

AGENDA - COUNCIL MEETING - WEDNESDAY - MAY 27, 2009 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2009-0282 to 2009-0304
ORDINANCES – 2009-0428 to 2009-0466
RESOLUTION – None

2009-0281-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Holm

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 2009-0282 – Procedural motion
Motion 2009-0283 – Procedural motion

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 60

MISCELLANEOUS - NUMBERS 1 and 2

Motion 2009-0284 – Suspend rules to remain in session beyond the scheduled noon recess to complete the agenda

1. Motion 2009-0285

RECOMMENDATION from Interim Director Houston Airport System to establish fees for various requests associated with the Airport Compatible Land Use Ordinance regulating development in areas surrounding George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

2. Motion 2009-0286

RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$4,411.20 per acre for properties connecting to the 30-inch or 36-inch wastewater line located along Reed Road from Alameda constructed by **REED ROAD SENIOR RESIDENTIAL LP - DISTRICT D - ADAMS**

ACCEPT WORK - NUMBERS 3 through 7

3. Motion 2009-0287

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,680,125.46 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.** for Storm Drainage Improvement in Wilchester, Memorial Way and Memorial Trails Subdivision - 6.96% under the original contract amount **DISTRICT G - HOLM**

4. Motion 2009-0288

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$9,999,120.59 and acceptance of work on contract with **JALCO, INC / GEORGE CONSTRUCTION** for W. Little York Drainage Improvements from Hardy Toll Road to Halls Bayou - 3.53% under the original contract amount - **DISTRICT B - JOHNSON and DISTRICT H**

5. Motion 2009-0289

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$428,562.40 and acceptance of work on contract with **ACM CONSTRUCTION, INC** for Cambridge/Browning Elementary Paving and Drainage Improvements - 12.32% under the original contract amount - **DISTRICT D - ADAMS and DISTRICT H**

6. Council Member Lawrence tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,258,570.35 and acceptance of work completed by the **Surety, GUARANTEE COMPANY OF NORTH AMERICA USA** on contract awarded to **COLT UTILITIES, INC** for Delafield Street and Lidstone Street Sewer Relocation - 8.92% under the original contract amount - **DISTRICT I - RODRIGUEZ**

7. Motion 2009-0290

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,463,768.57 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in Buffalo Speedway Area - 4.98% over the original contract amount - **DISTRICT C - CLUTTERBUCK**

PROPERTY - NUMBERS 8 through 10

8. Ordinance 2009-0455

ORDINANCE appropriating \$406,312.00 out of Reimbursement of Equipment/Project Fund Number 1850 to pay the amount of the award of special commissioners and the City's costs of Court in connection with the eminent domain proceeding styled City of Houston v. Estrellita H. Redus, Trustee, et al., to acquire Parcel QY9-011, for the Gregory School Project - **DISTRICT I - RODRIGUEZ**

a. Motion 2009-0301

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners, into the Registry of the Court and pay all costs of Court in connection with eminent domain proceeding styled City of Houston v. Estrellita H. Redus, Trustee, et al., Cause No. 925,819; for acquisition of Parcel QY9-011; for the **GREGORY SCHOOL PROJECT DISTRICT I - RODRIGUEZ**

PROPERTY - continued

9. Motion 2009-0291

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and withdraw the City's objections to the award in connection with eminent domain proceeding styled City of Houston v. Tania Newinn and Henry Newinn, et al., Cause No. 930,999; for acquisition of Parcel AY7-038; for the **PARK ROW ROAD PAVING PROJECT - DISTRICT A - LAWRENCE**

10. Council Member Brown tagged

RECOMMENDATION from Director General Services Department (i) authorizing the sealed bid sale of Parcel SY9-080, known as the Heights Recycling Center, located at 3602 Center Street at Harvard, (ii) determining a public need for an alternative recycling center site, and (iii) appointing two independent appraisers and an alternate appraiser to determine the fair market value of Parcel SY9-080 - **DISTRICT H**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 22

11. Motion 2009-0292

TOMMIE VAUGHN MOTORS, INC for Pavement Marking Vehicle for the Houston Airport System \$137,238.00 - Enterprise Fund

12. Motion 2009-0293

MOTOROLA, INC for Radio Transmission System Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Airport System \$130,000.00 - Enterprise Fund

