

AGENDA - COUNCIL MEETING - TUESDAY - NOVEMBER 14, 2006 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2006-1026 to 2006-1051
ORDINANCES – 2006-1146 to 2006-1158
RESOLUTION – None

2006-1025-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Johnson

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 2006-1026 – Procedural motion
Motion 2006-1027 – Procedural motion
Motion 2006-1028 – Procedural motion
Motion 2006-1028a – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - NOVEMBER 15, 2006 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 37

MISCELLANEOUS - NUMBERS 1 through 8

1. Motion 2006-1043

CONFIRMATION of the appointment of the following to the Board of Directors for **HOUSTON BUSINESS DEVELOPMENT, INC** for three year terms:

MR. LARRY HAWKINS, to serve as Chair

Position 2 - **MR. DICARLOS DAVIS**

Position 4 - **MR. HAROLD W. PRICE**

Position 6 - **MRS. NORMA VELÁZQUEZ HARRIS**

Position 8 - **MR. RAMON MANNING**

Position 10 - **MR. HAROON R. SHAIKH**

Position 12 - **MS. SUDARSHANA (MONA) PARIKH**

MISCELLANEOUS - continued

2. Motion 2006-1044

REQUEST from Mayor for confirmation of the appointment of the following to the **HOUSTON BUSINESS DEVELOPMENT INC., BOARD OF DIRECTORS**, for unexpired terms ending August 25, 2007:

Position Five - **MR. JOSE P. MADRIGAL**

Position Nine - **MR. DON E. WOOD**

3. Motion 2006-1045

RECOMMENDATION for approval of City of Houston Legislative Principles for the 80th Session of the Texas Legislature

4. Motion 2006-1030

RECOMMENDATION from Information Technology Department for funding for software licenses and software/hardware maintenance contracts for FY-2007 - \$273,145.00 - General Fund:

BMC SOFTWARE, INC

IBM CORPORATION

NEWERA SOFTWARE, INC

SOFTWARE ENGINEERING OF AMERICA

SUN MICROSYSTEMS, INC (Formerly STORAGETEK)

5. Motion 2006-1046

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreements between **HARRIS COUNTY** and fifty-five (55) different Civic Organizations for law enforcement services of Constables from Precincts 1, 4, 5, 7 as well as Harris County Sheriff Deputies

6. Motion 2006-1031

RECOMMENDATION from Chief of Police for Injury on duty leave extension for Officer **DON D. MCHENRY**

7. Motion 2006-1032

RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$1,258 per acre for properties connecting to the 12-inch water line located along South Sam Houston Pkwy. constructed by **GARC ENTERPRISES, LTD.**

8. Motion 2006-1033

RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$5,645 per acre for properties connecting to the 30-inch sanitary sewer line located along Cottingham Street constructed by **GARC ENTERPRISES, LTD.**

ACCEPT WORK - NUMBERS 9 through 11

9. Motion 2006-1047

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$11,263,064.20 and acceptance of work on contract with **TURNER CONSTRUCTION COMPANY** for Continental Airlines New Cargo Facility at George Bush Intercontinental Airport/Houston, Project 611, WBS A-000491-0002-4-01 - 02.54% over the original contract amount - **DISTRICT B - JOHNSON**

ACCEPT WORK - continued

10. Motion 2006-1048

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,778,903.33 and acceptance of work on contract with **QUALIFIED CONSTRUCTION, INC** for Park Enhancement to Root Memorial Square, GFS B-0072-01-3 04.95% over the original contract - **DISTRICT I - ALVARADO**

11. Motion 2006-1034

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$287,281.00 and acceptance of work on contract with **RESICOM, INC** for Mangum Manor Park, WBS F-504C28-0028-4 - 04.47% over the original contract amount - **DISTRICT A - LAWRENCE**

PROPERTY - NUMBERS 12 and 13

12. Pulled-Not Considered

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Parker Stuckey, Rohe & Wright Builders, on behalf of RWH Home Builders, LP, [RWH Builders LLC (Chad Muir, Manager), General Partner], for abandonment and sale of a 10-foot-wide utility easement and the attendant aerial easement from Ector Street to Yorktown Street, located within Block 13, in the Lamar Terrace Subdivision, Parcel SY7-020 - **STAFF APPRAISERS - DISTRICT C - CLUTTERBUCK**

