

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 5, 2010 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2010-0717 to 2010-0728
ORDINANCES - 2010-0766 to 2010-0791
RESOLUTION - None

2010-0702-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Pennington

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 2010-0717 – Procedural motion

Motion 2010-0718 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 6, 2010 - 9:00 A. M.

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

Motion 2010-0719 – Accept report

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 37

MISCELLANEOUS - NUMBER 1

1. **Council Members Jones and Rodriguez tagged**

RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2009 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2010 MTFP in map form

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ACCEPT WORK - NUMBERS 2 through 6

2. Motion 2010-0727

RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$315,932.00 and acceptance of work on contract with **GULF COAST LANDSCAPE SERVICES, INC** for Robert C. Stuart Park - 3.67% over the original contract amount - **DISTRICT I - RODRIGUEZ**

3. Motion 2010-0720

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,554,312.66 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, (4257-90) - 2.42% over the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

4. Motion 2010-0721

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,378,867.04 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, (4257-91) - 4.61% under the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; F - HOANG and G - PENNINGTON**

5. Motion 2010-0722

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,069,635.25 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Sewer Line Replacement - Sims Bayou Utility Conflict Relocation between Almeece/White Heather, Hiram Clark/White Heather and Fuqua/Tiffany 11.32% under the original contract amount - **DISTRICT D - ADAMS**

6. Motion 2010-0723

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,878,660.00 and acceptance of work on contract with **BLASTCO TEXAS, INC** for Rehabilitation of Ground Storage Tank at Acres Homes and Replacement of Bolted Tank with Concrete Tank at Willowchase Pump Stations - 1.30% under the original contract amount - **DISTRICTS A - STARDIG and B - JOHNSON**

PROPERTY - NUMBERS 7

7. Motion 2010-0724

RECOMMENDATION from Director Department of Public Works & Engineering, on request from Jeffrey and Angelica Ramirez, reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of Princeton Street, from 23rd Street south to its terminus, located in the Sunset Heights Addition, out of the John Austin Two League Grant, Parcel SY10-085 - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 12

8. Motion 2010-0725

PITNEY BOWES, INC for Lease of One Digital Mailing System and Postage Meter from the State of Texas Procurement and Support Services Contract for the Administration and Regulatory Affairs Department - \$61,680.00 - General Fund

9. Motion 2010-0726

BECTON DICKINSON AND COMPANY for Clinical Laboratory Reagents and Test Kits for Houston Department of Health and Human Services - 5 Years - \$526,179.34 - General Fund

PURCHASING AND TABULATION OF BIDS - continued

10. Ordinance 2010-0782

ORDINANCE appropriating \$109,288.28 out of Police Consolidated Construction Fund for purchase of Gymnasium Flooring, Maintenance Support Equipment and Construction Services at the Police Central Complex Facility for the Houston Police Department

a. Motion 2010-0728

CUSTOM SPORTS SURFACING, INC for Gymnasium Flooring, Maintenance Support Equipment and Construction Services for Improvements at the Police Central Complex through the Interlocal Agreement for Cooperative Purchasing with BuyBoard for Houston Police Department \$99,352.98 and contingencies for a total amount not to exceed \$109,288.28 - **DISTRICT H - GONZALEZ**

11. Council Member Jones tagged

ADA RESOURCES, INC - \$1,895,231.15 and **HOUSTON-PASADENA APACHE OIL COMPANY** \$731,656.30 for Automotive Lubricants for Various Departments - General and Enterprise Funds

12. Council Member Jones tagged

WEBSTER VETERINARY SUPPLY, INC - \$2,000,000.00 and **MACI FEED & SUPPLY** - \$180,847.89 for Veterinary Supplies for Various Departments - General Fund

ORDINANCES - NUMBERS 13 through 37

Written motion by Council Member Adams to amend Item 13 by adding a new Section 27.5 to follow Section 27 of the Ordinance as follows:

“Section 27.5. That Section 33-253 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

‘Sec. 33-253. Appeal.

