

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 20, 2009 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2009-0753 to 2009-0776
ORDINANCES – 2009-0989 to 2009-1042
RESOLUTIONS – 2009-0026 to 2009-30

2009-0752-2

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

Motion 2009-0753 – Procedural motion

Motion 2009-0754 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 21, 2009 - 9:00 A. M.

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

MAYOR'S REPORT - Presentation by Texas Petrochemicals, Inc. on emission reduction achievements

CONSENT AGENDA NUMBERS 1 through 74

MISCELLANEOUS - NUMBERS 1 through 3

1. Motion 2009-0771

CONFIRMATION of the appointment of the following individuals to the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS** for the remainder of a two year term that will end December 31, 2009:

Position 1 - **MS. PATRICIA COOPER, DVM**

Position 2 - **MR. CHRIS SOUDERS, M.D.**

Position 3 - **MS. KAPPY MUENZER**

Position 4 - **MR. NEIL SACKHEIM**

MISCELLANEOUS - continued

2. Motion 2009-0772

REQUEST from Mayor for confirmation of the appointment and reappointment of the following to the **MILLER THEATER ADVISORY BOARD**:

- Position Seven - **MS. EDITH H. JOHNSON**, reappointment, for a term to expire 4/24/2013
- Position Eight - **MR. ALLEN W. UECKERT**, appointment, for an unexpired term ending 4/24/2010
- Position Nine - **MS. CELIA VARA VALLES**, reappointment, for a term to expire 4/24/2013
- Position Ten - **MS. JENNY A. YANG**, appointment, for a term to expire 4/24/2013
- Position Twelve - **MR. ROMULO TIM CISNEROS**, reappointment, for a term to expire 4/24/2013
- Position Sixteen - **MS. GENEVIEVE A. ROUSSEVE**, reappointment, for a term to expire 4/24/2013
- Position Eighteen - **MS. JANETTE L. COSLEY**, reappointment, for a term to expire 4/24/2013

3. Motion 2009-0755

RECOMMENDATION from Director Department of Public Works & Engineering for additional payment of \$62,900.00 for permit fees to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for 2009 aggregated groundwater withdrawal - Enterprise Fund

ACCEPT WORK - NUMBERS 4 through 6

4. Motion 2009-0758

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$504,082.39 and acceptance of work on contract with **TRIPLE B SERVICES, L. L. P.** for Roseneath Drive Storm Sewer Replacement - 0.70% under the original contract amount - **DISTRICT D - ADAMS**

5. Motion 2009-0759

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,092,792.66 and acceptance of work on contract with **TRIPLE B SERVICES, L. L. P.** for West Bellfort Road Extension between Stella Link Road and S. Main Street (US Hwy 90A) - 1.11% over the original contract amount - **DISTRICT C - CLUTTERBUCK**

6. Motion 2009-0760

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,791,838.96 and acceptance of work on contract with **R. K. WHEATON, INC** for Water Line Replacement in Shepherd Park Terrace Area - 3.06% under the original contract amount - **DISTRICT A - LAWRENCE**

PROPERTY - NUMBERS 7 through 11

7. Motion 2009-0761

RECOMMENDATION from Director General Services Department to appoint David Lewis and David Dominy independent appraisers and Carl Thornton alternate appraiser to determine the fair market value of approximately 6.945 acres of land and improvements located at 3700 Southwest Freeway, also known as Lakewood Church, Parcel SY10-019 - **DISTRICT C - CLUTTERBUCK**

8. Motion 2009-0762

RECOMMENDATION from City Attorney to acquire by purchase in lieu of eminent domain proceedings Parcel AY6-148; located at 5515 Kirby Drive, owned by Jose Zavala Olmos, Trustee, for the **KIRBY DRIVE STORM SEWER REPLACEMENT PROJECT, SEGMENT 4; (ROBINHOOD TO IH59)** - \$82,839.00 - Storm Sewer Consolidated Construction Fund **DISTRICT C - CLUTTERBUCK**

PROPERTY - continued

9. Motion 2009-0763

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-052, located at the southwest corner of Long Point Road and Bunker Hill Road Intersection, owned by Spring Branch Plaza, LLC, Mehdi Hoesseini, President, for the **BUNKER HILL PAVING PROJECT - PHASE II (from the IH-10 feeder road to Long Point Road) DISTRICT A - LAWRENCE**

