

**AGENDA - COUNCIL MEETING - TUESDAY - MAY 11, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS 2010-0275 to 2010-0288**  
**ORDINANCES – 2009-0354 to 2009-0372**  
**RESOLUTIONS – 2010-0032 to 2010-0034**

**2010-0274-1**

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

**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 2010-0275 – Procedural motion**  
**Motion 2010-0276 – Procedural motion**  
**Motion 2010-0277 – Procedural motion**

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - MAY 12, 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 2010-0278 – Close hearing**  
**PUBLIC HEARING** on a proposal for the City of Houston to annex certain territory in the vicinity of Aldine Westfield and Farrell Road, in Harris County, Texas

**MAYOR'S REPORT** - Fiscal Year 2011 City Budgets

**CONSENT AGENDA NUMBERS 2 through 32**

**MISCELLANEOUS** - NUMBERS 2 and 3

**2. Motion 2010-0279**

REQUEST from Mayor for confirmation of the reappointment of the following to the **PLANNING COMMISSION:**

- Position Two - **MR. RICHARD A. RICE**, for a term to expire 9/30/2011
- Position Three - **MR. JAMES R. JARD**, for a term to expire 9/30/2011
- Position Nine - **MS. ROBIN REED**, for a term to expire 9/30/2010
- Position Ten - **MR. TALMADGE SHARP, SR.**, for a term to expire 3/31/2011
- Position Eleven - **MR. SHAUKAT ZAKARIA**, for a term to expire 9/30/2010
- Position Twelve - **MS. ALGENITA SEGARS**, for a term to expire 3/31/2011
- Position Thirteen - **MS. BETH WOLFF**, for a term to expire 3/31/2011
- Position Fourteen - **MR. DAVID WYNN ROBINSON**, for a term to expire 9/30/2011
- Position Twenty - **MR. JEFF E. ROSS**, for a term to expire 9/30/2010

**3. Motion 2010-0280**

RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$4,874.39 per acre for properties connecting to the 8-inch wastewater line constructed by **ACETYLENE OXYGEN COMPANY** located along Northcourt Street from Flintlock Road - **DISTRICT A - STARDIG**

**ACCEPT WORK** - NUMBERS 4 through 7

**4. Motion 2010-0281**

RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$626,150.70 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Sharpstown Golf Cart Barn - 11.85% over the original contract amount **DISTRICT F - HOANG**

**5. Motion 2010-0285**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$11,382,530.40 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Kirby Drive Storm Sewer Relief Project Segment 3 20.83% under the original contract amount - **DISTRICT C - CLUTTERBUCK**

**6. Motion 2010-0282**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,212,020.74 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Midtown-Southeast - 4.36% over the original contract amount - **DISTRICT I - RODRIGUEZ**

**7. Motion 2010-0283**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$842,721.90 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Eastway Plaza - 3.90% under the original contract amount - **DISTRICT B - JOHNSON**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 and 9

**8. Council Member Jones tagged**

**EQUIPMENT DEPOT, LTD.** for Forklifts for Houston Airport System - \$63,738.00 - Enterprise Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**9. Council Member Jones tagged**

**AMEND MOTION #2008-654, 8/20/08, TO INCREASE** spending authority from \$1,577,127.00 to \$1,971,408.75 for Fittings and Appurtenances for Department of Public Works & Engineering, awarded to **CPR SERVICES AND SUPPLIES, INC d.b.a MDN ENTERPRISES** - \$394,281.75 Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 10 through 32

**10. Resolution 2010-0032**

RESOLUTION of the City Council prescribing the date, time, and location of a public hearing on the City Budgets for the time period July 1, 2010 through June 30, 2011; authorizing notice of such public hearing - **HEARING DATE - 1:30 P.M. - TUESDAY - JUNE 8, 2010**

**11. Council Member Jones tagged**

RESOLUTION approving and authorizing the nomination of **SYSCO CORPORATION** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project

**12. Resolution 2010-0033**

RESOLUTION approving and authorizing the nomination of **TYSON REFRIGERATED PROCESS MEATS, INC** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **DISTRICT B - JOHNSON**

**13. Resolution 2010-0034**

RESOLUTION supporting the City of Houston's request to the **TEXAS DEPARTMENT OF TRANSPORTATION** to waive Local Match Participation for the Federal Off-System Bridge Program administered by TxDOT - **DISTRICTS A - STARDIG and B - JOHNSON**

**14. Ordinance 2010-0354**

ORDINANCE **AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES** regarding certain Ground Transportation Permit Fees at the Airports; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