(a) An applicant aggrieved by a decision of the HAHC with respect to any certificate of appropriateness may appeal to the planning commission by filing a written notice of appeal, stating the grounds for the appeal, with the director within ten days following the date the HAHC renders its decision.

(b) The planning commission shall consider the appeal at its first regularly scheduled meeting for which required notice can be given. The planning commission shall consider the application, the findings of the HAHC and any evidence presented at the meeting at which the appeal is considered. The planning commission shall reverse or affirm the decision of the HAHC based upon the criteria applicable to the certificate of appropriateness. If the planning commission does not make a decision on the appeal within 30 days following the planning commission's hearing on the appeal, the decision of the HAHC with respect to the application for the certificate of appropriateness shall be deemed affirmed.

(c) An applicant aggrieved by the decision of the planning commission on an appeal from a decision of the HAHC may appeal to the city council. The city council shall consider the appeal at its first regularly scheduled meeting for which the required notice can be given. The city council shall consider the appeal under the provisions of Rule 12 of Section 2-2 of this code. At the conclusion of the city council's review of the matter, the city council shall reverse or affirm the decision of the planning commission. The decision of the city council shall be final and exhaust the applicant's administrative remedies.

ORDINANCES – continued

Council Member Adams' amendment - continued

- (d) The director shall provide the applicant with notice of the time and place of the meeting at which each appeal will be considered by mail no less than ten days before the date of the meeting.” – **Council Member Lovell tagged**

Written motion by Council Member Lovell to amend Item 13 by amending Section 25 to replace the words “total added height” with the words “plate height” in the one instance it occurs.” – Council Member Lovell tagged

Written motion by Council Member Pennington to amend Item 13 by amending Section 13 of the Ordinance to amend Subsection (f) of Section 33-222.1 of the Code of Ordinances, Houston, Texas, as added by Section 13 of the Ordinance, to change the number “60” to the number “67” in every place it appears.” – Council Member Lovell tagged

Motion by Council Member Hoang to amend Item 13 as follows:

“Sec 33-222.1 Application for designation of an historic district

Shall read as follows:

Sec 33-222.1 (f) After the deadline for returning cards mailed in accordance with the subsection (e) has passed, the director will determine if owners of ~~60 percent~~ **67 percent** of all the tracts in the proposed district support the designation of the district. If so, the application will be considered final. If the director determines that the owners of less than ~~60 percent~~ **67 percent** of tracts in the proposed historic district support the designation of the historic, then the director shall either:

- (1) Modify the boundaries of the proposed historic district if the modification will result in boundaries where the owners of ~~60 percent~~ **67 percent** of the tracts support designation of the proposed historic district. If the director modifies the boundaries, the application shall be considered final; or

Amendment #2 - Transition Provisions

Provisions for Reconsideration of Certain Historic Districts

Shall read as follows:

Section____. The request must be submitted in writing in the form prescribed by the Director of the Planning and Development Department (the "Director") not later than ~~45 day~~ **60 days** following the date of passage and approval of this Ordinance.

- Council Member Lovell tagged

Motion by Council Member Clutterbuck to amend Item 13 as follows:

“Amend Sec 33-201:

Contributing Structure means a building , structure, object, or site that reinforces or that has conditions which if reversed would reinforce the cultural architectural or historical significance of the historic district in which it is located and that is identified as contributing upon the designation of the historic district which it is located. ~~The term also includes any structure that was identified as partially contributing in any historic district designated prior to the effective date of this ordinance.~~

ORDINANCES – continued

Council Member Clutterbuck's amendment - continued

Amend Sec 33-221.1

(e) After the final public meeting, the director shall mail notice to the owners of all property within the proposed historic district. The notice shall include a card to be returned by the property owner which shall indicate whether the property owner does or does not support designation of the historic district. The card must be placed in the U.S. mail with proper postage affixed and postmarked or delivered to the director not later than the **thirtieth** day after the date on the notice

