility Act?

22 OFFICER CARTER: No. I'm not -- no.

23 MR. BRUCE: Okay.

24 OFFICER CARTER: If you go to my  
25 inspection form, I bring printed it out. You can check

1 it out.

2 MR. BRUCE: I understand it might be a  
3 city -- a municipal regulation here, but there's no  
4 state regulation.

5 OFFICER CARTER: I wasn't referring to --

6 MR. BRUCE: Okay.

7 OFFICER CARTER: -- the State.

8 MR. BRUCE: Okay. And I just wanted to  
9 make sure.

10 OFFICER CARTER: Under Chapter 8.

11 MR. BRUCE: Yes, I understand that; but  
12 we're also not doing any state violations because you  
13 said Occupations Code, and that's under the State.

14 OFFICER CARTER: Yeah, I was doing all  
15 legal records.

16 MR. BRUCE: Now -- and just to make clear,  
17 too, as far as the transfer fees, when you have some --  
18 or -- not transfer fees, teardown fees, you have some  
19 complaints about that, which prompted one of these  
20 investigations.

21 The City doesn't regulate those rates; do  
22 they?

23 OFFICER CARTER: No. What I said was: I  
24 didn't have a complaint. It was that the insurance  
25 agency had a complaint; and I said when I went there --

1 MR. BRUCE: Uh-huh.

2 OFFICER CARTER: -- Mr. Eter told me that  
3 they were only -- I asked them, "What is your carry-on  
4 fee?"

5 MR. BRUCE: Right.

6 OFFICER CARTER: He told me \$500. And  
7 when we went through the exhibits, I saw one for  
8 800-and-something dollars. So I did question him about  
9 that one. So that was my question about it. I didn't  
10 try to regulate his transfer fee.

11 (Simultaneous talking)

12 MR. BRUCE: You mean his teardown fee?

13 OFFICER CARTER: I mean, his teardown fee.  
14 Because I asked him what was the fee and he said that  
15 was the flat fee of \$500; and when I saw in the records  
16 it was 850, I wanted to know what made the change.

17 MR. BRUCE: Okay. But that might have  
18 been actually for storage? I think we --

19 MR. ULMER: Correct me if I'm wrong, but  
20 the Notice of Violations doesn't include anything about  
21 teardown fees; correct?

22 OFFICER CARTER: I'm sorry?

23 MR. ULMER: The Notice of Violations  
24 doesn't include anything about teardown fees; correct?

25 OFFICER CARTER: No, it does not. No.

1 No. That was their complaint --

2 MR. ULMER: Okay.

3 OFFICER CARTER: -- that the insurance  
4 agent had --

5 MR. ULMER: All right.

6 OFFICER CARTER: -- with them saying that  
7 her customer --

8 MR. ULMER: But I would have noticed a  
9 violation from the City if it were to include any  
10 teardown fees?

11 (Simultaneous talking)

12 OFFICER CARTER: No, sir.

13 MR. ULMER: Okay.

14 MR. BRUCE: And, Mr. Chairman, the only  
15 reason I brought that up is because the officer  
16 mentioned it; and I just wanted to make sure that it's  
17 on the record.

18 MR. ULMER: Okay.

19 MR. BRUCE: Now, I noticed that most of  
20 these storage violations -- charges were done prior to  
21 Dawn becoming the shop manager -- correct -- in April?  
22 I think in late April she became the shop manager;  
23 correct?

24 OFFICER CARTER: Correct.

25 MR. BRUCE: Okay. And since -- let's say,

1 start, you know, after a couple of weeks of her working  
2 there, have you seen any storage fees being charged?

3 OFFICER CARTER: Since Dawn has been  
4 working there?

5 MR. BRUCE: Yeah. Her files -- since she  
6 owned up -- and I understand that there's a couple of  
7 names -- there's so many names that --

8 OFFICER CARTER: Oh, I can say: When Dawn  
9 was there, you were --

10 Were you there when me and Officer Fong  
11 were there?

12 MS. FLORES: Yes.

13 OFFICER CARTER: Okay.

14 MS. FLORES: And that's the last time.

15 OFFICER CARTER: Okay. And right behind  
16 you, over your head -- I don't have photo, but I can get  
17 Officer Fong's to testify to this if I need to -- there  
18 was still a sign up there saying that they were charging  
19 storage and I asked you -- I said, "Why is that there?  
20 I need that down."

21 She took that down, but she was aware at  
22 the time that the storage thing -- this storage thing  
23 was still going on; but since that day, no.

24 MR. BRUCE: And my point is -- and I'm  
25 going to say to the board here right now -- is that

1 there was storage charged, and there shouldn't be.

2 I'm not going to say that there wasn't.  
3 When there was asked for a refund to be made, a refund  
4 was made. I think we submitted a copy of the check; and  
5 like the records indicate, this shop has been in  
6 business since 2001. If you can see the very front  
7 picture that I provided, it's a modern shop. It's a  
8 nice facility. This is not, you know, an old warehouse,  
9 you know, filled with parts everywhere. Dawn has come  
10 back in. She has -- what -- 10, 15 years in the  
11 automotive/body shop business to kind of set the ship  
12 right again; and unfortunately, this shop got  
13 off-course.

14 You had managers in there that didn't  
15 understand the law, didn't understand the fact that they  
16 were supposed to have a body shop with a storage-lot  
17 license; and that's no excuse. I'm not going to say it  
18 is.

19 It was wrong and they did it and they  
20 stand ready to make any refunds that H.P.D. wants. The  
21 ones that have been requested, have been requested --  
22 have been made. With regard to the shop getting a  
23 little out of -- messy, unfortunately, yes, it got  
24 messy; but they've cleaned it up. They made an effort  
25 to get it cleaned up.

1           They're -- our pictures show, you know,  
2 and as the officer testified, they're moving along,  
3 getting things done correctly. Things are on pallets.  
4 The garbage has been removed.

