

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 8, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2008-0024 to 2008-0039
ORDINANCES – 2008-0014 to 2008-0032
RESOLUTIONS – None

2008-0023-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Noriega

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

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 9, 2008 - 9:00 A. M.

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

MAYOR'S REPORT

Motion 2008-0024 – Report accepted

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

CONSENT AGENDA NUMBERS 1 through 28

MISCELLANEOUS - NUMBERS 1 and 2

1. Motion 2008-0032

RECOMMENDATION from Director General Services Department for supplemental allocation of \$100,000.00 for contract with **HONESTY ENVIRONMENTAL SERVICES, INC** for Professional Environmental Consulting Services Contract for the Houston Police Department's Dangerous Building Program - Dangerous Building Consolidated Fund

MISCELLANEOUS - continued

2. Motion 2008-0033

RECOMMENDATION from Director General Services Department for supplemental allocation of \$100,000.00 for contract with **TECHNOLOGY SERVING PEOPLE, INC** for Professional Environmental Consulting Services Contract for the Houston Police Department's Dangerous Building Program - Dangerous Building Consolidated Fund

ACCEPT WORK - NUMBERS 3 through 8

3. Motion 2008-0025

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,577,966.69 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Blackhawk Park, WBS F-504B07-0007-4 - 4.97% over the original contract amount **DISTRICT E - SULLIVAN**

Motion 2008-0030 – Suspend rules to consider Items 4, 29 and 29a out of order

4. Council Member Holm tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,465,461.02 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project, Briargrove Subdivision Phase II, WBS N-000368-0002-4 (NSR436A) - 4.78% over the original contract amount - **DISTRICT G - HOLM**

5. Motion 2008-0034

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,634,612.92 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00A7-4 - 1.15% over the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; G - HOLM; H - GARCIA and I - RODRIGUEZ**

6. Motion 2008-0035

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,661,349.08 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00D7-4 - 3.67% under the original contract amount **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; G - HOLM; H - GARCIA and I - RODRIGUEZ**

7. Motion 2008-0036

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,127,435.36 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00E1-4 - 4.73% over the original contract amount **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - KHAN and H - GARCIA**

8. Motion 2008-0037

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,052,556.93 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000295-0004-4 - 3.38% over the original contract amount - **DISTRICTS B - JOHNSON; F - KHAN and G - HOLM**

PROPERTY - NUMBER 9

9. Motion 2008-0026

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY6-048, located at 12300 Bissonnet Road, owned by Alfred F. Lustbader, Trustee, for the **COOK ROAD PAVING PROJECT from Bissonnet Road to Bellaire Boulevard**, WBS N-000639-0001-2-01 - **DISTRICT F - KHAN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 13A

10. Ordinance 2008-0014

ORDINANCE appropriating \$313,798.20 out of Water & Sewer System Consolidated Construction Fund for the Emergency Replacement of the 42" sanitary sewer line at the intersection of Antoine Drive and West Tidwell Road for the Public Works & Engineering Department, WBS R-000019-0041-4 - **DISTRICT A - LAWRENCE**

a. Motion 2008-0027

TROY CONSTRUCTION, L.L.P. for Emergency Replacement of a 42" Sanitary Sewer Line for the Department of Public Works & Engineering

11. Ordinance 2008-0015

ORDINANCE appropriating \$149,089.43 out of Reimbursement of Equipment/Projects Fund for Front End Alignment Machines for the Public Works & Engineering Department, WBS V-1850-2008-04-01, V-1850-2008-04-02

a. Motion 2008-0028

SNAP-ON EQUIPMENT, d/b/a EQUIPMENT SERVICES, INC for Front-End Alignment Machines from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Department of Public Works & Engineering

12. Ordinance 2008-0026

ORDINANCE appropriating \$16,201.00 out of Reimbursement of Equipment/Projects Fund (Fund 1850); and 2) the appropriation of \$274,032.00 out of Equipment Acquisition Consolidated Fund (Fund 1800) for the Purchase of Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments

a. Motion 2008-0038

CALDWELL COUNTRY CHEVROLET - \$141,373.00, **PHILPOTT MOTORS, LTD.** - \$886,345.00 and **TOMMIE VAUGHN MOTORS, INC** - \$101,603.00 for Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments - \$1,129,321.00 - Workers Compensation Administrative, Equipment Acquisition Consolidated, Reimbursement of Equipment/Projects, Assets Forfeiture - Justice, Sign Administration and Enterprise Funds

13. Ordinance 2008-0016

ORDINANCE appropriating \$16,607.00 out of Equipment Acquisition Consolidated Fund for the Purchase of Vans and an Automobile for Various Departments

a. Motion 2008-0029

DALLAS DODGE CHRYSLER JEEP for Vans and an Automobile through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council - \$233,405.00 - Equipment Acquisition Consolidated, Assets Forfeiture - Justice, Enterprise and Parking Management Funds

ORDINANCES - NUMBERS 14 through 28

14. Ordinance 2008-0027

ORDINANCE **AMENDING ARTICLE XIX OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the City's Photographic Traffic Signal Enforcement Program

15. Ordinance 2008-0017

ORDINANCE approving and authorizing Memorandum of Agreement No. DTFASW-08-L-00069 by and between the City of Houston and the **UNITED STATES DEPARTMENT of TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION** for Navigational, Communication and Weather Aid Facilities at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

16. Ordinance 2008-0018

ORDINANCE approving and authorizing contract between the City of Houston an **ACCION TEXAS INC** to provide \$100,000.00 in Community Development Block Grant Funds to assist in funding costs associated with providing a Micro-Loan Program for low to moderate income persons starting or expanding small businesses - **DISTRICTS B - JOHNSON and F - KHAN**