(f) After the deadline for returning cards mailed in accordance with subsection (e) has passed, the director will determine if owners of **67** percent of all the tracts in the proposed district support the designation of the district. If so, the application will be considered final. If the director determines that the owners of less than **67** percent of tracts in the proposed historic district support the designation of the district then the director shall either:

- (1) Modify the boundaries of the proposed historic district if the modification will result in boundaries where the owners of **67** percent of the tracts support designation of the proposed historic district. If the director modifies the boundaries, the application will be considered final; or
- (2) Determined that the application fails and that no further action will be taken by the HAHC. The director shall mail notice to the owners of all property within the proposed historic district that the public hearing before the HAHC has been cancelled.

Amend Sec 33-223:

(b) The protected status provided in subsection (a) above ends on the earliest of the following dates, **but not later than 90 days after the application has been deemed complete pursuant to section 33-221 (d) (1) of this chapter.**

~~Delete Section (5) In the case of the denial of a certificate of non designation by the HAHC the 181st day after the decision of the HAHC~~

Amend Sec 33-228

- e. If the HAHC finds that the subject of an application does not qualify for a certificate of non designation, the HAHC shall deny the application and shall notify in writing of the denial, ~~if the HAHC denies the certificate of non designation the property shall be subject to the provisions of section 33-223 of this code for the time specified therein, and of their right to appeal the decision on the record to the city council pursuant to section (f) of this chapter~~
- f. Appeals to City Council.

Appeals of the rulings of the HAHC may be made to Houston City Council pursuant to Section 2-2, rule 12 of the Code of Ordinances.

Every appeal that is authorized by federal law, state law, the City Charter, or city ordinance to be made to the city council from a decision by an officer, agency, board or commission shall be reviewed by the city council, without the taking of further evidence by city council, on the basis of the record of the decision from which the appeal is taken. Consideration of appeals may be scheduled at any specific time on the agenda, irrespective of the order of business established by these rules. The director of each department (or a designee), or the presiding officer of a board, commission or agency, or a hearing examiner (the "hearing officer"), as appropriate, shall conduct an evidentiary hearing, the record of which shall be made by a certified

ORDINANCES – continued

Council Member Clutterbuck's amendment - continued

court reporter of any matter that may be appealed to the city council. The term "record" shall include, but is not limited to, a transcript of oral testimony, exhibits offered and considered, written or oral responses, answers or questions, and all documents reviewed or considered by a hearing examiner or officer, commission or agency, board, or department director or his designee at an evidentiary hearing.

Each presiding officer or hearing officer shall give written notice to any party appearing in an evidentiary hearing that:

(1) A court reporter is required to prepare a record in order for there to be an appeal to the city council;

(2) The party must request, in writing, the presence of a court reporter at the hearing before the hearing officer not less than 24 hours prior to such evidentiary hearing; and

(3) The party requesting the court reporter agrees to pay all costs of the court reporter, including preparation of transcript(s) for appeal to city council.

(4) Except as otherwise provided by the city Code, the party appealing to city council shall submit the complete court reporter-certified record to the city secretary as required by this Code within 60 days of the decision of the officer, agency, board, or commission whose decision or action is the basis of the appeal. Failure to submit the requested or required records within the required time period shall constitute an untimely appeal to city council and a waiver by the appealing party to an appeal before city council.

In the event that an appeal to the city council is filed by a party to a decision, the city council shall consider the appeal solely on the basis of:

(1) The written record of the hearing conducted below; and

(2) The written exceptions, if any, of each party to the proceeding to the facts and administrative rulings and decisions made by the officer, agency, board or commission.

In the event the city council finds that the record is incomplete or inadequate, the city council may refer the matter to the officer, agency, board or commission for further proceedings to complete the record. All decisions of the council on the record, other than a referral for further proceedings, as described above, shall be final and not subject to further appeal or rehearing.

