

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 23, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2007-0070 to 2007-0088
ORDINANCES – 2007-0094 to 2007-0117
RESOLUTION – None

2007-0069-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Green

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 2007-0070 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 24, 2007 - 9:00 A. M.

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

HEARINGS

1. Motion 2007-0076 – Hearing closed

PUBLIC HEARING on proposed amendment to Project and Financing Plan for
REINVESTMENT ZONE NUMBER NINETEEN, CITY OF HOUSTON, TEXAS (UPPER
KIRBY) - **DISTRICTS C - CLUTTERBUCK and G - HOLM**

Motion 2007-0071 – Suspend rules to consider the Mayor's Report out of order

MAYOR'S REPORT - Public Safety

CONSENT AGENDA NUMBERS 2 through 40

MISCELLANEOUS - NUMBERS 2 and 3

Motion 2007-0072 – Suspend rules to consider Item 2 out of order

2. Motion 2007-0073

REQUEST from Mayor for confirmation of the appointment of **MS. SAHIRA J. ABDOL** as
Chief Clerk of the **HOUSTON MUNICIPAL COURTS**

MISCELLANEOUS - continued

3. Motion 2007-0079

RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **BRAYS VILLAGE EAST HOMEOWNERS ASSOCIATION** for law enforcement services of one (1) deputy from Harris County Constable Precinct 5

ACCEPT WORK - NUMBERS 4 and 5

4. Motion 2007-0083

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$5,193,447.94 and acceptance of work on contract with **DIAMOND COMMERCIAL CONSTRUCTION, INC** for FIS Cargo One-Stop Facility & Turnaround Lane for JFK Blvd at Greens Road at George Bush Intercontinental Airport/Houston, Project 605B/587; WBS#'s A-000436-0001-4-01 and A-000463-0001-4-01 - 00.31% over the original contract amount **DISTRICT B - JOHNSON**

5. Motion 2007-0084

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$3,567,240.82 and acceptance of work on contract with **SOVEREIGN BUILDERS GROUP, LTD. (dba CONSTRUCTION, LTD.)** for Air Cargo Inspection Facilities at George Bush Intercontinental Airport/Houston, Project 605C, WBS #A-000463-002-4-01 - 02.45% over the original contract amount - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 11

6. Council Member Lawrence

ORDINANCE appropriating \$600,000.00 out of Airports Improvement Fund for Purchase of Blast Protection Window Film for the Houston Airport System, (WBS A-000486-23-6, A-00486-37-6)

a. Council Member Lawrence tagged

WINTEC SECURITY, INC for Purchase of Blast Protection Window Film through the Interlocal Agreement for Cooperative Purchasing with Houston Galveston Area Council

7. Motion 2007-0080

VIRCO, INC for Chairs from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Convention & Entertainment Facilities Department - \$145,440.00 - Enterprise Fund

8. Motion 2007-0085

ELECTRICAL RELIABILITY SERVICES, INC for Emergency Repair of the Electrical Feeder Line at the Northwest Wastewater Treatment Plant for Department of Public Works & Engineering \$166,689.50 - Enterprise Fund

9. Motion 2007-0081

PRECISION STRUCTURES, INC for One Modular Office Building for Department of Public Works & Engineering - \$38,895.00 - Enterprise Fund

10. Motion 2007-0086

NALCO COMPANY for spending authority to purchase Chemicals, Liquid Polymer Flocculant for Department of Public Works & Engineering - \$1,800,000.00 - Enterprise Fund

11. Motion 2007-0082

AMEND MOTION #2006-968, 10/24/06, TO INCREASE award to purchase two additional Trash Collection Trailers for Solid Waste Management Department, awarded to **NICK'S DIESEL SERVICE, INC** for a total increase of \$95,200.00 - Equipment Acquisition Consolidated Fund

ORDINANCES - NUMBERS 12 through 40

Motion to amend Item 12 as follows:

