

AGENDA - COUNCIL MEETING - TUESDAY - MAY 8, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2007-0440 to 2007-0480
ORDINANCES – 2007-0545 to 2007-0573
RESOLUTIONS – 2007-0022 to 2007-0024

2007-0439-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Berry

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

Motions 2007-0432 to 2007-0439 – Omitted in error

Motion 2007-0440 – Procedural motion
Motion 2007-0441 – Procedural motion
Motion 2007-0442 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 9, 2007 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. Motion 2007-0445 – Close hearing

PUBLIC HEARING, pursuant to the provisions of Chapter 26, Texas Parks & Wildlife Code, regarding (a) the proposed roadway and bridge construction at Brays Bayou and South MacGregor Drive, (b) the relocation of portions of North MacGregor Drive currently located in Hermann Park, and (c) associated temporary construction easements, all through Hermann Park, by the Public Works Department (the "project"); on the questions of (1) whether there is any feasible or prudent alternative to the proposed use of Hermann Park for the project; and (2) whether the project includes all reasonable planning to minimize harm to Hermann Park as a park, recreation area, scientific area, wildlife refuge, or historic site resulting from the project

DISTRICT D - EDWARDS

Motion 2007-0443 – Procedural motion
Motion 2007-0444 – Procedural motion

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 52

MISCELLANEOUS - NUMBERS 2 through 5

Motion 2007-0447 – Suspend rules to consider Item 2 out of order

2. Motion 2007-0448

REQUEST from Mayor for confirmation of the reappointment of the following to the **PLANNING COMMISSION:**

- Position One - **MR. LEE D. SCHLANGER**, for a term to expire March 31, 2009
- Position Four - **MS. CAROL A. LEWIS**, and to serve as Chair, for a term to expire September 30, 2008
- Position Five - **MR. MARK A. KILKENNY**, for a term to expire March 31, 2009
- Position Six - **MS. KAY CROOKER**, for a term to expire March 31, 2009
- Position Nine - **MS. ROBIN REED**, for a term to expire September 30, 2008
- Position Ten - **MR. TALMADGE SHARP, SR.**, for a term to expire March 31, 2009
- Position Eleven - **MR. SHAUKAT ZAKARIA**, for a term to expire September 30, 2008
- Position Twelve - **MS. ALGENITA SCOTT DAVIS**, for a term to expire March 31, 2009
- Position Eighteen - **MR. DAVID FRED MARTINEZ**, for a term to expire September 30, 2008
- Position Twenty - **MR. JEFF E. ROSS**, for a term to expire September 30, 2008

3. Motion 2007-0450

RECOMMENDATION from Director Department of Convention & Entertainment Facilities Department for the designation of one residential parking permit area and related parking regulations in the Super Neighborhood of University Place - **DISTRICT C - CLUTTERBUCK**

4. Motion 2007-0462

RECOMMENDATION from Director Department of Public Works & Engineering to approve a refund for Water & Sewer Account for **CRESCENT CITY APARTMENTS**, 8501 Broadway \$29,138.45 - Enterprise Fund

5. Motion 2007-0451

RECOMMENDATION from Director Department of Public Works & Engineering to approve a refund for Water & Sewer Account for **RUBICON APARTMENTS**, 7302 Corporate Drive \$34,775.00 - Enterprise Fund

ACCEPT WORK - NUMBERS 6 through 15

6. Motion 2007-0463

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$17,203,648.24 and acceptance of work on contract with **SOVEREIGN BUILDERS GROUP, LTD. (dba CONSTRUCTION LTD.)** for Terminal C/E Utility Distribution Upgrade at George Bush Intercontinental Airport/Houston, Project 424E, WBS A-00091-0005-4-01 - 4.92% over the original contract amount - **DISTRICT B - JOHNSON**

7. Motion 2007-0452

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$11,369,168.90 and acceptance of work on contract with **DILLARD SMITH CONSTRUCTION COMPANY d/b/a P. D. G. ELECTRIC** for Runway 8L-26R New Electrical Vault and Fencing at George Bush Intercontinental Airport/Houston, Project 522F, WBS A-000304-0002-4-01 - 2.79% over the original contract amount - **DISTRICT B - JOHNSON**

