

AGENDA - COUNCIL MEETING - TUESDAY - DECEMBER 2, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2008-0867 to 2008-0878
ORDINANCES - 2008-1052 to 2008-1118
RESOLUTION – None

2008-0866-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Noriega

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 - DECEMBER 3, 2008 - 9:00 A. M.

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

Motion 2008-0867 – 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 -Tolerance Bridge Project - **Presented**

CONSENT AGENDA NUMBERS 1 through 75

MISCELLANEOUS - NUMBERS 1 and 2

1. **Motion 2008-0870**
RECOMMENDATION for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2009 - January 1, 2009 through December 31, 2009
2. **Council Member Lawrence tagged**
RECOMMENDATION from the Mayor's Office of Government Affairs for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$74,424.00 - General Fund

ACCEPT WORK - NUMBERS 3 and 4

3. Motion 2008-0871

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$13,149,515.84 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Kirby Dr. Storm (Seg. 1) - Dorrington to Brays Bayou (SWMP), WBS M-000771-0001-4 - 2.30% over the original contract amount - **DISTRICT C - CLUTTERBUCK**

4. Motion 2008-0872

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,122,219.93 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00D8-4 - 4.03% over the original contract amount **DISTRICTS A - LAWRENCE; B - JOHNSON; G - HOLM; H - GARCIA and I - RODRIGUEZ**

PROPERTY - NUMBER 5

5. Motion 2008-0873

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Trisha Frederick, E.I.T. of Edminster, Hindshaw, Russ and Associates, on behalf of Willowbrook Mall Anchor Acquisition (TX), LLC and Willowbrook Mall (TX) LLC, for abandonment and sale of two 10-foot-wide water line easements, located within the Willowbrook Mall plat, Parcels SY9-020A and SY9-020B - **DISTRICT A - LAWRENCE**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 10

6. Motion 2008-0874

MORNING PRIDE MANUFACTURING d/b/a TOTAL FIRE GROUP, L.L.C. for Fire Protection Ensembles through the Interlocal Agreement for Cooperative Purchasing between the City of Houston and the City of Memphis, Tennessee for Houston Fire Department - \$450,000.00 General Fund

7. Motion 2008-0875

AMEND MOTION #2005-1003, 10/19/05, TO INCREASE award from \$865,350.89 to \$1,081,688.61 for Chemical, Aqua Ammonia for Department of Public Works & Engineering, awarded to **SOUTHERN IONICS, INCORPORATED** - \$216,337.72 - Enterprise Fund

8. Council Member Holm tagged

ORDINANCE appropriating \$109,797.40 out of Equipment Acquisition Consolidated Fund for Purchase of Office Furniture for Parks & Recreation Department

a. Council Member Holm tagged

CONTRACT RESOURCE GROUP, LLC - \$314,879.64, **MITY-LITE, INC** - \$121,454.49 and **J. TYLER SERVICES, INC** - \$114,921.38 for Office Furniture from State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - General, Enterprise, Grant and Other Funds

9. Council Member Jones tagged

ORDINANCE appropriating \$1,139,086.10 out of Equipment Acquisition Consolidated Fund for the purchase of Street and Parking Lot Maintenance Equipment for Various Departments

PURCHASING AND TABULATION OF BIDS - continued

a. **Council Member Jones tagged**

HI-WAY EQUIPMENT CO., L.L.C. - \$189,360.00, **TYMCO, INC** - \$115,481.63, **BERGKAMP, INC** - \$254,600.00 through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council and **MUSTANG MACHINERY COMPANY, LTD.** - \$580,925.00 and **R. B. EVERETT COMPANY** - \$95,438.60 through the Interlocal Agreement for Cooperative Purchasing with Texas Local Government Purchasing Cooperative for purchase of Street and Parking Lot Maintenance Equipment for Various Departments

10. **Motion 2008-0876**

HI-WAY EQUIPMENT CO., L.L.C. for Equipment, Road Machinery, Gradall and Cummins Replacement Parts and Repair Services for Various Departments - \$1,143,687.50 - General and Fleet Management Funds

