

AGENDA - COUNCIL MEETING - WEDNESDAY - MAY 30, 2007 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2007-0498 to 2007-0523
ORDINANCES – 2007-0603 to 2007-0637
RESOLUTION – 2007-0027

2007-0497-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Clutterbuck

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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

MAYOR'S REPORT

Motion 2007-0500 – Accept Report

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

CONSENT AGENDA NUMBERS 1 through 59

MISCELLANEOUS - NUMBERS 1 through 2A

Motion 2007-0498 – Suspend rules to consider Items 1 and 1a out of order

1. **Ordinance 2007-0603**

ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to the Houston Garden Center

a. **Motion 2007-0499**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **GARDEN CENTER ADVISORY BOARD**, for terms expiring on June 30, 2009:

Position One - **MS. STELENA HOOPER EVANS**, reappointment
Position Two - **MS. OLIVIA F. MARSHALL**, appointment
Position Three - **MS. JANE F. KWAN**, appointment
Position Four - **MS. ELMA BARRERA**, appointment
Position Five - **MS. CHERIE H. FLORES**, appointment
Position Six - **MS. JANELLE OTSUKI DANIEL**, appointment
Position Seven - **MS. MARGARETTE JONES**, appointment
Position Eight - **MS. SUSAN BOOTH KEETON**, reappointment
Position Nine - **MR. JOHN S. STEELE**, appointment
Position Ten - **MS. LAURA R. JARAMILLO**, appointment
Position Eleven - **MR. MARVIN M. YAROTSKY**, reappointment
Position Twelve - **MR. BART W. BRECHTER**, appointment
Position Thirteen - **MS. MEDA DALTON WOGAN**, appointment
Position Fourteen - **MS. BRIDGET L. JOHNSON**, appointment

MISCELLANEOUS - continued

2. Ordinance 2007-0622

ORDINANCE appropriating \$50,410.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Construction of Awty School Lane Paving: Post Oak to Drainage Ditch, WBS N-000755-0001-4, and approving and authorizing first amendment to Construction Contract with **ACM CONTRACTORS, INC** (approved by Ordinance No. 2006-649) - **DISTRICT A - LAWRENCE**

a. Motion 2007-0510

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 1 in the amount of \$88,885.74 on contract with **ACM CONTRACTORS, INC** for Construction of Awty School Lane Paving: Post Oak to Drainage Ditch, WBS N-000755-0001-4 **DISTRICT A - LAWRENCE**

ACCEPT WORK - NUMBERS 3 through 7

3. Motion 2007-0502

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$18,045,339.36 and acceptance of work on contract with **SOVEREIGN BUILDERS GROUP, LTD. dba CONSTRUCTION LTD.**, for Central Plant Equipment Chilled/Hot Water Loop at George Bush Intercontinental Airport/Houston, Project 424A, WBS A-00091-0006-4-02, A-000131-0008-4-02 and A-000391-0004-4-01 - 3.65% over the original contract amount - **DISTRICT B - JOHNSON**

Motion 2007-0511 – Postpone Item 4 to the end of the Agenda

4. Motion 2007-0522

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,429,031.86 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Sylvester Turner Park fka West Little York Park, WBS F-504B02-0002-4 - 21.20% over the original contract amount - **DISTRICT A - LAWRENCE**

5. Motion 2007-0512

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,329,370.02 and acceptance of work on contract with **TOTAL SITE, INC** for Neighborhood Street Reconstruction Project NSR 452; WBS N-000384-0001-4 - 6.05% under the original contract amount - **DISTRICT C - CLUTTERBUCK**

6. Motion 2007-0503

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,798,520.91 and acceptance of work on contract with **KENMOR ELECTRIC COMPANY, LP** for Traffic Signal Construction Contract-North Zone, GFS N-0650-09-3 - 0.35% over the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN; G - HOLM and H - GARCIA**

7. Council Member Garcia tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of contract amount of \$1,398,359.40 and acceptance of work on contract with **TROJAN INDUSTRIAL COATINGS, INC** for Rehabilitation of Three Elevated Storage Tanks, WBS S-000600-0030-4 - 8.78% under the original contract amount - **DISTRICTS A - LAWRENCE and B - JOHNSON**

