

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 17, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2007-0376 to 2007-0387
ORDINANCES – 2007-0476 to 2007-0499
RESOLUTIONS – 2007-0018 to 2007-0019

2007-0375-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Alvarado

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 - APRIL 18, 2007 - 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 31

MISCELLANEOUS - NUMBERS 1 and 2

1. Motion 2007-0379

REQUEST from Mayor for confirmation of the reappointment of the following to the **TOWER PERMIT COMMISSION** for terms expiring two years from date of confirmation:

Position One - **MR. TODD C. LITTON**, and as Chair

Position Two - **MS. BESSIE M. SWINDLE**

Position Three- **MR. RAY BAILEY**

Position Four - **MS. EVA GARCIA NINMAN**

Position Five - **DR. SHIN-SHEM STEVEN PEI**

Position Six - **MS. ELAINE GASKAMP**

2. Motion 2007-0380

RECOMMENDATION from Chief of Police for approval of release of funds in the amount of \$25,982.00 to **MALUENDA MOTORS** - HPD Auto Dealers Fund

ACCEPT WORK - NUMBERS 3 and 4

3. Motion 2007-0386

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$758,008.61 and acceptance of work on contract with **MERIDIAN COMMERCIAL, L.P.** for Cloverland Park, WBS F-504A12-0012-4 - 15.02% over the original contract amount **DISTRICT D - EDWARDS**

4. Motion 2007-0381

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,449,278.61 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Water Distribution System Rehabilitation and Renewal, WBS S-000035-00V1-4 - 2.0% under the original contract amount

PROPERTY - NUMBER 5

5. Motion 2007-0382

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-121, located at 10451 Aldine Westfield Road, owned by Zulem Gomez and Silvestre Gomez for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 8

6. Ordinance 2007-0479

ORDINANCE appropriating \$858,815.82 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Force Mains at Three Locations for the Public Works & Engineering Department, WBS R-000266-00U5-4, R-000266-00U6-4, R-000266-00U7-4 **DISTRICTS C - CLUTTERBUCK and F - KHAN**

a. Motion 2007-0383

TROY CONSTRUCTION, L.L.P. for payment for Emergency Repair of Sewer Force Mains for Department of Public Works & Engineering - \$534,065.82 - Enterprise Fund - **DISTRICTS C - CLUTTERBUCK and F - KHAN**

7. Motion 2007-0384

AGS SCIENTIFIC, INC d/b/a NIPPON INSTRUMENTS NORTH AMERICA for Mercury Analyzer System for Department of Public Works & Engineering - \$41,225.00 - Enterprise Fund

8. Motion 2007-0385

AMEND MOTION #2005-265, 3/30/05, TO INCREASE spending authority from \$241,170.00 to \$337,638.00 for Replacement Parts for Existing Metering Pumps and Analyzers for Department of Public Works & Engineering, awarded to **MACAULAY CONTROLS COMPANY** - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 9 through 31

9. Resolution 2007-0018

RESOLUTION approving and authorizing the submission of an application for grant assistance to the **STATE OF TEXAS THROUGH THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR ("CJD")** for the After-School Achievement Program through the After School Matters! Project; declaring the City's eligibility for such grant; authorizing the Director of the Parks & Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

RESOLUTIONS AND ORDINANCES - continued

10. Council Member Garcia tagged

RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Single Family Mortgage Revenue Bonds (GNMA, Fannie Mae, and Freddie Mac Mortgage-backed Securities Program) Series 2007A and approving the Preliminary Official Statement with respect to such bonds

11. Ordinance 2007-0490

ORDINANCE **AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Emergency Management

Motion 2007-0378 – Suspend rules to consider Item 12 out of order

12. Ordinance 2007-0478

ORDINANCE relating to the issuance of Taxicab Permits; delaying the 2007 Taxicab Permit Issuance Process

13. Ordinance 2007- 0491

ORDINANCE establishing City of Houston Election Precincts and designating Polling Places for the City of Houston Special Election to be held on May 12, 2007

14. Ordinance 2007-0480

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 12,680 square foot portion of Ovid Street, Parcel No. SY5-044, located in the John Austin Survey, A-1, Houston, Harris County, Texas, as shown on the plat recorded at Volume 482, Page 564, Harris County Deed Records; vacating and abandoning said parcel to Sawyer Heights Village, Ltd., the abutting owner ("Owner"), in consideration of (a) Owner's conveyance to the City of (I) a 35 foot wide hike and bike trail easement, Parcel No. AY3-561, (II) a public street right-of-way easement containing 161 square feet, more or less, Parcel No. AY5-059A, to widen Taylor Street, and (III) a public street right-of-way easement containing 3,837 square feet, more or less, Parcel No. AY5-059B, to widen Sawyer Street, all situated in said John Austin Survey, A-1, Harris County, Texas; (b) Owner's executing an amendment to the Parcel No. AY3-561 easement conveyance agreeing to maintain a drainage system on the property; and (c) other good and valuable consideration; granting a \$1,434.00 Carryover Credit to Owner for the excess value of the property it is conveying, to apply only toward the future abandonment and sale of street rights-of-way and/or easements in Phase Three of owner's project that this ordinance is related to - **DISTRICT H - GARCIA**

