

AGENDA - COUNCIL MEETING - TUESDAY - JUNE 26, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2007-0700 to 2007-0731
ORDINANCES – 2007-0733 to 2007-0781
RESOLUTION – None

2007-0699-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Edwards

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 2007-0700 – Procedural motion

Motion 2007-0701 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JUNE 27, 2007 - 9:00 A. M.

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

9:00 A.M.

1. Motion 2007-0702

MOTION to suspend the rules for the purpose of considering matters relating to the election of Council Member, At-Large Position 3

a. Ordinance 2007-0733

ORDINANCE canvassing the returns of the City of Houston Runoff Election held on June 16, 2007, for the purpose of filling a vacancy in the Office of Council Member, At-Large Position 3 on the Houston City Council; making various findings and provisions related to the subject; declaring the official results of the Runoff Election; providing an effective date

b. Swearing in of Council Member, At-Large Position 3

Motion 2007-0703 – Suspend rules to hear comments relative to Item 1B

HEARING

2. Motion 2007-0704 – Close hearing

PUBLIC HEARING regarding the designation of a Tax Abatement Reinvestment Zone for **ACTION BOX COMPANY, INC (ACTION BOX COMPANY, INC REINVESTMENT ZONE)**
DISTRICT A - LAWRENCE

MAYOR'S REPORT - New Garbage Collection Routes

CONSENT AGENDA NUMBERS 3 through 64

MISCELLANEOUS - NUMBER 3

Motion 2007-0705 – Suspend rules to consider Item 3 out of order

3. Motion 2007-0706

CONFIRMATION of the appointment of **MR. KASE L. LAWAL** to Position 3 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two-year term

DAMAGES - NUMBERS 4 and 5

4. Motion 2007-0720

RECOMMENDATION from City Attorney for settlement of lawsuit styled **CLAYTON HINTON** v. City of Houston in the 55th Judicial District Court of Harris County, Texas; Cause No. 2006-23813 \$57,353.55 - Property and Casualty Fund

5. Motion 2007-0721

RECOMMENDATION from City Attorney for settlement of lawsuit styled **CYNTHIA RAMIREZ** and **JOYCE HOWELL** v. City of Houston; in the Civil District Court 165th Judicial District of Harris County, Texas; Cause No. 2005-80600 - \$38,500.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 6 through 8

6. Council Member Edwards tagged

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$827,303.87 and acceptance of work on contract with **APACHE SERVICES, INC** for SHAPE Community Center, WBS Y-00P013-0002-4 - 4.46% over the original contract amount **DISTRICT D - EDWARDS**

7. Motion 2007-0723

RECOMMENDATION from Director Department of Building Services for approval of final contract amount of \$286,567.84 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Tanglewilde Park, WBS F-504C10-0010-4 - 4.97% over the original contract amount - **DISTRICT G - HOLM**

8. Motion 2007-0724

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,693,142.78 and acceptance of work on contract with **KENMOR ELECTRICAL COMPANY, L.P.** for On-Call Traffic Signal Construction Contract in the Spur 527 Mitigation area for Traffic Signal Improvements, WBS N-000662-0023-4 - 4.99% over the original contract amount - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS; G - HOLM and I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 10

9. Ordinance 2007-0768

ORDINANCE appropriating \$83,788.00 out of Parks Consolidated Fund for the Demolition of the Car Wash at 7401 Scott Street including Asbestos Abatement and Site Clean-up Services for the Building Services Department, providing funding for project management relating to construction of facilities financed by the Parks Consolidated Fund; WBS F-000509-0030-4-01 - **DISTRICT D - EDWARDS**

a. Motion 2007-0725

AAR INCORPORATED for Demolition, Asbestos Abatement and Site Clean-up Services for the Building Services Department - \$75,888.00

10. Motion 2007-0722

SOUTHWEST SOLUTION GROUP, INC for Shelf Storage System from the State of Texas Building and Procurement Commission's Contract for Police Department - \$94,993.67 - Forensic Science Improvement Fund

ORDINANCES - NUMBERS 11 through 64

Motion 2007-0708 – Suspend rules to consider Items 11 and 6 out of order

11. Ordinance 2007-0741

ORDINANCE **AMENDING SECTION 47-139 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to charges for the collection of refuse from sewage holding tanks and septic tanks in the Lake Houston vicinity - **DISTRICT E - WISEMAN**