PROPERTY - NUMBERS 8 through 12

8. Motion 2007-0513

RECOMMENDATION from City Attorney to deposit the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and not file any objections to the award in connection with eminent domain proceeding styled City of Houston v. Edmond & Valerie Thomas, et al., Cause No. 870,735, for acquisition of Parcels AY5-050 and AY5-046; for the **FUQUA ROAD GRADE SEPARATION at Mykawa Project**; WBS N-00530B-0002-2 - **DISTRICT E - WISEMAN**

9. Motion 2007-0514

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ronnie D. Harris of Brown & Gay Engineers, Inc., on behalf of ASN Multifamily Limited Partnership [SCA-North Carolina (1) LLC, a Delaware limited partnership {Archstone-Smith Operating Trust, a Maryland real estate investment trust, (Peter Grimm, Vice President), sole member}, General Partner], for abandonment and sale of three fire hydrant easements and a 10-foot-wide water line easement in exchange for the conveyance to the City of a fire hydrant easement, all located within Memorial Heights, Section One Replat, out of the John Austin Survey, A-1, Parcels SY7-082A through D and KY7-248 - **APPRAISERS - DISTRICT H - GARCIA**

10. Motion 2007-0515

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ronnie D. Harris of Brown & Gay Engineers, Inc., on behalf of Apartments at Post Oak Hills, Ltd., [Apartments at Post Oak Hills GP, Inc. (Jennette Hunnicutt, President), General Partner], for abandonment and sale of a variable width utility easement, a variable width water line easement, a water meter easement and two fire hydrant easements, all located within the 807 S. Post Oak Lane Apts plat, out of the William White Survey, A-836, Parcels SY7-090A through E - **APPRAISERS - DISTRICT G - HOLM**

11. Motion 2007-0504

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY5-003, located at 8906 Seeker Street, owned by Joyce Newsome, for the **FRESH WATER SUPPLY DISTRICT #23 BUFFER ZONE PROJECT**, CIP R-000265-0027-2-01 **DISTRICT B - JOHNSON**

12. Motion 2007-0505

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY5-004, located at 8407 Kellett Street, owned by The Heirs at Law and Devisees of Huey P. Spikes, deceased and Mary M. Spikes, for the **FRESH WATER SUPPLY DISTRICT #23 BUFFER ZONE PROJECT**, CIP R-000265-0027-2-01 - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 24

13. Motion 2007-0506

TRI-ANIM HEALTH SERVICES, INC for Laryngeal Tracheal Device Kits for Fire Department \$320,952.00 - General Fund

14. Motion 2007-0507

STAGE LIGHT, INC for Lighting, Theatrical Replacement Parts and Repair Services for Convention & Entertainment Facilities Department - \$422,500.00 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

15. Motion 2007-0516

RECOMMENDATION from Director of Housing & Community Development Department that Council determine that the low bidder, **BROWN MECHANICAL SERVICES, INC** is indebted to the City of Houston for tax delinquency and authorize award to the second low bidder, **B AND C CONSTRUCTION, INC** to perform corrective actions related to construction at 225 N. Carolina Street - \$34,390.00 - TIRZ Affordable Housing Fund - **DISTRICT I - ALVARADO**

16. Motion 2007-0508

NEOPOST, INC for Lease of Mail Processing Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Municipal Courts-Administration Department - \$42,502.98 - General Fund

17. Council Member Holm tagged

ALL AMERICA SALES CORPORATION for Road Spike Systems for Police Department \$39,400.00 - General Fund

18. Council Members Holm and Clutterbuck tagged

TEXAN EQUIPMENT AND TRAILER SALES d/b/a TEXAN TRAILER SALES for Horse Trailers for Police Department - \$44,750.00 - Police Special Services Fund

19. Ordinance 2007-0623

ORDINANCE appropriating \$713,128.20 out of Limited Use Roadway Fund for Purchase of Traffic Signal Parts for Public Works & Engineering Department, WBS N-000650-24-5

a. Motion 2007-0517

TRASTAR, INC for Traffic Signal Parts for the Department of Public Works & Engineering \$703,573.20 - Limited Use Roadway Fund