15. Ordinance 2007-0492

ORDINANCE consenting to the addition of 115.535 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 188**, for inclusion in its district

16. Ordinance 2007-0481

ORDINANCE approving and authorizing first amendment to Land-Use Restriction Agreement (Restrictive Covenants) between the City of Houston and **HOPWA HOUSING CORPORATION** regarding facility located at 3939 North Freeway, Houston, Texas - **DISTRICT H - GARCIA**

Motion 2007-0376 – Suspend rules to consider Item 17 out of order

17. Ordinance 2007-0476

ORDINANCE approving and authorizing agreement between the City of Houston and **ROCKWELL COMMUNITY 26, LP** to provide a \$4,375,000.00 loan of Federal "CDBG" Funds and a \$5,222,700.00 loan of Federal "HOME" Funds for eligible costs in connection with the acquisition and renovation of the Camino Real Apartments located at 7520 Cook Road, Houston, Texas, to house qualified low income residents - **DISTRICT F - KHAN**

RESOLUTIONS AND ORDINANCES - continued

18. Ordinance 2007-0482

ORDINANCE approving and authorizing contract between the City and **GARRISON ENTERPRISES, INC** for Software Product License and Software Product Support Services for the Digital Health Department System; providing a maximum contract amount - \$283,333.36 - Health Special Revenue Fund

19. Ordinance 2007-0493

ORDINANCE accepting the individual proposals from **UNDERWRITERS AT LLOYDS LONDON, SR INTERNATIONAL BUSINESS INSURANCE COMPANY, GREAT LAKES REINSURANCE (UK), RSUI INDEMNITY INSURANCE COMPANY, NUTMEG INSURANCE COMPANY, AXIS SURPLUS INSURANCE COMPANY, INTEGON SPECIALTY INSURANCE COMPANY, ARCH SPECIALTY INSURANCE COMPANY** and approving and authorizing the purchase of an Excess General City Property Insurance Policy - \$1,175,104.81 - Insurance Revolving Fund

20. Ordinance 2007-0494

ORDINANCE approving and authorizing first amendment to Lease Agreement between **HOUSTON COMMUNITY COLLEGE SYSTEM as landlord**, ("Landlord"), and the City of Houston, Texas, as tenant (the "City"), for space at 3100 Main Street, Houston, Harris County, Texas 77002, for five (5) years, extending the term of the lease and providing for a monthly rental of \$4,539.78, for use by the City of Houston Municipal Channel - **DISTRICT D - EDWARDS**

21. Ordinance 2007-0495

ORDINANCE approving and authorizing Lease Agreement between **6201 BONHOMME LP, a Texas limited Partnership, as Landlord ("Landlord")**, and the City of Houston, Texas, as tenant (the "City"), for a total of 17,700 square feet of space located at 6201 Bonhomme, Houston, Harris County, Texas, at a monthly rental of \$23,600.00 during the eighty-four (84) month rental, with an option to renew for an additional five (5) year period at the then current market rate, for use by the Department of Health & Human Services' Women, Infants and Children (WIC) Nutrition Program - **DISTRICT F - KHAN**

22. Ordinance 2007-0483

ORDINANCE approving and authorizing International Facilities Agreement at George Bush Intercontinental Airport/Houston by and between the City of Houston and **AEROVIAS DE MEXICO S.A. DE C.V. (AEROMEXICO), SOCIETE AIR FRANCE, BRITISH AIRWAYS, PLC., CAYMAN AIRWAYS, LTD., CONSORCIO AVIAXSA S.A. DE C.V. D/B/A AVIACSA AIRLINES, DEUTSCHE LUFTHANSA AG, and TACA INTERNATIONAL AIRLINES S.A.** - Revenue **DISTRICT B - JOHNSON**

23. Ordinance 2007-0484

ORDINANCE appropriating \$50,000.00 out of Street & Bridge Consolidated Construction Fund and \$800,000.00 out of Metro Project Commercial Paper Series E Fund No. 4027 and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SPARKS-BARLOW-BARNETT, INC** for Design of Neighborhood Street Reconstruction Project NSR 451, WBS N-000383-0001-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Metro Project Commercial Paper Series E Fund No. 4027 - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

