

AGENDA - COUNCIL MEETING - TUESDAY - JANUARY 15, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2008-0024 to 2008-0039
ORDINANCES – 2008-0014 to 2008-0032
RESOLUTIONS – None

2008-0023-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Adams

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 2008-0040 – Procedural motion
Motion 2008-0041 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JANUARY 16, 2008 - 9:00 A. M.

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

MAYOR'S REPORT - Police Initiatives

CONSENT AGENDA NUMBERS 1 through 33

MISCELLANEOUS - NUMBER 1

1. Motion 2008-0053

RECOMMENDATION from Mayor's Office of Government Affairs for renewal of Annual Membership in the **HOUSTON-GALVESTON AREA COUNCIL** - \$78,145.24 - General Fund

ACCEPT WORK - NUMBERS 2 through 5

2. Motion 2008-0043

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,282,562.34 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Pressure Reducing Valve Station Improvements Package III, WBS S-000900-00A7-4 - 14.27% under the original contract amount - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

ACCEPT WORK - continued

3. Motion 2008-0044

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,568,516.63 payable to the **Surety, ST. PAUL FIRE AND MARINE INSURANCE COMPANY** on contract awarded to **CONTRACTOR TECHNOLOGY, LTD.** and acceptance of work for 30-inch and 48-inch water line along Alameda Road and Holcombe Boulevard from North MacGregor Way to South Braeswood Boulevard, WBS S-000900-0090-4 0.45% under the original contract amount - **DISTRICT D - ADAMS**

4. Motion 2008-0045

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,051,223.71 and acceptance of work on contract with **BRH-GARVER, CONSTRUCTION, L.P.** for Construction of 24-inch water line along State Highway 6 from Barkers Point Lane to Grisby Street and Conrad Sauer Pig Launching/Receiving Station, WBS S-000900-0096-4 - 8.04% under the original contract amount - **DISTRICT A - LAWRENCE**

5. Motion 2008-0046

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,924,071.53 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Water Distribution System Rehabilitation and Renewal, (WA 10873) 0.84% over the original contract amount

PROPERTY - NUMBER 6

6. Motion 2008-0047

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and withdraw objections to the award in connection with eminent domain proceeding styled City of Houston v. FYI Group, a California corporation, et al., Cause No. 899,129; for acquisition of Parcel AY6-045; for the **LONG POINT @ WIRT INTERSECTION IMPROVEMENTS PROJECT (Pine Chase - Johanna)**, WBS/CIP N-000674-0001-2 - **DISTRICT A - LAWRENCE**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 11A

7. Motion 2008-0048

EQUIPMENT SUPPORT SERVICES, INC for Forklift through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Airport System \$60,130.00 - Enterprise Fund

8. Motion 2008-0049

TENNANT SALES AND SERVICE COMPANY for Riding Sweeper and Power Scrubbers from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department \$79,693.19 - Enterprise Fund

9. Motion 2008-0050

LONE STAR UNIFORMS, INC for Motorcycle and Mounted Patrol Apparel for Police Department \$426,880.00 - General Fund

10. Ordinance 2008-0033

ORDINANCE appropriating \$1,186,306.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Replacement of 78" sanitary sewer line under Noble Street near the intersection with Gregg Street for the Public Works & Engineering Department, WBS R-000019-0042-4-01-01 - **DISTRICT H - GARCIA**

PURCHASING AND TABULATION OF BIDS - continued

a. **Motion 2008-0051**

BOYER, INC for payment in the total amount of \$1,186,306.00 for Emergency Replacement of 78" sanitary sewer line for the Department of Public Works & Engineering - **DISTRICT H - GARCIA**

11. **Ordinance 2008-0034**

ORDINANCE appropriating \$186,614.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Replacement of 1,648 linear feet of sewer line in the 2900 block of Fairhope, 8400 block of Bluegate and 8200 block of Lorrie for the Public Works & Engineering Department, WBS R-000019-0045-4 - **DISTRICT C - CLUTTERBUCK**

a. **Motion 2008-0052**

TROY CONSTRUCTION, L.L.P. for payment in the total amount of \$186,614.00 for Emergency Replacement of 1,648 linear feet of sewer line for Department of Public Works & Engineering **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 33

12. **Resolution 2008-0001**

RESOLUTION approving and adopting a revised Investment Policy for the City of Houston

Motion 2008-0042 – Suspend rules to consider Items 13, 13a, 13b and 13c out of order