ACCEPT WORK - continued

8. Motion 2007-0464

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$307,541.00 and acceptance of work on contract with **STRUCTURE MANAGEMENT, LLC** for Julia Ideson Building Renovation, WBS E-000049-0001-4 - 6.05% over the original contract amount - **DISTRICT I - ALVARADO**

9. Motion 2007-0453

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$363,464.12 and acceptance of work on contract with **RESICOM, INC** for Grady Park, WBS F-504B11-0011-4 - 4.06% over the original contract amount - **DISTRICT G - HOLM**

10. Motion 2007-0454

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$649,133.84 and acceptance of work on contract with **CENTURY ROOFING LLC** for Roof and Roof-Top Unit Replacement at Southwest Quadrant Office Facility, WBS R-000268-0042-4 - 0.18% over the original contract amount - **DISTRICT C - CLUTTERBUCK**

11. Motion 2007-0465

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$740,950.74 and acceptance of work on contract with **CHIEF SOLUTIONS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS R-000266-00C3-4 - 2.52% under the original contract amount

12. Motion 2007-0466

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$769,225.35 and acceptance of work on contract with **CHIEF SOLUTIONS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS R-000266-00C6-4 - 2.29% over the original contract amount

13. Motion 2007-0467

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$460,317.41 and acceptance of work on contract with **WESCO INFRASTRUCTURE TECHNOLOGIES, INC** for Rehabilitation of 54" to 60" Pickfair Trunk Sewer from 610 North Loop to Hunting Bayou, WBS R-0002011-0036-4 - 28.51% under the original contract amount - **DISTRICT B - JOHNSON**

14. Motion 2007-0468

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$205,390.21 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Woodhead Street Sewer Replacement, WBS R-002011-0044-4 4.26% under the original contract amount - **DISTRICT D - EDWARDS**

15. Motion 2007-0455

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$880,088.14 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Water Line Replacement in the Alameda Manor Subdivision, WBS S-000035-00B3-4 - 10.88% under the original contract amount - **DISTRICT D - EDWARDS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 16 through 25

16. **Motion 2007-0456**
VISIONTRON CORP. for Stanchions and Hardware for Houston Airport System - \$274,772.85
Enterprise Fund
17. **Motion 2007-0457**
AMEND MOTION #2005-237, 3/16/05, TO INCREASE spending authority from \$154,000.00 to \$192,500.00 for Audio Control System Replacement Parts for Houston Airport System, awarded to **FORD AUDIO VIDEO SYSTEMS, INC** - \$38,500.00 - Enterprise Fund
18. **Council Members Wiseman, Lovell, Lawrence and Clutterbuck tagged**
UR INTERNATIONAL, INC for Purchase of a Radio Frequency Identification (RFID) System for the Health and Human Services Department - \$226,212.00 - Equipment Acquisition Consolidated Fund
19. **Motion 2007-0458**
DELL MARKETING L.P. for Computers, Monitors, and Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Houston Airport System \$337,229.29 - Enterprise Fund
20. **Motion 2007-0469**
PHILPOTT MOTORS, LTD. for Aerial Manlift Truck through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative for Police Department - \$59,453.00 - Grant Fund
21. **Motion 2007-0459**
DALLAS DODGE CHRYSLER JEEP for Pickup Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Police Department \$73,137.00 - Police Special Services Fund
22. **Motion 2007-0460**
RUSH EQUIPMENT CENTERS OF TEXAS, INC for Equipment Trailers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Various Departments - \$339,708.40 - Enterprise and Equipment Acquisition Consolidated Funds
23. **Motion 2007-0461**
WELDERS EQUIPMENT I LTD. dba SPECIALTY GAS PRODUCTS - \$1,394,200.15 and **AIRGAS-SOUTHWEST, INC** - \$1,814,212.34 for Industrial, Medical and Specialty Gases for Various Departments - General, Fleet Management, Storm Water and Enterprise Funds
24. **Motion 2007-0470**
TOMMIE VAUGHN MOTORS, INC - \$1,100,760.00 and **LONE STAR CHEVROLET** - \$494,386.00 for Light-and Medium-Duty Trucks for Various Departments - Enterprise, Police Special Service, Mobile Response Team and Equipment Acquisition Funds
25. **Motion 2007-0471**
VWR INTERNATIONAL, INC for Scientific Products for Various Departments - \$2,625,161.26
General, Enterprise, Grant and Storm Water Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 26 through 52