Motion 2007-0707 – Suspend rules to consider Items 12, 13, 14, 16, 17, 39, 58, 60, 65, 66, 66a, 70, 71, 74 and 75 out of order

Motion 2007-0710 – Suspend rules to hear from Mr. Hall and Mr. Mason on Item 12

12. Ordinance 2007-0734

ORDINANCE approving and authorizing fourth amendment to a Meet and Confer Agreement between the City of Houston and the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM ("HMEPS")**

13. Council Members Wiseman and Khan tagged

ORDINANCE approving and authorizing contract between the City and the **HOUSTON ARTS ALLIANCE (formerly known as the CULTURAL ARTS COUNCIL OF HOUSTON/HARRIS COUNTY)** for the support of the Arts Community - \$10,036,000.00 - Enterprise Fund

14. Council Member Wiseman tagged

ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for the Promotion of tourism and the solicitation of convention business - \$12,810,000.00 - Enterprise Fund

15. Council Members Holm and Clutterbuck tagged

ORDINANCE creating the **ACTION BOX REINVESTMENT ZONE** for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT A - LAWRENCE**

a. Council Members Holm and Clutterbuck tagged

ORDINANCE approving and authorizing Tax Abatement Agreement between the City of Houston, Texas and **MALLOY REAL ESTATE LIMITED PARTNERSHIP, LTD.** and **ACTION BOX COMPANY, INC**, for certain property located within the Action Box Reinvestment Zone **DISTRICT A - LAWRENCE**

ORDINANCES - continued

16. Ordinance 2007-0735

ORDINANCE relating to the fiscal affairs of the **MIDTOWN REDEVELOPMENT AUTHORITY** on behalf of **REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS (MIDTOWN ZONE)**; approving the Fiscal Year 2008 Operating Budget for the Authority and the Fiscal Year 2008-2013 Capital Improvement Budget for the Zone - **DISTRICTS D - EDWARDS and I - ALVARADO**

17. Ordinance 2007-0736

ORDINANCE relating to the fiscal affairs of the **MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY** on behalf of **REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET/MARKET SQUARE ZONE)**; approving the Fiscal Year 2008 Operating Budget for the Authority - **DISTRICT I - ALVARADO**

18. Ordinance 2007-0769

ORDINANCE relating to the fiscal affairs of the **OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)**; approving the Fiscal Year 2008 Operating Budget for the Authority - **DISTRICT D - EDWARDS**

19. Council Member Wiseman tagged

ORDINANCE relating to the fiscal affairs of **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE)**; approving the Fiscal Year 2008 Operating Budget for the Zone - **DISTRICT E - WISEMAN**

Motion 2007-0726 – Written motion by Council Member Johnson to amend Item 20 as follows:

“I move to amend Item 20 on the June 27, 2007 agenda, to earmark TIRZ number Eleven’s FY08 “Municipal Services – Public Safety” payment in the amount of \$350,000 to be used specifically for public safety in Police District 6, included in this zone.” – Adopted

20. Ordinance 2007-0770 – Adopt as amended

ORDINANCE relating to the fiscal affairs of the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREATER GREENSPPOINT ZONE)**; approving the Fiscal Year 2008 Operating Budget for the Authority - **DISTRICT B - JOHNSON**

21. Ordinance 2007-0771

ORDINANCE relating to the fiscal affairs of the **OLD SIXTH WARD REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD ZONE)**; approving the Fiscal Year 2008 Operating Budget for the Authority - **DISTRICT H - GARCIA**

22. Ordinance 2007-0743

ORDINANCE relating to the fiscal affairs of the **UPTOWN DEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF HOUSTON, TEXAS (UPTOWN ZONE)**; approving the Fiscal Year 2008 Operating Budget for the Authority and the Fiscal Year 2008-2013 Capital Improvement Budget for the Zone - **DISTRICTS C - CLUTTERBUCK and G - HOLM**

23. Ordinance 2007-0744

ORDINANCE relating to the fiscal affairs of the **UPPER KIRBY REDEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER KIRBY ZONE)**; approving the Fiscal Year 2008 Operating Budget for the Authority and the Fiscal Year 2008-2013 Capital Improvement Budget for the Zone - **DISTRICTS C - CLUTTERBUCK and G - HOLM**