13. Council Member Green tagged

KATZENBACH PARTNERS LLC for Consulting Services for Process Improvement, Reorganization and Best Practices for Purchasing and Payroll Operations for the Administration & Regulatory Affairs Department - \$1,241,300.00 - General Fund

14. Motion 2009-0294

MORNING PRIDE MANUFACTURING d/b/a HONEYWELL FIRST RESPONDER PRODUCTS for Purchase of Fire Protection Ensembles through the Interlocal Agreement for Cooperative Purchasing with the City of Memphis, Tennessee for the Houston Fire Department - \$267,882.00 General Fund

15. Motion 2009-0295

BOUND TREE MEDICAL, LLC for Laryngeal Tracheal Device Kits for the Fire Department \$1,148,087.60 - General Fund

16. Motion 2009-0302

HOUSTON WORKS USA to train and employ youth to be energy conservation advocates and distribute energy efficient light bulbs in various Houston neighborhoods - \$115,050.00 - Mayor's Summer Youth Conservation Corps Fund

17. Motion 2009-0296

ORACLE USA, INC for Purchase of an Oracle Software License and Support Service Agreement through the City's Master Agreement with the Texas Department of Information Resources for the Mayor's Office of Public Safety and Homeland Security - \$120,322.70 - Houston Emergency Center Fund

PURCHASING AND TABULATION OF BIDS - continued

18. Motion 2009-0297

NORTEX MODULAR SPACE for Modular Office for the HPD Qualification Pistol Range through the State of Texas Building and Procurement Commissioner's Contract (TXMAS) for Houston Police Department - \$377,078.00 - **DISTRICT B - JOHNSON**

19. Motion 2009-0298

UNIQUE DIGITAL, INC for Storage Area Network, Software Configuration, Installation, Training and Maintenance through the City's Master Agreement with the Texas Department of Information Resources for the Houston Police Department - \$317,435.00 - Digital Automated Red Light Enforcement Program Fund

20. Motion 2009-0299

NATIONAL TECHNOLOGY TRANSFER, INC for Qualifications for Technical Training on Pumps, Motors, Couplings & Alignment Procedures for the Department of Public Works & Engineering \$115,005.00 - Enterprise Fund

21. Motion 2009-0300

JOHN DEERE COMPANY for Grounds Maintenance Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Various Departments \$93,289.31 - Enterprise and Park Special Revenue Funds

22. Motion 2009-0303

AMEND MOTION #2006-224, 3/22/06, TO INCREASE spending authority from \$543,276.20 to \$679,095.25, for Purchase of Automotive Tools and Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments, awarded to **SNAP-ON INDUSTRIAL a Division of IDSC Holding LLC** - \$135,819.05 - General, Enterprise and Fleet Management Funds

ORDINANCES - NUMBERS 23 through 60

23. Ordinance 2009-0456

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA URBAN LEAGUE, INCORPORATED** to provide \$330,000.00 in Community Development Block Grant Funds for the Renovation of the Urban League Administration Building located at 1301 Texas Avenue - **DISTRICT I - RODRIGUEZ**

24. Ordinance 2009-0457

ORDINANCE approving and authorizing the City of Houston to submit an application for Community Development Block Grant Funds under the American Recovery and Reinvestment Act of 2009 ("CDBG-R") in the amount of \$8,093,613.00; to accept the aforementioned funds, if awarded; and to make a substantial amendment to the 2008 Consolidated Action Plan passed on April 30, 2008, pursuant to Ordinance No. 2008-385, as amended, to include the CDBG-R Funds

25. Ordinance 2009-0458

ORDINANCE approving and authorizing agreement between the City of Houston and **HOUSTON SHIFA SERVICES FOUNDATION, INC** to provide \$3,100,000.00 Performance-Based Loan of Federal "HOME" Funds for costs to facilitate the land acquisition and construction of an 128-Unit Affordable Apartment Building for low-income person located at 7887 North Wayside, Houston, Texas - **DISTRICT B - JOHNSON**

ORDINANCES - continued

26. Ordinance 2009-0428

ORDINANCE approving and authorizing Interlocal Agreement between the City and the **MENTAL HEALTH MENTAL RETARDATION AUTHORITY OF HARRIS COUNTY** for Home and Community Based Emergency Mental Health Services; providing maximum contract amount 5 Years - \$926,525.00 - General Fund

