

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

with notes of action taken

MOTIONS - 2007-1065 to 2007-1094
ORDINANCES – 2007-1195 to 2007-1229
RESOLUTION – 2007-0042

2007-1064-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Garcia

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 2007-1065 – Procedural motion
Motion 2007-1066 – Procedural motion
Motion 2007-1067 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 31, 2007 - 9:00 A. M.

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

MAYOR'S REPORT - Drainage and Radio Funding
- Civic Art Annual Capital Plan Report

Motion 2007-1069 – Accept Reports

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

CONSENT AGENDA NUMBERS 1 through 57

MISCELLANEOUS - NUMBERS 1 through 7

1. Motion 2007-1075

REQUEST from Mayor for confirmation of the appointment of **MS. RENEE SMITH BYAS**, (North Harris Montgomery Community College District Representative), to Position 8 of the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire August 31, 2009

2. Motion 2007-1076

REQUEST from Mayor for confirmation of the reappointment of the following to the **HARRIS COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1, BOARD OF DIRECTORS**, for a term to expire June 1, 2011:

Position One - **MR. WILLIAM G. HUNTSINGER, JR.**

Position Three- **MS. KATHY MILLER**

Position Four - **MS. GAEL PLAUCHÉ**

Position Five - **MR. PHILLIP TORRES**

Position Six - **MR. JEFFREY D. NOWLIN**

3. Motion 2007-1077

REQUEST from Mayor for confirmation of the reappointment of the following to the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4 (Energy Corridor Management District) BOARD OF DIRECTORS**, for a term to expire June 1, 2011:

Position Six - **MR. LAWRENCE G. CARLSON**

Position Seven - **MR. ROBERT B. HALICK**

Position Eight - **MR. STEVE WEST**

Position Nine - **MS. LOU ANN DUNN**

4. Motion 2007-1078

REQUEST from Mayor for confirmation of the appointment of **MR. STUART ROBEN KENSINGER**, (Senate District 7 designee to St. George Place Reinvestment Zone Board), to Position One of the **ST. GEORGE PLACE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**

5. Council Member Holm tagged

RECOMMENDATION from Director Convention & Entertainment Facilities Department for approval of supplemental budget submitted by the Greater Houston Convention and Visitors Bureau - \$1,903,047.00 - Enterprise Fund

6. Motion 2007-1092

RECOMMENDATION from Director Convention & Entertainment Facilities Department for approval of supplemental budget submitted by the Houston Arts Alliance - \$1,596,905.12 Enterprise Fund

7. Motion 2007-1079

RECOMMENDATION from Acting Director Human Resources to exercise one-year renewal options for contracts with **SELECT CARE OF TEXAS (TEXANPLUS)**, **TEXAS HEALTHSPRING** and **AETNA LIFE INSURANCE COMPANY** for Medicare Advantage Health Benefit Plans

ACCEPT WORK - NUMBERS 8 through 10

8. Motion 2007-1080

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$146,515.79 and acceptance of work on contract with **PLAYPOWER LT FARMINGTON, INC** for Bendwood Park, WBS F-504B17-0001-4 - 4.39% over the original contract amount - **DISTRICT G - HOLM**

ACCEPT WORK - continued

9. Motion 2007-1081

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$89,330.00 and acceptance of work on contract with **RESICOM, INC** for Tony Marron Park, WBS F-0504D2-0001-4 - 2.68% over the original contract amount - **DISTRICT H - GARCIA**

10. Motion 2007-1093

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$4,065,511.91 and acceptance of work on contract with **THE TREVINO GROUP, INC** for South Central Police Station Replacement, WBS G-000058-0001-4 - 4.43% over the original contract amount - **DISTRICT I - ALVARADO**

PROPERTY - NUMBERS 11 through 13

11. Motion 2007-1082

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jamila Johnson of Carter & Burgess, Inc., on behalf of Austin Trust Company (Dell Boykin, Sr., Vice President), for abandonment and sale of a 20-foot-wide sanitary sewer easement, from Westheimer Road to Cameron Street, located in Unrestricted Reserve A, Block 1, College Heights Addition Replat No. 1, out of the A. C. Reynolds League, A-61, Parcel SY8-006 - **APPRAISERS - DISTRICT H - GARCIA**