ORDINANCES - continued

24. Ordinance 2007-0745

ORDINANCE consenting to the addition of 20.0067 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 146**, for inclusion in its district

25. Ordinance 2007-0772

ORDINANCE consenting to the creation of **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194**

26. Ordinance 2007-0746

ORDINANCE consenting to the addition of 378.39 acres of land to **NORTHEAST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district

Motion 2007-0709 – Suspend rules to consider Item 27 out of order

27. Ordinance 2007-0742

ORDINANCE appropriating \$65,308.00 out of Homeless & Housing Consolidated Fund and approving and authorizing loan agreement between the City of Houston and **CLOUDBREAK HOUSTON, LLC** to refinance \$500,000.00 of prior borrowings and to provide an additional \$1,661,080.00 of other funds (\$65,308.00 of Homeless and Housing Consolidated Funds; \$311,270.00 of Federal CDBG Funds; and \$1,284,502.00 of Federal Home Program Funds) for eligible costs in connection with the renovation of a multi-unit residential development known as U.S. Vets at Midtown Terrace to house qualifying U.S. Veterans - **DISTRICT D - EDWARDS**

28. Ordinance 2007-0773

ORDINANCE approving and authorizing agreement between the City of Houston and **ORCHARD COMMUNITIES, INC** to provide a Performance Based Loan in the amount of \$3,350,000.00 of Home Investment Partnerships Program (HOME) Funds to assist in the Construction of a 195 unit Affordable Senior Housing Apartment Complex at 9701 Grant Road, Houston, Texas, to be known as Orchard Park at Willowbrook - **DISTRICT A - LAWRENCE**

29. Ordinance 2007-0747

ORDINANCE approving and authorizing a Pre-development Loan Agreement between the City of Houston and **ACCEPTING CHALLENGES TO IMPROVE OUR NATION COMMUNITY DEVELOPMENT CORPORATION, INC**, to provide \$450,000.00 in Home Investment Partnerships (HOME) Funds to pay pre-construction costs associated with the development of a 56 unit Affordable Housing Apartment Complex - **DISTRICT D - EDWARDS**

30. Ordinance 2007-0748

ORDINANCE approving and authorizing agreement between the City of Houston and **VN TEAMWORK, INC** to provide a \$3,340,139.00 grant of Federal Home Program Funds for eligible costs in connection with the construction of the Golden Bamboo Village Apartments to be located at Dashwood and Aqua Lane, Houston, Texas, to house qualified low income senior residents - **DISTRICT F - KHAN**

31. Ordinance 2007-0749

ORDINANCE amending Ordinance Number 2005-0936 to increase the maximum contract amount for contract between the City and **O'BRIEN OIL POLLUTION SERVICE, INC** for Bioterrorism Exercise Consulting Services - \$200,000.00 - Grant Fund

ORDINANCES - continued

32. Ordinance 2007-0750

ORDINANCE approving and authorizing lease agreement (parking) between the City of Houston, Texas, as landlord, and **J.B. SMITH MFG CO., LLC**, as tenant, for approximately 16,464 net rentable square feet of parking space located beneath the Navigation Boulevard Overpass at 6618 Navigation Boulevard, Houston, Harris County, Texas 77011 - Revenue - **DISTRICT I - ALVARADO**

33. Ordinance 2007-0751

ORDINANCE approving and authorizing Operation and Maintenance Agreement between the City of Houston, Texas, as owner and **WILLOW POOL, INC.** as operator for approximately 104,622 square feet of real property located at 10500 Cliffwood Drive, Houston, Harris County, Texas, 77035, to be operated and maintained as a neighborhood swimming pool and recreational facility - Revenue - **DISTRICT C - CLUTTERBUCK**

34. Council Members Wiseman and Johnson tagged

ORDINANCE appropriating \$593,355.00 out of Street & Bridge Consolidated Fund and awarding contract to **ISI CONTRACTING, INC** for Construction and Installation of Speed Humps for the Public Works & Engineering Department; WBS N-000660-0008-4 - 2 Years with a one-year option

35. Council Members Wiseman and Johnson tagged

ORDINANCE awarding contract to **HAHN EQUIPMENT COMPANY, INC** for Submersible Pump Repair Services for Public Works and Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$2,150,000.00 - Enterprise Fund