10. Motion 2009-0764

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-054, located at 9743 Long Point Road, owned by I on Investments, Inc., a/k/a I. Investments, Inc., Munir Ibrahim, President, for the **BUNKER HILL PAVING PROJECT PHASE II (from the IH-10 feeder road to Long Point Road) - DISTRICT A - LAWRENCE**

11. Motion 2009-0765

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY9-021, located at the northeast corner of Fuqua Road and Monroe Road, owned by Hannah Hedgpeh, Mary Susan Lindholm, Raymond Lindholm, Russell Lindholm, Michael Lindholm, and Lawrence Lindholm, for the **72-INCH WATER LINE ALONG FUQUA PROJECT from Stover to Moers) - DISTRICT E - SULLIVAN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 15

12. Motion 2009-0766

GILBREATH COMMUNICATIONS, INC for Marketing Strategy Services through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Health and Human Services Department - \$59,885.00 - Grant Fund

13. Motion 2009-0767

SANTEX TRUCK CENTER, LTD. for Cab & Chassis Mounted with a Platform Body and Crane through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Parks & Recreation Department - \$75,996.00 - Equipment Acquisition Consolidated Fund

Motion 2009-0756 – Suspend rules to consider Items 14, 14a, 81 and 81a after the consent agenda

14. Ordinance 2009-1030

ORDINANCE appropriating \$6,873,019.92 out of Equipment Acquisition Consolidated Fund for Purchase of Patrol Vehicles and Ancillary Equipment for Police Department

a. Motion 2009-0769

AMEND MOTION #2009-38, 1/28/09, TO PURCHASE additional Patrol Vehicles for Houston Police Department, awarded to **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** \$5,117,418.00

15. Motion 2009-0768

EXCALIBUR EXCAVATION, L.P. for Construction of a Partition Wall for the Influent Channel at the City's Northwest Wastewater Treatment Plant for the Department of Public Works & Engineering - \$124,715.00 and contingencies for a total amount not to exceed \$137,186.50 Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 16 through 74

16. Resolution 2009-0026

RESOLUTION approving amendments to the bylaws of the **CITY OF HOUSTON INDUSTRIAL DEVELOPMENT CORPORATION**

17. Resolution 2009-0027

RESOLUTION approving amendments to the bylaws of the **CITY OF HOUSTON HEALTH FACILITIES DEVELOPMENT CORPORATION**

18. Resolution 2009-0028

RESOLUTION approving amendments to the bylaws of the **CITY OF HOUSTON HIGHER EDUCATION FINANCE CORPORATION**

19. Resolution 2009-0029

RESOLUTION designating certain property within the City of Houston as an Archaeological Site (Frost Town at 80 Spruce Street) - **DISTRICT H - GONZALEZ**

20. Resolution 2009-0030

RESOLUTION designating certain properties within the City of Houston as landmarks and protected landmarks:

Frost Town Archaeological Site	80 Spruce Street	<u>DISTRICT H - GONZALEZ</u>
Sidney Sherman Brady House	3805 Wilmer Street	<u>DISTRICT H - GONZALEZ</u>

21. Ordinance 2009-0989

ORDINANCE **AMENDING THE HOUSTON SIGN CODE** relating to directional and locational signs for medical institutions

22. Ordinance 2009-1033

ORDINANCE **AMENDING ARTICLE IX OF CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to dangerous buildings

23. Ordinance 2009-0990

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Semmes Street between Brooks Street and Burnett Street, containing 0.4132 acre of land, more or less, in the S. F. Noble's Addition, S. M. Harris Survey, A-327; vacating and abandoning said tract of land to Kurkel Manufacturing, Inc., owner, in consideration of said owner's payment of \$54,000.00 and other consideration to the City - **DISTRICT B - JOHNSON**

24. Ordinance 2009-0991

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement, containing Parcels SY8-097 and SY8-098, within Lots 6 and 7, Block 2 of the Normandy Place Subdivision, in the Obedience Smith Survey, A-696, Houston, Harris County, Texas; vacating and abandoning said two (2) parcels to Mary Wilson, and Ellen W. Schultz, et al., the abutting owners, as their interests appear, in consideration of the earlier dedication to the City of a larger sanitary sewer easement, Parcel D92-2, in 1992, by Robert Wilson, a former owner, and other consideration to the City - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