Motion 2007-0446 – Suspend rules to consider Item 26 out of order

26. Resolution 2007-0022

RESOLUTION approving the action of the City of Houston Higher Education Finance Corporation for its Higher Education Revenue Bonds (Rice University Project) Series 2007A and Series 2007B

27. Resolution 2007-0023

RESOLUTION approving and authorizing the submission of an application for grant assistance to the U.S. Department of Justice Juvenile Justice and Delinquency Prevention Act Fund administered by the State of Texas through the Criminal Justice Division, Office of the Governor (“CJD”), to support the After-School Achievement Program; declaring the City’s eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City’s Representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

28. Resolution 2007-0024

RESOLUTION designating certain properties within the City of Houston as Historic Landmarks:

Miller-Tunks House - 2117 Chilton Road - **DISTRICT G - HOLM**

George V. Rotan House - 2300 Pine Valley Drive - **DISTRICT G - HOLM**

29. Council Members Khan, Wiseman and Johnson tagged

ORDINANCE relating to terms and conditions for water and wastewater service; **AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**; containing other provisions relating to the subject; containing a repealer; providing for severability; declaring certain conduct unlawful and providing a penalty therefor; providing an effective date

30. Ordinance 2007-0546

ORDINANCE authorizing the issuance of one or more series of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2007 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2007, and ending June 30, 2008; prescribing the terms and form thereof and authorizing the Finance Working Group to determine certain terms and conditions relating thereto; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of a Preliminary Official Statement and official notice of sale to be used in connection with the sale of the Notes; authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the Notes; authorizing the execution and delivery of a Paying Agent/Registrar Agreement and a Co-Bond Counsel Agreement; making other findings and provisions relating to such Notes and matters incident thereto; and declaring an emergency

31. Ordinance 2007-0547

ORDINANCE approving a supplemental borrowing evidenced by City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2007A to provide for payment of current expenses of the City for a portion of the Fiscal Year beginning July 1, 2007, and ending June 30, 2008; providing for the payment of the principal of and interest on such notes; authorizing the procedure for determining the terms and conditions of such Notes; authorizing the execution of a Note Purchase Agreement; appointing Co-Bond Counsel; making other findings and provisions related to the subject and matters incident thereto; and declaring an emergency

32. Ordinance 2007-0548

ORDINANCE consenting to the addition of 72.312 acres of land to **DOWDELL PUBLIC UTILITY DISTRICT**, for inclusion in its district

RESOLUTIONS AND ORDINANCES - continued

33. Pulled-Not Considered

ORDINANCE approving and authorizing a program to repair certain homes in Houston Hope areas of the City of Houston

34. Ordinance 2007-0558

ORDINANCE approving and authorizing contract between the City and **AVIA PARTNERS, INC** for Prescription Drugs for older adults in the Houston/Harris County Area; providing a maximum contract amount - \$400,000.00 - Grant Fund

35. Pulled-Not Considered

ORDINANCE approving and authorizing Sublease Agreement between **ALL-STAR PARKING, INC, a Texas Limited Partnership**, as Landlord ("Landlord"), and the City of Houston, Texas, as tenant (the "City"), for two Commercial Parking Lots located at 2233 Polk Street and 2233 Lamar Street, Houston, Harris County, Texas, at a monthly rental of \$4,500.00 during the first twelve (12) months and a monthly rental of \$5,000.00 during the thirteenth (13) through the twenty-fourth (24) month, for a marshalling area for exhibitors for use by the Convention and Entertainment Facilities Department - Enterprise Fund - **DISTRICT I - ALVARADO**

36. Ordinance 2007-0549

ORDINANCE approving and authorizing Supplemental Lease Agreement No. 2 to Lease GS-07B-15237 between the City of Houston and the **GENERAL SERVICES ADMINISTRATION (GSA)** for Office and Breakroom Space for the Transportation Security Administration (TSA) at William P. Hobby Airport - **DISTRICT I - ALVARADO**

37. Ordinance 2007-0550

ORDINANCE approving and authorizing contract by and between the City of Houston and **AVIATION DATA GROUP, LLC** for Airline Route and Network Analysis Software for the Houston Airport System; providing a maximum contract amount - 2 Years with two one-year options \$125,000.00 - Enterprise Fund