27. Ordinance 2009-0429

ORDINANCE approving and authorizing Occupancy Agreement between **GULF COAST COMMUNITY SERVICES ASSOCIATION**, as Occupant, and the City of Houston, Texas, as owner, for space in the Sunnyside Multi-Service Center - **DISTRICT D - ADAMS**

28. Ordinance 2009-0430

ORDINANCE approving and authorizing Occupancy Agreement between **GULF COAST COMMUNITY SERVICES ASSOCIATION**, as Occupant, and the City of Houston, Texas, as owner, for space in the Third Ward Multi-Service Center - **DISTRICT I - RODRIGUEZ**

29. Ordinance 2009-0431

ORDINANCE appropriating \$4,200,000.00 out of Houston Airport System Renewal and Replacement Fund for property damage repair at the City's Airports caused by Hurricane Ike; approving and authorizing the reimbursement of certain Hurricane Ike expenditures from such amount; approving and authorizing the transfer of certain Hurricane Ike expenditures from the Houston Airport System Revenue Fund and various Houston Airport System Capital Funds to the Houston Airport System Renewal and Replacement Fund; declaring the City's intent to seek reimbursement for such expenditures from the Federal Emergency Management Agency **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

30. Ordinance 2009-0432

ORDINANCE approving and authorizing Agreement between the City of Houston, Texas and **REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF HOUSTON, TEXAS (Hardy/Near Northside Zone)** relating to the provision of Affordable Housing from Tax Increment Revenues of the Zone - **DISTRICT H**

31. Ordinance 2009-0459

ORDINANCE de-appropriating \$1,875,774.78 from Fund 4034, Limited Use Roadway & Mobility Capital Fund; authorizing the transfer of the de-appropriated funds to the General Fund Fund Balance; appropriating \$806,725.00 from the General Improvement Consolidated Construction Fund, Fund No. 4509, for the Houston Amateur Sports Park Project, \$377,399.00 from the Park Consolidated Construction Fund, Fund No. 4502, for the Cullen Boulevard Beautification Project, and \$691,650.78 from the Street & Bridge Consolidated Construction Fund, Fund No. 4506, for the West Bellfort Road Extension between Stella Link Road and South Main Street (US Hwy 90A), Traffic Signal Management Program/Intelligent Transportation System Project, and the Morningside Reconstruction Project from Rice Boulevard to Sunset

32. Ordinance 2009-0433

ORDINANCE approving and authorizing first amendment to contract between the City and **JPMORGAN CHASE BANK, N.A.** for Online Payment Services for all City Departments

33. Ordinance 2009-0460

ORDINANCE approving and authorizing contract between the City of Houston and **GIBBS & BRUNS LLP** for Legal Services relating to Cause No. 2008-68402, Southern Crushed Concrete v. City of Houston, in the 333rd Judicial District Court of Harris County, Texas; establishing a maximum contract amount - \$90,000.00 - Property and Casualty Fund

ORDINANCES - continued

34. Ordinance 2009-0461

ORDINANCE approving and authorizing first amendment to contract between the City and **AMERICAN TRAFFIC SOLUTIONS, INC** for Photo Traffic Signal Enforcement System for the Houston Police Department

35. Ordinance 2009-0434

ORDINANCE amending Ordinance No. 2006-911 passed on October 1, 2006 to increase the maximum contract amount for contract between the City of Houston and **SUPERIOR BUILDING SERVICES, INC** for Window Cleaning Services for the Convention & Entertainment Facilities Department - \$74,951.00 - Enterprise Fund - **DISTRICT I - RODRIGUEZ**

36. Ordinance 2009-0435

ORDINANCE awarding contract to **RDI MECHANICAL, INC** for Heating, Ventilation and Air Conditioning Services for Various Departments; providing maximum contract amount - 3 Years with 2 one-year options - \$10,238,893.00 - General, Stormwater, Enterprise and Fleet Management Funds

37. Ordinance 2009-0436

ORDINANCE amending Ordinance No. 2006-1027 (passed on October 11, 2006) to increase the maximum contract amount for a contract between City of Houston and **VARIAN, INC** for Repair and Preventive Maintenance Services on Varian Analytical Instruments for Various Departments \$103,681.03 - General and Enterprise Funds

