

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 13, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2007-0142 to 2007-0180
ORDINANCES – 2007-0208 to 2007-0228
RESOLUTIONS – 2007-0008 to 2007-0009

2007-0141-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Clutterbuck

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

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

Motion 2007-0142 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 14, 2007 - 9:00 A. M.

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

MAYOR'S REPORT - Benzene Reduction Plan

CONSENT AGENDA NUMBERS 1 through 39

MISCELLANEOUS - NUMBERS 1 through 4

1. **Motion 2007-0154 – Postpone two (2) weeks**

RECOMMENDATION from Director Parks & Recreation to change the name of Metropolitan Multi-Service Center located at 1475 West Gray to **WEST GRAY ADAPTIVE RECREATION CENTER - DISTRICT D - EDWARDS**

2. **Motion 2007-0155**

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **BRAEBURN VALLEY WEST CIVIC ASSOCIATION, INC** for law enforcement services of one (1) deputy from Harris County Constable Precinct 7 - **DISTRICT C - CLUTTERBUCK**

MISCELLANEOUS - continued

3. Motion 2007-0160

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **COLONY CROSSING HOMEOWNERS ASSOCIATION, INC** and **GESSPORT PATIO HOMES OF FONDREN SW HOMEOWNERS ASSOCIATION** for law enforcement services of one (1) deputy from Harris County Constable Precinct 5 - **DISTRICT C - CLUTTERBUCK**

4. Motion 2007-0147

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **CYPRESS CREEK HOSPITAL** for law enforcement services of one (1) deputy from Harris County Constable Precinct 1 - **DISTRICT A - LAWRENCE**

ACCEPT WORK - NUMBERS 5 through 11

5. Motion 2007-0161

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$6,069,057.00 and acceptance of work on contract with **STEWART-MATL, LTD** for Renovation of Jones Plaza, GFS B-0015-03-3 - 03.39% over the original contract amount **DISTRICT I - ALVARADO**

6. Motion 2007-0162

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$758,353.00 payable to the **Surety, GUARANTEE COMPANY OF NORTH AMERICA**, on contract awarded to **PRIMIS CORPORATION** and acceptance of work for Roof Replacement and other improvements for the Houston Center for the Arts, GFS B-0049-01-3 - 03.89% over the original contract amount - **DISTRICT D - EDWARDS**

7. Council Members Johnson, Lawrence, Garcia and Khan tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,220,857.85 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Ella Boulevard from Pinemont to West Little York, WBS No. N-000546-0001-4 - 04.64% under the original contract amount - **DISTRICTS A - LAWRENCE and B - JOHNSON**

8. Motion 2007-0148

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,145,058.31 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in the Scarborough Area, WBS S-000035-00D4-4 - 05.15% under the original contract amount - **DISTRICT B - JOHNSON**

9. Motion 2007-0163 – Postpone two (2) weeks

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,684,405.81 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Corder Area, WBS No. S-000035-00A5-4 07.95% under the original contract amount - **DISTRICT D - EDWARDS**

10. Motion 2007-0165

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,522,066.65 and acceptance of work on contract with **E. P. BRADY, LTD.** for Construction of 66-inch water line along Old Greens Road and Greens Road from West Hardy Road to Aldine-Westfield, WBS S-000900-00A2-4 - 02.40% under the original contract amount - **DISTRICT B - JOHNSON**

ACCEPT WORK - continued

11. Motion 2007-0149

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,072,847.03 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for 48-inch Water Line and 30-inch Well Collection Line along Wickchester Lane, Moorwick Lane, Wickhollow Lane and proposed City of Houston Water Line Easements along Turkey Creek from Well Site No. 2 Private Access Drive to Katy Addicks Pump Station, WBS No. S-000900-0087-4 - 02.74% under the original contract amount - **DISTRICT A - LAWRENCE**

Motion 2007-0164 – Suspend rules to remain in session beyond the scheduled noon recess

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 18

12. Motion 2007-0166

SANITARY MATTRESS CO. dba KING KOIL SLEEP PRODUCTS for Bedding Sets for Building Services Department - \$422,000.00 - General Fund