36. Council Members Johnson and Green tagged

ORDINANCE awarding contract to **COASTAL PUMP SERVICES, INC** for submersible pump repair services for the Public Works and Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,100,000.00 - Enterprise Fund

37. Council Members Johnson and Green tagged

ORDINANCE awarding contract to **PUMPS of HOUSTON, INC** for submersible pump repair services for the Public Works and Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$3,600,000.00 - Enterprise Fund

38. Ordinance 2007-0774

ORDINANCE approving and authorizing contract between the City and **INTERNATIONAL BANCSHARES CORPORATION d/b/a INTERNATIONAL BANK OF COMMERCE** for Automated Teller Machine Services for Convention & Entertainment Department - 5 Years with 5 one-year options - Revenue - **DISTRICT I - ALVARADO**

39. Ordinance 2007-0737

ORDINANCE appropriating \$150,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract for services between the City of Houston and **CLAUNCH & MILLER, INC** for Pierce Elevated and Parking Lot C Rehabilitation, WBS D-000127-0001-3 and B-000117-0001-3 - \$30,000.00 - Enterprise Fund - **DISTRICTS H - GARCIA and I - ALVARADO**

40. Ordinance 2007-0752

ORDINANCE appropriating \$271,673.00 out of Fire Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **NATEX CORPORATION** for Design of New Fire Station 37, WBS C-000147-0002-3; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

ORDINANCES - continued

41. Ordinance 2007-0753

ORDINANCE awarding construction contract to **ALL PLAY, INC** for Cliff Tuttle Skate Park, WBS F-000636-0001-4; 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 engineering testing; construction management; and contingencies relating to construction of facilities financed out of the Federal Government-Grants Fund - \$191,827.00 - CDBG Fund - **DISTRICT H - GARCIA**

42. Pulled-Not Considered

ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for Tanner Road Paving from Triway Road to Beltway 8, WBS N-000589-0001-3 - **DISTRICT A - LAWRENCE**

43. Pulled-Not Considered

ORDINANCE appropriating \$246,162.00 out of Storm Water Utility Fund and approving and authorizing Interlocal Agreement between the City of Houston and **THE PORT OF HOUSTON AUTHORITY** for the Reconstruction of the Storm Sewer Outfall at Wharf No.1 East at the Turning Basin of the Houston Ship Channel, WBS M-000126-00S7-4; providing funding for contingencies relating to construction of facilities funded by the Storm Water Utility Fund - **DISTRICT I - ALVARADO**

44. Council Member Wiseman tagged

ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Interlocal Agreement between the City of Houston and **TEXAS TRANSPORTATION INSTITUTE (TTI) (TEXAS A&M UNIVERSITY SYSTEM)** for Professional Training and Development, WBS N-000662-0028-3

45. Ordinance 2007-0754

ORDINANCE appropriating \$106,593.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Tunnel Restoration and equipment standby costs associated with the rupture of the existing waterline near Wisterwood, WBS S-000521-0023-4; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS A - LAWRENCE and G - HOLM**

46. Ordinance 2007-0755

ORDINANCE appropriating \$82,501.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for a Waterline Interconnect at Wycliff, WBS S-000521-0023-4; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS A - LAWRENCE and G - HOLM**

47. Council Member Johnson tagged

ORDINANCE appropriating \$342,265.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 4030 and approving and authorizing Professional Services Contract between the City of Houston and **DODSON & ASSOCIATES, INC** for Regional/sub-regional Stormwater Detention Analysis, WBS M-000296-0001-3; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund No. 4030

ORDINANCES - continued

48. Ordinance 2007-0756

ORDINANCE appropriating \$321,539.81 out of Metro Project Commercial Paper Series E Fund as an additional appropriation to Professional Construction Management And Inspection Services contract between the City of Houston and **RATNALA & BAHL, INC** for Westview Paving: W. Sam Houston Parkway to Shadowdale (approved by Ordinance No. 06-0433), WBS N-000549-0004-4 **DISTRICT A - LAWRENCE**

49. Ordinance 2007-0757

ORDINANCE appropriating \$686,704.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **TCB, INC formerly known as TURNER COLLIE & BRADEN, INC** for Design of Yale Street Paving from West Tidwell to West Parker Street (approved by Ordinance No. 06-0478), WBS N-000592-0001-3 - **DISTRICT H - GARCIA**