~~Delete (g) — If the city council designates as a landmark or archaeological site a building structure object or site that is the subject of an unexpired certificate of non designation, the designation shall not be effective until the expiration of the certificate of non designation. If the city council designates an historic district, the designation shall not be effective with respect to an individual building, structure, object or site located within the historic district that is the subject of an unexpired certificate of non designation until the expiration of the certificate of non designation with respect to the individual building, structure, object or site.~~

Amend Sec 33-241

(b) (1) b. The total added height of the addition does not exceed 1.25 times the plate height of the existing structure **or the tallest existing building in the District, whichever is higher.**

Amend Sec 33-253

(d) An applicant aggrieved by a decision of the commission with respect to any certificate of appropriateness may appeal to the city council by filing a written notice of appeal, stating the grounds of the appeal, with the director within ten days following the date the commission renders its decision. Appeals considered by city council shall be conducted pursuant to Sec. 33-228 (f) or Sec. 2-2, rule 12 of the code of ordinance.

- Council Member Lovell tagged

ORDINANCES – continued

Motion by Council Member Clutterback to amend Item 13 as follows:

“WHEREAS, the foregoing shall apply only to historic districts created following the passage of this ordinance. Historic districts created prior to passage shall be controlled by the provisions of this chapter that were in effect at the time of the designation of the historic district. Existing districts wishing to extend the protections of the revised ordinance may do so by following the procedures proscribed in Sec. 33-221.1 of this chapter.” – Council Member Lovell tagged

13. Council Members Jones, Johnson, Clutterback and Sullivan tagged

ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES relating to Historic Preservation; making findings and containing other provisions relating to the foregoing subject; containing a repealer; providing for severability

Written Motion by Council Member Gonzalez to amend Item 13a by amending Sections 2 and 3 of the Ordinance to change the number “15” to the number “30” where it appears in the first paragraph of each Section. – Council Member Lovell tagged

Written motion by Council Member Pennington to amend Item 13a by amending Section of the Ordinance to read in its entirety as follows:

“Section 2. That the following provisions shall apply to all historic districts previously designated by the City Council other than the Old Sixth Ward Protected Historic District (a “Designated Historic District”). Each Designated Historic District shall be resurveyed within a period of 90 days upon passage of Ordinance No. 2010-_____¹ (the “Ordinance”). One public meeting shall be held for each Designated Historic District in a suitable location in or near such Designated Historic District within a period of 60 days following the effective date of the Ordinance, to explain the provisions of the Ordinance and the impact of any such amendments including, without limitation, the elimination of the 90-day waiver provision. The Director of the Department of Planning and Development (the “Director”) shall give notice of the meeting by mailing a letter, sent by first class United States postage prepaid, to the owners of all tracts of land located within the Designated Historic District as shown on the most current Harris County Appraisal District records. The notice shall include the time, date, location and purpose of the public meeting. Following the public meeting, the Director shall mail a ballot to each owner of property within a Designated Historic District which will direct the property owner to return it to the Director indicating whether the property owner does or does not support the continued designation of the Designated Historic District. Each tract shall receive one ballot regardless of the number of owners of that tract. The ballots shall be returned to the Director by the later of (i) 90 days following the effective date of the Ordinance, or (ii) 30 days after the above-referenced public meeting has been conducted. . Tracts of publicly owned land, utility easements, and public rights-of-way shall not be counted towards determining support for or against remaining in a Designated Historic District.

The Director shall report to City Council the result of the resurvey and other information relevant to the designation of the Designated Historic District. If the number of properties supporting the continued designation of the Designated Historic District equals 67% or more of the total number of properties located in the Designated Historic District, the Director shall recommend to City Council that it take no action with respect to the designation of the historic district. If the number of properties supporting the continued designation of the Designated Historic District equals less than 67% of the total number of properties in the Designated Historic District, the Director shall recommend to City Council that it repeal the resolution creating the Designated Historic District or amend the boundaries of the Designated Historic District to reduce its size, and the City Council may vote to repeal the resolution or take other action it deems appropriate. The vote of the City Council shall be final.” – Council Member Lovell tagged