13. Pulled-Not Considered

ORDINANCE appropriating \$551,030.31 out of Water & Sewer Consolidated Construction Fund for 611 Walker Elevator Upgrade for Building Services Department (WBS R-000268-001-4), providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund

a. Pulled-Not Considered

AMTECH ELEVATOR SERVICES for 611 Walker Elevator Upgrade for Building Services Department - \$503,224.00 and contingencies for a total amount not to exceed \$528,385.20 General Fund

14. Motion 2007-0150

AMEND MOTION #2004-1119, 11/3/04, TO INCREASE spending authority from \$686,916.79 to \$986,916.79, for Communication Cable and Supplies for Information Technology Department, awarded to **GRAYBAR ELECTRIC COMPANY** - \$300,000.00 - Central Service Revolving Fund

15. Council Member Wiseman tagged

ORDINANCE awarding contract to **COGENT, INC., D/B/A COGENT SYSTEMS, INC** for an Automated Fingerprint Identification System for the Houston Police Department; providing a maximum contract amount - 3 Years with three one-year options - \$1,815,945.44 - General, Grant and Asset Forfeiture Funds

a. Council Members Wiseman and Lawrence tagged

PRINTRAK, a Motorola Company for Six-Month Maintenance Agreement in the amount of \$138,246.00 and an Interface in the amount of \$356,000.00 for Police Department - General Fund

16. Motion 2007-0151

AMEND MOTION #2004-939, 8/25/04, TO INCREASE spending authority from \$147,234.72 to \$184,043.32, for Security Badging Equipment Contract for Various Departments, awarded to **PLASTIC CARD SYSTEMS, INC** from \$44,446.33 to \$57,276.20 and **NEWBART PRODUCTS, INC** from \$102,788.09 to \$128,485.11 - \$36,808.60 - Enterprise Fund

17. Motion 2007-0152

RYAN HERCO PRODUCTS for Pipe, PVC and Fittings for Various Departments - \$191,215.55 General and Enterprise Funds

PURCHASING AND TABULATION OF BIDS - continued

18. Motion 2007-0153

WINDHAM MOTOR COMPANY, LLC - \$101,079.00 and **PHILPOTT MOTORS, LTD.** - \$118,983.00 for Automobiles and Utility Vehicles from the State of Texas Building and Procurement Commission's contract through the State of Texas Cooperative Purchasing Program for Various Departments - Enterprise, Equipment Acquisition Consolidated and Houston Emergency Center Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 19 through 39

19. Council Members Wiseman, Garcia and Johnson tagged

RESOLUTION establishing Multi-Family Revitalization Zones in the City of Houston, Texas ("City") and adopting a policy to encourage revitalization, rehabilitation, remodeling, and reconstruction of existing multi-family developments located in those revitalization zones

20. Council Members Lawrence, Wiseman and Lovell tagged

ORDINANCE **AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Food Dealer's permits and inspection requirements; containing other provisions relating to the foregoing subject; providing for severability

21. Ordinance 2007-0220

ORDINANCE consenting to the addition of 8.571 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 390**; for inclusion in its district - **DISTRICT D - EDWARDS**

22. Ordinance 2007-0221

ORDINANCE consenting to the creation of **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 103**

23. Ordinance 2007-0209

ORDINANCE approving and authorizing a lease agreement between the City of Houston and **CONTINENTAL AIRLINES, INC** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

24. Ordinance 2007-0210

ORDINANCE approving and authorizing the Mayor to execute and the City Secretary to attest to lease agreement between the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU**, as tenant, and the City of Houston, Texas, as landlord, for space in the City Hall Building, 901 Bagby, in consideration of tenant's payment of \$275,873.00 annually due in monthly installments and other consideration to the City - 5 Years - Revenue - **DISTRICT I - ALVARADO**

25. Council Member Wiseman tagged

ORDINANCE appropriating \$800,000.00 out of TIRZ Affordable Housing Fund 2409; deobligating \$800,000.00 of Federal "HOME" Funds appropriated by Ordinance 2003-1259; amending Ordinance 2003-1259 to substitute the funds hereby appropriated for the funds hereby deobligated as the funding source in connection with the construction costs of an apartment complex in the 5000 and 5100 blocks of Airline Drive, Houston, Texas, to house low and very-low income elderly residents; approving a compromise and settlement agreement with **PRIMROSE HOUSTON 7 HOUSING, L.P.**, the owner of the apartment complex - **DISTRICT H - GARCIA**