38. Ordinance 2009-0437

ORDINANCE awarding contract to **LIBERTY TIRE RECYCLING, LLC** for Scrap Tire Disposal Service for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$389,190.00 - General Fund

39. Ordinance 2009-0462

ORDINANCE approving and authorizing submission of an application for Non-Housing Grant Assistance to the **TEXAS OFFICE OF RURAL COMMUNITY AFFAIRS** and acceptance of the Texas Community Development Block Grant Program, 2008 Supplemental Disaster Recovery Fund: Hurricanes Dolly and Ike; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Director of Public Works and Engineering Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

40. Ordinance 2009-0438

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 Homestead Road Grade Separation Project; from Ley Road to Firnat Street, authorizing the acquisition by donation, purchase, or eminent domain proceedings of real property interests in Fee Simple Title or easements to twenty nine (29) parcels of land situated in the Harris and Wilson Survey, Abstract No. 32, or the Andrew Daly Survey, Abstract No. 239, in Harris County, Texas, such property being more specifically situated out of the subdivisions, of Rosewood Estates, Pelham Place, Section 2, Reserve "A" and "B" of Pandel Plaza, Laura Koppe Place and Blocks 1-3 of Barclays Place as these properties abut the east and west lines of Homestead Road between Ley Road and Firnat Street in Houston, Harris County, Texas; providing for the payment of the costs of such acquisitions, including Appraisal Fees, Fees for Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees - **DISTRICT B - JOHNSON**

ORDINANCES - continued

41. Ordinance 2009-0439

ORDINANCE approving and authorizing contract between the City of Houston and **MALCOLM PIRNIE, INC (Red Oak Consulting Division)** for Combined Utility System Water and Wastewater Rate and Impact Fee Study; providing a maximum contract amount - \$598,000.00 - Enterprise Fund

42. Ordinance 2009-0440

ORDINANCE appropriating \$100,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Professional Engineering Services Contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, L.P.** for Design of On-Call General Civil Engineering Projects

43. Ordinance 2009-0441

ORDINANCE appropriating \$500,000.00 out of Metro Project Commercial Paper E Series Fund; approving and authorizing Professional Engineering Services Contract between the City of Houston and **TEDSI INFRASTRUCTURE GROUP** for the Intelligent Transportation System Design Services

44. Council Member Johnson tagged

ORDINANCE approving and authorizing an amended and restated Professional Services Contract between the City of Houston and **BUFFALO BAYOU PARTNERSHIP, INC** for Development of Park System along Buffalo Bayou; providing a maximum contract amount 5 Years - \$180,000.00 - **DISTRICTS B - JOHNSON; D - ADAMS; G - HOLM; DISTRICT H and I - RODRIGUEZ**

45. Council Member Green tagged

ORDINANCE appropriating \$794,160.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for Design of Airline Drive from North Main to the North Loop (IH-610) (Approved by Ordinance No. 2001-0999); providing funding for contingencies relating to the construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H**

46. Ordinance 2009-0442

ORDINANCE appropriating \$660,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract with **COBB FENDLEY & ASSOCIATES, INC** for Technical Assistance for Interagency Project Reviews (Approved by Ordinance No. 2007-0028); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; D - ADAMS; G - HOLM; DISTRICT H and I - RODRIGUEZ**

47. Ordinance 2009-0443

ORDINANCE appropriating \$4,465,300.00 out of Drainage Improvement Commercial Paper Series F Fund, \$706,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding Contract to **SER CONSTRUCTION PARTNERS, L.T.D.** for Storm Drainage Improvements in the Rustling Oaks Subdivision; 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 and the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

ORDINANCES - continued

48. Ordinance 2009-0444

ORDINANCE appropriating \$3,445,816.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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

49. Ordinance 2009-0445

ORDINANCE appropriating \$417,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **R. J. CONSTRUCTION COMPANY, INC** for Rehabilitation of Portwest Lift Station, setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - LAWRENCE**

50. Ordinance 2009-0446

ORDINANCE appropriating \$2,401,200.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **JIMERSON UNDERGROUND, INC** for Neighborhood Sewer Improvements, 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 A - LAWRENCE; DISTRICT H and I - RODRIGUEZ**