12. Motion 2007-1083

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Maximo A. Tejada, President of Tejas Tubular Products, Inc., on behalf of Tejas Tubular Products, Inc. and New Birth Missionary Baptist Church (Reverend Earnest Hellaire), for abandonment and sale of Tam Tam Street from Green River Drive north to its terminus, in exchange for the conveyance to the city of a 15-foot-wide sanitary sewer easement, all located in the Green River Gardens Subdivision, out of the J. L. Stanley Survey, A-700, Parcels SY8-019 and DY8-021 - **APPRAISERS - DISTRICT B - JOHNSON**

13. Motion 2007-1084

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-147, located at the southeast corner of Aldine Westfield and Trenton Road, owned by Replay Amusements, Inc., a Texas corporation for the **ALDINE WESTFIELD PAVING PROJECT from Tidwell to Little York**, WBS N-000577-0001-2-01 - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 19

14. Motion 2007-1085

RUSH TRUCK CENTERS OF TEXAS, L.P. - \$181,900.00, **TEXAS UNDERGROUND, INC** - \$267,305.33, **CHASTANG'S BAYOU CITY FORD** - \$58,918.00, and **KINLOCH EQUIPMENT & SUPPLY, INC** - \$225,978.06 for purchase of Sewer Trucks and related Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Airport System and Department of Public Works & Engineering - \$734,101.39 Enterprise Fund

15. Motion 2007-1086

NATIONAL BUS SALES AND LEASING, INC for Shuttle Buses for Convention & Entertainment Facilities Department - \$229,136.00 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

16. Motion 2007-1087

ASD SPECIALTY HEALTHCARE, INC for Influenza Vaccine from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Health and Humans Services Department - \$28,650.00 - General Fund

17. Motion 2007-1088

GOLDEN ENGINEERING, INC for Eight Digital X-ray Imaging Systems from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Police Department - \$186,848.00 - Grant Fund

18. Motion 2007-1089

ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC for purchase of Software Maintenance Services Agreement for the Geographic Information System for Department of Public Works & Engineering - \$110,700.00 - Enterprise Fund

19. Motion 2007-1090

CONTINENTAL BATTERY COMPANY for Automotive, Batteries for Various Departments - \$1,089,302.05 minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, LLC, for a net award amount not to exceed \$1,069,302.05 General Fund

ORDINANCES - NUMBERS 20 through 57

20. Council Members Holm and Lovell tagged

ORDINANCE AMENDING SECTION 10-432(a) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to convening hearings related to emergency action taken with respect to a dangerous building or structure; containing other provisions relating to the foregoing subject; providing for severability

Motion 2007-1072 – Suspend rules to consider Item 21 after Item 22

Written motion by Council Member Clutterbuck to amend Item 21 as follows:

“I move to amend Item 21, revisions to Chapter 45 in section 45-163 to strike the existing number 1 and in lieu of add a new number 1 that reads: “Would require a number of off-street parking spaces pursuant to Article VIII of Chapter 26 of this Code that is greater by 100 percent or more than the number of off street parking spaces provided under the current use of the parcel;” – **Council Members Clutterbuck and Wiseman tagged**

Written motion by Council Member Lawrence to amend Item 21 as follows:

“Replace multi family residential development in Sec. 45-163 with residential development and to add the definition of Residential to Sec. 45-162 as follows:

Residential shall mean pertaining to the use of land for premises that contain habitable rooms for nontransient occupancy and that are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking and eating therein will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, suites hotels, motels and day care centers shall not be considered to be residential – **Council Members Lawrence, Holm and Wiseman tagged**

ORDINANCES - continued

Written motion by Council Member Garcia to amend Item 21 as follows:

"I move to modify section 45-163(3) by omitting the words "with two-way traffic." – **Council Member Clutterbuck tagged**

21. Council Member Clutterbuck and Holm tagged

ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to high-density multi-family development on two-way, two-lane local and collector streets

22. Ordinance 2007-1197

ORDINANCE temporarily prohibiting the construction or erection of new off-premise signs; requiring compliance by new on-premise signs; preserving the existing Sign Code

23. Ordinance 2007-1198

ORDINANCE consenting to the addition of 32.689 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 6**, for inclusion in its district

24. Ordinance 2007-1199

ORDINANCE consenting to the addition of 453.526 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165**, for inclusion in its district

25. Ordinance 2007-1200

ORDINANCE establishing the east side of the 2600 block of Morrison Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

26. Ordinance 2007-1201

ORDINANCE establishing the north and south sides of the 1600 block of Sul Ross Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code Ordinances, Houston, Texas - **DISTRICT D - EDWARDS**