RESOLUTIONS AND ORDINANCES - continued

26. Council Member Wiseman tagged

ORDINANCE appropriating \$1,500,000.00 out of TIRZ Affordable Housing Fund 2409; deobligating \$1,500,000.00 of Federal "HOME" Funds appropriated by Ordinance 2004-562; amending Ordinance 2004-562 to substitute the funds hereby appropriated for the funds hereby deobligated as the funding source in connection with the construction costs of an apartment complex in the 100 block of Aldine-Bender Road, Houston, Texas, to house low and very-low income elderly residents; approving a compromise and settlement agreement with **TX ALDINE-BENDER HOUSING, L.P.**, the owner of the apartment complex - **DISTRICT B - JOHNSON**

27. Ordinance 2007-0222

ORDINANCE appropriating \$225,000.00 out of TIRZ Affordable Housing Fund and approving and authorizing Professional Services Contract between the City of Houston and **ESPA CORP** to perform Single-Family Home Re-Inspection and Cost Estimating Services

28. Ordinance 2007-0211

ORDINANCE appropriating \$583,795.35 out of Homeless and Housing Consolidated Fund and approving and authorizing agreement between the City of Houston and **HOPWA HOUSING CORPORATION** to provide a grant to pay eligible costs to rehabilitate the property located at 3939 North Freeway, Houston, Texas, to house low income residents - **DISTRICT H - GARCIA**

29. Ordinance 2007-0212

ORDINANCE appropriating \$10,500.00 out of Housing Special Revenue Fund and approving and authorizing amendment to contract between the City of Houston and the **EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC** to provide an additional \$10,500.00 in Housing Special Revenue Funds and \$4,499.00 in Community Development Block Grant Funds for the continuing operation of the H.E.A.R.T. Demonstration Program

30. Pulled-Not Considered

ORDINANCE approving and authorizing contract between the City of Houston and the **EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC** to provide \$200,000.00 in Community Development Block Grant Funds for the administration and operation of the H.E.A.R.T. Program, which is a program that will provide job training and placement for developmentally disabled low and moderate income individual adults

31. Ordinance 2007-0213

ORDINANCE approving and authorizing second amendment to Untreated Water Supply Contract between the City of Houston and **BAYTOWN AREA WATER AUTHORITY** - Revenue

32. Pulled-Not Considered

ORDINANCE approving and authorizing Cost Sharing Agreement between the City of Houston and **BUFFALO LAKES LTD.** for Design and Construction of the Paving Extension of Buffalo Speedway from West Bellfort Boulevard to the extended Willowbend Boulevard and Willowbend Boulevard from its present terminus to Buffalo Speedway (WBS No. N-000622-0001-3) **DISTRICT C - CLUTTERBUCK**

33. Ordinance 2007-0214

ORDINANCE appropriating \$779,900.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CAMP DRESSER & MCKEE, INC** for Design of Sims Bayou North Wastewater Treatment Plant Improvements, (WBS No. R-000265-0056-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICT I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

34. Ordinance 2007-0223

ORDINANCE appropriating \$165,000.00 out of Water & Sewer Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of Wastewater Lift Station Renewal and Replacement (approved by Ordinance No. 03-0585) (WBS No. R-000267-0016-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS D - EDWARDS; F - KHAN and G - HOLM**

35. Ordinance 2007-0215

ORDINANCE appropriating \$109,000.00 out of Water & Sewer Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **PEPE ENGINEERING, LTD.** for Design of Lyerly Sewer Tunnel from Airline Dive to Fulton Street (approved by Ordinance No. 00-0269) (WBS No. R-002003-0003-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICT H - GARCIA**

36. Ordinance 2007-0216

ORDINANCE appropriating \$350,000.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of On-Call Engineering for Water/Wastewater Utility Facilities Improvements (WBS No. S-000019-0039-3/R-000019-0039-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund

37. Ordinance 2007-0217

ORDINANCE appropriating \$754,400.00 out of Solid Waste Consolidated Fund, awarding construction contract to **SPRING EQUIPMENT CO., INC** for Neighborhood Solid Waste Depository (WBS No. L-000043-0001-4); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for material testing and inspection services, construction management and administration, Civic Art Program, and contingencies relating to construction of facilities financed by the Solid Waste Consolidated Fund **DISTRICT I - ALVARADO**