50. Ordinance 2007-0758

ORDINANCE appropriating \$150,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract (approved by Ordinance No. 04-0756; Contract #56171) between the City of Houston and **EDWARDS AND KELCEY, INC** for Negotiated Work Orders for Design of Intersection Redesign and Street Safety Improvement, WBS N-000650-0014-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

51. Ordinance 2007-0759

ORDINANCE appropriating \$150,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **LJA ENGINEERING & SURVEYING, INC** for City-Wide On-Call Transportation Engineering Services (approved by Ordinance No. 05-0857), WBS N-000650-0019-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

52. Ordinance 2007-0760

ORDINANCE appropriating \$340,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TERRACON CONSULTANTS, INC** for Technical Research and Consultation for Pavement Subgrades, WBS N-000668-0012-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

53. Ordinance 2007-0761

ORDINANCE appropriating \$1,492,232.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **DANNENBAUM ENGINEERING COMPANY-HOUSTON, LLC** for Homestead Road Grad Separation (approved by Ordinance No. 06-0204), WBS N-000713-0001-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

ORDINANCES - continued

54. Ordinance 2007-0762

ORDINANCE appropriating \$400,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing first amendment to Professional Engineering Services Contract (approved by Ordinance No. 06-0152) between the City of Houston and **JONES AND CARTER, INCORPORATED** for Design of Sabo Road Paving from Kingspoint to Fuqua and Kingspoint Road from Sabo to Kleckley Drive and Beechnut Rehabilitation from Wilcrest to Cook Road, WBS N-000688-0001-3 and N-000765-0001-2; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT F - KHAN**

55. Ordinance 2007-0763

ORDINANCE appropriating \$160,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **JONES and CARTER, INCORPORATED** for Design of Sabo Road Paving from Kingspoint to Fuqua Road and Kingspoint Road from Sabo to Kleckley Drive and Beechnut Rehabilitation from Wilcrest to Cook Road (approved by Ord No. 06-0152), WBS N-000688-0001-3 and N-000765-0001-2; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E - WISEMAN**

56. Ordinance 2007-0775

ORDINANCE appropriating \$16,191,000.00 out of Drainage Improvements Commercial Paper Series F Fund; \$68,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Kirby Drive Storm Sewer Relief Project Segment 3, WBS M-000771-0003-4, R-000500-0053-4; 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 Drainage Improvements Commercial Paper Series F Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

57. Ordinance 2007-0764

ORDINANCE appropriating \$2,020,816.51 out of Street & Bridge Consolidated Construction Fund, awarding construction contract to **STATEWIDE TRAFFIC SIGNAL COMPANY** for Downtown Area Traffic Signal Reconstruction, WBS N-000650-0031-4; 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 project management and contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I - ALVARADO**

58. Council Members Garcia, Clutterbuck, Lovell and Lawrence tagged

ORDINANCE appropriating \$6,140,959.95 out of Street & Bridge Consolidated Construction Fund, \$2,683,075.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for York Street Reconstruction from Polk Street to Navigation, WBS N-000698-0001-4; S-000500-0058-4 and R-000500-0058-4; 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 Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS H - GARCIA and I - ALVARADO**

ORDINANCES - continued

59. Ordinance 2007-0765

ORDINANCE appropriating \$6,229,900.00 out of Street & Bridge Consolidated Construction Fund and \$2,600,000.00 out of Harris County Construction Fund, awarding contract to **SOUTH COAST CONSTRUCTION, INC** for Cambridge Bridge and paving from Holcombe Boulevard to South MacGregor, WBS N-000720-0001-4; 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 engineering testing, project management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Harris County Construction Fund - **DISTRICT D - EDWARDS**

60. Ordinance 2007-0738

ORDINANCE appropriating \$7,114,505.00 out of Metro Project Commercial Paper Series E Fund and \$935,095.00 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **JFT CONSTRUCTION, INC** for Market Street Reconstruction from N. Wayside to Lockwood Drive, WBS N-000773-0001-4; 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 engineering, testing, project management, construction management and contingencies relating to construction of facilities financed by the Metro Project Commercial Paper Series E Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICTS H - GARCIA and I - ALVARADO**