38. Ordinance 2007-0559

ORDINANCE appropriating \$500,000.00 out of Airports Improvement Fund and approving and authorizing Professional Consulting Services Contract between the City of Houston and **APPLIED RESEARCH ASSOCIATES, INC**, for Pavement Management Program Development and Implementation at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field (Project No. 508; WBS A000138-0015-3) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

39. Ordinance 2007-0572

ORDINANCE appropriating \$2,000,000.00 out of Airports Improvement Fund for Supplemental allocation for Contract No. 56374; approving and authorizing Amendment No. 1 to the contract for Professional Consulting Services by and between the City of Houston and **HNTB CORPORATION** for On-Call Planning Services with the Houston Airport System, WBS A-000368-0002-3-01; (Proj. No. 616) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

40. Ordinance 2007-0551

ORDINANCE appropriating \$1,206,348.00 out of Airports Improvement Fund, WBS A-000476-0008-4-01 and awarding Construction Contract to **CST ENVIRONMENTAL, INC** for Building Demolition and Environmental Remediation adjacent to George Bush Intercontinental Airport/Houston (Project 617D); setting a deadline for CST Environmental, Inc.'s execution of the contract and delivery of all bonds, insurance and other required contract documents to the city; holding CST Environmental, Inc in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of the facilities financed by such fund - **DISTRICT B - JOHNSON**

41. Ordinance 2007-0552

ORDINANCE approving and authorizing purchase of a three-year Crime Insurance Policy with **AMERICAN INTERNATIONAL GROUP (AIG), through Member Company, NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURG, PA.** for Public Employee Dishonesty and Computer Fraud; providing a maximum contract amount - \$93,754.00 - Property and Casualty Fund

42. Council Member Berry tagged

ORDINANCE amending Ordinance Number 1999-1232 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **JOHNSON CONTROLS, INC** for Energy Management and Maintenance Services for the Houston Public Library - \$1,000,000.00 - General Fund

43. Ordinance 2007-0573

ORDINANCE awarding contract to **COMMERCIAL CHEMICAL PRODUCTS, INC dba POOLSURE** for Swimming Pool Maintenance Services for Parks & Recreation Department; providing a maximum contract amount - 3 Years with two one-year options - \$3,044,800.00 General Fund

44. Ordinance 2007-0553

ORDINANCE appropriating \$221,444.44 out of Public Library Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **NATALYE APPEL & ASSOCIATES ARCHITECTS, LLC** for Library ADA Renovations at various locations, WBS E-000157-0002-3 - **DISTRICTS A - LAWRENCE; B - JOHNSON; E - WISEMAN; G - HOLM and I - ALVARADO**

45. Ordinance 2007-0554

ORDINANCE appropriating \$7,600.00 out of Parks Consolidated Construction Fund as an additional appropriation for Professional Materials Engineering Laboratory Testing for MacGregor Park Road Improvements, WBS F-504A21-0022-4, under an existing contract with **FUGRO CONSULTANTS, INC - DISTRICT D - EDWARDS**

46. Ordinance 2007-0560

ORDINANCE appropriating \$35,000.00 out of Solid Waste Consolidated Construction Fund as an additional appropriation for Construction Services for Southeast Solid Waste Center Concrete Driveway Repair, WBS L-000071-0001-4, under an existing contract with **TEXAS STERLING CONSTRUCTION L.P. - DISTRICT I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

47. Ordinance 2007-0555

ORDINANCE appropriating \$4,230,000.00 out of Public Library Capital Project Fund; awarding construction contract to **WORKMAN COMMERCIAL CONSTRUCTION SERVICES L.T.D.** for Construction of Clayton Library Renovation, WBS E-000156-0001-4; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, environmental consulting services, and contingencies relating to construction of facilities financed by Public Library Capital Project Fund **DISTRICT D - EDWARDS**

48. Ordinance 2007-0561

ORDINANCE appropriating \$1,598,000.00 out of Public Health Consolidated Construction Fund; awarding construction contract to **MERIDIAN COMMERCIAL, L.P.** for Renovation of West End Health Center - Phase II, WBS H-000068-0002-4; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by Public Health Consolidated Construction Fund - **DISTRICT H - GARCIA**