38. Ordinance 2007-0224

ORDINANCE appropriating \$327,539.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund and awarding construction contract to **KOCH CORPORATION** for Greenbriar Townhomes Residential Sound Insulation near George Bush Intercontinental Airport/Houston (WBS#A-000476-0004-4-01, Project 617C); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by such fund; containing provisions relating to the subject - **DISTRICT B - JOHNSON**

39. Ordinance 2007-0218

ORDINANCE appropriating \$636,800.00 out of Water & Sewer Consolidated Construction Fund, awarding contract to **R & B GROUP, INC** for Roark #1 Lift Station Rehabilitation, WBS No. R-000267-00F9-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 40 through 49

Motion 2007-0167 – Allow Council Member Holm to substitute motion for Item 40

40. MOTION by Council Member Holm/Seconded by Council Member Garcia to amend Item 40G as follows:

In Section 7 of the proposed Ordinance, amend Item (5) of Subsection (b) of Section 40-455 to read as follows:

“(5) A newsrack shall be attached to a concrete base or concrete base and pedestal, with a net weight of no less than 95 pounds, and the concrete base shall be 26 1/8 inches by 21 3/4 inches, with a height of 3 inches, and shall not be decorated or colored.”

POSTPONED BY MOTION #2007-96, 1/31/07

a. Motion 2007-0169 – Tabled

WRITTEN MOTION by Council Member Holm to amend Item 40G as follows:
Amend Subsections (c) and (d) of Section 8 of the proposed Ordinance to read as follows:

“(c) For newsracks located outside the central business district but within Interstate Highway 610 Loop as of the date of passage of this Ordinance, the effective date of this Ordinance shall be December 31, 2008.

(d) For newsracks located outside Interstate Highway 610 Loop as of the date of passage of this Ordinance, the effective date of this Ordinance shall be December 31, 2009.”

POSTPONED BY MOTION #2007-96, 1/31/07

b. Motion 2007-0170 – Adopted

WRITTEN MOTION by Council Member Holm to amend Item 40G as follows:
In Section 7 of the proposed Ordinance, amend Section 40-451 to add, in the appropriate alphabetical order position, a new definition that reads as follows:

“Vending screen means any device constructed of metal or other similar permanent material installed by or with the approval of the city designed and used to obscure from view on an adjacent roadway the existence of newsracks.”

POSTPONED BY MOTION #2007-96, 1/31/07

c. Motion 2007-0171 – adopted

WRITTEN MOTION by Council Member Holm to amend Item 40G as follows:
Amend Item (7) of Subsection (a) of Section 40-454 in Section 7 of the proposed Ordinance to read as follows:

“(7)Be affixed with identifying information, which shall contain the name, address and telephone number of the newsrack owner and of the distributor of the publication contained therein. Such information shall be placed in a visible location on the front of the newsrack, and shall be legible. The size of the identifying information shall be no larger than three inches by five inches.

POSTPONED BY MOTION #2007-96, 1/31/07

MATTERS HELD – continued

Item 40 – continued

d. Motion 2007-0172 – Adopted

WRITTEN MOTION by Council Member Lawrence to amend Item 40G as follows:
In Section 7 of the proposed Ordinance, amend Item (2) of Subsection (b) of Section 40-456 to read as follows:

“(2) If multiple newsracks are permitted at the same location, all such newsracks must be placed together in a straight line and abutting adjoining newsracks; however, no group of newsracks shall extend for a distance of more than 10 feet; ~~and~~ no group of newsracks shall be closer than four feet to another group of newsracks; and no group of newsracks shall contain more than one newsrack of the same publication.”

POSTPONED BY MOTION #2007-96, 1/31/07

e. Motion 2007-0173 – Tabled

WRITTEN MOTION by Council Member Lawrence to amend Item 40G as follows:
In Section 7 of the proposed Ordinance, in Subsection (b) of Section 40-456 redesignate Items (3) and (4) as Items (4) and (5) and add a new item (3) thereto to read as follows:

“(3) No more than two groups of multiple newsracks shall be permitted at or adjacent to any given street intersection.”