ORDINANCES - NUMBERS 11 through 75

11. **Ordinance 2008-1054**

ORDINANCE AMENDING CHAPTERS 7 AND 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Pawnbrokers

Motion 2008-0868 – Suspend rules to consider Items 12, 12a, 12b and 19 thru 29 out of order

12. **Ordinance 2008-1052**

ORDINANCE AMENDING THE CODE OF ORDINANCES, OF THE CITY OF HOUSTON, TEXAS, by adding a new ARTICLE VI TO CHAPTER 9 relating to Airport Land Use Regulations; establishing Airport Land Use Regulations, Compatible Land Use Envelopes and Tier Boundaries for properties in the vicinity of George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field; adopting official Airport Land Use Maps for land within the Compatible Land Use Envelope of each Airport; providing for administration and enforcement; providing for Airport Land Use Permits and related matters; making findings and containing other provisions relating to the foregoing subject; providing for an effective date; providing for severability - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

a. **Ordinance 2008-1053**

ORDINANCE AMENDING THE CITY OF HOUSTON BUILDING CODE and adopting additional local amendments to the **INTERNATIONAL RESIDENTIAL CODE** for one- and two- family dwellings relating to Land Use Regulations at the City's airports; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

b. **Motion 2008-0869**

REQUEST from Mayor for confirmation of the appointment of the following to the **AIRPORT BOARD OF ADJUSTMENT**, for two year terms beginning on February 1, 2009:

Position One - **MR. DALE A. RUDICK**, and to serve as Chair

Position Two - **MR. GARY F. SHIRLEY**

Position Three - **MR. WALLY HUERTA**

Position Four - **MR. PARDHA NAMUDURI**

Position Five A - **MS. DEIDRE MONIQUE HINDS-RASHEED**, (for matters relating to Bush Intercontinental Airport)

Position Five B - **MR. HUGO C. ALVAREZ**, (for matters relating to Hobby Airport)

Alternate Position One - **MR. MICHAEL STRONG**

Alternate Position Two - **MR. DARRELL G. HARDY**

Alternate Position Three - **MR. JOE DOUGLAS WEBB**

Alternate Position Four - **MR. TERRY D. WILLIAMSON**

Alternate Position Five B - **MS. ANN COLLUM**, (for matters relating to Hobby Airport)

ORDINANCES - continued

13. Ordinance 2008-1113

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by **AMENDING CHAPTER 14** relating to the payment of Holiday Compensation to eligible employees

14. Ordinance 2008-1055

ORDINANCE relating to the rescheduling or postponement of certain City Council meetings

15. Ordinance 2008-1056

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Wagon Road (Parcel SY8-093), from approximately 50 feet south of Millstream Lane to Buckboard Drive; vacating and abandoning said tract to Aldine Independent School District and James D. Kuehn, Trustee, Greater Greenspoint Development Authority, abutting owners, in consideration of the conveyance to the City of a utility easement (Parcel VY9-021), all located in Imperial Valley Commercial Development, Section 1 Subdivision, Simon Contreras Survey, A-220, Houston, Harris County, Texas, and owner's payment to the City of \$149,514.00 - **DISTRICT B - JOHNSON**

16. Ordinance 2008-1057

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide sanitary sewer easement (Parcel SY8-094) extending from Shearn Street to Spring Street, located in the Shearn Street Addition, out of the John Austin Survey, A-1, Houston, Harris County, Texas; vacating and abandoning said easement to Sawyer Heights Village, Ltd., the abutting owner, in consideration of its payment of \$22,350.00 and other consideration to the City - **DISTRICT H - GARCIA**

17. Ordinance 2008-1058

ORDINANCE consenting to the addition of 3.999 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 189**, for inclusion in its district

18. Ordinance 2008-1059

ORDINANCE consenting to the addition of 191.0964 acres of land to **NEWPORT MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

19. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2960 LAZY LANE BOULEVARD** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**

20. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **2 WEST ELEVENTH PLACE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**

21. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3000 DEL MONTE DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**

ORDINANCES - continued

22. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1624 KIRBY DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**

23. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **3214 LOCKE LANE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**

24. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **12923 MEMORIAL DRIVE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**

25. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **1544 TULANE STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GARCIA**

26. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **4 SHADOW LAWN STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT C - CLUTTERBUCK**

27. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a historical site located at **706 WEST SAWYER STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GARCIA**

28. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **310 MAIN STREET** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT I - RODRIGUEZ**

29. Council Member Sullivan tagged

ORDINANCE providing for an ad valorem tax exemption on a significant historic structure located at **715 FRANKLIN AVENUE** in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT G - HOLM**

30. Council Members Rodriguez, Johnson, Green and Adams tagged

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2008-313 by adding eight (8) Engineer/Operator positions; eight (8) Fire Fighter positions and deleting one (1) Classified Mechanic Position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance

ORDINANCES - continued

31. Ordinance 2008-1060

ORDINANCE approving and authorizing first amendment to Lease Agreement between **RMC 2004 PORTFOLIO I, L.P.**, and related entities, as landlord, and the City of Houston, Texas, as tenant, for office space at 50 Briar Hollow West, Houston, Texas, at a monthly rent of \$2,895.17, for use by the Employee Assistance Program of the Human Resources Department - **DISTRICT G - HOLM**

32. Ordinance 2008-1061

ORDINANCE approving and authorizing Amending No. 2 to Lease Agreement, between the City of Houston and **MARATHON OIL COMPANY** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

33. Ordinance 2008-1062

MUNICIPAL setting designation ordinance prohibiting the use of designated groundwater from beneath a 4.29 acre site located in 1210 San Jacinto Street Houston, Harris County, Texas, commonly known as Houston Pavilions (Block 273) and South Texas College of Law (Block 293), Houston, Texas, 77002 and a portion of the Polk Avenue right of way, City of Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - RODRIGUEZ**

34. Ordinance 2008-1063

MUNICIPAL setting designation ordinance prohibiting the use of designated groundwater from beneath a 14.6 acre site located in 10651 Harwin Drive Houston, Harris County, Texas, commonly known as West Belt Business Park, Houston, Texas, 77036 and a portion of the West Beltway 8 right of way, City of Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICTS F - KHAN and G - HOLM**

35. Ordinance 2008-1064

ORDINANCE approving and authorizing Interlocal Agreement between the City and **HARRIS COUNTY** for provision of Outreach Services pursuant to the Federal Grant Program in support of the Ryan White Comprehensive AIDS Resources Emergency Act now known as the Ryan White HIV/AIDS Treatment Modernization Act of 2006 Special Projects of National Significance Program \$94,430.00 - Grant Fund

36. Ordinance 2008-1065

ORDINANCE amending City of Houston Ordinance No. 2005-607, passed on May 11, 2005 which approved and authorized the submission of the 2005 Consolidated Plan and the Grant Application for the 31st Community Development Block Grant ("CDBG") Program year, among others, to add a new Business Stabilization Loan Program for Small Business owners - \$328,000.00 - Grant Fund

37. Ordinance 2008-1114

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON SRO HOUSING CORPORATION**, to provide up to \$153,452.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds, which amount includes a limitation on additional funding in the amount of \$76,726.00, for the Operation of a Single Room Occupancy Community Residence located at 1111 McIlhenney - **DISTRICT I - RODRIGUEZ**

38. Not Received - Not Considered

ORDINANCE approving and authorizing contract between the City of Houston and **HARRISON LAW OFFICE, P.C.** for Litigation Support Services, providing a maximum contract amount \$150,000.00 - CIP Salary Recovery Fund

ORDINANCES - continued

39. Ordinance 2008-1066

ORDINANCE amending Ordinance No. 2008-827 to increase the maximum contract amount for a contract between the City of Houston and **BECK DISASTER RECOVERY, INC** for Hurricane Ike Disaster Management Services for the Solid Waste Management Department - \$20,000,000.00 Hurricane Ike Aid and Recovery Fund

40. Ordinance 2008-1115

ORDINANCE appropriating \$517,364.62 out of Equipment Acquisition Consolidated Fund for Purchase of Fire Protection Ensembles under Contract No. C52538 with **LION APPAREL**