27. Ordinance 2007-1202

ORDINANCE suspending the effective date of new electric rates filed by **ENTERGY GULF STATES, INC** for all customers within the City of Houston, Texas - **DISTRICT E - WISEMAN**

28. Ordinance 2007-1203

ORDINANCE allocating \$975,000.00 as a cash match; approving and authorizing grant application to the **U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)** for Lead-Based Paint Hazard Control Grant Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$3,975,000.00 Grant Funds

29. Ordinance 2007-1204

ORDINANCE appropriating \$48,700.00 from the Public Health Consolidated Construction Fund (4508) and approving and authorizing Purchase and Sale Agreement between Neighborhood Centers, Inc., a Texas non-profit corporation, seller, and the City of Houston, Texas, purchaser, for 0.689 acres (approximately 30,000 square feet), more or less, of land located at 3906 Stonewall Street, Houston, Texas 77020, for a purchase price, with related expenses, of \$95,700.00, for the Fifth Ward Multi Service Center Expansion Project for the Department of Health and Human Services - **DISTRICT B - JOHNSON**

ORDINANCES - continued

Motion 2007-1070 – Suspend rules to consider Item 30 out of order

30. Ordinance 2007-1195

ORDINANCE approving and authorizing Purchase Agreement and Development Agreement between the City of Houston, seller, and the **CENTER FOR AFRICAN-AMERICAN MILITARY HISTORY, INC D/B/A BUFFALO SOLDIERS NATIONAL MUSEUM**, purchaser and developer (the Museum), to sell the Houston Light Guard Armory (Parcel SY7-048), located at 3820 Caroline Street, Houston, Texas, to the museum for development that will preserve the historic building, renovate the building, and operate it in a manner that conforms to the building's historic character and for other appropriate uses, in consideration of such development and the payment of \$506,678.00 to the City by the museum; ratifying a grant made to the museum in 2006 (Ordinance No. 2006-161) - **DISTRICT I - ALVARADO**

Motion 2007-1074 – Suspend rules to remain in session beyond the scheduled 12 noon recess and to recess for seven (7) minutes

31. Ordinance 2007-1205

ORDINANCE approving and authorizing contract between the City of Houston and **JULIA IDESON LIBRARY PRESERVATION PARTNERS, INC**, for Repair, Restoration and additions to the Julia Ideson Building at the Central Library

32. Ordinance 2007-1206

ORDINANCE approving and authorizing contract between the City of Houston and **EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC** to provide \$225,000.00 in Federal Community Development Block Grant Funds and \$75,000.00 in Housing Opportunities For Persons With AIDS Funds for the HEART Program

33. Ordinance 2007-1223

ORDINANCE appropriating \$62,328.00 out of TIRZ Affordable Housing Fund 2409 and approving and authorizing a Lot Purchase and Development Contract between the City, the Land Assemblage Redevelopment Authority ("LARA") and Catholic Charities to develop three (3) lots in Independence Heights for sale to qualified purchasers as Affordable Single-Family Housing and providing \$10,000.00 in downpayment assistance to each qualified purchaser - **DISTRICT H - GARCIA**

34. Ordinance 2007-1207

ORDINANCE terminating the levy of assessment on property within the Sharpstown Public Improvement District in the City of Houston, Texas; declaring no need for future assessments on property within the Sharpstown Public Improvement District; discontinuing the Service and Assessment Plan for the Sharpstown Public Improvement District - **DISTRICT F - KHAN**

35. Ordinance 2007-1208

ORDINANCE authorizing the Mayor to execute a Sub-recipient Agreement with the Governor's Division of Emergency Management (GDEM) to accept FY2007 Homeland Security Program Grant Funding and authorizing the Director of the Mayor's Office of Public Safety & Homeland Security to request and/or accept any amendments or modifications to this agreement or any subsequent agreements necessary to secure the City's allocations through these grant programs \$11,236,702.00 - Grant Fund

36. Ordinance 2007-1209

ORDINANCE approving and authorizing agreement between the City of Houston and **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS** (East Downtown Zone) and East Downtown Redevelopment Authority providing for payment to the City of the incremental costs of municipal services relating to the Zone - **DISTRICT I - ALVARADO**

ORDINANCES - continued

37. Ordinance 2007-1224

ORDINANCE approving and authorizing first amendment to Lease Agreement between **PHUONG M. NGUYEN**, as landlord, and the City of Houston, Texas, as tenant, for space at 8532 Hammerly, Houston, Texas, for use by the Health and Human Services Department for the Women, Infants and Children (WIC) Program - **DISTRICT A - LAWRENCE**