13. **Ordinance 2008-0052**

ORDINANCE **AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to a reorganization of the functions of the Finance and Administration Department; creating a new Department of Finance and a new Department of Administration and Regulatory Affairs, abolishing the Department of Finance and Administration; authorizing the transfer of budgetary authority among certain departments and funds; redistributing authorized positions among certain departments and funds; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability; and declaring an emergency

a. **Ordinance 2008-0053**

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2007-390), to amend the Master classification ordinance to add, revise and/or delete certain classifications substituting the amended exhibits as part of the current master classification listing; providing for severability

b. **Motion 2008-00257**

REQUEST from Mayor for confirmation of the appointment of **MS. MICHELLE MITCHELL** as Director of the **FINANCE DEPARTMENT**

c. **Motion 2008-0058**

REQUEST from Mayor for confirmation of the appointment of **MR. ALFRED MORAN** as Director of the **ADMINISTRATION AND REGULATORY AFFAIRS DEPARTMENT**

14. **Ordinance 2008-0050**

ORDINANCE **AMENDING ARTICLE IX OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Parades

RESOLUTIONS AND ORDINANCES - continued

15. Ordinance 2008-0035

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Redwood Street, from Palmetto Street to Rustic Lane (Parcel SY7-019); vacating and abandoning said parcel to Houston Community College System, the abutting owner, in consideration of its dedication back to the City of said parcel as a full-width utility easement, designated Parcel VY7-031; both parcels being out of the Pecan Park Replat and Extension, out of the Jacob Thomas Survey, Abstract 74, Houston, Harris County, Texas; its agreement to mitigate any potential traffic problems arising from the street's closing; and its payment of \$63,915.00 and other consideration to the City; approving and authorizing said agreement **DISTRICT I - RODRIGUEZ**

16. Ordinance 2008-0036

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of excess fee-owned East 11th Street right-of-way (Parcel SY7-045), being the remainder of Lot 2, Block 1, Norhill Addition, John Austin Survey, A-1, Houston, Harris County, Texas, containing 1,158 square feet (0.0266 acre) of land, more or less; vacating and abandoning said tract of land to Alexander A. Valdez and wife, Nancy L. Valdez, abutting owner, in consideration of owners' payment of \$28,950.00 and other consideration to the City - **DISTRICT H - GARCIA**

17. Ordinance 2008-0037

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 15-foot wide alley, located between Patterson Street and Fowler Street, located between Lots 1 through 5 and 8 through 12 and between Lot 6 and a portion of Lot 7, Block 56, Brunner Addition, John Austin Survey, A-1, Harris County, Texas, containing 3,750 square feet (0.0861 acre) of land, more or less; vacating and abandoning said tract of land to Washington 4500, L.P., the abutting owner, in consideration of owner's payment of \$150,000.00 and other consideration to the City - **DISTRICT H - GARCIA**

18. Ordinance 2008-0038

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 7-foot-wide sanitary sewer easement located between Sackett Avenue and Ferndale Place, at the rear of Lots 3 and 4, Block 19, E. C. Crawford Addition; Parcel SY7-058; vacating and abandoning said parcel to Belle Meade Investment 2006 L.P., the abutting owner, in consideration of its conveyance to the City of a 15-foot-wide access easement, from the new terminus of the sanitary sewer line east along the southern boundary of Tract 1, Block 5, Kerr's Ferndale Annex to the Ferndale Place right of way; Parcel AY7-442; and its payment of \$300.00 (minimum fee) and other consideration to the City; the abandonment parcel and the conveyance parcel both out of the A. C. Reynolds Survey, A-61, Houston, Harris County, Texas - **DISTRICT C - CLUTTERBUCK**

19. Ordinance 2008-0039

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 505**

20. Omitted

21. Ordinance 2008-0040

ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC** to provide \$165,000.00 in Community Development Block Grant Funds and \$145,000.00 in General Funds to assist in the administration and operation of the Emergency Mobile Outreach Program **DISTRICT D - ADAMS**

RESOLUTIONS AND ORDINANCES - continued

22. Ordinance 2008-0041

ORDINANCE appropriating \$370,000.00 out of Public Health Consolidated Construction Fund and approving and authorizing Professional Services Contract between the City of Houston and **GILBANE BUILDING COMPANY** for Pre-Design Services of Consolidation of Three-Houston Health and Human Services Department Facilities, WBS H-000071-0001-3 - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

23. Ordinance 2008-0051

ORDINANCE approving and authorizing contracts between the City of Houston and **TERRACON CONSULTANTS, INC** and **WESTON SOLUTIONS, INC** for Environmental Assessments in support of the Brownfields Redevelopment Program - Grant Fund