49. Ordinance 2007-0556

ORDINANCE approving and authorizing Professional General Environmental, Asbestos and Lead related Consulting Services On-Call Contract between the City of Houston and **CORRIGAN CONSULTING, INC.**, WBS I-000100-0001-3 - \$190,000.00 - General Fund

50. Ordinance 2007-0557

ORDINANCE appropriating \$237,850.00 out of Street & Bridge Consolidated Construction Fund; awarding contract to **TIKON GROUP, INC** for Safe Sidewalk Program - 34 Corners, WBS N-00610A-00H6-4; 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 Street & Bridge Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS and G - HOLM**

51. Ordinance 2007-0562

ORDINANCE appropriating \$4,350,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Neighborhood Sanitary Sewer Improvements, WBS R-002011-0043-4; 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 System Consolidated Construction Fund - **DISTRICT D - EDWARDS**

52. Council Members Clutterbuck, Khan and Edwards tagged

ORDINANCE appropriating \$4,267,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for Sampson Sewer and Eastwood Subdivision Sewer Relocation, WBS R-002011-0048-4; 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 System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I - ALVARADO**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 53

PURCHASING AND TABULATION OF BIDS

Motion 2007-0474 – Procedural motion

Motion 2007-0475 – Procedural motion

53. Motion 2007-0476 – Amend

AMEND MOTION #2007-260, 3/7/07, TO PURCHASE additional Automobiles, Utility Vehicles and Pickup Trucks for Various Departments, awarded to **PHILPOTT MOTORS, LTD.** - \$227,300.00 - General, Equipment Acquisition Consolidated and Police Special Services Funds **REQUIRES THREE MOTIONS** - (1-Suspend rules; 2-Bring back for reconsideration; 3-Amend)

MATTERS HELD - NUMBERS 54 through 63

Motion 2007-0472 – Suspend rules to consider Items 54 and 54a out of order

54. Motion 2007-0473

WRITTEN Motion by Council Member Garcia to amend Item 54A as follows:
In Section 3 of the proposed ordinance, amend Section 28-171 of the Code of Ordinances, Houston, Texas, by adding, in the appropriate alphabetical order, the following definition:
“*Adult* means an individual who has attained the age of 18.”

TAGGED BY COUNCIL MEMBER WISEMAN

a. Ordinance 2007-0563 – Adopt

ORDINANCE modifying and continuing the City’s Juvenile Curfew Ordinance; containing findings and other provisions relating to the foregoing subject; providing for severability

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 1A on Agenda of May 2, 2007

Motion 2007-0449 – Suspend rules to consider Item 55 out of order

55. Ordinance 2007-0545

ORDINANCE **AMENDING ARTICLE VI OF CHAPTER 21 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a new Division 3 relating to concrete crushing sites; establishing a schedule of fees for permits issued in connection therewith

TAGGED BY COUNCIL MEMBERS WISEMAN and HOLM

This was Item 14 on Agenda of May 2, 2007

56. Ordinance 2007-0564

ORDINANCE **AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Solid Waste Collection

TAGGED BY COUNCIL MEMBERS WISEMAN, GARCIA, HOLM and KHAN

This was Item 2A on Agenda of May 2, 2007

MATTERS HELD – continued

Motion 2007-0477 – Adopted

Motion by Council Member Garcia to amend Item 57 as follows:

1. In Section 3 of the proposed Ordinance, amend the introductory paragraph of Item (2) of Section 39-65 of the Code of Ordinances, Houston, Texas, to read as follows:

"Units within a development or subdivision containing private streets, permanent access easements or shared driveways, if at least one residential unit located within such development or subdivision is adjacent to at least one public street and the development or subdivision contains no more than 25 units and provided further:"

2. In Section 3 of the proposed Ordinance, amend Subsection (a) of Section 39-66 of the Code of Ordinances, Houston, Texas, to read as follows:

"(a) The city shall enter into a sponsorship agreement, as defined in section 39-1 of this Code, only with a civic or homeowners association or other qualified entity that assumes responsibility for all garbage collection services available to those residential units eligible for such service pursuant to section 39-65 or any other provision of chapter 39 of this Code that are located within the geographical area to be served, provided the association or qualified entity is authorized to bind all residential units within the geographical area covered by the sponsorship agreement. Only those sponsorship agreements that are consistent with the provisions of this section and are in a form approved by the city attorney shall be approved."