41. Ordinance 2008-1067

ORDINANCE amending Ordinance No. 2008-0921 (passed October 15, 2008) to correct a clerical error to include Professional Architectural Services for the Renovation and Expansion of Fifth-Ward Multi-Service Center - **DISTRICT B - JOHNSON**

42. Ordinance 2008-1068

ORDINANCE appropriating \$269,750.00 out of Street & Bridge Consolidated Construction Fund; awarding Construction Manager At Risk Contract to **J. E. DUNN SOUTH CENTRAL, INC** for Right-of-way and Fleet Maintenance Facilities Expansion - **DISTRICTS H - GARCIA and I - RODRIGUEZ**

43. Ordinance 2008-1116

ORDINANCE appropriating \$200,000.00 out of Public Library Consolidated Construction Fund for CCTV and Access Control Equipment and Installation for the Jesse H. Jones Central Library and Julia Ideson Building under an existing contract with **BL TECHNOLOGY, INC** - **DISTRICT I - RODRIGUEZ**

44. Council Member Holm tagged

ORDINANCE appropriating \$337,108.93 out of Police Consolidated Construction Fund for the purchase of Security System Equipment, Computers and Telephones for the Houston Police Department New Property Room

45. Council Member Holm tagged

ORDINANCE appropriating \$126,046.47 out of Police Consolidated Construction Fund for the purchase of Security System Equipment, Computers and Telephones for the Houston Police Department New Mounted Patrol Facility

46. Ordinance 2008-1117

ORDINANCE appropriating \$324,800.00 out of Police Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment to Construction Contract (approved by Ordinance No. 2007-1299) between the City of Houston and **PRIME CONTRACTORS, INC** for the Mounted Patrol Facility Relocation; providing funding for contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund

47. Ordinance 2008-1069

ORDINANCE approving and authorizing fourth amendment to the funding agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Construction of West Houston Trail Phase II - a joint project between the City of Houston and TXDOT (approved by Ordinance No. 95-1290) - **DISTRICT G - HOLM**

48. Ordinance 2008-1070

ORDINANCE appropriating \$10,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Construction Management Services Contract between the City of Houston and **PTI, INCORPORATED** for Neighborhood Street Projects **DISTRICT B - JOHNSON**

ORDINANCES - continued

49. Ordinance 2008-1071

ORDINANCE appropriating \$542,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for contract between the City of Houston and **ADS CORPORATION d/b/a ADS ENVIRONMENTAL SERVICES** for Hydraulic Modeling Field Support Services

50. Council Members Rodriguez, Green and Lawrence tagged

ORDINANCE appropriating \$16,400,000.00 out of Reimbursement of Equipment/Projects Fund and approving and authorizing Energy Savings Performance Contract between the City of Houston and **SIEMENS BUILDING TECHNOLOGIES, INC** for City-Wide Traffic Signal LED Retrofit

51. Ordinance 2008-1072

ORDINANCE appropriating \$2,275,806.60 out of Street & Bridge Consolidated Construction Fund and \$2,108,093.40 out of Contribution for Capital Projects Fund, awarding contract to **TRIPLE B SERVICES, L.L.P.** for Bertner Avenue Paving Extension from South Braeswood to Old Spanish Trail; 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 Street & Bridge Consolidated Construction Fund and Contribution Capital Projects Fund - **DISTRICT D - ADAMS**

52. Ordinance 2008-1073

ORDINANCE appropriating \$5,068,933.80 out of Metro Project Commercial Paper Series E Fund; awarding contract to **CONRAD CONSTRUCTION CO., LTD.**, for Reconstruction of North Main Street; 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 Metro Project Commercial Paper Series E Fund - **DISTRICT H - GARCIA**

53. Ordinance 2008-1074

ORDINANCE appropriating \$3,385,827.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **UNDERGROUND TECHNOLOGIES INC** 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, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

