

AGENDA - COUNCIL MEETING - TUESDAY - JUNE 3, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2008-0364 to 2008-0384
ORDINANCES - 2008-0479 to 2008-0491
RESOLUTION – None

2008-0363-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Lovell

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 2008-0364 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JUNE 4, 2008 - 9:00 A. M.

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

Motion 2008-0365 – Suspend rules to hear the financial report prior to the Mayor's Report

MAYOR'S REPORT

Motion 2008—0366 – 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

CONSENT AGENDA NUMBERS 1 through 27

MISCELLANEOUS - NUMBERS 1 and 2

1. Motion 2008-0383

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **MIDTOWN MANAGEMENT DISTRICT BOARD OF DIRECTORS**:

- Position One - **MR. ROGER NEAL**, appointment, for a term to expire 6/1/2011
- Position Two - **MR. D. ALAN HOOD**, reappointment, for a term to expire 6/1/2011
- Position Four - **MR. HOWARD LEE**, appointment, for a term to expire 6/1/2011
- Position Five - **MR. WILLIE HIGH COLEMAN, JR.**, appointment, for a term to expire 6/1/2011
- Position Six - **MR. WILLIAM STEPHEN TILNEY**, appointment, for a term to expire 6/1/2011
- Position Seven - **MS. PAMELA NGO TRANPARK**, appointment, for a term to expire 6/1/2011
- Position Eight - **MR. IAN M. ROSENBERG**, reappointment, for a term to expire 6/1/2011
- Position Nine - **MR. RAMIRO ORTA**, appointment, for a term to expire 6/1/2011
- Position Ten - **MR. DOUG O. WILLIAMS**, appointment, for a term to expire 6/1/2009
- Position Eleven - **MR. DANIEL B. BARNUM**, appointment, for a term to expire 6/1/2009
- Position Twelve - **MR. ROY T. JACKSON**, appointment, for a term to expire 6/1/2009
- Position Thirteen - **MR. VERNUS C. SWISHER**, appointment, for a term to expire 6/1/2009
- Position Fourteen - **MR. ADAM BRACKMAN**, appointment, for a term to expire 6/1/2009
- Position Fifteen - **MS. GAYLE FORTSON**, appointment, for a term to expire 6/1/2009
- Position Sixteen - **MR. TRANG Q. TRAN**, appointment, for a term to expire 6/1/2009
- Position Seventeen - **MR. MICHAEL TODD TRIGGS**, appointment, for a term to expire 6/1/2009

2. Motion 2008-0367

RECOMMENDATION from Director Department of Public Works & Engineering for approval of application to **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)** for partial abandonment of Storage Rights pertaining to the Wallisville Salt Water Barrier

ACCEPT WORK - NUMBERS 3 through 12

3. Motion 2008-0368

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,097,411.00 and acceptance of work on contract with **REDDY ENGINEERS AND CONTRACTORS, LTD.**, for Theater District Flood Doors and Flood Gates Phase 2A and 2B, WBS B-000074-0001-4 - 4.99% over the original contract amount - Enterprise Fund - **DISTRICT I - RODRIGUEZ**

4. Motion 2008-0369

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,111,249.25 and acceptance of work on contract with **REDDY ENGINEERS AND CONTRACTORS, LTD.**, for Theater District Flood Doors and Flood Gates Phase 3 and 4, WBS B-000074-0002-4 - 4.98% over the original contract amount - Enterprise Fund - **DISTRICT I - RODRIGUEZ**

5. Motion 2008-0370

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$528,356.00 and acceptance of work on contract with **AMTECH ELEVATOR SERVICES COMPANY** for 611 Walker Elevator Upgrade, WBS R-000268-0001-4 - 4.99% over the original contract amount - **DISTRICT I - RODRIGUEZ**

ACCEPT WORK - continued

6. Motion 2008-0371

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,109,572.00 and acceptance of work on contract with **MERIDIAN COMMERCIAL , L.P.** for 611 Walker Phase I Interior Renovation, WBS R-000268-0056-4 - 1.89% over the original contract amount - **DISTRICT I - RODRIGUEZ**

7. Motion 2008-0372

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,355,562.34 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Wastewater Collection Rehabilitation and Renewal Contract, WBS R-0266-B2-3 (WW 4235-25) - 0.66% under the original contract amount

8. Motion 2008-0373

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,896,616.56 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00D6-4 - 1.45% over the original contract amount

9. Motion 2008-0374

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,717,015.08 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Wastewater Collection Rehabilitation and Renewal Contract, WBS R-000266-00E3-4 (4235-27) - 0.06% under the original contract amount