5           You know, it just -- every now and then, a  
6 business has to stop because you don't get money  
7 cleaning up. You make money when you're repairing  
8 vehicles; but every now and then, somebody has to stop  
9 and say, "Hey we need to get this shop cleaned up. We  
10 have to do something about this. I know we're not going  
11 to make any money here today for the next couple of  
12 days."

13           And it just kind of got to that point, and  
14 it's unfortunate that it did; but it did. So as I -- I  
15 think we're making progress towards there. Can we get  
16 everything done overnight? Some things are going to  
17 take a little time; but they have got -- you know, made  
18 a lot of progress.

19           With regards to the fence, they will  
20 certainly try to get a bid on getting the fence enclosed  
21 in and I think the plan is going to be to move vehicles.  
22 So they're not going to be there for 30 days, and that  
23 would -- that would take us out of the requirements for  
24 the fence.

25           With reference to Mr. Ibrahim not being

1 here, he has been on vacation. This -- this is his son  
2 right here, who is kind of starting to try to take over  
3 the business and trying to learn the business and this  
4 has kind of been a shock treatment -- you know, shock --  
5 learning experience for him.

6 Along with Dawn's help, you know, he's  
7 going to start, you know -- you know, learning more  
8 about that this; but Mr. Ibrahim is overseas. He could  
9 not be -- come back to this. It was not planned.  
10 That's why I'm hear, and I can speak for him.

11 Do I have any questions from the board or  
12 H.P.D.?

13 MR. ULMER: I have some questions.

14 MR. BRUCE: Okay.

15 MR. ULMER: As you know, one of the huge  
16 problems for the automotive industry is  
17 automotive-repair facilities that solicit or gain  
18 business from accident scenes through some shape, form,  
19 or fashion, who do virtually no repairs or minimal  
20 repairs or claim to do teardowns and then charge these  
21 exorbitant fees.

22 I count a total of 25 instances here where  
23 storage is charged and in every case where Officer  
24 Carter made the statement -- very clearly told them they  
25 can't do this. She told them, they can't do this.

1 Every single time and even up until her last inspection,  
2 they still had that sign up that said, We are going to  
3 charge storage.

4 So is there anyone here that can speak to  
5 why that sign was never taken down and why you continued  
6 to charge storage in 25 cases?

7 And how many times did you actually go out  
8 there, Officer Carter? I failed to count that when I  
9 was going through all these cases.

10 OFFICER CARTER: I've been out other times  
11 --

12 MR. ULMER: About five instances?

13 OFFICER CARTER: Yes, five; but I've been  
14 out other times when we were trying to (inaudible) --

15 I want to make this correction. I think  
16 that was 5/19 when the storage -- when the sign was  
17 still up. The last inspection I went was on -- let's  
18 see that last inspection -- when I delivered the letter  
19 actually was 7/24. I didn't see the sign then, but the  
20 last time I saw it was on 5/19. But I've been out there  
21 a lot of times.

22 I've probably been out there about seven  
23 or eight times. I mean, some, dealing with this. Some,  
24 dealing with the past infractions because there have  
25 been some issues with that because she was new coming

1 in. So I was helping her a lot with that, but I've been  
2 out there probably seven or eight times.

3 MR. ULMER: Let me ask you about the tow  
4 service agreement. That had nothing to do with your  
5 complaint?

6 OFFICER CARTER: Yeah. Right.

7 MR. BRUCE: Let me ask you this, Officer:  
8 Has Dawn shown a willingness to work with you to try and  
9 get this shop back in shape?

10 OFFICER CARTER: Yes, she has. Both of  
11 them have, actually.

12 MR. BRUCE: In the last three years,  
13 there's been three different managers out there at  
14 different times; correct? If you know, how many have  
15 been out there?

16 OFFICER CARTER: I've just been out there  
17 a year. I mean, since I've been out there, I've just  
18 seen Vicki and Dawn.

19 MR. BRUCE: Okay. I'll let Mr. Eter tell  
20 you that there has been three managers.

21 And was that a bad management, you know,  
22 tactic? Yes, it was. That's why they brought Dawn back  
23 in to get this shop back on the road. The storage has  
24 stopped. I mean, that's -- that's their -- the sign is  
25 down. The charging storage on these vehicles is

1 stopped. We can't undo the past. All we can do is go  
2 forward and make sure we're in compliance. And, you  
3 know, the shop clean-up, that's something easily done  
4 and should be done and the storage has stopped.

5 And we'll be happy to make refunds if the  
6 board wants, happy to go on some type of probationary  
7 period and say, "Okay. Look. We'll beat the six  
8 months. Let's come back, reinspect, and everything like  
9 that; but I think that the ultimate -- taking this  
10 shop's license away is basically a death penalty  
11 sentence to them because they wouldn't be able to  
12 operate. It would be a little severe here without --  
13 since they are trying to get back in compliance, and  
14 that's why we hired Dawn back to do that.

15 MR. ULMER: Let me just ask you this,  
16 Mr. Bruce: Why do you think that would be so severe?

17 I mean, it's obvious that H.P.D. has -- on  
18 five occasions -- gone out there and said, "Hey, you're  
19 charging storage; and you can't."

20 I saw one or two refunds and all the rest  
21 of them, the shop just kept the money; and some of them  
22 are pretty substantial storage rates that were illegal  
23 to take to begin with.

24 So, I mean, is there somebody sitting here  
25 and saying, "We heard her; but we didn't understand we

1     couldn't charge storage?" I mean, that's my biggest  
2     problem is that they kept on going.

3             MR. BRUCE: I understand and, you know,  
4     your -- your shop or your -- your business is only as  
5     good as the people you have running it. And the people  
6     they had running it before just really didn't get it,  
7     just to be honest. I think there were three managers  
8     within a year's time period, who did things wrong and  
9     I'm not going make excuses for them. I mean, that would  
10    be wrong.