ORDINANCES – continued

Motion by Council Member Clutterback to amend Item 13a as follows:

“Amend Subsection (c) of Section 33-227

That the following provisions shall apply to all historic districts previously designated by the city council other than the Old Sixth Ward Protected Historic District. The owner of property in an historic district previously designated by the city council who desire the city council to repeal the designation may submit a request of reconsideration of the designation of the district. The request must be submitted in writing in the form prescribed by the Director of the Planning and Development Department (the “Director”) not later than **30 days** following the date of passage and approval of this Ordinance. The request must be signed by the owners of at least **10 percent** of the tracts within the historic district or proposed historic district. ~~The request shall identify the basis for the request, including any changed circumstance that render one or more of the criteria on which the designation or proposed designation was based no longer applicable.~~” – Council Member Lovell tagged

Motion by Council Member Jones/seconded by Council Member Pennington to amend Item 13a by making the effective date from the date they post the petition or repetition. – Council Member Lovell tagged

a. Council Members Jones, Johnson, Clutterback and Sullivan tagged

ORDINANCE establishing a process for the reconsideration of the designation of historic districts within the City of Houston designated or pending designation by the City Council in connection with the amendment of certain provisions of Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas, relating to Historic Preservation

14. Ordinance 2010-0766

ORDINANCE amending City of Houston Ordinance No. 2009-1250 relating to the rescheduling or postponement of certain City Council meetings

15. Ordinance 2010-0767

ORDINANCE amending Ordinance No. 2010-721 relating to permitting of Sexually Oriented Businesses and Adult Arcades to correct a scrivener’s error

16. Ordinance 2010-0783

ORDINANCE relating to the Retail Electric Rates of CenterPoint Energy Houston Electric, LLC within the City of Houston, Texas; denying a rate increase and maintaining in effect the current rates that shall constitute the CenterPoint Energy Houston Electric LLC rates to be observed within the City of Houston, Texas until changed under the Utilities Code; requiring reimbursement of rate case expenses

17. Ordinance 2010-0768

ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to the Joint Election to be held on November 2, 2010; providing a maximum contract amount - \$950,000.00 - General Fund

18. Ordinance 2010-0784

ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston Special Election to be held on November 2, 2010; prescribing the maximum number of election clerks for each voting precinct

19. Ordinance 2010-0785

ORDINANCE establishing City of Houston Election Precincts and designating polling places for the City of Houston Special Election to be held on November 2, 2010

ORDINANCES - continued

20. Ordinance 2010-0769

ORDINANCE amending Ordinance No. 2010-0239 (Passed on March 29, 2010) approving and authorizing submission of an application to the Office of the Governor, Criminal Justice Division, for assistance under the Juvenile Accountability Grant Program

21. Ordinance 2010-0770

ORDINANCE approving and authorizing contract between the City of Houston and the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for the administration of the WIC Program for the Houston Department of Health & Human Services - 1 Year - \$12,383,188.00 - Grant Fund

22. Council Member Sullivan tagged

ORDINANCE approving and authorizing Automobile Rental Concession Agreement between the City of Houston and **SIMPLY WHEELZ, LLC d/b/a ADVANTAGE RENT A CAR** at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ**

23. Ordinance 2010-0786

ORDINANCE approving and authorizing fifth amendment to contract among the City of Houston, **THE HOUSTON INDEPENDENT SCHOOL DISTRICT** and **SPARK** to provide an additional \$65,000.00 and continue the program for the development of Neighborhood Parks on Public School Grounds under the SPARK Program - **DISTRICT I - RODRIGUEZ**

24. Ordinance 2010-0771

ORDINANCE approving and authorizing contract between the City of Houston and **HILL'S PET NUTRITION, INC** for accepting pet food donations for the City's Animal Shelter by the Bureau of Animal Regulation and Care; providing a maximum contract amount - 3 Years - \$231,000.00 General Fund - **DISTRICT B - JOHNSON**

25. Ordinance 2010-0772

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **OAK FOREST SUBDIVISION, SECTION 15** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG**