24. Ordinance 2008-0042

ORDINANCE approving and authorizing contract between the City of Houston and **GROUP 1 SOFTWARE, INC** for Software Licenses, Maintenance and Technical Support Services for the Utility Customer Service Branch of the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$393,630.00 - Enterprise Fund

25. Ordinance 2008-0043

ORDINANCE awarding contract to **LIBERTY TIRE RECYCLING, LLC** for Used and Scrap Tire Disposal Services for Solid Waste Management Department; providing a maximum contract amount - 3 years with two one-year options - \$1,480,000.00 - General Fund

26. Council Member Rodriguez tagged

ORDINANCE finding and declaring public convenience and necessity for the acquisition of Fee Simple Title or easements for rights-of-way in connection with the public improvement project known as the Mercury Drive Paving Project, Segment 4 (from Herman Brown Park to Wallisville Road), authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of Fee Simple or easements in, over, upon, under, and across 14 parcels of land situated in the Reels and Trobough Survey, Abstract No. 59, Harris County, Texas, and being more specifically situated along and abutting the east or west lines of Oates Road between U.S. Highway 90 and Wallisville Road in Houston, Harris County, Texas - **DISTRICT I - RODRIGUEZ**

27. Ordinance 2008-0044

ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements for rights-of-way in connection with the public improvement project known as the Texas Avenue Lift Station and Force Main Project; authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of easements in, over, upon, under, and across 7 parcels of land situated in the S. M. Williams Survey, Abstract No. 87, Harris County, Texas, and being more specifically situated out of property conveyed by instruments recorded in the Real Property Records of Harris County, Texas with File Numbers U955383, E651745, or in Volume 402, Page 602, and Volume 2367, Page 737, of the Deed Records, of Harris County, Texas - **DISTRICT H - GARCIA**

RESOLUTIONS AND ORDINANCES - continued

28. Ordinance 2008-0045

ORDINANCE appropriating \$165,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **CIVILTECH ENGINEERING, INC** for Design of Neighborhood Sewer System Improvements (Approved by Ordinance No. 04-0714), WBS R-002011-0043-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS**

29. Ordinance 2008-0046

ORDINANCE appropriating \$5,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **TLC ENGINEERING, INC**, WBS S-000600-00B7-4 - **DISTRICTS A - LAWRENCE and B - JOHNSON**

30. Council Member Brown tagged

ORDINANCE approving and authorizing amendment to Developer Participation Contract between the City of Houston and **4468 W. AIRPORT I LTD.**, for the construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section 1 of the Brentwood Village Subdivision - **DISTRICT D - ADAMS**

31. Ordinance 2008-0047

ORDINANCE appropriating \$101,252.00 (This amount includes \$96,430.00 estimated cost of pipeline and \$4,822.00 City Salary Recovery Costs.) out of the Street & Bridge Consolidated Construction Fund No. 4506 for the removal or relocation of pipelines for the Mesa Drive Reconstruction Project (N-000680-0002-4); approving a Reimbursement Agreement with **LONGHORN PARTNERS PIPELINE, L.P.** - **DISTRICT B - JOHNSON**

32. Ordinance 2008-0052 – Passed first reading

ORDINANCE granting to **CAPTAIN HOOK OF HOUSTON, LLC, a Texas Limited Liability 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; and making certain findings related thereto - **FIRST READING**

33. Ordinance 2008-0053 – Passed first reading

ORDINANCE granting to **LEGACEE INTERNATIONAL ENVIRONMENTAL SERVICES, INC d/b/a TEXAS WASTE CARRIERS, 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; and making certain findings related thereto - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 34 and 35

MISCELLANEOUS

34. Motion 2008-0054

MOTION to set a date not less than seven (7) days from January 16, 2008, to receive nominations for Positions 6 and 7 of the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** for terms to expire two years from appointment date

35. Motion 2008-0055

SET A HEARING DATE relative to proposed amendments to the Project and Financing Plan for TIRZ #16 (Uptown Zone) - **DISTRICT G - HOLM**
SUGGESTED HEARING DATE - WEDNESDAY - JANUARY 23, 2008 - 9:00 A.M.

MATTERS HELD - NUMBER 36

36. Motion 2008-0056

MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$6,465,461.02 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Neighborhood Street Reconstruction Project, Briargrove Subdivision Phase II, WBS N-000368-0002-4 (NSR436A) - 4.78% over the original contract amount **DISTRICT G - HOLM** - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 4 on Agenda of January 9, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Holm 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

1/15/2008 – Council Members Noriega and Green absent on personal business

1/16/2008 – All Present