**15. Council Members Sullivan, Bradford and Adams tagged**

ORDINANCE **AMENDING ARTICLE XV OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to traffic in neighborhood areas; containing findings and other provisions relating to the foregoing subject; providing for severability

**16. Ordinance 2010-0367**

ORDINANCE authorizing the issuance of one or more series of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2010 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2010 and ending June 30, 2011; prescribing the terms and form thereof and authorizing the Finance Working Group to determine certain terms and conditions relating thereto; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of a Preliminary Official Statement and Official Notice of Sale to be used in connection with the sale of the Notes; authorizing the preparation and distribution of an Official Statement; authorizing the execution and delivery of a Paying Agent/Registrar Agreement; authorizing a Co-Bond Counsel Agreement; and making other findings and provisions relating to such Notes and matters incident thereto; and declaring an emergency

**RESOLUTIONS AND ORDINANCES** - continued

**17. Ordinance 2010-0368**

ORDINANCE approving Supplemental Borrowing evidenced by City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2010A to provide for payment of current expenses of the City for a portion of the Fiscal Year beginning July 1, 2010 and ending June 30, 2011; providing for the payment of the principal of and interest on such Notes; authorizing the procedure for determining the terms and conditions of such Notes; authorizing the execution of a Note Purchase Agreement; approving Co-Bond Counsel; making other findings and provisions related to such Notes and matters incident thereto; and declaring an emergency

**18. Ordinance 2010-0355**

ORDINANCE approving and authorizing contract between the City and **RECIPE FOR SUCCESS FOUNDATION** for Support Services for After-School Education Programs; providing a maximum contract amount - \$485,760.00 - Grant Fund

**19. Ordinance 2010-0356**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston, the **SPRING BRANCH INDEPENDENT SCHOOL DISTRICT** and **SPARK** to provide an additional \$100,000.00 and continue the program for the development of neighborhood parks on public school grounds under the SPARK Program - CDBG Fund - **DISTRICT A - STARDIG**

**20. Ordinance 2010-0357**

ORDINANCE approving and authorizing fourth amendment to contract between the City of Houston, the **HOUSTON INDEPENDENT SCHOOL DISTRICT** and **SPARK** to provide an additional \$200,000.00 and continue the program for the development of neighborhood parks on public school grounds under the SPARK Program - CDBG Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

**21. Ordinance 2010-0358**

ORDINANCE approving and authorizing Amendment No. 1 to Automobile Rental Concession Agreements by and between the City of Houston and **AVIS RENT A CAR SYSTEM, INC; BUDGET RENT A CAR SYSTEM, INC; DTG OPERATIONS, INC, d/b/a DOLLAR RENT A CAR; EAN HOLDINGS, LLC, d/b/a ENTERPRISE RENT A CAR; THE HERTZ CORPORATION; VANGUARD CAR RENTAL USA LLC, d/b/a NATIONAL CAR RENTAL; ALAMO RENTAL (US) INC, d/b/a ALAMO RENT A CAR and DTG OPERATIONS, INC d/b/a THRIFTY CAR RENTAL** at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ**

**Motion 2010-0284 – Suspend rules to consider Item 22 out of order**

**22. Ordinance 2010-0366**

ORDINANCE approving and authorizing contract between the City of Houston and **LINEBARGER GOGGAN BLAIR & SAMPSON, LLP** for the Collection of delinquent ad valorem taxes

**23. Ordinance 2010-0369**

ORDINANCE amending Ordinance No. 99-0161 to establish a maximum contract amount for the contract between the City of Houston and **FROST NATIONAL BANK** for Automated Filing Fee Payment Services for the Houston Police Department - Additional funding \$125,000.00 - General Fund

**24. Ordinance 2010-0370**

ORDINANCE de-appropriating \$725,800.00 out of Water & Sewer System Consolidated Construction Fund; re-appropriating \$725,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **RATNALA AND BAHL, INC** for Willow Run and Tidwell Timbers Wastewater Treatment Plant Improvements - **DISTRICT B - JOHNSON**

**RESOLUTIONS AND ORDINANCES** - continued

**25. Ordinance 2010-0371**

ORDINANCE de-appropriating \$400,862.00 out of Water & Sewer System Consolidated Construction Fund (as passed by Ordinance No. 2007-0131); and re-appropriating \$400,862.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Professional Engineering Services Contract between the City of Houston and **PATE ENGINEERS, INC** for Lift Station Renewal and Replacement - **DISTRICT B - JOHNSON**