17. Ordinance 2008-0019

ORDINANCE approving and authorizing contract between the City and (1) **BAYLOR COLLEGE OF MEDICINE** and (2) **HOUSTON AREA COMMUNITY SERVICES, INC** for HIV/STD Services; providing maximum contract amounts - \$1,550,000.00 - General and Grant Funds

18. Ordinance 2008-0020

ORDINANCE appropriating \$33,510.87 out of Police Consolidated Construction Fund as an additional appropriation under contracts with **NORTH AMERICAN CONTROLS CORPORATION, BL TECHNOLOGY, INC** and **GTSI CORP.** for Purchase of Security System Equipment for the Houston Police Department, WBS G-000101-0001-5

19. Ordinance 2008-0021

ORDINANCE appropriating \$177,219.00 out of Solid Waste Consolidated Construction Fund as an additional appropriation for the Heights Consumer Recycling Center, WBS L-000037-0001-4, under an existing contract with **SPRING EQUIPMENT COMPANY, INC**; providing funding for engineering and testing services relating to construction of facilities financed out of the Solid Waste Consolidated Construction Fund - **DISTRICT H - GARCIA**

20. Ordinance 2008-0022

ORDINANCE amending Ordinance No. 2003-483 to increase the maximum contract amount for contract between the City of Houston and **NAES CENTRAL, INC d/b/a AMTECH ELEVATOR SERVICES (previously known as ELEVATOR MAINTENANCE CO., INC)** for Elevators, Escalators, Booklifts and Manlifts Services for Various Departments - \$101,000.00 - General Fund

21. Ordinance 2008-0023

E amending Ordinance No. 2003-008 to increase the maximum contract amount between the City of Houston and **RBEX, INC d/b/a APPLE TOWING COMPANY** for Towing Service for Light, Medium and Heavy Duty Vehicles for Various Departments - \$327,618.75 Fleet Management Fund

ORDINANCES - continued

22. Ordinance 2008-0028

ORDINANCE appropriating \$1,218,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **JAYMARK ENGINEERING CORPORATION** for Design of Water Line Replacement in Oakwood Area and Janowski Area, WBS S-000035-0100-3 and S-000035-0102-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GARCIA**

23. Ordinance 2008-0029

ORDINANCE appropriating \$1,328,271.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KIT PROFESSIONALS, INC** for Design of Water Line Replacement in Oak Forest Area and Watonga Parkway Area, WBS S-000035-0099-3 and S-000035-0104-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and G - HOLM**

24. Ordinance 2008-0030

ORDINANCE appropriating \$2,674,307.00 out of Drainage Improvement Commercial Paper Series F Fund; \$3,722,015.00 out of Street & Bridge Consolidated Construction Fund; \$7,182,678.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **TEXAS STERLING CONSTRUCTION COMPANY** for Holcombe Blvd. Reconstruction W/Area Drainage Improvements, WBS M-000260-0003-4, N-000794-0001-4, R-000500-0056-4 and S-000500-0056-4; 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 Drainage Improvement Commercial Paper Series F Fund; the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**

25. Ordinance 2008-0024

ORDINANCE appropriating \$3,873,495.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS R-000295-0015-4; 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

26. Ordinance 2008-0031

ORDINANCE appropriating \$4,974,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** 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 - ADAMS and I - RODRIGUEZ**

ORDINANCES - continued

27. Ordinance 2008-0025

ORDINANCE appropriating \$2,702,902.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **REYNOLDS INLINER, LLC.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS R-002013-0020-4; 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

28. Ordinance 2008-0032

ORDINANCE appropriating \$45,239,705.00 out of Airports Improvement Fund, WBS A-000322-0006-4-01 and \$739,902.00 out of Airports Improvement Fund, WBS A-000422-0007-3-01 and awarding construction contract to **MANHATTAN CONSTRUCTION COMPANY** for Terminal "C" Garages Exterior and Interior Renovations at George Bush Intercontinental Airport/Houston, (Project No. 490H); setting a deadline for Manhattan Construction Company's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding Manhattan Construction Company in default if it fails to meet the deadlines; providing funding for contingencies and the Civic Art Program relating to construction of facilities financed by such funds - **DISTRICT B - JOHNSON**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 29 through 30

29. Motion 2008-0031 – Refer back to the Administration

ORDINANCE approving and authorizing Compromise and Settlement Agreement between the City of Houston and **CLEAR CHANNEL OUTDOOR, INC** to settle outstanding disputes and controversies; making various findings and provisions relating to the subject
POSTPONED BY MOTION #2007-1254, 12/19/07

a. Motion 2008-0031 – Refer back to the Administration

ORDINANCE amending the City of Houston Sign Code (Chapter 46 of the Building Code, Houston, Texas) relating to reduction of the number of Off-Premise Signs; containing other provisions relating to the foregoing subject; providing for severability; providing a penalty; providing for enforcement; providing an effective date
POSTPONED BY MOTION #2007-1255, 12/19/07
These were Items 40 and 40A on Agenda of December 19, 2007

30. Motion 2008-0039 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Finance & Administration Department to award to **CEMEX, INC** for Ready Mix Concrete for Various Departments - \$7,413,738.75 - General, Storm Water and Enterprise Funds - **POSTPONED BY MOTION #2008-23, 1/3/08**
This was Item 32 on Agenda of January 3, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Johnson 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

1/08/2008 – Council Member Green absent on personal business

1/09/2008 – All Present