11            They shouldn't have done that; but, you  
12    know, it's righting the ship right now, getting things  
13    back on course. We stand ready to make, you know, any  
14    refunds that the board wants or H.P.D. wants to go back  
15    to -- to go back and be on, I guess, maybe a  
16    probationary period so, say, you know, we can get into  
17    compliance. We think we've hired a manager now that can  
18    take care of the everyday business of the shop and make  
19    sure it's done right and make it work.

20            MR. ULMER: So let me ask you this, Mr.  
21    Bruce or Mr. Eter or whoever would like to answer this:  
22    Every one of these instances with the exception of one,  
23    there were no repairs done to the vehicles.

24            MR. BRUCE: No. I think they were --  
25    there were.

1 MR. ULMER: I say one, the Ferrari had  
2 some repairs; but all the rest of them, it appears, just  
3 had teardown fees and storage fees. It appears they  
4 left.

5 MR. BRUCE: Right. And, you know, this is  
6 an issue within the industry right now in the body shop  
7 industry --

8 MR. ULMER: Absolutely.

9 MR. BRUCE: -- in that you have one --  
10 there's a huge issue going on -- we're getting a little  
11 off-case -- with Geico Insurance right now and who has a  
12 huge problem with these teardown fees; but on the --  
13 from the body shop perspective, they have a huge problem  
14 with insurance companies steering the business out of  
15 there.

16 So it's a battle between the body shop  
17 industry saying, "Okay. If you're not going to have  
18 your car repaired here, we're going to charge you these  
19 storage and teardown fees. If you do have your car  
20 repaired here, we're going to lower those, versus the  
21 insurance companies who are steering the vehicles to  
22 their preferred shops because they know --

23 MR. ULMER: And there, again --

24 MR. BRUCE: And we're getting offtrack.

25 MR. ULMER: My point being: I'm not

1 specifically saying teardown fees.

2 MR. BRUCE: Right.

3 MR. ULMER: I'm not simply saying any of  
4 that. I'm saying: These invoices don't have anything  
5 in them other than the fact that they were being charged  
6 some fees --

7 MR. BRUCE: Right.

8 MR. ULMER: -- but not repairing the  
9 vehicle; correct?

10 MR. BRUCE: Correct. But I think --

11 MR. ULMER: All right.

12 MR. BRUCE: There are people -- I mean,  
13 these -- these are, you know, contractual issues between  
14 the vehicle owner and --

15 MR. ULMER: Right. But my point is -- the  
16 point I'm trying to get is: These vehicles were not  
17 actually repaired or fixed by this body shop. These  
18 were charges that were charged because the consumer  
19 happened to come in contact with the body shop.

20 MR. BRUCE: Right. But on -- on the -- on  
21 the other side of that -- on the other side of that  
22 argument is -- yes, you know, they -- if the vehicle was  
23 torn done, there is a fee for that. I understand that  
24 they're not supposed to teardown -- I mean, charge  
25 storage; but in a sense -- and essentially, they are

1 providing the storage service.

2 As you can see in the pictures, there are  
3 a few vehicles stored within a fenced in area.  
4 Certainly, if anything happened to that vehicle during  
5 the time it was on the premises, Prestige Collision  
6 would be liable. If the vehicle was broken into,  
7 damaged in such way. And so, again, I'm not going to  
8 argue they shouldn't have been charging storage; but  
9 there is a service being provided at the time.

10 MR. ULMER: Okay. Well, let me ask this  
11 question. Let me ask the question this way and maybe  
12 Mr. Eter can answer this question: How did these  
13 vehicles end up at Prestige Collision?

14 THE WITNESS: They came from an accident  
15 scene.

16 MR. ULMER: Okay. So they were towed from  
17 an accident scene?

18 So all of these consumers said, "Hey, I  
19 like Prestige Collision. I want my car to go there."

20 Is that how they got there?

21 THE WITNESS: Yes, sir.

22 MR. ULMER: All of these consumers? So  
23 every one of these consumers --

24 THE WITNESS: Some, I don't know exactly  
25 because -- again, we have wrecker drivers. So they

1 usually just bring their cars to our shop.

2 MR. ULMER: Right. And how do the wrecker  
3 drivers know -- that's what I'm getting at. How does  
4 the wrecker driver know to bring the car to your shop?

5 THE WITNESS: They get to an accident  
6 first or they match and they bring the car. I mean, I  
7 don't really know the answer.

8 MR. ULMER: So how do -- how does -- how  
9 does it get to your shop? Does the customer just say,  
10 "I heard about Prestige Collision down the street and I  
11 want my car to go there"? And in all 25 cases, is that  
12 how the car wound up at Prestige Collision?

13 MR. BRUCE: I don't know if he really  
14 knows how each one of these vehicles got there.

15 MR. GRIFFIN: I have a better question.

16 MR. BRUCE: And we're veering off a little  
17 bit.

18 MR. KNAPP: How many wreckers do you have?

19 THE WITNESS: Like, around nine.

20 MR. KNAPP: So is your wrecker drivers --  
21 it's his wrecker drivers picking them up?

22 MR. ULMER: Is that the case, your record  
23 drivers are picking them up?

24 THE WITNESS: In certain cases, and then  
25 sometimes people bring their cars in from different

1 wrecker services and pick them up.

2 MR. GRIFFIN: And those wreckers are  
3 supposed to take it to a storage lot.

4 MR. ULMER: That was the point that I was  
5 trying to get at is: If those cars are winding up at  
6 your storage facility, someone is soliciting those cars;  
7 right?

8 MR. BRUCE: That's -- well --

9 MR. ULMER: And I agree that's not one of  
10 the --

11 MR. BRUCE: Well --

12 MR. ULMER: But that's the way these cars  
13 are winding up here and you know very well, Mr. Bruce --  
14 you know my reputation in this industry. You know this  
15 is one of things that I really think destroys our  
16 industry. I really believe that this puts a black eye  
17 on our entire industry and our automotive industry is  
18 affected by this and the reality is: A violation of  
19 City Ordinance is taking place in these vehicles winding  
20 up at a facility that that consumer didn't say, "Hey,  
21 that's where I wanted to go" -- because that's really  
22 the contention there.