13. Motion 2006-1049

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Paul Schielack of B & R Distributing Company, for abandonment and sale of ±2,610-square-foot excess fee-owned street right-of-way from Knoblock Street to Delafield Street, located at 5400 Gulf Freeway, in the Edmundson Fourth Addition, Parcel SY7-021 - **INDEPENDENT APPRAISERS - DISTRICT I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 20

14. Motion 2006-1035

MEDIA VISIONS, INC to Upgrade the Backstage Communication Systems in the Brown and Cullen Theaters for Convention & Entertainment Facilities Department - \$69,846.00 - Enterprise Fund

14-1 Motion 2006-1036

STAGELIGHT, INC for Lighting Instrument Package for the Convention & Entertainment Facilities Department - \$279,300.00, minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, LLC, for a net award amount not to exceed \$273,714.00 - Enterprise Fund

15. Motion 2006-1037

HEWLETT-PACKARD for Hewlett-Packard Computer Hardware through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Finance & Administration Department - \$134,977.16 - Equipment Acquisition Consolidated Fund

16. Motion 2006-1038

MARTIN APPARATUS, INC for Automotive, Pierce Fire Truck Replacement Parts and Repair Service for Fire Department - \$225,000.00 - General Fund

PURCHASING AND TABULATION OF BIDS - continued

17. Motion 2006-1039

TOMMIE VAUGHN MOTORS, INC for Ford Integrated Diagnostic Systems for Police Department \$43,155.40 - Police Special Services Fund

18. Motion 2006-1040

WAUKESHA-PEARCE INDUSTRIES, INC for Generator System through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Police Department - \$193,096.65 - Equipment Acquisition Consolidated Fund

19. Motion 2006-1041

XEROX CORPORATION for spending authority to Lease High-Speed Document Printers and Associated Accessories from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Houston Police Department - 3 Years - \$696,132.00 - General Fund

20. Motion 2006-1042

CONSOLIDATED ELECTRICAL DISTRIBUTORS ASTRO - \$670,913.70 and **VOSS LIGHTING** - \$95,297.90 for Electrical Lighting for Various Departments - General and Enterprise Funds

ORDINANCES - NUMBERS 21 through 37

21. Ordinance 2006-1158

ORDINANCE tabulating the votes cast and canvassing the returns of the City of Houston Elections held on November 7, 2006, for the purpose of submitting to the qualified voters of the City of Houston, Texas, six propositions for the issuance of Public Improvement Bonds for various purposes, a proposition amending the City Charter by making certain changes applicable to City Revenues, and a proposition relating to revenues for Public Safety; containing various findings and other provisions related to the subject; declaring the official results of the elections

22. Ordinance 2006-1156

ORDINANCE relating to the fiscal affairs of the Memorial Heights Redevelopment Authority on behalf of Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone); approving the Fiscal Year 2007 Operating Budget for the Authority - **DISTRICT H - GARCIA**

23. Ordinance 2006-1146

ORDINANCE relating to the fiscal affairs of the Greater Greenspoint Redevelopment Authority on behalf of Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone); approving the Fiscal Year 2007 Operating Budget for the Authority - **DISTRICT B - JOHNSON**

24. Ordinance 2006-1155

ORDINANCE approving and authorizing contract between the City and **JOHNSON AND JOHNSON**, a partnership, to represent the City before the 80th Texas Legislature and State Agencies; providing a maximum contract amount - 2 Years - \$690,000.00 - General Fund

25. Ordinance 2006-1157

ORDINANCE approving and authorizing amended and restated operating agreement between the City and the **WORTHAM CENTER OPERATING COMPANY** for Backstage and other services at Wortham Theater Center; providing a maximum contract amount - 7 Years with 3 one-year options - \$235,000.00 - Enterprise Fund - **DISTRICT I - ALVARADO**

ORDINANCES - continued

26. Ordinance 2006-1147

ORDINANCE approving and authorizing first amendment to contract for Seasonal Interior Design Services for the Houston Airport System between the City of Houston and **ALWAYS IN SEASON DECORATING SERVICES, INC** (approved by Ordinance No. 2003-1079) - 2 Years - \$103,600.00 Enterprise Fund - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