61. Ordinance 2007-0776

ORDINANCE appropriating \$3,837,913.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **ISI CONTRACTING, INC** for Kirby Drive Reconstruction from IH-610 to Holmes Road, WBS N-000789-00014; 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 Street & Bridge Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK and D - EDWARDS**

62. Ordinance 2007-0766

ORDINANCE appropriating \$3,392,458.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **UNDERGROUND TECHNOLOGIES, INC** for Special Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, WBS R-000266-00G6-4; 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 and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

63. Ordinance 2007-0767

ORDINANCE appropriating \$847,000.00 out of Water & Sewer System Consolidated Construction Fund awarding contract to **BOYER, INC** for wastewater treatment plants safety and security improvements, WBS R-000302-0008-4; 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 and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON; D - EDWARDS and I - ALVARADO**

ORDINANCES - continued

64. Pulled-Not Considered

ORDINANCE appropriating \$607,326.77 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TROY CONSTRUCTION, L.L.P** for Water Distribution System Rehabilitation and Renewal, WBS S-000035-0V10-4; 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 and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 65 through 78

65. Motion 2007-0711 – Refer back to the Administration

ORDINANCE **AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the parking of vehicles on certain residential properties; containing other provisions relating to the foregoing subject; providing a penalty; providing for severability; providing an effective date

POSTPONED BY MOTION #2007-589, 6/13/07

This was Item 79 on Agenda of June 13, 2007

66. Motion 2007-0713 – Adopt

WRITTEN Motion by Council Member Holm to amend Item 66A below:

E - 000094 Kendall Neighborhood Library - Replacement
609 N. Eldridge Parkway

Source of funding of \$ 1.3 Million in Private Funds is amended to be fully funded through the Public Library Consolidated Construction Funds.

TAGGED BY COUNCIL MEMBERS GARCIA and WISEMAN

Motion 2007-0713 – Written motion by Council Member Garcia to amend Item 66a as follows:

“Replace in CIP, N0717 Sampson Street with Fulton Street from Hogan to Quitman. Financial Impact – none.” – Adopted

Motion 2007-0714 – Written motion by Council Member Wiseman to amend Item 66a as follows:

“Amend the Fiscal Year 2008-2013 Capital Improvement Plan to reflect change in CIP Item N-0807 to read \$3,200,000 for design and construction of North Park Drive in FY08. Number 10 Lake Houston TIRZ to be the source of the funding.” – Adopted

a. Motion 2007-0715 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Building Services Department to approve proposed Fiscal Year 2008-2013 Capital Improvement Plan and establish a charge of \$75.00 (\$20.00 per CD) plus tax and postage for the adopted CIP documents

TAGGED BY COUNCIL MEMBERS GARCIA and WISEMAN

This was Item 6 on Agenda of June 20, 2007

MATTERS HELD – continued

Motion 2007-0727 – Motion to amend Item 67 to adopt Revised Computer Image to include the name of Melissa Noriega

67. Motion 2007-0728 – Adopt as amended

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Building Services Department for approval of Computer Image for Dedication Plaque for Looscan Branch Library, WBS E-000095-0001-4 - **DISTRICT G -**

HOLM

TAGGED BY COUNCIL MEMBER HOLM

This was Item 7 on Agenda of June 20, 2007

68. Motion 2007-0729

RECOMMENDATION from Director Department of Public Works & Engineering to accept the July 2007 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$12,536,750.58 for Revenue Bond Debt Service as recommended in the Report - **TAGGED BY COUNCIL MEMBER WISEMAN**

a. Motion 2007-0730

RECOMMENDATION from the Director Department of Public Works & Engineering to accept the May 24, 2007 finding of the Planning Commission, acting as the Impact Fee Advisory Committee, that no update for the Water or Wastewater Impact Fee Programs is necessary at this time pursuant to Chapter 395 of the Local Government Code

TAGGED BY COUNCIL MEMBER WISEMAN

These were Items 10 and 10A on Agenda of June 20, 2007

69. Motion 2007-0731

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,287,616.82 and acceptance of work on contract with **MAIN LANE INDUSTRIES** for Generic Citywide Overlay Package #6, WBS N-001037-0043-4 - 5.00% over the original contract amount - **TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 11 on Agenda of June 20, 2007

70. Motion 2007-0717

INTEGRATED COMMERCIALIZATION SOLUTIONS (ICS) dba DURAMED PHARMACEUTICALS, INC for Copper-bearing Intrauterine Contraceptive Devices for Health & Human Services Department - \$50,198.40 - General Fund

TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and KHAN

This was Item 17 on Agenda of June 20, 2007

71. Ordinance 2007-0739

ORDINANCE AMENDING SECTION 9-57(g) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS relating to Ground Transportation at the City's Airports - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

TAGGED BY COUNCIL MEMBERS WISEMAN and CLUTTERBUCK

This was Item 21 on Agenda of June 20, 2007

72. Ordinance 2007-0777

ORDINANCE AMENDING THE CITY OF HOUSTON FIRE CODE relating to Administrative Fees

TAGGED BY COUNCIL MEMBERS WISEMAN and JOHNSON

This was Item 22 on Agenda of June 20, 2007

MATTERS HELD – continued

73. Ordinance 2007-0781

ORDINANCE approving and authorizing first amendment to the Lease Agreement between **RMC HP III, L.P., a Texas Limited Partnership, as Landlord (“Landlord”)**, and the City of Houston, Texas, as tenant (the “City”), for a total of 40,520 square feet of space located at 601 Sawyer, Houston, Harris County, Texas, at a monthly rental of \$59,125.43 during the first thirty-six (36) months and a monthly rental of \$62,502.10 during the thirty-seventh (37) through the seventy-second (72) months, for use by the Housing and Community Development Department **DISTRICT H - GARCIA** - **TAGGED BY COUNCIL MEMBERS GARCIA and HOLM**

This was Item 26 on Agenda of June 20, 2007

Motion 2007-0716 – Suspend rules to remain in session to 12:30 pm to complete the Agenda

Motion 2007-0718 – Postpone Item 74 to the end of the Agenda

74. Council Member Noriega tagged

ORDINANCE approving and authorizing first amendment to contracts between the City and **DR. PEPPER BOTTLING COMPANY OF TEXAS (#C56086)** and **FRESH BREW GROUP, USA (#C56087)** for Soft Drink and/or Vending Marketing Partnerships - Revenue **TAGGED BY COUNCIL MEMBERS GREEN, CLUTTERBUCK, ALVARADO, LAWRENCE, KHAN, HOLM, LOVELL, HOLM and GARCIA**

This was Item 30 on Agenda of June 20, 2007

75. Ordinance 2007-0740

ORDINANCE approving and authorizing Professional Engineering Services Contract between the City of Houston and **FREESE AND NICHOLS, INC** for Energy Cost Reduction Study at various Wastewater Treatment Plants; providing a maximum contract amount - \$252,000.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBERS GARCIA**

This was Item 35 on Agenda of June 20, 2007

76. Ordinance 2007-0778

ORDINANCE appropriating \$5,119,665.00 out of Metro Project Commercial Paper Series E, awarding contract to **DURWOOD GREENE CONSTRUCTION, L.P.** for Generic City Wide Overlay Package #11 (Work Order Contract), WBS N-001037-0051-4; 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, construction management, and contingencies relating to construction of facilities financed by the Metro Project Commercial Paper Series E - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 37 on Agenda of June 20, 2007

MATTERS HELD – continued

77. Ordinance 2007-0779

ORDINANCE appropriating \$38,883,478.62 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy Place), and Reinvestment Zone Number Twenty-Two, City of Houston Texas (Leland Woods) for affordable housing, administrative expenses, payment of project costs, payments to the Houston Finance Corporation and certain Redevelopment Authorities as provided herein

TAGGED BY COUNCIL MEMBERS WISEMAN and CLUTTERBUCK

This was Item 45 on Agenda of June 20, 2007

Motion 2007-0719 – Suspend rules to remain in session to 1:00 pm to complete the Agenda

78. Ordinance 2007-0780

Ordinance appropriating \$35,453,630.09 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), for affordable housing, administrative expenses, payment of project costs, payments to payments to Houston Independent School District, the Aldine Independent School District, the Houston Housing Finance Corporation and certain Redevelopment Authorities as provided herein

TAGGED BY COUNCIL MEMBERS WISEMAN and CLUTTERBUCK

This was Item 46 on Agenda of June 20, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Green 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

**7/26/2007 – Council Member Wiseman absent on City business
Council Member Berry absent on personal business
7/27/2007 – Council Member Berry absent on personal business**