23 And then the facility is trying to recoup  
24 the amount of money that they paid as a bounty to get  
25 that car there by charging admin fees, teardown fees,

1 storage fees, and all these things.

2 Obviously, the transfer fees and the  
3 teardown fees and the admin fees, we can't control. So  
4 you're right. Those are fees that are just out there  
5 and they are rampant in whatever way they are; but the  
6 storage fees, we can control. And I think it's pretty  
7 clear that this business has been told, "You can't do  
8 that," on multiple occasions; and it's continuing to  
9 occur.

10 MR. BRUCE: I would point out -- and,  
11 again, I know it's off issue and topic a little bit --  
12 but on each one of these, they had a transfer fee.

13 So -- so to me, and in my understanding of  
14 the industry, that means that the vehicle actually went  
15 to a V.S.F. at first and then was taken to a vehicle  
16 storage facility from the accident scene and then was  
17 transferred from the V.S.F. to the body shop.

18 So the question is: Were they soliciting  
19 at the scene, or did they not -- did they go directly  
20 from the police scene to the body shop? The tickets or  
21 the vehicle invoices seem to indicate differently  
22 because there wouldn't be a transfer -- transfer fee  
23 charged. And --

24 MR. ULMER: Well, it says: "Transfer to  
25 hold" it.

1 MR. BRUCE: Yeah, transfer to hold it.

2 MR. ULMER: So is that after the fact?

3 That sounds like after the fact.

4 MR. BRUCE: I'm not sure. I'm just saying  
5 that they're --

6 MR. ULMER: Is there someone here who can  
7 answer that, though, as to what that actually is?

8 MR. BRUCE: Without the actual vehicle --  
9 vehicle files on each one of these, I don't want to  
10 harbor a guess on that; and I just don't want to -- I  
11 don't want to say it. If I had -- if I had that chance  
12 to pull each one of these files, we could find out how,  
13 you know, how all that worked.

14 MR. ULMER: Additional questions from  
15 board?

16 MR. BRUCE: And -- go ahead. I'm sorry.

17 MR. ULMER: Do I have additional questions  
18 from the police department?

19 OFFICER MARTINEZ: I just want to make a  
20 statement that where they're keeping these vehicles  
21 isn't actually at their shop. They own the property  
22 across the street. If you look at the pictures, the  
23 picture with the bed liner in it --

24 MR. ULMER: Uh-huh.

25 OFFICER MARTINEZ: -- that address is

1 9000 Bellflower, and that's whether they take the  
2 vehicles and do the teardown and hold them for the  
3 insurance company to come do an estimate.

4 I explained to Dawn on both occasions that  
5 that property required a license, as well as an  
6 occupancy permit, because they were doing automotive  
7 repairs by tearing the vehicles down. So the vehicles  
8 were being held at 9000 Bellflower, not at 9001, which  
9 where the actual body shop is.

10 MR. ULMER: Okay.

11 OFFICER MARTINEZ: And if you look at the  
12 bottom picture on Exhibit H on the second page, that's  
13 the vehicle at 9000 Bellflower that's been taken apart.

14 MS. RICHARDSON: And as of right now, they  
15 do not have a license?

16 OFFICER MARTINEZ: They do not have a  
17 license at that location nor do they have an occupancy  
18 at that location.

19 MR. BRUCE: I'm going to -- let me ask a  
20 question of the auto dealers: Is that because it's all  
21 being operated under one business name? It's not a  
22 separate business name; correct?

23 OFFICER CARTER: It's a different address.

24 OFFICER MARTINEZ: Licenses are  
25 location-specific, and so is occupancy.

1 MR. BRUCE: And I understand, Officer --  
2 (Simultaneous talking)

3 MR. ULMER: Well, and there again, we  
4 would probably need to address that in a separate --  
5 (Simultaneous talking)

6 OFFICER MARTINEZ: Yeah.  
7 (Simultaneous talking by multiple parties)

8 MR. ULMER: -- this complaint is based on  
9 one address.

10 (Simultaneous talking by multiple parties)

11 OFFICER MARTINEZ: Yeah, because I believe  
12 that's where the vehicles -- (inaudible simultaneous  
13 talking by multiple parties). If they're charging a  
14 transfer from holding after moving them from -- whether  
15 it be the storage lot or the body shop -- they're being  
16 moved to another location.

17 MR. ULMER: Okay. So your answer came up  
18 based on the fact that Mr. Bruce made the statement  
19 about the vehicles being transferred?

20 OFFICER CARTER: Yeah. That's -- he has  
21 that in the special form.

22 (Simultaneous talking by multiple parties)

23 OFFICER MARTINEZ: I didn't notify them  
24 about that.

25 MR. ULMER: Okay. So there may be an

1 additional occasion, then, that you guys may need to go  
2 out there and take a look at?

3 OFFICER CARTER: Uh-huh.

4 MR. ULMER: Additional questions from the  
5 board?

6 MS. RICHARDSON: Did you have a question?

7 MR. ULMER: Did you have a question, sir?

8 MR. GRIFFIN: No, Mr. Knapp actually asked  
9 it for me.

10 MR. ULMER: Additional statements from  
11 you, Mr. Bruce, or from any of your clients? Any  
12 witness statements or anything along any of those lines?

13 MR. BRUCE: Just a couple.

14 Dawn, when did you become the manager out  
15 there?

16 MS. FLORES: Last weekend of April.

17 MR. BRUCE: Okay. And what did you find  
18 when you went out there?

19 MS. FLORES: That they were charging  
20 storage and things were falling behind and that's why he  
21 brought me back there, was to straighten things out.

22 MR. BRUCE: Okay. And how long have you  
23 been in the automotive business?

24 MS. FLORES: Since 2001.

25 MR. BRUCE: Okay. And you've been a shop

1 manager?