ORDINANCES - continued

54. Ordinance 2008-1075

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 Parker Road Paving Project (from Airline to Hardy Toll Road); authorizing the acquisition of certain real property interests by gift, donation, purchase, and/or eminent domain proceedings required for the project and payment of the costs of the purchases and/or eminent domain proceedings and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of 157 tracts of land being acquired in fee simple and/or permanent easements, in upon and to property located in the H. & T.C.R.R. Company Survey, Section 5, A-428, in Harris County, Texas, and being more specifically situated out of Lot 21 of Thatchers Gardens Subdivision; Lots 1 thru 3, Block 1, Lots 4 thru 19, Block 2, Lots 20 thru 22, Block 3, and Lots 23 thru 38, Block 4, Gilwood Place Subdivision; Lots 1, and 4 thru 28 of Strathmore Place Subdivision; Lots 8 thru 14 Block 1 and Lots 1 thru 6, Block 2 of E. P. South's Subdivision; Lots 1 thru 8 Block 2 and Lots 1 thru 8 Block 3 of Shelby Addition Subdivision; and Lots 344, thru 346 and 351 thru 354 Block 6, Lots 355 thru 370, Block 7, Lot 225 Block 12, Lots 317 thru 332, Block 14, Lots 335 thru 343, Block 15 of Hawthorne Place Section 2, said parcels of land being along the north and south lines of Parker from Fulton Street to just east of Silvercrest Street in Houston, Harris County, Texas - **DISTRICT H - GARCIA**

55. Ordinance 2008-1011 – Adopted third and final reading

ORDINANCE No. 2008-1011, passed second reading November 19, 2008

ORDINANCE granting to **J BAR CONTRACTOR'S SERVICES, 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 - **THIRD AND FINAL READING**

56. Ordinance 2008-1012 – Adopted third and final reading

ORDINANCE No. 2008-1012, passed second reading November 19, 2008

ORDINANCE granting to **TAP ENVIRONMENTAL, INC, A Texas Corporation**, 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 - **THIRD AND FINAL READING**

57. Ordinance 2008-1076

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **ADDICKS UTILITY DISTRICT**

a. Ordinance 2008-1077

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Addicks Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Addicks Utility District annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

58. Ordinance 2008-1078

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CINCO MUNICIPAL UTILITY DISTRICT NO. 2**

ORDINANCES - continued

a. **Ordinance 2008-1079**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Cinco Municipal Utility District No. 2, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Cinco Municipal Utility District No. 2 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

59. **Ordinance 2008-1080**

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CINCO MUNIICIPAL UTILITY DISTRICT NO. 5**

a. **Ordinance 2008-1081**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Cinco Municipal Utility District No. 5, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Cinco Municipal Utility District No. 5 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

60. **Ordinance 2008-1082**

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 49**

a. **Ordinance 2008-1083**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 49 and certain territory located in the vicinity of Harris County Municipal Utility District No. 49, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 49; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 49 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

61. **Ordinance 2008-1084**

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71**

a. **Ordinance 2008-1085**

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 71 and certain territory located in the vicinity of Harris County Municipal Utility District No. 71, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 71; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 71 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

ORDINANCES - continued

62. Ordinance 2008-1086

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 106**

a. Ordinance 2008-1087

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 106 and certain territory located in the vicinity of Harris County Municipal Utility District No. 106, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 106; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 106 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

63. Ordinance 2008-1088

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 144**

a. Ordinance 2008-1089

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 144 and certain territory located in the vicinity of Harris County Municipal Utility District No. 144, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 144; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 144 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

64. Ordinance 2008-1090

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165**

a. Ordinance 2008-1091

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 165 and certain territory located in the vicinity of Harris County Municipal Utility District No. 165, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 165; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 165 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

65. Ordinance 2008-1092

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 166**

ORDINANCES - continued

a. Ordinance 2008-1093

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 166 and certain territory located in the vicinity of Harris County Municipal Utility District No. 166, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 166; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 166 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

66. Ordinance 2008-1094

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 278**

a. Ordinance 2008-1095

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 278 and certain territory located in the vicinity of Harris County Municipal Utility District No. 278, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 278; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 278 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