26. Ordinance 2010-0773

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **GREEN RIDGE NORTH SUBDIVISION, SECTIONS 1 - 8 AND GREEN RIDGE NORTH SUBDIVISION REPLAT OF SECTIONS 4 AND 9** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT B - JOHNSON**

27. Ordinance 2010-0774

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **HEATHER RIDGE VILLAGE SUBDIVISION, SECTION 1** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT B - JOHNSON**

28. Ordinance 2010-0775

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **HIDDEN VALLEY SUBDIVISION, SECTIONS 1 - 5 AND 7, HIDDEN VALLEY SUBDIVISION, REPLAT OF SECTIONS 2, 6, AND 8, AND HIDDEN VALLEY WEST SUBDIVISION, SECTIONS 1 - 4** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT B - JOHNSON**

ORDINANCES - continued

29. Ordinance 2010-0776

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **WESTBROOK ADDITION SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT D - ADAMS**

30. Ordinance 2010-0777

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **BRAYS FOREST SUBDIVISION, SECTION 1** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - HOANG**

31. Ordinance 2010-0778

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **BRAYS FOREST SUBDIVISION, SECTION 3 AND REPLAT OF SECTION 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - HOANG**

32. Ordinance 2010-0787

ORDINANCE consenting to the addition of 799.04 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 490**, for inclusion in its district

33. Ordinance 2010-0779

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 6.7498 acres commonly known as 12534 Memorial Drive, Houston, Texas, and portions of Tallowood and Memorial Drive rights of way, Houston, Harris County, Texas; supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT G - PENNINGTON**

34. Ordinance 2010-0788

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

35. Council Members Adams and Bradford tagged

ORDINANCE appropriating \$836,228.00 out of Street & Bridge Consolidated Construction Fund awarding construction contract to **ISI CONTRACTING, INC** for Neighborhood Traffic Management Program; 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 contingencies, project management, construction management and engineering testing relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

36. Ordinance 2010-0780

ORDINANCE appropriating \$3,525,972.00 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

ORDINANCES - continued

37. Ordinance 2010-0787

ORDINANCE appropriating \$1,769,000.00 out of Contribution for Capital Projects Fund, awarding contract to **ROZCO CONTRACTING, INC** for North Park Drive Paving from West Lake Houston Parkway to Mills Branch 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 Contribution for Capital Projects Fund - **DISTRICT E - SULLIVAN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 38 through 40

38. Ordinance 2010-0789

ORDINANCE awarding contract to **SELRICO COMMUNICATIONS, LLC** for Communication Technician Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$5,000,000.00 - Central Service Revolving Fund

TAGGED BY COUNCIL MEMBERS JOHNSON and JONES

This was Item 21 on Agenda of September 29, 2010

39. Ordinance 2010-0790

ORDINANCE appropriating \$1,000,000.00 out of Water & Sewer System Consolidated Construction Fund; amending Ordinance No. 98-575 (Passed July 15, 1998) to increase the maximum contract amount; approving and authorizing fifth amendment to contract between the City of Houston and **ITRON, INC**, approved by the same ordinance for a Radio Automated Water Meter Reading System - \$1,858,563.58 - Enterprise Fund

TAGGED BY COUNCIL MEMBER SULLIVAN

This was Item 25 on Agenda of September 29, 2010

40. Ordinance 2010-0791

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 Cambridge Paving Project (from Holly Hall to IH-610); authorizing the acquisition by donation, purchase, or eminent proceedings of five parcels of land required for street purposes; said parcels to be acquired in Easement Title and situated in the P. W. Rose Survey, A-645, in Harris County, Texas; such property being more specifically situated and located out of Lot 2 Block 8; Lots 1 and 4, Block 16; Lots 1 and 4, Block 17, Knights Main Addition, a subdivision 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 D - ADAMS** - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 26 on Agenda of September 29, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Bradford 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

10/5/2010 – All Present

10/6/2010 – All Present