2 MS. FLORES: Yes.

3 MR. BRUCE: Okay. And how many different  
4 locations --

5 MS. FLORES: I've been a licensed adjustor  
6 even.

7 MR. BRUCE: Okay. Was that with an  
8 insurance company?

9 MS. FLORES: Yes.

10 MR. BRUCE: Okay. What is your plan for  
11 the business right now?

12 MS. FLORES: I would like to comply with  
13 everybody's rules, not -- I mean, the City of Houston  
14 has their rules. The State of Texas has their rules.  
15 And I just want to maintain a good business and have a  
16 good reputation. We do have a good reputation.

17 MR. BRUCE: Do you with understand you  
18 can't charge storage?

19 MS. FLORES: Absolutely. Absolutely.

20 MR. BRUCE: And even -- and because of the  
21 300-foot rule, this shop could not get a storage --

22 MS. FLORES: That -- I was told on  
23 different occasions that can be changed; but what I  
24 can't do is I can't get either street to be a major  
25 thoroughfare. So I could never have a body shop with

1 storage-lot privileges.

2 MR. BRUCE: Okay. And is the shop  
3 prepared to make any refunds on --

4 MS. FLORES: Yep.

5 MR. BRUCE: -- the storage that it's  
6 charged?

7 MS. FLORES: Yes.

8 MR. BRUCE: With regards to cleaning up  
9 the -- there was a -- what -- we haven't even discussed  
10 about it here, but there was -- in the complaint it  
11 talked about possible rats or a rat infestation. Did  
12 you -- have y'all had any of that?

13 MS. FLORES: I have never seen a rat or  
14 droppings or not even a cockroach for that matter.

15 MR. BRUCE: Okay. And you think as far as  
16 the cleanup, are the tires covered now?

17 MS. FLORES: Yes.

18 MR. BRUCE: We show a rack in one of our  
19 pictures. Is -- I don't -- can you see the -- I don't  
20 know if you can even see it, but the overhang of those  
21 tires are on a rack; correct?

22 MS. FLORES: Yes.

23 MR. BRUCE: Have you talked -- talked with  
24 the people about cleaning up the shop and even the  
25 interior of the shop?

1 MS. FLORES: The interior, the exterior.  
2 I've been in contact with Flex Oil so we can put those  
3 large oil containers where they need to be where  
4 everybody can -- because they have to come and service  
5 those. They empty them and they fill them. So...

6 MR. BRUCE: That's all the questions I  
7 have.

8 MS. RICHARDSON: I can under -- understand  
9 your frustration about getting, you know, the shop  
10 cleaned up. It's just as easy to put that part down  
11 over here as it is to put it in a container, you know.  
12 I've had that problem at my shop, you know.

13 So if you're going to throw it down --

14 MS. FLORES: Right.

15 MS. RICHARDSON: -- and that's why I  
16 just -- I want to -- then, "Don't put it there."

17 MS. FLORES: Yeah.

18 MS. RICHARDSON: "Put it where it's  
19 supposed to go so if someone is going to come in and  
20 inspect you."

21 MS. FLORES: Right. Well, we went and  
22 bought a few more racks, where you hang the bumpers and  
23 the fenders; and I got my body man complying so far.

24 MS. RICHARDSON: Now, if the owner comes  
25 in, though, and says -- Okay. You have your game plan

1 in here that you have been hired to do; and if the owner  
2 comes in just like he's going to be taking over -- and I  
3 feel like you have more knowledge than he does -- and he  
4 says, "Well, this is what I want you to do." You know,  
5 like, "Charge a duplicate ticket"; and, you know, "Throw  
6 the other ticket away."

7 How are you going to feel about that?

8 MS. FLORES: I am not willing to lose my  
9 license over anybody's suggestion. I would rather lose  
10 my job. I am a very forward person. I like everything  
11 black and white. I don't like the gray area. So I  
12 would not break a law. I would not make a duplicate  
13 ticket. I would not charge somebody that I did not feel  
14 like they needed to be charged. So...

15 MR. BRUCE: And -- and -- and my response  
16 is: When I asked, you know, if we're maybe under some  
17 type of six-month probationary period or something like  
18 that to say, you know -- you know, to kind of -- you  
19 know, have that hanging over -- I mean, instead of not  
20 having to go through all this again but just basically  
21 a -- a six-month probationary period where H.P.D. can  
22 come in and, you know -- and inspect those files again  
23 and see, you know, are you getting all this done so I'm  
24 not down here arguing that, "Oh, we're trying to comply.

25 You know, we've been given that chance

1 under probation. We know the spotlight is on us, and we  
2 need to be in compliance all the time and certainly get  
3 this shop back in order in the next six months and  
4 continue on that way."

5 MS. PALMER: Question: Ms. Dawn, you said  
6 earlier that they brought you back?

7 MS. FLORES: Yes, ma'am.

8 MS. PALMER: You were there prior to  
9 your --

10 MS. FLORES: I was. I left there for  
11 two-and-a-half years for breast cancer; and when I was  
12 there prior, before my two-and-a-half-year vacation, we  
13 were not charging storage then.

14 MS. PALMER: Okay. Two things: The  
15 refunds, how -- how are you going to get a number with  
16 any refunds that they would have to pay back?

17 And what is your recommendation, Officer  
18 Martinez and Officer Carter?

19 OFFICER CARTER: You know, to be honest,  
20 if we wouldn't have gotten these complaints, they would  
21 have been charging people millions of dollars. We  
22 wouldn't have ever known. Now that we've been there and  
23 we've told them not to -- you know, not to do it, all of  
24 the files there -- I'm going to say 90 percent of the  
25 files they had had storage on them.

1           If they could give me all those files, I'd  
2 be happy to go through every one of them and give  
3 everybody their money back if that is what we could do.  
4 I mean, I don't have a problem with that; but, I mean, a  
5 lot of the files don't even have the people's names or  
6 telephone number or any way to contact them to even --  
7 address to even contact them to give their money back.  
8 A lot of them do and I'm willing to --

9           MR. ULMER: Which is one of the  
10 violations -- if I'm not mistaken -- is the business  
11 records.

12           Is that one of the violations listed on  
13 the Notices of Violation?

14           OFFICER CARTER: I don't think I put it  
15 on -- on my violation. I don't think I did. I think I  
16 put it on the inspection form.

