

**AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 14, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS – 2010-0870 to 2010-0880  
ORDINANCES - 2010-1014 to 2010-1045  
RESOLUTION – None

2010-0869-1

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

**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 - DECEMBER 15, 2010 - 9:00 A. M.**

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

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

1. **Motion 2010-0870 – Close hearing**

**PUBLIC HEARING** regarding amendments to the Second Amendment to the Project Plan and Reinvestment Zone Financing Plan for the **TAX INCREMENT REINVESTMENT ZONE NUMBER 15 (EAST DOWNTOWN ZONE) - DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

2. **Motion 2010-0871 – Close hearing**

**PUBLIC HEARING** regarding the designation of a Tax Abatement Reinvestment Zone for **EMERSON PROCESS MANAGEMENT LLLP (EMERSON REINVESTMENT ZONE) - DISTRICT F - HOANG**

a. **Ordinance 2010-1014**

ORDINANCE creating the Emerson Process Management LLLP Reinvestment Zone for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas - **DISTRICT F - HOANG**

b. **Ordinance 2010-1015**

ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas and **EMERSON PROCESS MANAGEMENT LLLP** for certain property located within the Emerson Process Management LLLP Reinvestment Zone

**MAYOR'S REPORT** - Municipal Courts Budget Initiatives

**CONSENT AGENDA NUMBERS 3 through 37**

**MISCELLANEOUS** - NUMBER 3

**3. Motion 2010-0874**

RECOMMENDATION from Director Administration & Regulatory Affairs Department for the designation of a residential parking permit area in the Super Neighborhoods of University Place, MacGregor and Greater Heights - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and H - GONZALEZ**

**ACCEPT WORK** - NUMBER 4

**4. Motion 2010-0877**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$15,372,751.46 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Kingwood West Wastewater Treatment Plant Improvements 3.23% under the original contract amount - **DISTRICT E - SULLIVAN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 5 through 7

**5. Motion 2010-0875**

**JNA PAINTING & CONTRACTING COMPANY, INC** for Exterior Painting at the George R. Brown Convention Center for Convention and Entertainment Facilities Department - \$206,450.00 and contingencies for a total amount not to exceed \$216,772.50 - Enterprise Fund

**6. Ordinance 2010-1033**

ORDINANCE appropriating \$74,370.00 out of Equipment Acquisition Consolidated Fund for Purchase of a Light, Medium and Heavy Duty Cab & Chassis and Truck Body for the Houston Parks & Recreation Department

**a. Motion 2010-0878**

**AMEND MOTION #2010-391, 6/16/10, TO PURCHASE** additional Light-Duty Cabs & Chassis and Truck Bodies for the Public Works & Engineering and Parks & Recreation Departments, awarded to **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** - \$241,361.00 - Equipment Acquisition Consolidated and Stormwater Funds

**7. Motion 2010-0876**

**ADRITE** for Solar Powered Trash Compactors through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for Solid Waste Management Department - \$53,068.40 - Grant Fund

**ORDINANCES** - NUMBERS 8 through 37

**8. Ordinance 2010-1017**

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, CHAPTER 14**, relating to the payment of Holiday Compensation to eligible employees who have an approved scheduled furlough day off on the day before or the day after a City recognized holiday

**ORDINANCES** - continued

**9. Ordinance 2010-1034**

ORDINANCE amending and restating Ordinance No. 2009-1113, the second amended and restated ordinance relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series G; and declaring an emergency

**9-1 Ordinance 2010-1035**

ORDINANCE approving Special Warranty Deed conveying to Harris County an undivided one-half interest in the East End Economic Development Site Land; approving a Ground Lease of the East End Economic Development Site Land to the Harris County-Houston Sports Authority; approving a joinder by the City to the first amendment to Arena Lease, Sublease, License and Management Agreement, each in connection with the development of a Public Professional Soccer Stadium at the East End Economic Development Site - **DISTRICT I - RODRIGUEZ**

**10. Ordinance 2010-1018**

ORDINANCE relating to the rescheduling or postponement of certain City Council meetings

**11. Ordinance 2010-1019**

ORDINANCE approving and authorizing submission of an application to the **UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES** for grant assistance from the Centers for Disease Control and Prevention's Enhanced Comprehensive HIV Prevention Planning and Implementation for Metropolitan Statistical areas most affected by HIV/AIDS Project; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$891,108.00 Grant Fund