25. Ordinance 2009-0992

ORDINANCE rescinding Ordinance 2008-0819 and approving and authorizing Purchase Agreement between Congregation Beth Israel of Houston, Purchaser, and the City of Houston, Texas, Seller, for the sale of 0.8237 acres of land, more or less, being out of a Former Water Plant located at 1109 Antoine Drive (Parcel SY7-040), in Reserve A, Block 9, Afton Village Subdivision, Section Two, E.B. Cogswell Survey, A-785, Houston, Texas, for an exchange of real property and a cash payment of \$27,950.00; approving the property exchange, Development Agreement, Special Warranty Deeds and a contract for deed - **DISTRICT A - LAWRENCE**

26. Ordinance 2009-1034

ORDINANCE providing \$499,500.00 in Federal Government - Grant Funded (CDBG) Funds; authorizing the purchase of 23,205 square feet, more or less, of land out of Block 5 Ingraham Addition, Houston, Harris County (3301, 3303 and 3305 Lyons Avenue), and improvements thereon, for the Houston Public Library; approving Purchase and Sale Agreement with the owner (Fifth Ward Community Redevelopment Corporation) of the land - **DISTRICT B - JOHNSON**

27. Ordinance 2009-1035

ORDINANCE authorizing the purchase of 28,462 square feet, more or less, of land out of the S. M Harris Survey, Houston, Harris County (3308 Ellis Court), for the Houston Public Library approving Purchase and Sale Agreement with the owner (Fifth Ward Community Redevelopment Corporation) of the land; authorizing the assignment to Fifth Ward Community Redevelopment Corporation of a Promissory Note made by Pleasant Hill Community Development Corporation **DISTRICT B - JOHNSON**

28. Ordinance 2009-0993

ORDINANCE establishing the north and south sides of the 900-1000 blocks of E. 25th Avenue within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**

29. Ordinance 2009-0994

ORDINANCE establishing the north and south sides of the 900-1000 blocks of E. 25th Avenue 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 - GONZALEZ**

30. Ordinance 2009-0995

ORDINANCE establishing the east side of the 3200-3300 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 - GONZALEZ**

31. Ordinance 2009-0996

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$597,694.00 in Community Development Block Grant ("CDBG") Funds for Implementation, oversight and delivery of a Child Care Program 1 Year

32. Ordinance 2009-0997

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$2,168,128.24 for the administration of an Emergency Shelter Grants Program - Emergency Shelter Grant and Community Development Block Grant Funds

RESOLUTIONS AND ORDINANCES - continued

33. Ordinance 2009-0998

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$623,453.00 in Community Development Block Grant ("CDBG") Funds for Implementation, oversight and delivery of a Juvenile Delinquency Prevention Program

34. Ordinance 2009-0999

ORDINANCE approving and authorizing contract between the City of Houston and **HEALTHCARE FOR THE HOMELESS-HOUSTON** to provide \$130,000.00 in Community Development Block Grant Funds for the administration and operation of Project Access, which offers transportation services to homeless individuals and families seeking health care and supportive services - **DISTRICT I - RODRIGUEZ**

35. Ordinance 2009-1000

ORDINANCE approving and authorizing the City of Houston to enter into a Modification and Assumption Agreement with **CREATIVE CHOICE TEXAS I, LTD. (CREATIVE CHOICE)** and **THE APARTMENTS OF THE VILLAGE (VILLAGE)** whereby Village will assume the \$500,000.00 Federal Home Repayment Loan previously loaned by the City to Creative Choice in connection with the acquisition and renovation of an apartment building located at 8210 Bauman Road, Houston, Texas, to house low income residents (Project); convert the said Repayment Loan to a Performance-Based Loan; and obtain an additional \$310,000.00 Federal Home Performance-Based Loan to cover a portion of hard cost overruns in connection with the project - **DISTRICT H - GONZALEZ**

36. Ordinance 2009-1001

ORDINANCE approving and authorizing contract between the City and **COMMUNITY HEALTH CHOICE, INC** for a Physician Services Agreement to be a Medicaid Group Provider for Primary and Specialty Care - Revenue

37. Ordinance 2009-1002

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **CHATEAU FOREST SUBDIVISION, SECTIONS 1 - 4**, to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - LAWRENCE**