10. Motion 2008-0375

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,041,903.44 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000295-0003-4 - 0.77% under the original contract amount

11. Motion 2008-0376

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,007,620.33 and acceptance of work on contract with **C. E. BARKER, LTD.**, for Water Line Replacement in Westheimer North, WBS S-000035-00B2-4 - 6.40% under the original contract amount - **DISTRICT G - HOLM**

12. Motion 2008-0377

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,633,504.06 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for Construction of Water Distribution System Rehabilitation and Renewal, GFS S-000035-00V6-4 (10855-02) - 1.54% under the original contract amount

PROPERTY - NUMBER 13

13. Council Member Lawrence tagged

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 file objections to the award in connection with eminent domain proceeding styled City of Houston v. H.H. Clark & R. D. Clark, et al., Cause No. 892,399; for acquisition of Parcel AY7-368; for the **PROPOSED BEALL STREET EXTENSION PROJECT between West 14th and Wynnwood**, WBS/CIP N-000663-00RE-2-01 **DISTRICT A - LAWRENCE**

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 18

14. Motion 2008-0378

L-D SYSTEMS, L.P. for Audio Mixing Console for Convention & Entertainment Facilities Department - \$260,000.00 - Equipment Acquisition Consolidated Fund

15. Motion 2008-0379

ALCATEL USA MARKETING, INC for a 3-hop Ethernet 6 & 11 GHZ Microwave Ring through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Information Technology Department - \$283,056.00 - Police Special Services Fund

16. Motion 2008-0380

ALTIVIA CORPORATION for Chemical, Liquid Ammonium Sulfate (LAS) for Department of Public Works & Engineering - \$229,724.95 - Enterprise Fund

17. Motion 2008-0381

INFILCO DEGREMONT, INC for Climber Screens Replacement Parts and Services for Department of Public Works & Engineering - \$70,350.34 - Enterprise Fund

18. Motion 2008-0382

NEWBART PRODUCTS, INC - \$288,652.55, **IRIS LTD. INC - CAPITAL REGION** - \$71,814.69 and **INDENTISYS, INC** - \$244,036.36 for Security Badging Equipment, Supplies and Accessories for Various Departments - \$616,840.12, minus a commission fee for internet-based reverse auction services under contract with the Texas Procurement Center, L.L.C., for a net award amount not to exceed \$604,503.61 - General and Enterprise Funds

ORDINANCES - NUMBERS 19 through 27

19. Ordinance 2008-0483

ORDINANCE authorizing the City of Houston to disclaim, release and relinquish the City's right, title and interest in and to the area known as Kyle Street from Woodrow Street south to its terminus, located in the Roseland Addition, Houston, Harris County, Texas, to 4503 Montrose Limited, and authorizing the execution of a disclaimer of interest - **DISTRICT D - ADAMS**

20. Ordinance 2008-0484

ORDINANCE appropriating \$148,078.00 out of TIRZ Affordable Housing Fund 2409 and approving and authorizing second amendment to Lot Purchase and Development Contract between the City, the Land Assemblage Redevelopment Authority ("LARA") and Catholic Charities to develop an additional eight (8) lots in Independence Heights for sale to qualified purchasers as Affordable Single-Family Housing and providing \$10,000.00 in down payment assistance to each qualified purchaser - **DISTRICT H - GARCIA**

21. Ordinance 2008-0479

ORDINANCE appropriating \$385,599.88 from the Airports Improvement Fund; approving and authorizing the transfer of such amount to the Airport System Revenue Fund as a reimbursement to cover capital costs associated with the Terminal D West Ticketing Area Expansion (Project No. 500B) WBS A-000354-0006-4-01 - **DISTRICT B - JOHNSON**

22. Ordinance 2008-0485

ORDINANCE approving and authorizing agreement between the City of Houston and **HARRIS COUNTY HEALTHCARE ALLIANCE, A Texas Non-Profit Corporation**, for provision of "Telehealth Nurse" Services for the Houston Fire Department; providing a maximum contract amount - 1 Year and four one-year options - \$6,882,872.03 - General Fund

ORDINANCES - continued

23. Ordinance 2008-0486

ORDINANCE approving and authorizing first amendment to Contract No. C55027 between the City of Houston and **UNIQUE MANAGEMENT SERVICES, INC** for Library Collection and Recovery Services for the Houston Public Library - Revenue

24. Ordinance 2008-0487

ORDINANCE appropriating \$67,000.00 out of Fire Consolidated Construction Fund as an additional appropriation for Professional Architectural Services Contract with **NATEX CORPORATION** (approved by Ordinance No. 2007-0752), for New Fire Station 37, WBS C-000147-0002-3 - **DISTRICT C - CLUTTERBUCK**