“Amend Article IV, Section 6-88 to include the following:

Senior citizens 60 years of age or older with sterilized dogs or cats shall obtain a sterilized pet license for each such dog or cat animal at an annual for the fee of \$5.00 for the initial license and the regular payment of the renewal processing fee of \$2.00 for each subsequent year.” – **Council Member Wiseman tagged**

12. Council Member Wiseman tagged

ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the care and control of animals in the City

13. Council Member Holm tagged

ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the adoption of animals in the City

14. Council Member Wiseman tagged

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by repealing Section 28-40 thereof relating to carrying a poster

15. Council Member Wiseman tagged

ORDINANCE adopting a Three-Year Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code

16. Ordinance 2007-0113

ORDINANCE consenting to the addition of 280.491 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 133**, for inclusion in its district

17. Ordinance 2007-0097

ORDINANCE consenting to the addition of 708.49 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 419**, for inclusion in its district

18. Ordinance 2007-0098

ORDINANCE consenting to the addition of 24.009 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 32**, for inclusion in its district

19. Ordinance 2007-0099

ORDINANCE approving and authorizing special warranty deed conveying to Mario Escobar, a parcel of land containing 20,535 square feet (0.417 acre), more or less, located in the J. Gay Survey, A-310, (former Gulf-Way Terrace Water Plant Site, 10700 Block Bessemer Street, Parcel S84-086); in consideration of Mario Escobar's payment of \$26,000.00 and other consideration to the City - **DISTRICT E - WISEMAN**

20. Ordinance 2007-0114

ORDINANCE approving and authorizing special warranty deed conveying to David K. Lam, a parcel of land containing 22,089 square feet (0.5071 acre), more or less, located in the Henry A. Cobb Survey, A-210, (former Boone Road Water Plant, 8602 Wilcrest Drive, Parcel SY6-056); in consideration of David K. Lam's payment of \$53,668.89 and other consideration to the City **DISTRICT F - KHAN**

21. Ordinance 2007-0100

ORDINANCE approving and authorizing special warranty deed conveying to Yeung, Inc., a parcel of land containing 21,600 square feet (0.4959 acres), more or less, located in the Ben Taub Survey, A-1734, (former Chocolate Bayou Water Plant, located at 8201 Jutland Road, Parcel S85-007); in consideration of Yeung, Inc.'s payment of \$40,100.00 and other consideration to the City - **DISTRICT D - EDWARDS**

ORDINANCES - continued

22. Ordinance 2007-0115

ORDINANCE issuing permit to **RICE UNIVERSITY**, for constructing, using, occupying, operating, maintaining and repairing foundation tiebacks within the University Blvd., Main Street, Travis Street, and Dryden Road Street rights of way, public street rights-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT C - CLUTTERBUCK**

23. Council Members Holm and Green tagged

ORDINANCE repealing and rescinding Ordinance Number 2006-1086 passed by the City Council 10/24/2006, effective 10/30/2006 and issuing a permit to **HOUSTON PAVILIONS, L.P.** for constructing using, occupying, operating, maintaining and repairing (I) two building footings, one each within the Polk and Fannin and the Polk and San Jacinto Street rights of way, adjoining Block 273, S.S.B.B.; (II) an 80-foot-wide aerial pedestrian walkway with retail shops above and within the Fannin street right of way between Polk and Dallas Streets and (III) an 80-foot-wide aerial pedestrian walkway with retail shops above and within the San Jacinto street right of way between Polk and Dallas Streets (IV) an 80-foot aerial pedestrian walkway above and within the Polk Street right of way between Main and Fannin Streets (V) six sets of stairs to access various building entrances within and along the Dallas Street right of way, one set located between Main and Fannin Streets, two sets located between Fannin and San Jacinto Streets, and three sets located between San Jacinto and Caroline Streets; (VI) four sets of stairs to access various building entrances located within and along the Polk Street right of way, three sets located between Fannin and San Jacinto Streets and one set located between San Jacinto and Caroline Streets; (VII) two sets of stairs to access various building entrances within and along the Caroline Street right of way, located between Polk and Dallas Streets (VIII) two grease traps within and along the Dallas Street right of way, one each located between Main and Fannin, Fannin and San Jacinto, (IX) three grease traps within and along the Polk Street right of way, located between Main and Fannin, Fannin and San Jacinto, and San Jacinto and Caroline Streets, (X) two grease traps within and along San Jacinto Street, both located between Polk and Dallas Streets, all being within the public street rights-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT I - ALVARADO**