38. Ordinance 2009-1003

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **FOREST PINES SUBDIVISION, SECTIONS 1, 2A, and 2B**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**

39. Ordinance 2009-1004

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **COLE CREEK MANOR SUBDIVISION, SECTIONS 1 and 2**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - LAWRENCE**

40. Pulled - Not Considered

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **WESTBURY SUBDIVISION, SECTIONS 1 - 5**, Westbury Subdivision Replat, Sections 1, 3 and 5, Westbury Subdivision, and Parkwest Subdivision, Sections 1 - 3, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

41. Ordinance 2009-1005

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **SHENANDOAH SUBDIVISION, SECTION 1**, excluding **BLOCK 1, LOTS 10-18, SHENANDOAH SUBDIVISION, SECTIONS 2 & 3**, and **SIGRID SUBDIVISION**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICTS C - CLUTTERBUCK and F - KHAN**

42. Ordinance 2009-1006

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **SOUTHWOOD OAKS SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT D - ADAMS**

43. Ordinance 2009-1007

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **ARLINGTON HEIGHTS SUBDIVISION, SECTIONS 1 - 3**, Arlington Heights Subdivision, Section 1 Replat, and Arlington Heights Subdivision, Section 4 Replat, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT E - SULLIVAN**

44. Ordinance 2009-1008

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **ROBINDELL SUBDIVISION, SECTIONS 1 - 5**, to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT F - KHAN**

45. Ordinance 2009-1009

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **ASHFORD HILLS SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - HOLM**

46. Ordinance 2009-1010

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **BRIARMEADOW SUBDIVISION, SECTIONS 1 & 2**, and **BRIARMEADOW SUBDIVISION** Section 1 Partial Replat, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - HOLM**

47. Ordinance 2009-1011

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **WEST LANE PLACE SUBDIVISION, WEST LANE ANNEX, AND WEST LANE III SUBDIVISION**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - HOLM**

48. Ordinance 2009-1012

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **MEADOWBROOK FREEWAY SUBDIVISION, SECTIONS 1 - 3**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT I - RODRIGUEZ**

49. Ordinance 2009-1013

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **TAMMARACK WOODS SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

50. Ordinance 2009-1014

ORDINANCE extending the provisions of Section 28-303 of the Code of Ordinances, Houston, Texas, to various single-family residential properties within **SONGWOOD SUBDIVISION, SECTIONS 1 - 6**, to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ**

51. Ordinance 2009-1036

ORDINANCE approving and authorizing second amendment to contract for Plan Administration Services between the City, the **HOUSTON POLICE OFFICERS' UNION** and **VALIC RETIREMENT SERVICES COMPANY** for Third Party Administrative Services for the HPOU Section 457 Eligible Deferred Compensation Plan

52. Ordinance 2009-1015

ORDINANCE amending Ordinance No. 2009-680 relating to the Fiscal Affairs of the Fourth Ward Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD ZONE)**; approving an amendment to the Fiscal Year 2010 Operating Budget and the Fiscal Years 2010-2014 Capital Improvements Budget for the Fourth Ward Redevelopment Authority and the Fourth Ward Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

53. Ordinance 2009-1037

ORDINANCE amending Ordinance No. 2009-981, relating to the City of Houston Term Limits Review Commission, to correct a scrivener's error

54. Ordinance 2009-1016

ORDINANCE approving and authorizing the submission of an application for and acceptance of a Texas Department of Transportation Motor Carrier Safety Assistance Program High Priority Grant; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

55. Council Members Jones, Noriega, Khan, Clutterbuck and Lawrence tagged

ORDINANCE approving and authorizing contract between the City and **HARRIS COUNTY** for Vehicle Registration holds in support of the Digital Automated Red Light Enforcement Program; providing a maximum contract amount - \$180,000.00 - Digital Automated Red Light Enforcement Program Funds

56. Ordinance 2009-1017

ORDINANCE authorizing the Mayor to make certain arrangements and procure certain services not provided under Election Services and Translation Agreements in connection with the City of Houston General Election to be held on November 3, 2009 and any required Runoff Election; authorizing the payment of certain costs of such election - \$320,000.00 - General Fund