**12. Ordinance 2010-1020**

ORDINANCE approving and authorizing submission of an application to the **UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES** for grant assistance from the Centers for Disease Control and Prevention for the 2011-2015 National HIV Behavioral Surveillance System; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program \$2,567,069.00 - Grant Fund

**13. Ordinance 2010-1021**

ORDINANCE approving and authorizing the submission of an application to the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for grant assistance to implement the Houston STD Prevention and Control Program; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$1,644,701.00 - Grant Fund

**14. Ordinance 2010-1022**

ORDINANCE approving and authorizing contract between the City of Houston and **ORION HEALTH, INC** for Software Licenses, Implementation and Technical Support Services for the Houston Department of Health and Human Services; providing a maximum contract amount \$125,000.00 - Grant Fund

**ORDINANCES** - continued

**15. Ordinance 2010-1023**

ORDINANCE approving and authorizing contract between the City of Houston and **SISTER'S OF SERENITY MINISTRY** providing up to \$351,453.00 in Housing Opportunities for Persons With AIDS Funds for the Operation of a Community residence along with the provision of supportive services - **DISTRICT D - ADAMS**

**16. Ordinance 2010-1024**

ORDINANCE approving and authorizing contract between the City of Houston and **HEALTHCARE FOR THE HOMELESS-HOUSTON** to provide \$137,000.00 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**

**17. Ordinance 2010-1036**

ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for the Promotion of Tourism and the Solicitation of Convention Business - Estimated \$9,228,750.00 - Enterprise Fund

**18. Ordinance 2010-1037**

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1840 Harvard Street** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemptions and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**

**19. Ordinance 2010-1038**

ORDINANCE appropriating \$3,000,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **CH2M HILL, INC**, for Professional On-Call Planning Consulting Services for the Houston Airport System (Project No. 677) - 3 years with two one-year options - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**20. Council Members Hoang and Johnson tagged**

ORDINANCE appropriating \$2,035,000.00 out of Airports Improvement Fund and approving and authorizing agreement between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Job Order Contracting - Capital Improvement for minor construction, repair, rehabilitation and alteration of facilities for the Houston Airport System (Project 516D); providing funding for the Civic Art Program - 5 years - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**21. Council Members Hoang and Johnson tagged**

ORDINANCE appropriating \$2,035,000.00 out of Airports Improvement Fund and approving and authorizing agreement between the City of Houston and **WILLIAMS AND THOMAS, L.P. d/b/a JAMAIL & SMITH CONSTRUCTION** for Job Order Contracting - Capital Improvement for minor construction, repair, rehabilitation and alteration of facilities for the Houston Airport System (Project 516E); providing funding for the Civic Art Program - 5 years - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**22. Council Members Hoang and Johnson tagged**

ORDINANCE approving and authorizing agreement between the City of Houston and **CENTENNIAL CONTRACTORS ENTERPRISES, INC** for Job Order Contracting - Operations and Maintenance for minor construction, repair, rehabilitation and alteration of facilities for the Houston Airport System (Project 516F); providing a maximum contract amount - 5 years \$2,500,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**ORDINANCES** - continued

**23. Council Members Hoang and Johnson tagged**

ORDINANCE approving and authorizing agreement between the City of Houston and **HORIZON INTERNATIONAL GROUP, LLC** for Job Order Contracting - Operations and Maintenance for minor construction, repair, rehabilitation and alteration of facilities for the Houston Airport System (Project 516G); providing a maximum contract amount - 5 years - \$2,500,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**24. Council Member Jones tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **BOMBARDIER TRANSPORTATION (HOLDINGS) USA INC**, for Automated People Mover Operations and Maintenance Services at George Bush Intercontinental Airport/Houston; providing a maximum contract amount - 5 Years with 5 option years - \$63,488,026.75 - Enterprise Fund **DISTRICT B - JOHNSON**

**25. Ordinance 2010-1025**

ORDINANCE consenting to the addition of land to **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 4 (Also known as the ENERGY CORRIDOR MANAGEMENT DISTRICT)**, for inclusion in its district - **DISTRICTS A - STARDIG and G - HOANG**

