

**AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 23, 2008 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

MOTIONS - 2008-0059 to 2008-0075  
ORDINANCES - 2008-0054 to 2008-0067  
RESOLUTIONS - None

2008-0058-1

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

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Jones

**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

**Motion 2008-0060 - Procedural motion**

**HEARINGS - 9:00 A.M.**

1. **Motion 2008-0059**  
**PUBLIC HEARING** relative to proposed amendments to the Project and Financing Plan for Tax Increment Reinvestment Zone No. Sixteen (Uptown Zone) - **DISTRICT G - HOLM**

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 30**

**ACCEPT WORK** - NUMBERS 2 through 8

2. **Motion 2008-0063**  
RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$4,806,863.12 and acceptance of work on contract with **W. W. WEBBER, LLC (formerly known as W. W. WEBBER, INC)** for Miscellaneous Pavement & Drainage Improvements at George Bush Intercontinental Airport/Houston, Project No. 598, WBS A-000063-0002-4-01 - 3.43% under the original contract amount - **DISTRICT B - JOHNSON**

**ACCEPT WORK** - continued

**3. Motion 2008-0064**

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$7,425,023.46 and acceptance of work on contract with **VANDERLANDE INDUSTRIES, INC** for Explosive Detection System for In-Line Baggage Conveying Equipment at William P. Hobby Airport, Project No. 612A, WBS A-000486-0004-4-01 and A-000486-0004-02 - 4.43% over the original contract amount - **DISTRICT I - RODRIGUEZ**

**4. Motion 2008-0065**

RECOMMENDATION from Director General Services Department for approval of final contract of \$443,345.00 and acceptance of work on contract with **C. F. MCDONALD ELECTRIC, INC** for Solid Waste S. W. & S. E. Facility Backup Generators, WBS L-000070-0001-4 - 3.38% over the original contract amount - **DISTRICTS C - CLUTTERBUCK and I - RODRIGUEZ**

**5. Motion 2008-0066**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$361,195.41 and acceptance of work on contract with **PARALLAX BUILDERS, INC** for Renovation of 100A Japhet Facility, WBS R-000268-0046-4 - 3.49% over the original contract amount - **DISTRICT H - GARCIA**

**6. Motion 2008-0067**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$317,073.13 and acceptance of work on contract with **TJ&T ENTERPRISES, INC** for Safe Sidewalk Program F3 Project; WBS N-00610A-00F3-4 - 32.69% under the original contract amount - **DISTRICT B - JOHNSON**

**7. Motion 2008-0068**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,164,892.50 and acceptance of work on contract with **ACM CONTRACTORS, INC** for Benson Street Reconstruction from Lyons Avenue to Noble Street, WBS N-000782-0001-4 - 0.26% over the original contract amount - **DISTRICT B - JOHNSON**

**8. Motion 2008-0074**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,303,716.27 and acceptance of work on contract with **BOYER, INC** for Rehabilitation of Air Release Valves for approximately 47,800 linear feet of 60-inch water line along Steelman, Bayou, and Dixie from Clinton to Mykawa Road - Package 2, WBS S-000900-00A6-4 - 72.42% under the original contract amount - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 through 13

**9. Ordinance 2008-0054**

ORDINANCE appropriating \$938,297.98 out of Fire Consolidated Fund for Continuous Power Sources for the General Services Department, WBS C-000162-0002-4-01-01

**a. Motion 2008-0069**

**C. F. MCDONALD ELECTRIC, INC** for Continuous Power Sources for General Services Department - \$894,469.00 and contingencies for a total amount not to exceed \$938,297.98

**PURCHASING AND TABULATION OF BIDS** - continued

**10. Motion 2008-0070**

**COMMUNICATION SUPPLY CORP.** - \$758,160.00, **SPECTRAL MANAGEMENT, INC** - \$149,014.50 and **GRAYBAR ELECTRIC COMPANY** - \$69,770.00 for Communication Cables & Supplies for Information Technology Department - Central Revolving Fund

**11. Motion 2008-0071**

**INLAND ENVIRONMENTS, LTD.** for Asbestos Abatement, Demolition and Site Clean-up Services for Police Department - \$116,674.00 and contingencies for a total amount not to exceed \$122,507.70 - Dangerous Building Consolidated Fund