57. Council Members Khan, Johnson, Green and Jones tagged

ORDINANCE awarding contract to **JPMORGAN CHASE BANK, N.A.** for Banking Services Citywide; providing a maximum contract amount - 3 Years with two one-year options \$1,643,941.00 - General and Enterprise Funds

RESOLUTIONS AND ORDINANCES - continued

58. Council Member Jones tagged

ORDINANCE approving and authorizing contracts between the City of Houston and **HEARD & MEDACK, P.C.** and **OLSON AND OLSON, L.L.P.** for Legal Services relating to Civil Action No. H-06-2650; George Rodriguez v. City of Houston, et al.; in the United States District Court for the Southern District of Texas, Houston Division and other similar matters; establishing maximum contract amounts - Totaling \$500,000.00 - Property and Casualty Fund

59. Ordinance 2009-1018

ORDINANCE appropriating \$4,635,865.00 out of Airports Improvement Fund and \$77,265.00 out of Airports Improvement Fund; awarding construction contract to **VANDERLANDE INDUSTRIES, INC** for Explosion Detection System Baggage Handling System and Security Enhancements at William P. Hobby Airport (HOU) and Ellington Airport (EFD), (Project No. 612L); providing funding for contingencies and the Civic Art Program relating to construction of the facilities financed by such fund - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ**

60. Ordinance 2009-1019

ORDINANCE appropriating \$7,797.43 out of Parks Consolidated Construction Fund for Purchase of Office Furniture for Hobart Taylor Park Community Center - **DISTRICT B - JOHNSON**

61. Ordinance 2009-1020

ORDINANCE appropriating \$50,000.00 out of Parks Consolidated Construction Fund as an additional appropriation for Professional Environmental Consulting Services Contract between the City of Houston and **BROWN AND CALDWELL** (Approved by Ordinance No. 2007-1326) for Consulting Services at 723 N. Drennan Street for the Parks & Recreation Department - **DISTRICT I - RODRIGUEZ**

62. Ordinance 2009-1021

ORDINANCE appropriating \$6,450,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for the Reconstruction of Genoa-Red Bluff Road from Beltway 8 to 1,500 feet east of Pine Tree Drive - **DISTRICT E - SULLIVAN**

63. Ordinance 2009-1022

ORDINANCE appropriating \$8,256,137.00 out of Street & Bridge Consolidated Construction Fund to Reimburse the General Fund for the Rehabilitation of Concrete Pavements and Bridge Replacement

64. Ordinance 2009-1023

ORDINANCE altering and establishing prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty

65. Ordinance 2009-1024

ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **SEVERN TRENT ENVIRONMENTAL SERVICES, INC** for Operation and Maintenance Services for the Kingwood Area Water and Wastewater Utilities and Facilities (Approved by Ordinance No. 2002-91); providing a maximum contract amount - \$5,000,000.00 Enterprise Fund - **DISTRICT E - SULLIVAN**

RESOLUTIONS AND ORDINANCES - continued

66. Ordinance 2009-1038

ORDINANCE appropriating \$12,000.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Professional Construction Management and Inspection Services Agreement between the City of Houston and **R. G. MILLER, INC** for Homestead Wastewater Treatment Plant - **DISTRICT B - JOHNSON**

67. Ordinance 2009-1039

ORDINANCE appropriating \$893,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CAMP DRESSER AND MCKEE, INC** for Sims Bayou North and FWSD #23 Wastewater Treatment Plant Improvements; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS B - JOHNSON and I - RODRIGUEZ**

68. Ordinance 2009-1040

ORDINANCE appropriating \$891,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **MALCOLM PIRNIE, INC** for West District and Upper Brays Wastewater Treatment Plant Improvements; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

69. Ordinance 2009-1025

ORDINANCE appropriating \$1,440,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC** for Water Line Replacement in Timbergrove Area, Fulton North and Glenwood Forest Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON and H - GONZALEZ**

70. Ordinance 2009-1026

ORDINANCE appropriating \$1,716,755.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **COSTELLO, INC** for Design of Waterline Replacement in Memorial Plaza Area, Shadywood Area and Regency Square Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - KHAN and G - HOLM**

71. Ordinance 2009-1027

ORDINANCE appropriating \$1,137,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CLR, INC** for Waterline Replacement in Avondale Area and Waterline Replacement in Beamer Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - ADAMS and E - SULLIVAN**