17           MR. BRUCE: I think it was on the  
18 inspection only.

19           OFFICER CARTER: It was on the inspection  
20 only.

21           MR. ULMER: So just based on the records  
22 that I've looked at that we've got here, it looks like a  
23 substantial number of them are not complete enough to do  
24 a refund based on the 25 (inaudible) that we have.

25           MR. BRUCE: We have -- I mean, I think

1 there are some, you know, with VIN numbers, license  
2 plates, insurance companies and things like that at the  
3 time. I think that Mr. Eter could make an effort to  
4 find out on the -- who was the owner of the vehicle at  
5 the time.

6 MS. PALMER: So the people that were there  
7 prior to you coming back there the second time, are they  
8 still there to show you where everything -- where they  
9 put things or show you things that need to be changed?

10 MS. FLORES: No, ma'am. I only kind of  
11 came in and redid everything. I have the files. I  
12 changed the paperwork. None of our papers -- our work  
13 order, our release form, any kind of -- any form that we  
14 use, it does not have the word "storage" on it anymore.  
15 I have changed that completely.

16 MS. PALMER: Well, Officer Carter, and  
17 Martinez, I want to thank you for your thorough  
18 investigation and for pointing this out.

19 And Officer Martinez, do you have  
20 something you want to say?

21 OFFICER MARTINEZ: Yes, ma'am. I'd like  
22 to make a statement. She just said that their paperwork  
23 doesn't have that "storage" on it anymore. If you look  
24 on G8, I did pull some records and it shows that they're  
25 not still charging them, but it still -- that's dated

1 July 16th. It's an invoice on the 2008 white Hyundai.  
2 Right under the teardown fee, there's still a space for  
3 "storage."

4 MR. ULMER: Yep. Sure is.

5 MS. RICHARDSON: I would say you need to  
6 redo your forms.

7 MS. FLORES: It's not up there.

8 MR. BRUCE: When was this form written up?  
9 I'm sorry. Which one is it?

10 OFFICER CARTER: July 14th, 2014.

11 OFFICER MARTINEZ: It's Exhibit G8. If  
12 you go to the -- the invoice, it's the invoice for a  
13 2008 white Hyundai.

14 MR. BRUCE: Do you know when it came in?

15 OFFICER MARTINEZ: The date on it was  
16 July 14th, 2014.

17 MR. BRUCE: But when did it come in?

18 OFFICER MARTINEZ: I don't know.

19 OFFICER CARTER: We don't have it on here.

20 MR. BRUCE: Yeah, I mean, it says --

21 OFFICER CARTER: It doesn't have it on the  
22 paperwork.

23 MR. BRUCE: It may have been on an old  
24 form from before she would have come in.

25 OFFICER MARTINEZ: But Dawn just made the

1 statement that when she came in, she changed the  
2 paperwork.

3 (Simultaneous talking by multiple parties)

4 MS. FLORES: (Inaudible) You would have  
5 seen that there's no storage on any of those invoices or  
6 any of the paperwork.

7 MR. ULMER: Yeah, but I think what the  
8 officer is saying is that this is dated 7/16/14, and  
9 it's got "storage" on that paperwork.

10 MS. RICHARDSON: And this one dated July  
11 the 22nd has got --

12 MR. BRUCE: I'm just saying -- I mean, you  
13 know, as far as when it was written up, the actual  
14 invoice --

15 OFFICER MARTINEZ: The date's on the top,  
16 sir.

17 MR. BRUCE: Yeah, but I'm just saying, you  
18 know, that that's when the vehicle came in to the --

19 (Simultaneous talking by multiple parties)

20 MS. RICHARDSON: And there is storage pay  
21 out. Look at this.

22 (Simultaneous talking by multiple parties)

23 MR. ULMER: Right. Well, that's pay out.  
24 They made that out to somebody else.

25 OFFICER MARTINEZ: Their forms still have

1 "storage" written on them.

2 MR. ULMER: Right.

3 OFFICER MARTINEZ: And they're still  
4 trying the transfer and holding --

5 MR. BRUCE: No. The transfer and hold is  
6 not regulated by the City.

7 OFFICER CARTER: But what does "holding"  
8 mean? What is your definition of "holding"?

9 MR. BRUCE: Of "transfer"?

10 OFFICER CARTER: What is your definition  
11 of "holding"?

12 MR. GRIFFIN: I guess, for me, it's the  
13 implication that it's a storage fee by another name.

14 MR. BRUCE: By another name. I don't -- I  
15 think it's being transferred to hold. I mean, that's  
16 just how they -- they --

17 MR. ULMER: It says, "transfer and hold."

18 MR. BRUCE: Transfer and hold? It's  
19 just -- it's "transfer to hold." "Transfer to hold."

20 OFFICER CARTER: Okay. But they can't do  
21 anything like that because as we stated here earlier,  
22 that lot does not have a Certificate of Occupancy. It  
23 does not have storage-lot privileges. It does not  
24 have --

25 (Simultaneous talking by multiple parties)

1 MR. ULMER: I think that direction -- lot  
2 needs to be looked it at.

3 OFFICER CARTER: And we just found this  
4 out at the end that they were doing this on Martinez's  
5 last inspection.

6 MS. PALMER: So if they've been in  
7 business for -- since 2001, how come no Certificate of  
8 Occupancy?

9 MR. ULMER: It's a different address.  
10 Their address at 9001 does have a -- (inaudible due to  
11 simultaneous talking).