57. Motion 2007-0478 – Postpone one (1) week

ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Solid Waste Collection in the City; repealing Ordinance No. 85-842 relating to Solid Waste Sponsorship Agreements; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

TAGGED BY COUNCIL MEMBERS WISEMAN and GARCIA

This was Item 15 on Agenda of May 2, 2007

58. Ordinance 2007-0565

ORDINANCE making a general appropriation of certain revenues of the City in support of annual budgets for Fiscal Year 2007; authorizing transfers in support of the annual budgets of the City for Fiscal Year 2007

a. Ordinance 2007-0566

ORDINANCE declaring the intention of the City to Reimburse Dangerous Building Demolition Project Expenditures from future proceeds of Certificates of Obligation, appropriating \$3,500,000 from the General Fund Fund Balance for the purpose of making a cash advance to the Dangerous Building Demolition Fund, appropriating \$3,500,000 from the Dangerous Building Demolition Fund/Dangerous Building Consolidated Fund for the cost of demolition of dangerous buildings

TAGGED BY COUNCIL MEMBERS WISEMAN and JOHNSON

These were Items 16 and 16A on Agenda of May 2, 2007

59. Ordinance 2007-0567

ORDINANCE appropriating \$465,125.00 out of Tax Increment Fund for Reinvestment One Number Ten, City of Houston, Texas (Lake Houston Zone) for Administrative Expenses and payment of project costs as provided herein - **DISTRICT E - WISEMAN**

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 22 on Agenda of May 2, 2007

MATTERS HELD – continued

60. Ordinance 2007-0568

ORDINANCE approving and authorizing Lease Agreement between **BRAYS OAKS TOWERS, LTD.**, a Texas Limited Partnership, as landlord (“Landlord”), and the City of Houston, Texas, as tenant (the “City”), for approximately 10,409 square feet of net rentable office space at 10103 Fondren, Suite 100, Houston, Harris County, Texas 77096, for use by the Houston Public Library Department - **DISTRICT C - CLUTTERBUCK**
TAGGED BY COUNCIL MEMBER CLUTTERBUCK
This was Item 24 on Agenda of May 2, 2007

61. Ordinance 2007-0569

ORDINANCE appropriating \$1,735,374.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **UNDERGROUND TECHNOLOGIES, INC** for Wastewater Collection System Rehabilitation and Renewal, WBS R-000266-00G4-4; 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 out of the Water & Sewer System Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER JOHNSON**
This was Item 39 on Agenda of May 2, 2007

Motion 2007-0479 – Written motion by Council Member Alvarado to amend Item 62 as follows:

1. In Section 3 of the proposed Ordinance, amend Item (3) of Subsection (c) of Section 44-120 of the Code of Ordinances, Houston, Texas, to read as follows:

(3) The City will give more favorable consideration to applicants committing to community benefits, such as the city’s Minority and Women/Disadvantaged Business Enterprise Program, local purchasing, construction and permanent employment job opportunities within a defined area, and employee health care benefits; and””

Motion 2007-0480 – Written motion by Council Member Garcia to amend Item 62 as follows:

Whereas, in determining whether to grant a tax abatement, the City can account for whether the proposed project furthers public purposes such as promoting purchasing from local businesses, promotion of Minority and Women Owned Business Enterprises, employee health benefits and environmental compliance.

62. Ordinance 2007-0570 – Adopt as amended

ORDINANCE adopting guidelines and criteria, making certain elections regarding eligibility, and **AMENDING ARTICLE IV OF CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** relating to Tax Abatements - **POSTPONED BY MOTION #2007-426, 5/2/07**
This was Item 42 on Agenda of May 2, 2007

63. Ordinance 2007-0571

ORDINANCE approving and authorizing an amendment to the City of Houston’s Citizen Participation Plan - **POSTPONED BY MOTION #2007-429, 5/2/07**
This was Item 44 on Agenda of May 2, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Edwards 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

AGENDA - MAY 9, 2007 - PAGE 12

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

5/8/2007 – Council Member Khan out of the City on city business

5/9/2007 – All Present