20. Motion 2007-0518

TEXAS HIGHWAY PRODUCTS, LTD. (Bid Nos. 4 and 6), TRAFFIC PARTS, INC (Bid No. 4) and LEOTEK ELECTRONICS USA CORP. (Bid No. 24) for Traffic Signal Control Hardware for Department of Public Works & Engineering - \$1,221,628.00 minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$1,201,628.00 - General Fund

21. Council Member Alvarado tagged

MARIO CALDERON d/b/a TEXANS AUTO CENTER for Vehicle Glider Kit for Department of Public Works & Engineering - \$71,900.00 - Storm Water Fund

22. Motion 2007-0509

TEXAS UNDERGROUND, INC for Cues, Closed Circuit TV Equipment for Department of Public Works & Engineering - \$263,985.00 - Enterprise Fund

23. Council Member Holm tagged

BOAT RIGHT MARINE, INC for Boats, Motors and Trailers for Various Departments - \$97,898.00 Police Special Services and Enterprise Funds

24. Council Member Holm tagged

BAILEY'S HOUSE OF GUNS, INC - \$25,866.89, **PRECISION DELTA CORP.** - \$68,519.00 and **GT DISTRIBUTORS, INC** - \$1,397,339.46 for Ammunition and Accessories for Various Departments - General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 25 through 59

25. Resolution 2007-0027

RESOLUTION of the City Council prescribing the date, time, and location of a public hearing on the City Budgets for the time period July 1, 2007 through June 30, 2008; authorizing notice of such public hearing and making other provisions related to the subject

HEARING DATE - TUESDAY - 1:30 P.M. - JUNE 12, 2007

26. Council Members Holm and Wiseman tagged

ORDINANCE **AMENDING SECTION 40-27 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Street Functions

Motion by Council Member Holm to amend Item 26a as follows:

"In Section 45-232 of the proposed Ordinance, amend Subsection (f) to read as follows:

- "(f) If a parade permit applicant is required to use city security and traffic control services along a parade route, the applicant must agree to either:
- (1) Pay to the city the total salary cost(s) of providing the designated number of law enforcement officers, required supervisory personnel, and civilian traffic controllers, in which instance the applicant shall furnish a deposit sufficient to cover the cost of the same prior to the event; or
 - (2) Furnish the police chief the proposed number of law enforcement officers certified under the law of this state who will provide security control services during the proposed event; Such law enforcement officers shall be paid directly by the applicant. However, no law enforcement officer who is regularly employed by the city may be utilized under this item (2) unless the officer executes an understanding of third party compensation provided by the city for working at the event. The understanding of third party compensation shall be in a form approved by the city attorney."

Tagged by Council Members Wiseman, Khan, Green, Johnson and Holm

a. Council Member Holm tagged

ORDINANCE **AMENDING ARTICLE IX OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Parades

27. Council Member Wiseman tagged

ORDINANCE **AMENDING SECTION 44-5 and adding SECTION 44-29 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the exemption of certain historic sites from ad valorem taxation; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

28. Ordinance 2007-0624

ORDINANCE establishing City of Houston Election Precincts and designating polling places for the City of Houston Runoff Election to be 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; containing findings and other provisions related to the subject; providing for severability

29. Ordinance 2007-0625

ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the June 16, 2007 City of Houston Runoff Election to fill a vacancy in the office of Council Member, At-Large Position 3 on the Houston City Council; prescribing the maximum number of Election Clerks for each voting precinct; containing findings and other provisions related to the subject; providing for severability

RESOLUTIONS AND ORDINANCES - continued

30. Ordinance 2007-0610

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of the Morin Place (also known as Morin Street) Street right-of-way, from its eastern terminus west 75 feet, more or less, being located within North Side Buffalo Bayou, an Unrecorded Subdivision in Houston, Harris County, Texas; vacating and abandoning said tract of land to the City of Houston, fee owner, Parcel IT6-006 - **DISTRICT H - GARCIA**