27. Ordinance 2006-1148

ORDINANCE approving and authorizing Communication Equipment License between the City of Houston and **SPRINTCOM, INC** at the Terminal A Garage at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

28. Ordinance 2006-1149

ORDINANCE approving and authorizing Communication Equipment License between the City of Houston and **SPRINTCOM, INC** at the Terminal D Garage at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

29. Ordinance 2006-1150

ORDINANCE appropriating \$2,000,000.00 out of Airports Improvement Fund and approving and authorizing Professional Services Contract with **CARTER & BURGESS, INC** for Airport Spatial Information System Development Services for the Houston Airport System (WBS# A-000417-0002-3-01) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

30. Ordinance 2006-1151

ORDINANCE appropriating \$3,903,335.00 out of Airports Improvement Fund and \$8,422,023.00 from Federal Aviation Administration Grant Funds and awarding construction contract to **SPAWGLASS CIVIL CONSTRUCTION, INC**; for Construction of Taxiway "H" Pavement Rehabilitation at Ellington Field (Project 614); providing funding for engineering testing services, and for contingencies relating to construction of facilities financed by such funds - **DISTRICT E - WISEMAN**

31. Omitted

32. Council Member Holm tagged

ORDINANCE approving and authorizing contract between the City of Houston and **NICKENS KEETON LAWLESS FARRELL & FLACK LLP** for Legal Services in connection with the Collection of Hotel Occupancy Taxes from Internet-based Hotel Room Resellers

33. Ordinance 2006-1152

ORDINANCE awarding contract to **SOUTH COAST HYDRAULICS** for Hydraulic Vehicle Lift Repair Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$953,744.00 - General and Fleet Management Funds

34. Not Received-Not Considered

ORDINANCE appropriating \$317,000.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **BRIAN SMITH CONSTRUCTION INSPECTION, INC, (BSCI)**, for Construction Management and Inspection Services Associated with the Improvement of Disinfecting Facilities at Sims Bayou and Bellaire Braes Pump Stations, (WBS No. S-000533-0004-4) - **DISTRICTS D - EDWARDS and F - KHAN**

ORDINANCES - continued

35. Ordinance 2006-1153

ORDINANCE approving and authorizing first amendment to construction contract between the City of Houston and **FOUR SEASONS DEVELOPMENT CO., INC** for Construction of Diez Park renovations (passed by Ordinance No. 05-912) (WBS F-504C26-0001-4) - \$38,448.00 - CDBG Fund - **DISTRICT I - ALVARADO**

36. Ordinance 2006-1135 – Passed second reading

ORDINANCE No. 2006-1135, passed first reading November 8, 2006

ORDINANCE granting to **EZ WASTE, 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 - **SECOND READING**

37. Ordinance 2006-1119 – Passed second reading

ORDINANCE No. 2006-1119, passed first reading November 8, 2006

ORDINANCE granting to **SPRINT WASTE SERVICES, LP a Texas limited partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 38

MISCELLANEOUS

38. Motion 2006-1050 – Close nominations

RECEIVE nominations for appointment to Position 7 of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE), CITY OF HOUSTON, TEXAS** for an unexpired term ending December 31, 2007 - **DISTRICT C – CLUTTERBUCK**
Ms. Michele Bower Alvarado nominated by Council Member Clutterbuck

MATTERS HELD - NUMBERS 39 and 40

39. Motion 2006-1051 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Convention & Entertainment Facilities Department for approval of supplemental budget submitted by the **HOUSTON ARTS ALLIANCE (formerly the CULTURAL ARTS COUNCIL OF HOUSTON/HARRIS COUNTY** and referred to as **CACHH**) - \$1,340,057.00 Enterprise Fund - **TAGGED BY COUNCIL MEMBERS WISEMAN and KHAN**

This was Item 3 on Agenda of November 8, 2006

MATTERS HELD - continued

Motion 2006-1029 – Suspend rules to consider Items 40 and 24 after the consent agenda

40. Ordinance 2006-1154

CONCURRENT Ordinance creating a Freight Rail District pursuant to Chapter 171, Texas Transportation Code - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 11 on Agenda of November 8, 2006

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Alvarado 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

11/14/2006 – All Present

11/15/2006 – Council Member Wiseman absent on City business

NOTE: At Large Position 3 – Vacant