24. Ordinance 2007-0485

ORDINANCE awarding construction contract to **PLAYPOWER LT FARMINGTON INC** for Brookline Park, WBS F-000610-0001-4, 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 services and contingencies relating to construction of facilities financed out of the Federal Government-Grants Fund - \$113,445.50 - CDBG Fund - **DISTRICT I - ALVARADO**

25. Ordinance 2007-0486

ORDINANCE awarding construction contract to **RESICOM, INC** for Tony Marron Park, WBS F-0504D2-0001-4; setting a deadline for the bidders 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 out of the Federal Government-Grants Fund - \$98,850.00 - CDBG Fund - **DISTRICT H - GARCIA**

26. Ordinance 2007-0487

ORDINANCE appropriating \$324,987.35 out of Fire Consolidated Construction Fund as an additional appropriation for Construction Services for Various Fire Department Facilities, WBS C-000089-0001-4 under an existing contract with **TEXAS STERLING CONSTRUCTION L.P.** - **DISTRICTS B - JOHNSON; E - WISEMAN; F - KHAN; G - HOLM and H - GARCIA**

27. Ordinance 2007-0496

ORDINANCE appropriating \$1,282,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Water Line Construction in Garden City Park Area, WBS S-000035-00N7-4; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**

28. Ordinance 2007-0488

ORDINANCE appropriating \$275,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TEDSI INFRASTRUCTURE GROUP, INC** for Design of City-wide On-Call Transportation Engineering Services, WBS N-000650-0028-4; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

29. Ordinance 2007-0497

ORDINANCE appropriating \$275,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **GUNDA CORPORATION, INC** for Design of City-wide On-Call Transportation Engineering Services, WBS N-000650-0029-4; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

RESOLUTIONS AND ORDINANCES - continued

30. Ordinance 2007-0498

ORDINANCE appropriating \$800,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HNTB CORPORATION** for Design of Parker Road Paving Improvements from Hardy Toll Road to US 59, WBS N-000708-0001-3 and Fulton Street from Tidwell Road to Parker Road, WBS N-000542-0003-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - JOHNSON and H - GARCIA**

31. Ordinance 2007-0489 – Passed first reading in full

ORDINANCE granting to **CENTERPOINT ENERGY RESOURCES CORPORATION, DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS**, the right, privilege and franchise to construct, install, retire, operate, and maintain its facilities within the public rights-of-way of the City of Houston, Texas for the transportation, delivery, sale and distribution of natural gas; containing other provisions relating to the foregoing subject; containing a repealer; providing for severability and providing an effective date - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 32 through 35

32. Resolution 2007-0019 – Adopted

RESOLUTION approving the creation of the **LELAND WOODS REDEVELOPMENT AUTHORITY**; approving the Articles of Incorporation and the Bylaws thereof; confirming the appointment of the Initial Directors and Chairperson - **DISTRICT B - JOHNSON**
TAGGED BY COUNCIL MEMBER JOHNSON
This was Item 21 on Agenda of April 11, 2007

33. Ordinance 2007-0499 – Adopted

ORDINANCE approving the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty-two, City of Houston, Texas (Leland Woods); authorizing the City Secretary to distribute such plans - **DISTRICT B - JOHNSON**
TAGGED BY COUNCIL MEMBER JOHNSON
This was Item 22 on Agenda of April 11, 2007

34. Motion 2007-0387 – Adopted

RECOMMENDATION from Director Library Department for approval of Change Order in the amount of \$144,260.00 on contract with **MINNESOTA MINING AND MANUFACTURING COMPANY (3M)** for Materials Security Systems and Maintenance Contract for Library Department - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - EDWARDS and I - ALVARADO**
TAGGED BY COUNCIL MEMBER LOVELL
This was Item 27B on Agenda of April 11, 2007

MATTERS HELD - continued

Motion 2007-0377 – Suspend rules to consider Item 35 out of order

35. Ordinance 2007-0477 – Adopted

ORDINANCE approving and authorizing amendments to the 1993 and 1994 Final Statement of Community Development Objectives and Projected Use of Funds and the 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003 and 2004 Consolidated Plans, including the grant applications for the Community Development Block Grant Program submitted to the United States Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended - **TAGGED BY COUNCIL MEMBER LOVELL**

This was Item 28 on Agenda of April 11, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Wiseman 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

**4/17/2007 – Mayor White out of the City on City business
Council Member Edwards absent on personal business**
**4/18/2007 – Council Member Edwards absent on personal business
Council Member Wiseman absent due to being ill**