24. Ordinance 2007-0101

ORDINANCE amending Ordinance Number 2005-1224; approving and authorizing first amendment to contract between the City and **EL CENTRO DE CORAZON** for Primary Care and Pediatric Services provided at the Magnolia Health Center

25. Ordinance 2007-0102

ORDINANCE approving and authorizing contract between the City and the **UNIVERSITY OF HOUSTON, COLLEGE OF OPTOMETRY** for its mobile vision unit to provide vision care services at various sites where individuals have difficulty accessing care

Motion 2007-0075 – Suspend rules to consider Item 26 out of order

26. Ordinance 2007-0095

ORDINANCE approving and authorizing interlocal agreement between the City and the **TEXAS ENGINEERING EXTENSION SERVICE** for Emergency Medical Training Services; providing a maximum contract amount - 5 Years - \$6,369,895.00 - General Fund

ORDINANCES - continued

Motion 2007-0076 – Suspend rules to consider Item 27 out of order

27. Ordinance 2007-0094

ORDINANCE approving and authorizing agreement between the City of Houston and each of the following three (3) Community Housing Development Organizations (“CHDOS”) to provide each CHDO \$50,000.00 in Federal “HOME” Investment Partnership Funds for operating expenses associated with building the CHDOS’ capacity to develop affordable housing: (1) **RE-WARD THIRD WARD, INC.**; (2) **DOMINION COMMUNITY DEVELOPMENT CORPORATION**; and (3) **AVENUE COMMUNITY DEVELOPMENT CORPORATION** - \$150,000.00 - Grant Fund **DISTRICTS B - JOHNSON; D - EDWARDS and H - GARCIA**

28. Ordinance 2007-0103

ORDINANCE approving and authorizing contract between the City of Houston and **BREAD OF LIFE, INC**, providing up to \$582,446.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds for the Administration of a Short-term Rent, Mortgage and Utility Assistance Program and Child Care Facility, along with supportive services - **DISTRICT I - ALVARADO**

29. Ordinance 2007-0096

ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON READ COMMISSION** for Professional Literacy Services; providing a maximum contract amount 3 Years with two one-year options - \$2,000,000.00 - General Fund

30. Ordinance 2007-0116

ORDINANCE appropriating \$40,000.00 out of Parks Special Fund and approving and authorizing an Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Improvements at Alief Community Park (WBS Nos. F-0504B8-0002-4-01-01) - **DISTRICT F - KHAN**

31. Ordinance 2007-0104

ORDINANCE appropriating \$164,060.36 out of Water & Sewer Consolidated Construction Fund as an additional appropriation to reimburse **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Construction of U.S. 59 (Southwest Freeway) from Shepherd Drive to Mandell Street (WBS No. R-000521-0030-4) under an Advance Funding Agreement with TXDOT (approved by Ordinance No. 97-1535); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK and D - EDWARDS**

32. Ordinance 2007-0117

ORDINANCE approving and authorizing contract between the City of Houston and **PROPERTYROOM.COM** for sale and disposal of abandoned personal property for the Houston Police Department - Revenue