**26. Ordinance 2010-0359**

ORDINANCE deappropriating \$6,450,000.00 appropriated from the Street & Bridge Consolidated Construction Fund by Ordinance No. 2009-1021 in connection with the construction of Genoa-Red Bluff Road and deappropriating \$4,137,500.00 appropriated from the Street & Bridge Consolidated Construction Fund by Ordinance No. 2010-0007 in connection with the construction of Scott Street; appropriating \$6,450,000.00 from the Metro Projects Construction Fund for the construction of Genoa-Red Bluff Road as described in Ordinance No. 2009-1021 and appropriating \$4,137,500.00 from the Metro Projects Construction Fund for the construction of Scott Street as described in Ordinance No. 2010-0007 - **DISTRICTS D - ADAMS and E - SULLIVAN**

**27. Ordinance 2010-0360**

ORDINANCE appropriating \$732,750.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **TIKON GROUP, INC** for Safe Sidewalk Program Work Authorization Project, 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 Street & Bridge Consolidated Construction Fund - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS and H - GONZALEZ**

**28. Ordinance 2010-0361**

ORDINANCE amending Ordinance 2009-0782 approving first amendment to Energy Savings Performance Contract for Energy Conservation Measures for various City facilities between the City of Houston and **SIEMENS INDUSTRY, INC** - **DISTRICTS A - STARDIG and D - ADAMS**

**29. Ordinance 2010-0362**

ORDINANCE appropriating \$200,000.00 out of Convention & Entertainment Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHP & ASSOCIATES, CONSULTING ENGINEERS, INCORPORATED** for Jones Hall Electrical Improvements - **DISTRICT I - RODRIGUEZ**

**30. Ordinance 2010-0363**

ORDINANCE appropriating \$33,743.85 out of General Improvement Consolidated Construction Fund; awarding construction contract to **INLAND ENVIRONMENTS, LTD.**, for Asbestos Abatement and Demolition at former Kingwood Library; setting a deadline for the bidder's execution of the contact 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 contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

**RESOLUTIONS AND ORDINANCES** - continued

**31. Ordinance 2010-0364**

ORDINANCE appropriating \$465,200.00 out of Parks Consolidated Construction Fund and \$6,000.00 out of Parks Special Fund; awarding construction contract to **TIMES CONSTRUCTION, INC** for Ervan Chew Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund and Parks Special Fund - **DISTRICT D - ADAMS**

**32. Ordinance 2010-0365**

ORDINANCE approving and authorizing purchase of a three-year Commercial Crime Insurance Policy from the **CHARTIS GROUP**, through the National Union Fire Insurance Company, a Member Company, for Public Employee Dishonesty Coverage, providing a maximum contract amount - 3 Years - Not to exceed \$94,196.00 - Property and Casualty Fund

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 33 and 34

**MISCELLANEOUS**

**33. Motion 2010-0286 – Close nominations**

RECEIVE nominations for appointment to Position 12 on the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012

**Mr. Charles Stava nominated by Council Member Gonzalez**

**34. Motion 2010-0287 – Adopt**

**SET HEARING DATE** to consider a Municipal Setting Designation ordinance for Silver Bishop Holdings, LP for the site located at 5802 Navigation Blvd. - **DISTRICT H - GONZALEZ**  
**HEARING DATE - 9:00 A.M. - WEDNESDAY - JUNE 16, 2010**

**MATTERS HELD** - NUMBERS 35 and 36

**35. Motion 2010-0288 – Adopt**

MOTION by Council Member Clutterbuck/Seconded by Council Member Lovell to adopt recommendation from Director Department of Public Works & Engineering, on request from Chuck Davis, C. L. Davis & Company, on behalf of Houston Independent School District, reviewed and approved by the Joint Referral Committee, for abandonment and sale of Glenheath Street from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for the conveyance to the City of a 200-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat, and a right of entry for Houston Independent School District, Parcels SY10-055A through C and KY10-145 - **DISTRICT I - RODRIGUEZ**

**TAGGED BY COUNCIL MEMBER RODRIGUEZ**

**This was Item 14 on Agenda of May 5, 2010**

**MATTERS HELD** - continued

**36. Ordinance 2010-0372**

ORDINANCE approving and authorizing the City of Houston to submit the 2010 Consolidated Plan to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**, including the following 2010 grant applications: 1) 36th Program Year Community Development Block Grant in the amount of \$32,769,402; 2) Home Investment Partnerships Grant in the amount of \$14,066,375; 3) Housing Opportunities for Persons With AIDS Grant in the amount of \$7,793,944; and 4) Emergency Shelter Grants in the amount of \$1,329,099; and to accept the aforementioned grant funds, if awarded - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 18 on Agenda of May 5, 2010

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

**5/11/2010 – All Present**

**5/12/2010 – All Present**