12 MS. PALMER: Oh, you're talking about --  
13 (Simultaneous talking by multiple parties)

14 MR. ULMER: It's not referenced in today's  
15 complaint.

16 MS. RICHARDSON: So that has to be for  
17 another time.

18 MR. BRUCE: So would they need a second  
19 license or -- you know, under the same shop and under  
20 the same name?

21 MR. ULMER: It's another physical address.

22 MR. BRUCE: Okay.

23 MADAM SECRETARY: It could have the same  
24 name, but they would have to add another address.

25 MR. BRUCE: So this is just a matter of

1 adding another address to it? Okay.

2 MR. ULMER: Additional questions from the  
3 board? Additional concerns from the board? Any  
4 additional statements from the --

5 MR. BRUCE: No.

6 MR. ULMER: -- plaintiff? Do y'all charge  
7 an enviromental fee?

8 MS. RICHARDSON: It looks like, to me,  
9 there's still some -- maybe some -- still little loose  
10 ends. Maybe we should put them on probation for a  
11 couple of months or what --

12 MR. ULMER: Well, I don't know about you;  
13 but it looks to me like a whole bunch of people got  
14 charged some fees that they shouldn't have ever been  
15 charged --

16 OFFICER CARTER: Well --

17 MR. ULMER: -- at least on 25 invoices.

18 MS. RICHARDSON: I have that, too.

19 MS. PALMER: This is a revocation; right?

20 MR. ULMER: This is a revocation hearing,  
21 yes. Yes, it is, to revoke the automotive privileges of  
22 their license.

23 MR. STRANEY: The City ordinance is clear  
24 that we can't operate in a business other than what  
25 we're licensed for because if we do, we run the risk of

1 losing our license for the business that we're licensed.

2 MR. BRUCE: And I -- I know -- I'm not  
3 going to disagree with that. I'm just -- all I know is,  
4 we're trying to -- you know, this is a big shop that  
5 employs a lot of people. I understood what you said  
6 before. You know, that's not -- but a revocation is  
7 a -- is a death-penalty sentence; and I'm saying we have  
8 done -- what the whole point of coming before this -- if  
9 I was to look at the board -- is to get in compliance.  
10 You know, you made -- you know, everybody makes  
11 mistakes. Get in -- get in compliance.

12 They're trying to do what it takes to get  
13 in compliance right now. I'm happy to make -- they're  
14 happy to make the refunds, however much that may be.

15 No way, if we're revoked, no consumers  
16 are going to get their money back because of the  
17 revocation. So if there's any chance for consumers to  
18 get their money back and for this shop to continue on --  
19 and that's fine if the spotlight is on us for the next  
20 six, seven months or however long the board deems -- but  
21 to right this ship and correct the wrongs that have  
22 happened here, they do need to continue on with  
23 business.

24 MR. ULMER: So let me ask you this: When  
25 was the first time that you went to this shop?

1 OFFICER CARTER: December 17th.

2 MR. ULMER: 2013?

3 OFFICER CARTER: Uh-huh.

4 MR. ULMER: So let me just ask you this,  
5 Mr. Bruce: Would Prestige Collision be willing to do a  
6 refund of all storage fees collected since they ever  
7 opened?

8 MR. BRUCE: I don't know. I mean, I'm  
9 going to assume, yes.

10 MR. ULMER: Since 2001?

11 MR. BRUCE: We don't have those records.

12 MR. ULMER: They're required to have  
13 records for the last five years. Are they willing to do  
14 it for the last five years?

15 MR. BRUCE: For the last five years, yes.

16 MR. ULMER: So we're needing a motion from  
17 the board.

18 MS. PALMER: Right.

19 MR. ULMER: The complainant has made an  
20 indication they're willing to go back five years in  
21 their records and make a refunds of all storage charges  
22 that have been charged to any consumer or insurance  
23 company or anyone else for the previous five years. Is  
24 that something the board would --

25 MS. PALMER: I have a quick question for

1 -- your name is Eter?

2 THE WITNESS: Yes, ma'am.

3 MS. PALMER: Are you familiar with what  
4 we're talking about? I know you're just coming onboard;  
5 but did you know all of this was going on?

6 THE WITNESS: No, ma'am.

7 MS. PALMER: So you haven't been  
8 physically at this location working?

9 THE WITNESS: I just come to, like, run  
10 the business and you know, I just maybe started to come,  
11 like, about a year ago, year-and-a-half ago, two years.

12 MS. RICHARDSON: You're there every day?

13 THE WITNESS: I come -- yeah, sometimes  
14 between 9:00 to, like, 2:00 or 3:00.

15 MR. BRUCE: How old are you?

16 THE WITNESS: I'm 23.

17 MADAM SECRETARY: Have these officers  
18 spoken with you on their visits?

19 THE WITNESS: Yes.

20 MADAM SECRETARY: So you are aware of  
21 these incidents that occurred?

22 MR. BRUCE: I remember when I first  
23 started representing his company when he was  
24 grade-school age. He's trying to learn the business,  
25 but he's going to probably learn it more from Dawn than

1 anybody else.

2 MR. ULMER: So officers Carter and  
3 Martinez, who have you spoken to at the location that's  
4 taking responsibility?

5 MS. PALMER: Since 2013.

6 OFFICER CARTER: I spoke to his father one  
7 time. His father is always out of the country. That's  
8 one of the big problems that I have with the business is  
9 because the owner is never accountable and when I tell  
10 Mr. Eter something, he accepts it well and he says he's  
11 going to do it; but then I come back again and, still,  
12 storage is being charged.

13 And I understand maybe he's not looking  
14 over the clerk -- I mean, the secretaries or who --  
15 whatever all those ladies are in the front. I don't  
16 know the correct title for them; but at the same time,  
17 when I'm telling you, Mr. Eter, that storage is being  
18 charged, do you, acting as the manager -- because you  
19 always come to the manager -- you should come and go and  
20 make sure that these storages -- storage fees are gone  
21 when I say it.

22 We talk about that and you receive me  
23 well; but then when I come back and I see the same  
24 thing, you know, that's an issue now.

25 MR. ULMER: So, Officer Carter, this is

1 the person you've been dealing with since December of  
2 2013?