POSTPONED BY MOTION #2007-96, 1/31/07

f. Motion 2007-0174 – “FAILED”

WRITTEN MOTION by Council Member Wiseman to amend Item 40G as follows:
In Section 40-456 subsection (b) item (4) to add subsection “k,” to read:

“Within 20 feet of an entrance to any building”

POSTPONED BY MOTION #2007-96, 1/31/07

Motion 2007-0168 – Adopted

Written motion by Council Member Holm to amend Item 40g as follows:

“In Section 7 of the proposed Ordinance, amend Item (5) of Subsection (b) of Section 40-455 to read as follows:

“(5) A newsrack shall be attached to a concrete base or concrete base and pedestal, with a net weight of not less than 95 pounds, and the concrete base shall be 23 inches measured from front to back and no more than 1 ½ inches beyond each side of the bottom of the newsrack, with a height of 3 inches, and shall not be decorated or colored.”

(this is a substitute for posted Item 40)

Motion 2007-0175 – Adopted

Written motion by Council Member Lovell to amend Item 40g as follows:

“Amend Subsections (c) of Section 8 of the proposed ordinance to read as follows:

(c) For news racks located outside the central business district as of the date of passage of this ordinance, the effective date of this Ordinance shall be December 31, 2008.

And delete Subsection (d) of Section 8 of the proposed ordinance in its entirety.”

MATTERS HELD – continued

Item 40 – continued

Motion 2007-0176 – Adopted

Written motion by Council Member Lawrence to amend Item 40g as follows:

“In Section 7 of the proposed Ordinance, in Section 40-456 redesignated Subsections (d) and (e) as Subsections (e) and (f), and add a new Subsection (d) that reads as follows:

- (d) Along a major thoroughfare, no newsrack shall be placed or maintained within ten feet of any transit shelter, bus bench or designated bus stop. The distance requirement shall be measured from the roof of any transit shelter, the edge of any bus bench, or the pole sign for any designated bus stop.

In Section 7 of the proposed Ordinance, amend the introductory paragraph of Subsection (b) of Section 40-456 to read as follows:

- (b) Except as otherwise provided in subsections (c), (d) and (e) of this section, a newsrack requiring a permit under this article shall be placed or maintained on any public right-of-way in compliance with the following standards:”

g. Motion 2007-0225 – Adopt as amended

ORDINANCE AMENDING CHAPTERS 22 AND 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to placement and maintenance of newsracks on public rights-of-way; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability

POSTPONED BY MOTION #2007-95, 1/31/07

This was Item 84 on Agenda of January 31, 2007

41. Motion 2007-0177 – Adopted

RECOMMENDATION for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2007 - January 1, 2007 through December 31, 2007

TAGGED BY COUNCIL MEMBER ALVARADO

This was Item 1 on the Agenda of February 7, 2007

42. Ordinance 2007-0226 – Adopted

ORDINANCE appropriating \$2,147,283.37 out of Limited Use Roadway & Mobility Fund and approving and authorizing Purchase of Data Services and Modems from the General Services Administration Federal Supply Schedule Contract

a. Motion 2007-0178

RECOMMENDATION from Director Department of Public Works & Engineering to award to **VERIZON WIRELESS** for Purchase of Data Services and Modems

TAGGED BY COUNCIL MEMBER WISEMAN

These were Items 7 and 7A on Agenda of February 7, 2007

43. Ordinance 2007-0208

ORDINANCE **AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Registration of Air Pollution Sources and Incorporation of State Rules regarding Air Pollution; containing findings and other provisions relating to the foregoing subject; providing for severability - **TAGGED BY COUNCIL MEMBERS WISEMAN and LAWRENCE**

This was Item 16 on Agenda of February 7, 2007

MATTERS HELD – continued

44. Motion 2007-0146 – Postpone six (6) weeks

ORDINANCE AMENDING SECTION 10-451 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Emission of Toxic or Hazardous Air Pollutants creating a nuisance; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing penalties therefor; providing for severability
TAGGED BY COUNCIL MEMBERS WISEMAN, JOHNSON and LAWRENCE
This was Item 17 on Agenda of February 7, 2007

Motion 2007-0179 – Adopted

Written motion by Council Member Green to amend Item 45 as follows:

In Section 15 of the proposed Ordinance, add a new Subsection H to read as follows:

“H. Prior to issuance of a special permit(s), permittee shall surrender to the Director of Finance and Administration permittee’s SGT license(s) and cease operations as an SGT under such licenses(s).”