25. Ordinance 2008-0480

ORDINANCE approving and authorizing fifteen Professional Materials Engineering and Testing Services Laboratory Contracts between the City of Houston and **ALLIANCE LABORATORIES, INC, ASSOCIATED TESTING LABORATORIES, INC, ATSER, L.P., COASTAL TESTING LABORATORIES, INC, DAE & ASSOCIATES, LTD. D/B/A GEOTECH ENGINEERING & TESTING, FUGRO CONSULTANTS, INC, GEOTEST ENGINEERING, INC, HTS, INC, CONSULTANTS, HVJ ASSOCIATES, INC, KENALL, INC, PARADIGM CONSULTANTS, INC, PROFESSIONAL SERVICE INDUSTRIES, INC, QC LABORATORIES, INC, RABA-KISTNER CONSULTANTS, INC,** and **TOLUNAY-WONG ENGINEERS, INC** for support of Capital Improvement Plan Projects

26. Ordinance 2008-0481

ORDINANCE appropriating \$3,473,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **WESTERN SUMMIT CONSTRUCTORS, INC** for Chlorine Facilities Improvements and PLC Replacements at East Water Purification Plant, WBS S-000056-0044-4; 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 project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

27. Ordinance 2008-0482

ORDINANCE appropriating \$9,017,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX. CORP.** for Pump Station Upgrade at Park Glen I, WBS S-001000-0009-4; 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 F - KHAN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 28 through 32

28. Motion 2008-0384 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for the designation of five residential parking permit areas in the Super Neighborhoods of the Washington Ave./Memorial Park Coalition, Neartown/Montrose and Afton Oaks/River Oaks Area - **DISTRICTS D - ADAMS; H - GARCIA and I - RODRIGUEZ**
TAGGED BY COUNCIL MEMBERS ADAMS and JONES
This was Item 6 on Agenda of May 28, 2008

29. Ordinance 2008-0488

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use (1) as public streets of a 13,380 square foot portion of South Post Oak Lane (Parcel SY5-011A) and a 5,238 square foot portion of Skylark Lane (Parcel SY5-011B), both located within Azalea Terrace, a subdivision according to the plat thereof recorded at Volume 33, Page 38, Map Records of Harris County, Texas ("HCMR"), (2) two utility easements on 0.0963 acres of land (Parcel SY5-011C) and 0.1098 acres of land (Parcel SY5-011D), both located within Restricted Reserve "A", Saks Fashion Center, according to the plat thereof recorded at Volume 340, Page 51, HCMR, and (3) a water line easement on 0.1863 acres of land (Parcel SY5-011E) within Azalea Terrace Annex, according to the plat thereof recorded at Volume 34, Page 61, HCMR; vacating and abandoning said public street rights-of-way and easements to Boulevard Place, L.P., abutting owner, in consideration of the conveyance to the City of a public street right-of-way easement on 66,500 square feet (Parcel AY6-165), payment to the City of \$1,500.00, and other good and valuable consideration; approving and authorizing the conveyance to the City by Crescent POC Investors, L.P. of public street right-of-way easements on 5,346 square feet (Parcel AY8-271A), 343 square feet (Parcel AY8-271B) and 526 square feet (Parcel AY8-271C) of land - **DISTRICT G - HOLM** - **TAGGED BY COUNCIL MEMBER HOLM**
This was Item 33 on Agenda of May 28, 2008

30. Ordinance 2008-0489

ORDINANCE amending Ordinance Number 2003-529, as amended, which approved and authorized Professional Audit Services Agreement with **DELOITTE & TOUCHE LLP**, to increase the maximum contract amount; approving and authorizing first amendment to the contract \$1,760,000.00 - General Fund
TAGGED BY COUNCIL MEMBERS JOHNSON, KHAN, GREEN and JONES
This was Item 52 on Agenda of May 28, 2008

31. Ordinance 2008-0490

ORDINANCE awarding contract to **RANGER SPECIALIZED GLASS, INC** for Glass Replacement and Repair Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$1,585,757.50 - General, Enterprise and Building Inspection Funds
TAGGED BY COUNCIL MEMBER LAWRENCE
This was Item 54 on Agenda of May 28, 2008

32. Ordinance 2008-0491

ORDINANCE appropriating \$3,634,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.**, for Water Line Replacement in the University Area, WBS S-000035-00B1-4; 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 C - CLUTTERBUCK** - **TAGGED BY COUNCIL MEMBER ADAMS**
This was Item 61 on Agenda of May 28, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Brown 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

6/3/2008 – Council Member Holm absent on personal business

6/4/2008 – Council Member Holm absent on personal business