67. Ordinance 2008-1096

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 371**

a. Ordinance 2008-1097

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 371 and certain territory located in the vicinity of Harris County Municipal Utility District No. 371, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 371; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 371 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

68. Ordinance 2008-1098

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383**

a. Ordinance 2008-1099

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 383 and certain territory located in the vicinity of Harris County Municipal Utility District No. 383, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 383; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 383 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

ORDINANCES - continued

69. Ordinance 2008-1100

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 500**

a. Ordinance 2008-1101

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 500, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 500 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

70. Ordinance 2008-1102

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 501**

a. Ordinance 2008-1103

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 501, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 501 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

71. Ordinance 2008-1104

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 503**

a. Ordinance 2008-1105

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Municipal Utility District No. 503 and certain territory located in the vicinity of Harris County Municipal Utility District No. 503, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Municipal Utility District No. 503; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 503 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

72. Ordinance 2008-1106

ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY UTILITY DISTRICT NO. 15**

a. Ordinance 2008-1107

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Utility District No. 15 and certain territory located in the vicinity of Harris County Utility District No. 15, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for the territory located in the vicinity of Harris County Utility District No. 15; imposing the sales and use tax of the City of Houston in the area within Harris County Utility District No. 15 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

ORDINANCES - continued

73. Ordinance 2008-1108

ORDINANCE approving and authorizing a second amendment to the Strategic Partnership Agreement between the City of Houston and **CHELFORD CITY MUNICIPAL UTILITY DISTRICT**

a. Ordinance 2008-1109

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Chelford City Municipal Utility District, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Chelford City Municipal Utility District annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

74. Ordinance 2008-1110

ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36**

a. Ordinance 2008-1111

ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within Harris County Water Control and Improvement District No. 36, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Water Control and Improvement District No. 36 annexed for limited purposes; assigning annexed areas to the adjacent District from which a District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter

75. Ordinance 2008-1112

ORDINANCE approving amendments to the annexations of certain territory previously annexed for limited purposes that is located in Harris County and Fort Bend County, located in the vicinity of various municipal utility districts and other similar entities as listed in the ordinance

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 76 through 76B

Motion 2008-0877 – Written motion to substitute Item 76 as follows:

“(a) Definition. When used in this section, the term subdivision identification marker means a marker placed in the public right-of-way intended to identify a residential community or residential development with 50 or more platted single family residential lots. The city engineer may issue a variance for subdivision identification markers for a residential community or a residential development with less than 50 single family residential lots.” - **adopted**

MATTERS HELD - continued

76. WRITTEN Motion by Council Member Holm to amend Item 76B below:

I move to amend Section 41-12(a) to read:

(a) Definition. When used in this section, the term subdivision identification marker means a free-standing marker located in the median of a public street right of way or in excess public street right of way of a street within, intended to identify a residential community or residential development. ~~with 50 or more platted single-family residential lots. The city engineer may issue a variance for subdivision identification markers for a residential community or residential development with less than 50 single-family residential lots.~~

TAGGED BY COUNCIL MEMBER HOLM

a. **Motion 2008-0878 – Adopt**

WRITTEN Motion by Council Member Holm to amend Item 76B below:

I move to amend Section 41-12(b) to read:

Encroachment permit required. A subdivision identification marker installed after December 31, 2008, in the median of a public street right-of-way or in unimproved excess public street right-of-way of a street within, abutting or adjacent to the subdivision must have an encroachment permit issued by the city engineer's office and shall not be subject to the requirements of the Houston Sign Code (Chapter 46 of the City of Houston Building Code). ~~A subdivision identification marker on private property must have a sign permit issued by the city's sign administration pursuant to the Houston Sign Code.~~

TAGGED BY COUNCIL MEMBER HOLM

b. **Ordinance 2008-1118 – Adopt as amended**

ORDINANCE adding a new Section 41-12, relating to Residential Subdivision Identification Markers, to Article I of Chapter 41 of the Code of Ordinances, Houston, Texas

TAGGED BY COUNCIL MEMBER HOLM

This was Item 7 on Agenda of November 19, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Johnson 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

12/2/2008 – Council Members Garcia and Khan out of the City on business

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