3 OFFICER CARTER: Not him. I spoke with  
4 his dad on December the 13th. I didn't speak with him.  
5 I mean, December 17th, on Friday, of 2013. I spoke with  
6 his dad, Mr. Ibrahim. Since then, I have been speaking  
7 to him.

8 MR. BRUCE: And, again, I know we're kind  
9 of coming full circle here. That's why they brought  
10 Dawn on because he's just -- I mean, I'm going to be  
11 real honest. He's 23. So he's just --

12 MR. ULMER: So my big concern, I guess,  
13 is -- now my concern is kind of moving in a little bit  
14 of, "Who is actually taking care of the business?"

15 MR. BRUCE: Dawn is. That's why she's  
16 here.

17 MR. ULMER: And -- but she's only been  
18 there since April; right?

19 MR. BRUCE: Yeah, I understand that.  
20 But -- and I have to be honest here. Since April, since  
21 dawn has gotten there, we see that things are getting  
22 done and corrected; and I can certainly agree to any  
23 condition of probation that Dawn has to stay on to get  
24 this ship ready.

25 MR. ULMER: I don't know that we can

1 require an employee to stay on.

2 MR. BRUCE: I agree. I know, but what  
3 we're offering is a condition -- it is somewhat of a  
4 contractual relationship with the City, in that we're --  
5 I mean, we're offering that as a condition assuming Dawn  
6 wants to say here.

7 MR. STRANEY: If we revoke their license,  
8 could they not go and apply for a new license and start  
9 over?

10 MR. ULMER: Not with the same ownership.

11 MADAM SECRETARY: But he could have his  
12 son come in.

13 MR. ULMER: But it doesn't sound like  
14 there is any ownership here right now; is there?

15 MR. BRUCE: There is. Actually, the  
16 company is owned by Sarah Investments, Inc. The license  
17 is personal; but, yes, we could reapply and this would  
18 all be -- you know, we could start off with a clean  
19 slate. And, again, there's no chance that that money is  
20 ever going to be funded.

21 From a financial standpoint, they're going  
22 to be out of -- they're going to have to stop working  
23 for two to three months while the application goes  
24 through. And we could have the son's name, change the  
25 wording on the sign a little bit, and we could, you

1 know, wipe -- I mean, go with a clean slate.

2 We're trying to make it right with  
3 consumers and the board.

4 MR. STRANEY: Mr. Chairman, I have a  
5 motion to go ahead and revoke their license; and then  
6 they could go and start over and reapply for a new  
7 license and get all their stuff straightened out.

8 MR. ULMER: Mr. Straney has a motion to  
9 revoke the license.

10 MS. PALMER: I have another question.

11 MR. ULMER: You have another question  
12 before we move on with the Motion?

13 MS. PALMER: Yes.

14 MR. ULMER: Okay.

15 MS. PALMER: You said that the business  
16 belongs to -- not Prestige, but a company --

17 MR. BRUCE: It's a corporation.

18 MS. PALMER: It's a corporation?

19 MR. BRUCE: Yes.

20 MS. PALMER: Okay.

21 MR. ULMER: So we have a Motion on the  
22 table to revoke the license by Mr. Straney, and we're  
23 looking for a second on that Motion or a Motion in its  
24 place.

25 MS. RICHARDSON: I guess I'll second that.

1 MR. ULMER: Okay. We have a Motion and a  
2 second to revoke the license. All in favor of revoking  
3 the license today? Opposed to revoking the license  
4 today?

5 MR. KNAPP: I'm opposed.

6 MR. ULMER: You're opposed?

7 Erma, where are you?

8 MS. PALMER: I'm going to go --

9 MR. ULMER: Okay. I'm going to go over it  
10 one more time. All in favor of revoking the license  
11 today? Opposed to revoking the license today? I'm  
12 actually opposed, but the Motion carries because three  
13 people voted for it; right? No, it doesn't. It has to  
14 be a majority of the actual numbers here.

15 MR. GRIFFIN: You are a voting member.

16 MR. ULMER: Okay. So their license has  
17 been revoked then. So the Motion has been made. The  
18 Motion carries then. The license has been revoked. So  
19 in order to go forward, Mr. Bruce, he can explain it to  
20 you; but no further work is to go on except for the cars  
21 that are physically there right now.

22 (Proceedings concluded at 11:23 a.m.)  
23  
24  
25

1 CITY OF HOUSTON ) AUTOMOTIVE BOARD  
 2 V. ) COUNTY OF HARRIS  
 3 IBRAHIM ETER, PRESTIGE COLLISION ) STATE OF TEXAS  
 4

5 REVOCATION OF LICENSE HEARING  
 6 VOLUME 1 OF 1  
 7 AUGUST 12, 2014

8 I, Cylena Korkmas, Certified Shorthand Reporter in  
 9 and for the State of Texas, hereby certify that at the  
 10 time and place stated, the above proceedings were taken  
 11 in shorthand by me, later to reduced to typewriting  
 12 under my direction, and the preceding pages represent a  
 13 true and accurate transcription of these proceedings.

14 I further certify that I am neither counsel for,  
 15 related to, nor employed by any of the parties in the  
 16 action in which this proceeding was taken, and further,  
 17 that I am not financially or otherwise interested in the  
 18 outcome of the action.

19 GIVEN under my hand and seal of office on this  
 20 \_\_\_\_\_day of \_\_\_\_\_, 2014.

21 \_\_\_\_\_  
 22 Cylena Korkmas, CSR  
 23 Texas CSR No. 8304  
 24 Expiration Date: 12/15/15  
 25 Ross Reporting Services, Inc.  
 11706 Playa Court  
 Houston, Texas 77034  
 Firm Registration No.: 169

MOTION NO. 2014 0871

MOTION by Council Member Bradford that the following item be delayed for one week:

Item 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

Seconded by Council Member Costello and carried.

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

PASSED AND ADOPTED this 24th day of September, 2014.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is September 30, 2014.

/s/ Anna Russell  
City Secretary