31. Ordinance 2007-0611

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement, containing 3,544 square feet of land, more or less, Parcel SY6-075, located in Restricted Reserve "A", Primeway Federal Credit Union, John Austin Two League Survey, A-1, Houston, Harris County, Texas; vacating and abandoning said sanitary sewer easement to Washington Pointe, L.P., the owner, in consideration of owner's dedication of a 15-foot-wide sanitary sewer easement located within the same Restricted Reserve "A", and owner's payment of \$2,970.00 other consideration to the City - **DISTRICT H - GARCIA**

32. Ordinance 2007-0612

ORDINANCE approving and authorizing special warranty deed conveying to William Craig Schmidt a parcel of land containing 5,002 square feet, more or less, the former Campbell Woods Water Plant Site, Michael Cronican Survey, A-219, Harris County, Texas (located at 9480 Neuens Road); and in consideration of William Craig Schmidt's payment of \$23,555.00 and other consideration to the City - **DISTRICT A - LAWRENCE**

33. Ordinance 2007-0613

ORDINANCE approving and authorizing special warranty deed conveying to Squadra Realty, Ltd., a parcel of land containing 12,278 square feet, more or less, the residue of Lots 1, 2, 3, 4 and 8, Block 126, Central Park Addition, S.M. Williams Survey, A-87, Harris County, Texas (Excess Navigation Boulevard right-of-way located at 6400 Navigation Boulevard); and in consideration of Squadra Realty, Ltd.'s payment of \$18,001.00, and other consideration to the City - **DISTRICT I - ALVARADO**

34. Ordinance 2007-0614

ORDINANCE consenting to the addition of 124.454 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 460**; for inclusion in its district - **DISTRICT E - WISEMAN**

35. Ordinance 2007-0615

ORDINANCE consenting to the addition of 167.0856 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 460**; for inclusion in its district - **DISTRICT E - WISEMAN**

36. Ordinance 2007-0626

ORDINANCE renaming a duplicate street named Fuqua Street to Fuqua Gardens View Road between South Post Oak and West Fuqua Street - **DISTRICT D - EDWARDS**

37. Ordinance 2007-0627

ORDINANCE renaming a duplicate street named Tidwell Road to Tidwell Fountains Lane between North Wayside Drive and the main continuation of Tidwell Road - **DISTRICT B - JOHNSON**

RESOLUTIONS AND ORDINANCES - continued

38. Council Member Wiseman tagged

ORDINANCE approving and authorizing contract between the City of Houston and **AIDS FOUNDATION HOUSTON, INC**, providing up to \$2,190,135.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds for the Operation of Multiple Community Residences, administration of a Short-Term Rent, Mortgage and Utility Assistance Program, a tenant based Rental Assistance Program, a Housing Information and Resource Identification Program, and for supportive services

Motion 2007-0501 – Suspend rules to consider Items 39 through 45 out of order

39. Ordinance 2007-0604

ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **TEJANO CENTER FOR COMMUNITY CONCERNS** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes **DISTRICT H - GARCIA**

40. Ordinance 2007-0605

ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT H - GARCIA**

41. Ordinance 2007-0606

ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **GUIDING LIGHT COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$420,000.00 for eligible costs in connection with the construction of six (6) affordable homes - **DISTRICT D - EDWARDS**

42. Council Member Lovell tagged

ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **RE-WARD THIRD WARD** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICTS D - EDWARDS and I - ALVARADO**

43. Ordinance 2007-0607

ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **ACRES HOMES COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT B - JOHNSON**

44. Ordinance 2007-0608

ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **MACSC AND HOUSING, INC** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$210,000.00 for eligible costs in connection with the construction of three (3) affordable homes - **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

45. Ordinance 2007-0609

ORDINANCE approving and authorizing an agreement between the City of Houston, **UNITY BANK** and **HOLMES COMMUNITY DEVELOPMENT CORPORATION** to provide a second lien construction loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT D - EDWARDS**

46. Ordinance 2007-0628

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAM** for solving Cold Case Murder Investigations through the use of DNA Analysis and Police Investigations; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