**26. Ordinance 2010-1026**

ORDINANCE appropriating \$48,622.40 out of General Improvement Consolidated Construction Fund for Purchase and Installation of Fire Alarm System Replacement for the Miller Outdoor Theatre; providing funding for contingencies financed by the General Improvement Consolidated Construction Fund - **DISTRICT D - ADAMS**

**27. Ordinance 2010-1027**

ORDINANCE approving and authorizing Amendment No. 1 to contract between the City of Houston and **WESTERN HORTICULTURAL SERVICES** for Landscape and Horticultural Services for the Houston Airport System - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**

**28. Ordinance 2010-1028**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SCOTT TECHNOLOGIES, INC d/b/a SCOTT HEALTH & SAFETY** for Portable Thermal Imaging Cameras and Associated Accessories

**29. Council Member Jones tagged**

ORDINANCE awarding contract to **GENUINE PARTS COMPANY** for Strategic Vehicle Parts Partner; providing a maximum contract amount - 5 Years - \$95,068,803.75 - General and Fleet Management Funds

**30. Council Member Jones tagged**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE, INC** for Cleaning and Janitorial Services for Various Departments (Approved by Ordinance No. 2005-1010); providing a maximum contract amount - 1 year - \$4,709,028.13 - General, Enterprise, Park Special Revenue and Houston TranStar Funds

**31. Ordinance 2010-1029**

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath six tracts of land containing 4.6178 acres commonly known as 7405 Almeda Road, Houston, Texas, Harris County, Texas; supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT D - ADAMS**

**ORDINANCES** - continued

**32. Council Member Costello tagged**

ORDINANCE amending Ordinance 2008-584 to increase the maximum contract amount and approving an additional allocation for Legal Services with **JACKSON, SJOBERG, MCCARTHY & WILSON** to represent the City before the Texas Commission on Environmental Quality and other State and Federal Regulatory Agencies on Water, Wastewater, and Storm Water Issues; providing a maximum contract amount - \$400,000.00 - Enterprise Fund

**33. Ordinance 2010-1030**

ORDINANCE consenting to the addition of 2.6677 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55**, for inclusion in its district

**34. Ordinance 2010-1031**

ORDINANCE consenting to the addition of 15.978 acres of land to **SPRING CREEK UTILITY DISTRICT**, for inclusion in its district

**35. Ordinance 2010-1039**

ORDINANCE relating to a Water Conservation Incentive Program for Multifamily Residential Customers - 2 Years - \$18,000,000.00 - Enterprise Fund

**36. Ordinance 2010-1032**

ORDINANCE appropriating \$3,447,690.00 out of Metro Projects Construction Fund, and \$612,310.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SER CONSTRUCTION PARTNERS, LTD.**, for Sabo Road Paving from Kingspoint Road to Fuqua Street and Kingspoint Road from Sabo Road to Kleckley Drive; 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, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Metro Projects Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

**37. Ordinance 2010-0920 – Passed third and final reading**

ORDINANCE No. 2010-0920 passed second reading December 8, 2010

ORDINANCE granting to **ANTONIO VALVERDE, JR. dba SOUTHERN DISCOUNT VACUUM SERVICE, A TEXAS SOLE PROPRIETORSHIP**, 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**

**MISCELLANEOUS**

**38. Motion 2010-0879**

MOTION to set a date not less than seven days from December 15, 2010, to receive nominations for Positions 10 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012

**39. Council Member Gonzalez tagged**

REVIEW on the record and make determination relative to the appeal from the decision of the Electrical Board, filed on behalf of Patrick Hebert regarding the revocation of his State of Texas master electrician registration and Charles Hebert regarding the revocation of his State of Texas contractor's registration with the State of Texas as Heights Electrical Services, Inc

**MATTERS HELD** - NUMBERS 40 through 47A

**40. Motion 2010-0880 – Adopt**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tim Austin of Allen, Boone, Humphries, Robinson, LLP, on behalf of Harris County MUD No. 424, (John Dawson, President), for sale of a 375-square-foot interconnection facilities easement, within the Northeast Water Purification Plant, out of the Victor Blanco Five League Grant, A-2, Parcel SY11-012

**DISTRICT E - SULLIVAN - TAGGED BY COUNCIL MEMBER JONES**

This was Item 8 on Agenda of December 8, 2010

**41. Ordinance 2010-1040**

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 Funds for the Implementation, Oversight and Delivery of a Child Care Program