33. Ordinance 2007-0105

ORDINANCE appropriating \$294,192.50 out of Water & Sewer Consolidated Construction Fund and \$285,000.00 out of Affordable Housing Uptown 2002B Fund; approving and authorizing Developer Participation Contract between the City of Houston and **LP WOODLAND LAKES ESTATES, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Four of the Woodland Lakes Estates Subdivision (WBS Nos. S-000800-00L2-4, R-000800-00L2-4 & M-000800-00L2-4) - **DISTRICT E - WISEMAN**

ORDINANCES - continued

34. Ordinance 2007-0106

ORDINANCE appropriating \$5,000.00 out of Metro Project Commercial Paper Series E Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **COBB FENDLEY & ASSOCIATES, INC** for Cook Road Paving Improvements from Bissonnet Road to Bellaire Boulevard, (WBS No. N-000639-0001-4) - **DISTRICT F - KHAN**

35. Ordinance 2007-0107

ORDINANCE approving and authorizing Contribution Agreement between the City of Houston and **TEXAS MEDICAL CENTER** for Cambridge Bridge over Brays Bayou (WBS No. N-000720-0001-3) - \$2,200,000.00 - Revenue - **DISTRICT D - EDWARDS**

36. Ordinance 2007-0108

ORDINANCE appropriating \$330,000.00 out of Street & Bridge Construction Fund and \$518,150.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to Professional Engineering Services Contract for Design of Cambridge Bridge and Paving from N. Braeswood Boulevard to Holcombe Boulevard (WBS No. N-000720-0001-3) and N. MacGregor Way Relocation from MacGregor Drive to Almeda (WBS No. N-000799-0001-3) between the City of Houston and **SCIENTECH ENGINEERS, INC**, formerly known as Sadeghpour & Associates, Inc. d/b/a **SCIENTECH**; providing funding for contingencies relating to construction of facilities financed by the Street Bridge Construction Fund and Street & Bridge Consolidated Construction Fund - **DISTRICT D - EDWARDS**

37. Ordinance 2007-0109

ORDINANCE appropriating \$1,779,130.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PEPE ENGINEERING, LTD.** for Design of Water Line Replacements in Port Houston Area (WBS No. S-000035-00W5), Shady Oak Area (WBS No. S-000035-00W6) and Annunciation Area (WBS No. S-000035-00W7); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

38. Ordinance 2007-0110

ORDINANCE appropriating \$1,551,600.00 out of Water & Sewer Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** for West Almeda and 11th Street Bioscrubbers Project, WBS No. R-000265-0048-4; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and D - EDWARDS**

39. Ordinance 2007-0111

ORDINANCE appropriating \$5,318,702.00 out of Water & Sewer Consolidated Construction Fund, awarding contract to **REPIPE-TEXAS, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS #R-000266-00G3-4; 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, project management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund

ORDINANCES - continued

40. Ordinance 2007-0112

ORDINANCE appropriating \$3,198,900.00 out of Water & Sewer Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Turner Area, WBS No. S-000035-00E1-4; 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, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS B - JOHNSON and H - GARCIA**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

Motion 2007-0077 – Suspend rules to consider Items 41 and 29 out of order

41. Motion 2007-0078

RECEIVE nominations for Positions One, Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one-year terms to expire December 31, 2007

Council Member Holm nominated Council Member Wiseman for Position One

Council Member Lovell nominated Council Member Green for Position Two

Council Member Lawrence nominated Council Member Lovell for Alternate at Large

Council Member Wiseman nominated Council Member Holm for Alternate at Large

MATTERS HELD - NUMBER 42

42. Motion 2007-0087

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,002,338.29 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for On-Call Drainage System Repair (Work Order Contract), WBS No. M-000243-0001-4 - 02.12% over the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO** - TAGGED BY COUNCIL MEMBERS GREEN and JOHNSON
This was Item 2 on Agenda of January 17, 2007

Motion 2007-0088 – Suspend rules to remain in session beyond the scheduled noon recess to complete the Agenda

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Lovell 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

AGENDA - JANUARY 24, 2007 - PAGE 8

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

1/23/2007 – All Present

1/24/2007 – All Present