**12. Ordinance 2008-0055**

ORDINANCE appropriating \$203,087.60 out of Water & Sewer System Consolidated Construction Fund for Emergency Replacement of 3,025 linear feet of sewer line in the 4600 through 4900 blocks of Trail Lake Drive for the Public Works & Engineering Department, WBS R-000019-0044-4 - **DISTRICT C - CLUTTERBUCK**

**a. Motion 2008-0072**

**TROY CONSTRUCTION, L.L.P.** for Emergency Replacement of 3,025 Linear Feet of Sewer Line for Department of Public Works & Engineering

**13. Motion 2008-0073**

**OCE' NORTH AMERICA, INC** for Hardware and Software from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$210,074.20 - Building Inspection Fund

**ORDINANCES** - NUMBERS 14 through 30

**14. Ordinance 2008-0056**

ORDINANCE amending the Building Code of the City of Houston and relating to orders to vacate and the City's assistance to residents of certain residential structures subject to such orders; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

**15. Council Members Noriega, Brown, Khan, Garcia, Johnson, Rodriguez, Jones & Adams tag**  
**ORDINANCE AMENDING SECTION 312.3.3 OF THE CITY OF HOUSTON BUILDING CODE, CHAPTER 5 OF THE CITY OF HOUSTON ELECTRICAL CODE, and SECTION 28-10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS,** relating to Electric Fences

**16. Ordinance 2008-0057**

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide water line easement (Parcel SY7-092) from South Shepherd Drive to West Gray Avenue, out of the Obedience Smith Survey, A-696, Houston, Harris County, Texas; vacating and abandoning said easement to Weingarten Realty Investors, the abutting owner, in consideration of its payment of \$283,800.00 and other consideration to the City **DISTRICT D - ADAMS**

**17. Ordinance 2008-0058**

ORDINANCE appropriating \$26,106.00 out of Reimbursement of Equipment / Projects Fund; and \$109,597.75 out of Equipment Acquisition Consolidated Fund for Purchase of Capital Equipment for Parks & Recreation and Public Works & Engineering Departments

**ORDINANCES** - continued

**18. Council Members Clutterbuck, Garcia, Khan and Green tagged**

ORDINANCE approving and authorizing third amendment to contract (C51076) between the City of Houston and **REPUBLIC WASTE SERVICES OF TEXAS, LTD.**, to increase recyclable waste by reducing city waste currently sent to landfills - 7 Years - \$56,000,000.00 - General Fund

**19. Ordinance 2008-0059**

ORDINANCE approving and authorizing Lease No. DTFASW-08-L-00080 between the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION** and the City of Houston for Outer Marker Facility Site at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

**20. Council Member Sullivan**

ORDINANCE appropriating \$7,000,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 5 to the contract for Professional Architectural/Engineering Services by and between the City of Houston and **LOCKWOOD, ANDREWS AND NEWNAM, INC** for Terminal Improvements at William P. Hobby Airport; Project 417E; WBS A-000141-0003-03-17 - **DISTRICT I - RODRIGUEZ**

**21. Ordinance 2008-0060**

ORDINANCE approving and authorizing Amendment No. 4 to Professional Consulting Services Contract with **ROGER H. BATES** for Traffic and Earnings Reports and General Financial Advisory Services for the Houston Airport System - \$400,000.00 - Enterprise Fund

**22. Ordinance 2008-0067**

ORDINANCE appropriating \$193,352.41 out of Water & Sewer System Consolidated Construction Fund and \$222,000.00 out of Drainage Improvement CPaper Series F Fund; approving and authorizing an Interlocal Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 439** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Wayside Village Subdivision, WBS S-000800-0111-4, R-000800-0111-4, M-000800-0111-4 - **DISTRICT B - JOHNSON**

**23. Ordinance 2008-0061**

ORDINANCE appropriating \$440,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of On-Call Engineering for Water/Wastewater Utility Facilities Improvements (Approved by Ordinance No. 07-0216) WBS S-000019-0039-3/R-000019-0039-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**24. Ordinance 2008-0062**

ORDINANCE appropriating \$5,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **INFRASTRUCTURE ASSOCIATES, INC** for Various Neighborhood Street Reconstruction Projects, NSR 462, WBS N-000394-0001-4