72. Ordinance 2009-1032

ORDINANCE appropriating \$4,491,300.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing fourth amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** (Approved by Ordinance No. 2006-0277) for the Surface Water Transmission Program; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

RESOLUTIONS AND ORDINANCES - continued

73. Ordinance 2009-1028

ORDINANCE appropriating \$3,167,584.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; 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

74. Ordinance 2009-1029

ORDINANCE appropriating \$5,761,303.96 out of Water & Sewer System Consolidated Construction Fund and \$1,118,496.04 out of Water & Sewer Contributed Capital Fund; awarding contract to **HUFF & MITCHELL, INC** for Proposed 72-Inch water line along Fuqua from the existing 96-inch water line near Beamer to Stover Street; 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 and the Water & Sewer Contributed Capital Fund - **DISTRICT E - SULLIVAN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 75 and 76

MISCELLANEOUS

75. Motion 2009-0773

SET HEARING DATE to consider a Municipal Setting Designation ordinance (MSD) for 8800 Bellaire, L.P. for the site located at 8880 Bellaire Blvd. - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G - HOLM**

SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - DECEMBER 16, 2009

76. Motion 2009-0774

SET HEARING DATE to consider a Municipal Setting Designation ordinance (MSD) for SRS Shopping Center, Ltd. for the site located at 13100 block of Memorial Drive **DISTRICTS A - LAWRENCE; F - KHAN and G - HOLM**

SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - DECEMBER 16, 2009

MATTERS HELD - NUMBERS 77 through 81A

77. Motion 2009-0775 – Adopt

RECOMMENDATION from Purchasing Agent on award to **GATEWAY TO CARE, A non-profit corporation**, to develop a call center to process the high volume of surge questions regarding H1N1 for the Houston Department of Health & Human Services - \$193,773.00 - Grant Fund **TAGGED BY COUNCIL MEMBER HOLM**

This was Item 12 on Agenda of October 14, 2009

MATTERS HELD – continued

78. Motion 2009-0776 – Adopt

RECOMMENDATION from Purchasing Agent to **AMEND MOTION #2007-788,7/18/07, TO INCREASE** spending authority from \$1,275,000.00 to \$1,593,750.00 for MD Helicopter Replacement Parts for Houston Police Department, awarded to **HELI-MART, INC** - \$318,750.00 General Fund - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 15 on Agenda of October 14, 2009

79. Ordinance 2009-1041

ORDINANCE appropriating \$2,500,000.00 out of TIRZ Affordable Housing Fund (Fund 2409) and approving and authorizing Grant Agreement between the City of Houston and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** to assist in the land development costs for a subdivision of 95 affordable single-family homes situated on 12.49 acres of a 20.3 acre development tract at 4004 Irvington Boulevard, Houston, Texas - **DISTRICT H - GONZALEZ**
TAGGED BY COUNCIL MEMBER JONES
This was Item 24 on Agenda of October 14, 2009

80. Ordinance 2009-1042

ORDINANCE amending Ordinance No. 2004-0808 to increase the maximum contract amount; approving and authorizing second amendment to contract between the City of Houston and **PETDATA, INC** for Animal Licensing Services for Houston Department of Health & Human Services - \$380,000.00 - General Fund
TAGGED BY COUNCIL MEMBERS HOLM and CLUTTERBUCK
This was Item 31 on Agenda of October 14, 2009

81. Ordinance 2009-1031

ORDINANCE appropriating \$174,875.00 out of Equipment Acquisition Consolidated Fund and \$206,574.00 out of Reimbursement of Equipment/Projects Fund for Purchase of Light-Duty Utility Vehicles for Various Departments

a. Motion 2009-0770 – Adopt

RECOMMENDATION from Purchasing Agent to award to **PLANET FORD 45** - \$495,063.00 and **PHILPOTT MOTORS, LTD.** - \$978,311.00 for Light-Duty Utility Vehicles for Various Departments \$1,091,925.00 - Enterprise, Grant, Building Inspection and Special Waste Transportation & Inspection Fund - **POSTPONED BY MOTION #2009-752, 10/14/09**
These were Items 52 and 52A on Agenda of October 14, 2009

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Lawrence 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

10/20/2009 – Council Member Gonzalez out of the City on City business

10/21/2009 – All Present