47. Ordinance 2007-0629

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Keegan's Bayou Hike and Bike Trail (from Brays Bayou to Kirkwood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of eight (8) parcels of land situated in the Jas. Alston Survey A-100 and the E. R. Campbell Survey A-1632, in Harris County, Texas and being more specifically located out of property described in deeds recorded in Volume 2761, Page 507, Volume 2712, Page 347, Volume 1380 Page 710 and/or recorded under File Nos. F960713, J256926, P778385, S315223 in the Official Public Records of Harris County, Texas and out of the existing right-of-way of W. Sam Houston Parkway Beltway 8 - **DISTRICTS C - CLUTTERBUCK and F - KHAN**

48. Ordinance 2007-0630

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Keegan's Bayou Hike and Bike Trail (from Brays Bayou to Kirkwood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of 12 parcels of land situated in the L. Cotton Survey A-1012, in Harris County, Texas and being more specifically located out of property described in deeds recorded in Volume 1246, Page 140, Volume 188, Page 142, and/or recorded under File Nos. V344553, E291492, D381050, S235632, V794484 and R666959 in the Official Public Records of Harris County, Texas - **DISTRICTS C - CLUTTERBUCK and F - KHAN**

RESOLUTIONS AND ORDINANCES - continued

49. Ordinance 2007-0631

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Keegan's Bayou Hike and Bike Trail (from Brays Bayou to Kirkwood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of 10 parcels of land situated in the Leo Roark Survey A-651 and Leo Roark Survey A-652, in Harris County, Texas and being more specifically located out of property described in deeds recorded under File Nos. C828741, R784190, N787588, L308864, X439767, C837637, J834758, C433178 and Volume 3525, Page 277 in the Official Public Records of Harris County, Texas - **DISTRICTS C - CLUTTERBUCK and F - KHAN**

50. Ordinance 2007-0632

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the Public Improvement Project known as the Keegan's Bayou Hike and Bike Trail (from Brays Bayou to Kirkwood Street); authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of nine (9) parcels of land situated in the H.T. & B.R.R. Co. Survey A-397, in Harris County, Texas and being more specifically located out of property described in Volume 3552, Page 484, Volume 5205, Page 419, Volume 7039 Page 317, and/or recorded under File Nos. T938990, W970504, D173862, V084483, in the Official Public Records of Harris County, Texas - **DISTRICTS C - CLUTTERBUCK and F - KHAN**

51. Ordinance 2007-0616

ORDINANCE appropriating \$286,000.00 out of Fire Consolidated Construction Fund; awarding construction contract to **COLUMBIA ENVIRONMENTAL SERVICES, INC** for Removal of Underground Storage Tanks at Various Fire Stations, WBS C-000170-0010-4; 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 construction oversight services and contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund **DISTRICTS A - LAWRENCE; D - EDWARDS; E - WISEMAN; F - KHAN and I - ALVARADO**

52. Council Members Wiseman, Holm and Clutterbuck tagged

ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Vehicle Car Wash Services for the Houston Police Department - 3 Years with two one-year options - \$1,250,000.00 General Fund

53. Council Members Holm and Wiseman tagged

ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Trailer Repair Services for the Houston Police Department - 3 Years with two one-year options - \$412,445.00 - General Fund

RESOLUTIONS AND ORDINANCES - continued

54. Ordinance 2007-0617

ORDINANCE awarding contract to **EFFECTIVE ENVIRONMENTAL, INC** for Mobilization, Collection, Characterization and Packaging of Household Hazardous Waste for the Solid Waste Management Department

55. Ordinance 2007-0618

ORDINANCE approving and authorizing first amendment contract between the City of Houston and **LIBERTY TIRE RECYCLING, LLC** (originally awarded to **SILVER CREEK MATERIALS, INC**) (#C53573) for Scrap Tire Disposal Services for Various Departments

56. Ordinance 2007-0619

ORDINANCE appropriating \$5,000.00 out of Metro Project Commercial Paper Series E Fund and approving and authorizing Construction Management and Inspection Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for the Construction of Long Point Road - Wirt Road Intersection and approaches project, WBS N-000674-0001-4 **DISTRICT A - LAWRENCE**