**25. Ordinance 2008-0063**

ORDINANCE appropriating \$1,154,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AMANI ENGINEERING, INC** for Design of Water Line Replacement in Kashmere Gardens Area and Atherton Area, WBS S-000035-0101-3 and S-000035-0103-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**

**ORDINANCES** - continued

**26. Ordinance 2008-0064**

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

**27. ORDINANCE No. 2008-48, passed second reading January 23, 2008**

ORDINANCE granting to **CAPTAIN HOOK OF HOUSTON, LLC, a Texas Limited Liability 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 - **SECOND READING**

**28. ORDINANCE No. 2008-49, passed second reading January 23, 2008**

ORDINANCE granting to **LEGACEE INTERNATIONAL ENVIRONMENTAL SERVICES, INC d/b/a TEXAS WASTE CARRIERS, 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 - **SECOND READING**

**29. Council Members Clutterbuck and Noriega tagged**

ORDINANCE approving Amateur Sports Complex as a Public Works Project under the third amended and restated Series E Commercial Paper Ordinance and appropriating \$6,420,000.00 from Series E Commercial Paper Amateur Sports Complex Fund and approving, ratifying and authorizing the purchase and payment of land acquisition costs for the Real Estate Contract between Steven J. Gibson, Trustee, Seller ("Seller"), and the City of Houston, Texas, Purchaser (the "City"), for approximately 80 acres of unimproved land out of the James Hamilton Survey, Abstract 886 and J. W. Moody Survey, Abstract 548, Harris County, Texas, for a purchase price, with related expenses, of \$6,420,000.00

**30. Ordinance 2008-0065**

ORDINANCE approving Parks and Health Care Facilities as Public Works Project under the third amended and restated Series E Commercial Paper Ordinance and appropriating \$1,513,670.00 from Series E Commercial Paper Miscellaneous Land Fund and approving, ratifying and authorizing the purchase and payment of land acquisition costs for the Real Estate Contract between Maryfield, Ltd., a Texas limited partnership, seller ("Seller"), and the City of Houston, Texas, Purchaser (the "City"), for a portion of approximately 67.44 acres of unimproved land out of the James Hamilton Survey, Abstract 880, in the City of Houston, Harris County, Texas, the transfer of approximately 16 acres to the Veterans' Land Board of the State of Texas and conveyance of approximately 44 acres to Wesley Chapel AME Church of Houston, Texas, a Texas non-profit corporation, for a total purchase price, with related expenses, of \$4,408,670.00

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**NON CONSENT AGENDA - NUMBER 31**

**MISCELLANEOUS**

**Motion 2008-0061 – Suspend rules to consider Item 31 out of order**

**31. Motion 2008-0062**

RECEIVE nominations for Positions 6 and 7 of the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** for terms to expire two years from appointment date  
**Council Member Johnson nominated Dr. Steve W. Hall, Sr. – Position 6**  
**Council Member Garcia nominated Mr. Richard Leal – Position 7**

**MATTERS HELD - NUMBERS 32 and 33**

**32. Motion 2008-0075 – Postpone one week**

ORDINANCE finding and declaring public convenience and necessity for the acquisition of Fee Simple Title or easements for rights-of-way in connection with the public improvement project known as the Mercury Drive Paving Project, Segment 4 (from Herman Brown Park to Wallisville Road), 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 Fee Simple or easements in, over, upon, under, and across 14 parcels of land situated in the Reels and Trobough Survey, Abstract No. 59, Harris County, Texas, and being more specifically situated along and abutting the east or west lines of Oates Road between U.S. Highway 90 and Wallisville Road in Houston, Harris County, Texas - **DISTRICT I - RODRIGUEZ**

**TAGGED BY COUNCIL MEMBER RODRIGUEZ**

This was Item 26 on Agenda of January 16, 2008

**33. Ordinance 2008-0066**

ORDINANCE approving and authorizing amendment to Developer Participation Contract between the City of Houston and **4468 W. AIRPORT I LTD.**, for the construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section 1 of the Brentwood Village Subdivision - **DISTRICT D - ADAMS** - **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 30 on Agenda of January 16, 2008

**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

**1/23/2008 – Council Member Lawrence out of the City on City business**