51. Ordinance 2009-0447

ORDINANCE appropriating \$1,235,240.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Waterline Replacement in Timber Oaks West Area; 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 Water & Sewer System Consolidated Construction Fund **DISTRICT A - LAWRENCE**

52. Ordinance 2009-0448

ORDINANCE appropriating \$1,824,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **RWL CONSTRUCTION, INC** for Waterline Replacement in Briargrove Park; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

ORDINANCES - continued

53. Ordinance 2009-0449

ORDINANCE appropriating \$1,988,600.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Waterline Replacement in Forest West and Cole Creek; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT A - LAWRENCE**

54. Ordinance 2009-0450

ORDINANCE appropriating \$1,991,500.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **CARRERA CONSTRUCTION, INC** for Waterline Replacement in Southampton; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

55. Ordinance 2009-0451

ORDINANCE appropriating \$1,406,600.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Waterline Replacement in Shady Oaks; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**

56. Ordinance 2009-0452

ORDINANCE appropriating \$1,964,100.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **GONZALEZ CONSTRUCTION ENTERPRISE, INC** for Waterline Replacement in Annunciation Subdivision; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**

57. Ordinance 2009-0453

ORDINANCE appropriating \$2,057,042.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for FY09 Water Distribution System Rehabilitation and Renewal; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

ORDINANCES - continued

58. Ordinance 2009-0454 – Passed first reading

ORDINANCE granting to **TENNESSEE GENERAL CONSTRUCTION, INC, A TENNESSEE 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**

59. Ordinance 2009-0381 – Passed third and final reading

ORDINANCE No. 2009-381, passed second reading May 13, 2009

ORDINANCE granting to **ARC ABATEMENT, 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 - **THIRD AND FINAL READING**

60. Ordinance 2009-0382 – Passed third and final reading

ORDINANCE No. 2009-382, passed second reading May 13, 2009

ORDINANCE granting to **SWEEPING SERVICES OF TEXAS - OPERATING, L.P., A TEXAS LIMITED PARTNERSHIP**, 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 - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 61 through 65

61. Motion 2009-0304 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Green to adopt recommendation from Director Finance Department to approve the Fiscal Year 2010-2014 Capital Improvement Plan and establish a charge of \$75.00 plus postage for the adopted CIP documents (\$5.00 plus postage for CD version)

TAGGED BY COUNCIL MEMBERS SULLIVAN and RODRIGUEZ

This was Item 2 on Agenda of May 13, 2009

62. Ordinance 2009-0463

ORDINANCE appropriating the transfer of an amount not to exceed \$25,000,000 from the Houston Airport System Airports Improvement Fund for certain Houston Airport System Capital Expenditures; declaring the Houston Airport System's intent to reimburse the Airports Improvement Fund with bond proceeds; making various findings and provisions related thereto; and declaring an emergency - **TAGGED BY COUNCIL MEMBER BROWN**

This was Item 23 on Agenda of May 13, 2009

MATTERS HELD - continued

63. Ordinance 2009-0464

ORDINANCE amending Ordinance Number 2003-0529, as amended, which approved and authorized Professional Audit Services Agreement between the City of Houston and **DELOITTE & TOUCHE LLP**, to increase the maximum contract amount - \$220,000.00 - General Fund

TAGGED BY COUNCIL MEMBERS KHAN and GREEN

This was item 25 on Agenda of May 13, 2009

64. Ordinance 2009-0465

ORDINANCE approving and authorizing contract between the City and **DELOITTE & TOUCHE LLP** for Professional Auditing Services for the Finance Department; providing a maximum contract amount - 3 Years with 2 one-year options - \$8,695,000.00 - General Fund

TAGGED BY COUNCIL MEMBERS GREEN, JOHNSON, KHAN, ADAMS and JONES

This was Item 26 on Agenda of May 13, 2009

65. Ordinance 2009-0466

ORDINANCE amending Ordinance No. 2007-660 to increase the maximum contract amount; approving and authorizing second amendment to contract between the City of Houston and **TIBH INDUSTRIES, INC** for Vehicle Car Wash Services for Houston Police Department - 1 Year \$250,000.00 - General Fund - **TAGGED BY COUNCIL MEMBER JOHNSON**

This was Item 27 on Agenda of May 13, 2009

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Adams 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

5/27/2009 – All Present