Motion 2007-0180 – Adopted

Written motion by Council Member Green to amend Item 45 as follows:

“In Section 15 of the proposed Ordinance, amend the first sentence to read as follows:

That, notwithstanding the provisions of Chapter 46 of the Code of Ordinances, Houston, Texas, as amended by this Ordinance, to the contrary, the owner or operator of any company that held an SGT license, as defined in Section 9-51 of the Code of Ordinances, Houston, Texas, and provided scheduled ground transportation service within the required service area, as described in the contract passed and adopted by City of Houston Ordinance No. 2006-0948, as of September 13, 2006, may apply to the Director of Finance and Administration for a taxicab permit (“special permit”) not later than March 1, 2007.”

45. Motion 2007-0227 – Adopt as amended

ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Vehicles for Hire - **TAGGED BY COUNCIL MEMBERS WISEMAN, JOHNSON, LOVELL, LAWRENCE, KHAN and BROWN**
This was Item 18 on Agenda of February 7, 2007

46. Ordinance 2007-0228

ORDINANCE AMENDING SECTION 10-551 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Compliance with Deed Restrictions involving the orientation or fronting of structures - **TAGGED BY COUNCIL MEMBER WISEMAN**
This was Item 19 on Agenda of February 7, 2007

Motion 2007-0143 – Suspend rules to consider Items 47, 47a, 48, 48a, 43 and 44 out of order

47. Motion 2007-0144 – Adopt

WRITTEN Motion by Council Member Lawrence to amend Item 47A below by adding the following language to the Resolution:

Section 4. That, notwithstanding the above, the City Attorney shall take legal action no earlier than thirty (30) days from the effective date of this Resolution.

TAGGED BY COUNCIL MEMBER WISEMAN

a. Resolution 2007-0008

RESOLUTION authorizing the City Attorney to take appropriate legal action against **TEXAS PETROCHEMICALS LP** to enforce the provisions of environmental laws and regulations
DISTRICT E - WISEMAN
POSTPONED BY MOTION #2007-134, 2/7/07
This was Item 43 on Agenda of February 7, 2007

MATTERS HELD – continued

48. Motion 2007-0145 – Adopt

WRITTEN Motion by Council Member Lawrence to amend Item 48A below by adding the following language to the Resolution:

Section 4. That, notwithstanding the above, the City Attorney shall take legal action no earlier than thirty (30) days from the effective date of this Resolution.

TAGGED BY COUNCIL MEMBER WISEMAN

a. Resolution 2007-0009 – Adopt as amended

RESOLUTION authorizing the City Attorney to take appropriate legal action against **VALERO REFINING TEXAS - L.P.** to enforce the provisions of environmental laws and regulations **DISTRICT I - ALVARADO**

POSTPONED BY MOTION #2007-135, 2/7/07

This was Item 44 on Agenda of February 7, 2007

Motion 2007-0156 – Suspend rules to consider Items 49 and 49a out of order

Motion 2007-0157 – Suspend rules to hear from Mark Mancuso, Deputy Director of Houston Airport System, relative to Items 49 and 49a

Motion 2007-0158 – Motion by Council Member Lawrence/Seconded by Council Member Garcia to amend Item 49 to reduce the appropriation amount to \$211,200.00 and amend Item 49a to change the score of work to 14,000 sq. ft. at Terminals A, B and C only at Bush Intercontinental Airport. Scope of work at Hobby Airport is unchanged.

49. Ordinance 2007-0219 – Adopt as amended

ORDINANCE appropriating \$211,200.00 out of Airports Improvement Fund for Purchase of Blast Protection Window Film for the Houston Airport System, (WBS A-000486-23-6, A-00486-37-6)

a. Motion 2007-0159 – Adopt as amended

RECOMMENDATION from Finance & Administration to award to **WINTEC SECURITY, INC** for Purchase of Blast Protection Window Film through the Interlocal Agreement for Cooperative Purchasing with Houston Galveston Area Council

POSTPONED BY MOTION #2007-123, 2/7/07

These were Items 46 and 46A on Agenda of February 7, 2007

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

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

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

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

2/13/2007 – All Present

2/14/2007 – All Present