**TAGGED BY COUNCIL MEMBER STARDIG**

This was Item 14 on Agenda of December 8, 2010

**42. Ordinance 2010-1041**

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 Funds for the Implementation, Oversight and Delivery of a Juvenile Delinquency Prevention Program - **TAGGED BY COUNCIL MEMBER STARDIG**

This was Item 15 on Agenda of December 8, 2010

**43. Ordinance 2010-1042**

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$2,029,099 (Emergency Shelter Grants Funds - \$1,329,099/Community Development Block Grant Funds - \$700,000) for the Administration of an Emergency Shelter Grants Program

**TAGGED BY COUNCIL MEMBERS STARDIG and JONES**

This was Item 16 on Agenda of December 8, 2010

**MATTERS HELD** – continued

**44. Ordinance 2010-1043**

ORDINANCE approving and authorizing Five Job Order Contracts between the City of Houston and **BURGLI INVESTMENTS LLC, LANTERRA LLC, GALLARIA HOMES LTD., MASTERMARK DEVELOPERS INC** and **HORIZON INTERNATIONAL GROUP LLC** for the U.S. Department of Energy's 5 Star Energy Efficiency Homes Programs; establishing a maximum contract price - 2 Years - \$2,600,000.00 - American Recovery & Reinvestment Act Grant Fund

**TAGGED BY COUNCIL MEMBER JONES**

This was Item 24 on Agenda of December 8, 2010

**45. Ordinance 2010-1044**

ORDINANCE appropriating \$750,000.00 out of General Improvement Consolidated Construction Fund, \$50,000.00 out of Public Health Consolidated Construction Fund, \$410,000.00 out of Public Library Consolidated Construction Fund, \$475,000.00 out of Solid Waste Consolidated Construction Fund, \$200,000.00 out of Parks Consolidated Construction Fund and \$500,000.00 out of Police Consolidated Construction Fund for Minor Construction, Repairs, Rehabilitations or Alterations of Various Facilities under the Job Order Contracting Program

**TAGGED BY COUNCIL MEMBER JONES**

This was Item 25 on Agenda of December 8, 2010

**46. Ordinance 2010-1045**

ORDINANCE approving and authorizing the City of Houston to enter into contract with **HOUSTON INDEPENDENT SCHOOL DISTRICT** to administer an After-School Achievement Program - \$205,580.00 General Fund and \$429,420.00 CDBG Fund - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ** - **TAGGED BY COUNCIL MEMBER BRADFORD**

This was Item 27 on Agenda of December 8, 2010

**Motion 2010-0872 – Suspend rules to consider Items 47 and 47a out of order**

**47. Motion 2010-0873 – Adopt**

WRITTEN Motion by Council Member Stardig to amend Item 47A below as follows:

1. Amend Section 3 to add a new section  
Section 1-13. Annual fee increase
2. Amend proposed ordinance to add new Sections 4 and 5 as follows:  
Section 4 amend Section 7-57. License fees; use of license at shows.  
Section 5 amend wording of Section 43-38 of Code of Ordinances
3. Amend Exhibit A to delete 3 line items relating to Swimming Pools
4. Amend Section 14 to provide Sections 4 through 12 of the ordinance are saved from repeal for continuing application to any fee incurred before the effective date of the Ordinance, as applicable.
5. Amend Section 11 to add a new Section 1-14 Administrative fee.

(For detail of proposed amendment see back-up material Item 47 for Agenda of 12-15-2010)

**TAGGED BY COUNCIL MEMBERS STARDIG, CLUTTERBUCK and SULLIVAN**

**a. Ordinance 2010-1016 – Adopt as amended**

ORDINANCE **AMENDING VARIOUS SECTIONS OF THE CITY OF HOUSTON CODE OF ORDINANCES**, the **CITY OF HOUSTON CONSTRUCTION CODE** and the **CITY OF HOUSTON FIRE CODE** relating to service and permit fees; containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability - **POSTPONED BY MOTION #2010-869, 12/8/10**

This was Item 35 on Agenda of December 8, 2010

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Gonzalez 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

**12/14/2010 – Council Member Noriega absent on personal business**

**12/15/2010 – Council Member Noriega absent on personal business**