38. Council Member Holm tagged

ORDINANCE approving and authorizing contract between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for Purchase of Employee Transit Fare Media; providing a maximum contract amount - \$800,000.00 - General, Enterprise, Special Revenue and Other Funds

39. Ordinance 2007-1210

ORDINANCE approving and authorizing second amendment to Contract C56654 between the City of Houston and **OCE' BUSINESS SERVICES** for Printing and Copying Services; making various findings and provisions related to the subject; establishing a maximum contract amount 5 Years - \$1,837,860.00 - General Fund

40. Ordinance 2007-1211

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ACS STATE AND LOCAL SOLUTIONS, INC** for EMS Ambulance Fee Collection Services for the Finance & Administration and Fire Departments - Revenue

41. Ordinance 2007-1212

ORDINANCE awarding contract to **DRESSER, INC** for Blower Replacement Parts and Repair Services for the Public Works & Engineering Department; providing a maximum contract amount \$7,950,000.00 - Enterprise Fund

a. Motion 2007-1091

DRESSER, INC for Emergency Purchase of Blower Replacement Parts and Repair Services for Department of Public Works & Engineering - \$444,270.00 - Enterprise Fund

42. Ordinance 2007-1213

ORDINANCE awarding contract to **WACHS UTILITY SERVICES** for On-Call Valve Assessment and Testing Services; making various findings and provisions relating to the subject; establishing a maximum contract amount - 3 Years - \$2,000,000.00 - Enterprise Fund

43. Ordinance 2007-1214

ORDINANCE approving and authorizing Professional Artist Services Agreement with **GEORGE SACARIS** for the Incorporation of Civic Art into the Consolidated Rental Car Facility at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

44. Ordinance 2007-1215

ORDINANCE approving and authorizing amendment to Treated Water Supply Contract between the City of Houston and **THE CITY OF BUNKER HILL VILLAGE**

45. Ordinance 2007-1216

ORDINANCE approving and authorizing Sanitary Sewer Service Agreement between the City of Houston and **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 16** for the property commerce tract

ORDINANCES - continued

46. Ordinance 2007-1196

ORDINANCE appropriating \$4,500,000.00 out of Water & Sewer System Consolidated Construction Fund and \$1,740,809.00 out of Drainage Improvement CPaper Series F Fund and approving and authorizing Utility Functions and Services allocation agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 450**, WBS S-000802-0052-4, R-000802-0052-4 and M-000800-0110-4 - **DISTRICT E - WISEMAN**

47. Ordinance 2007-1225

ORDINANCE appropriating \$1,000,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **REED ROAD SENIOR RESIDENTIAL, LP** for Construction of Phase I of a Sanitary Sewer Trunk along Reed Road to serve the Mariposa Apartment Homes, WBS R-000802-0055-4 - **DISTRICT D - EDWARDS**

48. Ordinance 2007-1226

ORDINANCE appropriating \$866,066.54 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **REED ROAD SENIOR RESIDENTIAL, LP** for Construction of Phase II of a Sanitary Sewer Trunk along Reed Road to serve the Mariposa Apartment Homes, WBS R-000802-0056-4 **DISTRICT D - EDWARDS**

49. Ordinance 2007-1227

ORDINANCE appropriating \$515,102.58 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **REED ROAD SENIOR RESIDENTIAL, LP** for Construction of Phase III of a Sanitary Sewer Trunk along Reed Road to serve the Mariposa Apartment Homes, WBS R-000802-0057-4 - **DISTRICT D - EDWARDS**

50. Ordinance 2007-1217

ORDINANCE appropriating \$771,500.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for services associated with the Construction of East Water Purification Plant under Professional Construction Management and Inspection Services Contract with **CH2M HILL, INC** (approved by Ordinance No. 04-0629) - **DISTRICT E - WISEMAN**

51. Ordinance 2007-1228

ORDINANCE appropriating \$1,384,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for Safe Sidewalk Program-03, WBS N-00646H-0003-4; 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 Fund - **DISTRICT H - GARCIA**

52. Ordinance 2007-1218

ORDINANCE appropriating \$833,727.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **NORTH HOUSTON POLE LINE, L.P.** for Wastewater Collection System Rehabilitation and Renewal, WBS R-000266-0102-4; 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

ORDINANCES - continued

53. Pulled-Not Considered

ORDINANCE appropriating \$3,560,264.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, WBS R-000295-0014-4; 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