57. Ordinance 2007-0620

ORDINANCE appropriating \$102,000.00 out of Fire Consolidated Construction Fund and \$65,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing first amendment to Professional Architectural Services Contract (approved by Ord, No. 04-0112) between the City of Houston and **NATEX CORPORATION ARCHITECTS** for Work Order Contract for Various City Departments, WBS C-000142-0002-3 and D-000105-0002-3; providing funding for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund and the General Improvements Consolidated Construction Fund **DISTRICTS D - EDWARDS and H - GARCIA**

58. Ordinance 2007-0621

ORDINANCE de-appropriating \$173,728.06 out of Water & Sewer System Consolidated Construction Fund from Contract No. 4600007040 (as passed by Ordinance No. 2006-1050); appropriating \$73,918.31 out of Metro Project Commercial Paper Series E Fund and \$86,650.30 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction of Segment 2 of Park Row Road from SH 6 to Eldridge Parkway, WBS N-000723-0002-4, S-000521-0029-4 and R-000521-0029-4, under an interlocal agreement with the **HARRIS COUNTY TOLL ROAD AUTHORITY (HCTRA)** (approved by Ordinance No. 2006-1050) **DISTRICT A - LAWRENCE**

59. Ordinance 2007-0633 – Passed first reading in full

ORDINANCE granting to **MOUSER CONTAINER SERVICE, INC, a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 60 through 64

60. Motion 2007-0519 – Adopt

RECOMMENDATION for supplemental allocation of the following funds for Professional Civic Art and Conservation Administration Services Contract for the Houston Arts Alliance:

\$183,000.00 - Fire Consolidated Construction Fund

\$467,500.00 - W&S System Consolidated Construction Fund

\$369,000.00 - Police Consolidated Construction Fund

\$161,250.00 - Public Library Consolidated Construction Fund

\$187,800.00 - Parks Consolidated Construction Fund

\$140,000.00 - Public Health Consolidated Construction Fund

DISTRICTS B - JOHNSON; D - EDWARDS; G - HOLM; H - GARCIA and I - ALVARADO

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 3 on Agenda of May 16, 2007

61. Motion 2007-0520 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **SIEMENS ENERGY AND AUTOMATION** for NextPhase Traffic Signal Timing Operations Software, WBS N-000650-0032-5 - \$300,000.00 - Limited Use Roadway Fund

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 12 on Agenda of May 16, 2007

62. Ordinance 2007-0634

ORDINANCE appropriating \$1,327,533.36 out of Water & Sewer System Consolidated Construction Fund for Security Fence Upgrade at the East Water Purification Plant for the Public Works & Engineering Department, WBS S-000056-0048-4

TAGGED BY COUNCIL MEMBER WISEMAN

a. Motion 2007-0521 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **FOSTER FENCE, LTD.** for Security Fence Upgrade at the East Water Purification Plant for Department of Public Works & Engineering - \$1,264,317.49 and contingencies for a total amount not to exceed \$1,327,533.36 Enterprise Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**

These were Items 13 and 13A on Agenda of May 16, 2007

63. Ordinance 2007-0635

ORDINANCE approving and authorizing an amendment to the Administrative Guidelines of the City's Home Repair Program in the Houston Hope areas of City of Houston

TAGGED BY COUNCIL MEMBER WISEMAN

a. Ordinance 2007-0636

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HOUSTON HOUSING FINANCE CORPORATION** for implementation and administration of the Houston Hope Home Repair Program, as set forth in the first amended and restated Administrative Guidelines for the Houston Hope Home Repair Program

TAGGED BY COUNCIL MEMBER WISEMAN

These were Items 21 and 21A on Agenda of May 16, 2007

MATTERS HELD - continued

64. Ordinance 2007-0637

ORDINANCE amending Ordinance No. 2000-882 to increase the authority of the City's Purchasing Agent to issue purchase orders under contract between the City of Houston and **AT&T, INC (formerly SOUTHWESTERN BELL TELEPHONE)** for Local telephone and data services citywide - \$13,000,000.00 - Central Service Revolving Fund

TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM, CLUTTERBUCK, KHAN and BROWN

This was Item 25 on Agenda of May 16, 2007

Motion 2007-523 – Suspend rules to remain in session beyond the scheduled noon recess

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

5/30/2007 – All Present