54. Ordinance 2007-1219

ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the Public Improvement Project known as the Fuqua Road Grade Separation Project (from Telephone Road to Mykawa Road); authorizing the acquisition of certain real property interests required for the project and payment of 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 Fee Simple Title or easements to 25 parcels of land situated in the Joseph Hall Survey, Abstract No. 368, or the F. Rothaas Survey Abstract No. 667 in Harris County, Texas, and being more specifically situated out of Lots 7 and 18 in the G. D. Samuell Subdivision, according to the plat thereof as recorded in Volume 2, Page 53 of the Harris County Map Records and Lots 13, thru 17, 20, 21, 25, 28, 29 and 30 in the Erin Gardens Subdivision, according to the plat thereof as record in Volume 2 Page 44, Harris County Map Records **DISTRICT E - WISEMAN**

55. Ordinance 2007-1220

ORDINANCE appropriating \$40,000.00 out of Parks Special Fund for Construction Services at Hidalgo Park and Diez Park under an existing contract with **ASTRO FENCE CORPORATION**, WBS F-000678-0001-4 - **DISTRICT I - ALVARADO**

56. Ordinance 2007-1221

ORDINANCE appropriating \$44,000.00 out of Parks Consolidated Construction Fund for the Purchase of Playground Equipment through the Texas Local Government Purchasing Cooperative for the Tanglewilde Park, WBS F-000685-0001-4 - **DISTRICT G - HOLM**

57. Ordinance 2007-1222

ORDINANCE appropriating \$375,000.00 out of Public Library consolidated Construction Fund for Equipment at HPL Express Southwest, WBS E-000111-0003-5 - **DISTRICT F - KHAN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 58 through 60

Written motion by Council Member Holm to amend Item 58 as follows:

"I move to amend Section 12-64 to read:

Sec. 12-64. Rate adjustments by director.

- (a) Wherever in sections 12-62 and 12-63 of this Code rates are stated as not to exceed maximum amount or the director is authorized to set rates within a range or offer special rates, ~~including specifically and without limitation, modifications to the not to exceed maximums, ranges of rates and special rates made pursuant to subsection (b) of this section,~~ the actual rate shall be deemed by the director. The director shall seek to establish rates in consideration of market conditions and with a view to maximizing the city's total recovery of revenue from the parking facilities. Without limitation, the director may offer incentives to encourage contract parking based on volume or new accounts.
- ~~(b) The director, upon review and comment by the parking commission, is hereby authorized to alter, from time to time, the not to exceed maximum rates, the ranges of rates and special rates established in sections 12-62 and 12-63 of this Code, based on his evaluation of market rates for similarly situated parking facilities in the central business district. The director shall seek to establish the not to exceed maximum rates, the ranges of rates and special rates in consideration of market conditions and with a view to maximizing the city's total recovery of revenue from the parking facilities. Without limitation, the director may offer incentives to encourage contract parking based on volume or new accounts.~~
- ~~(c)~~ (b) The director shall ensure a copy of the current parking rates established pursuant to this subsection is maintained for public inspection in the offices of the director and the city secretary or is otherwise made available to the public.

Council Member Alvarado tagged

58. Motion 2007-1094 – Postpone one (1) week

ORDINANCE AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to rates for contract parking in parking lots operated by the Convention and Entertainment Facilities Department

TAGGED BY COUNCIL MEMBERS HOLM, EDWARDS and CLUTTERBUCK

This was Item 16 on Agenda of October 24, 2007

59. Ordinance 2007-1229

ORDINANCE consenting to the creation of the **TOWNE LAKE MANAGEMENT DISTRICT** and inclusion of certain land within the district - **TAGGED BY COUNCIL MEMBER HOLM**

This was Item 20 on Agenda of October 24, 2007

Motion 2007-1071 – Suspend rules to consider Items 60, 46 and 22 out of order

Motion 2007-1073 – Refer Item 60 back to the Administration – “FAILED”

60. Resolution 2007-0042

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Bonds (Regency Park Apartments) Series 2007 and approving the Official Statement with respect to such bonds - **DISTRICT E - WISEMAN**

POSTPONED BY MOTION #2007-1064, 10/24/07

This was Item 42 on Agenda of October 24, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Brown 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

**10/30/2007 – Council Member Johnson absent due to being ill
Council Member Wiseman absent on personal business
10/31/2007 – Council Member Johnson absent due to being ill**