

AGENDA - COUNCIL MEETING - TUESDAY - MARCH 25, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2008-0192 to 2008-0223
ORDINANCES - 2008-0222 to 2008-0266
RESOLUTION – 2008-0008

2008-0191-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Khan

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 2008-0192 – Procedural motion
Motion 2008-0193 – Procedural motion
Motion 2008-0194 – Procedural motion
Motion 2008-0195 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MARCH 26, 2008 - 9:00 A. M.

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

MAYOR'S REPORT - Project Houston Hope

CONSENT AGENDA NUMBERS 1 through 67

MISCELLANEOUS - NUMBERS 1 through 5

1. **Motion 2008-0210**

REQUEST from Mayor for confirmation of the appointment of the following to the **BUILDING AND STANDARDS COMMISSION**:

PANEL 2

Position B2 - **MS. JENIFER RENÉ POOL**, for a term to expire December 31, 2009

MISCELLANEOUS - continued

2. Motion 2008-0211

REQUEST from Mayor for confirmation of the appointment of the following to the **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE) BOARD OF DIRECTORS**, for terms to expire July 6, 2009:
Position Three - **MS. JILL JEWETT**
Position Five - **MS. TINA ARIAS PETERMAN**

3. Motion 2008-0212

RECOMMENDATION from Mayor's Office of Government Affairs for Membership with the **GULF COAST REGIONAL MOBILITY PARTNERS** - 1 Year - \$75,000.00 - General Fund

4. Motion 2008-0198

RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for Townwood Park, WBS F-504C12-0001-4 - **DISTRICT D - ADAMS**

5. Motion 2008-0213

RECOMMENDATION from Chief of Police for Extension of Injury on duty leave for Officer **LEROY U. WEAVER**

DAMAGES - NUMBER 6

6. Motion 2008-0199

RECOMMENDATION from City Attorney for settlement of lawsuit styled **FREDERICK MORGAN and LINDA MORGAN** v. the City of Houston; in the Civil District Court 189th Judicial District of Harris County, Texas; Cause No. 2006-05404 - \$110,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 7 through 12

7. Motion 2008-0214

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$9,742,875.33 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as W. W. WEBBER, INC)** for Demolition of Concourse "B" at William P. Hobby Airport (HOU), Project No. 417M; WBS A-000141-0005-4-01 - 6.14% over the original contract amount **DISTRICT I - RODRIGUEZ**

8. Motion 2008-0200

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$2,764,548.26 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as W. W. WEBBER, INC)** for Construction of Taxi Lane "K" at Ellington Field (EFD), Project No. 626; WBS A-000544-0001-4-01 and A-000544-0001-4-02- 1.41% over the original contract amount - **DISTRICT E - SULLIVAN**

9. Motion 2008-0215

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$27,328,690.09 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as W. W. WEBBER, INC)** for SMGCS/Civil Site Work for the Instrument Landing System CAT III for Runway 4-22, Project No. 566B and Airfield Pavement Rehabilitation, Project No. 566, both Projects at William P. Hobby Airport (HOU); WBS A-000385-0002-4-01 0.31% under the original contract amount - **DISTRICT I - RODRIGUEZ**

ACCEPT WORK - continued

10. Motion 2008-0216

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$676,101.83 and acceptance of work on contract with **SPRING EQUIPMENT CO., INC** for Neighborhood Solid Waste Depository, WBS L-000043-0001-4 - 0.75% over the original contract amount - **DISTRICT I - RODRIGUEZ**

11. Motion 2008-0217

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$5,140,737.00 and acceptance of work on contract with **GILBANE BUILDING COMPANY** for Looscan Branch Library Replacement, WBS E-000095-0001-4 - 1.08% over the original contract amount - **DISTRICT G - HOLM**

12. Motion 2008-0218

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,014,115.14 and acceptance of work completed by the **Surety, ST. PAUL FIRE AND MARINE INSURANCE COMPANY** on contract awarded to **CONTRACTOR TECHNOLOGY, LTD.**, for 36-inch Water Line along Hillcroft Ave., Holly Dunlap, and N. Braeswood Blvd. from Bissonnet to N. Braeswood Blvd., WBS S-000900-0089-4 - 4.91% under the original contract amount - **DISTRICTS C - CLUTTERBUCK and F - KHAN**

PROPERTY - NUMBER 13

13. Council Member Lawrence tagged

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Karen Riddle, Abel Permits, on behalf of Pedro Arreguin, for abandonment and sale of ±21,760-square-feet of excess dedicated Dacoma Street right-of-way from Hurfus Street to Karbach Street, adjacent to Lot 75 of the Eureka Acres Subdivision, Parcel SY8-010 - **APPRAISERS - DISTRICT H - GARCIA**

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 24

14. Ordinance 2008-0222

ORDINANCE appropriating \$99,638.04 out of Fleet/Equipment Acquisition Internal Services Fund for the purchase of Cabs and Chassis with Utility Bodies for the Fire Department

a. Motion 2008-0201

PHILPOTT MOTORS, LTD for purchase of Cabs and Chassis with Utility Bodies for the Fire Department through the Texas Local Government Purchasing Cooperative

15. Ordinance 2008-0223

ORDINANCE appropriating \$118,917.06 out of Parks Consolidated Construction Fund for purchase of a Pre-Engineered Building for the Lee and Joe Jamail Skatepark WBS F-000560-0001-4 under an existing contract with the State of Texas Building and Procurement Commission **DISTRICT H - GARCIA**

a. Motion 2008-0202

ROMTEC, INC for purchase of a Pre-Engineered Building from the State of Texas Building and Procurement Commission's Contract for the Park and Recreation Department

16. Motion 2008-0203

WHITE-TUCKER COMPANY for purchase of Fuel Storage Tanks for the General Services Department - \$123,582.36 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

17. Ordinance 2008-0224

ORDINANCE appropriating \$150,000.00 out of Public Health Consolidated Construction Fund and \$11,863.00 out of General Improvements Consolidated Construction Fund for purchase of furniture for the Department of Health and Human Services and Municipal Courts Judicial Department; WBS H-000068-0002-5, D-000105-0001-5 - **DISTRICTS B - JOHNSON and H - GARCIA**

a. Motion 2008-0204

CONTRACT RESOURCE GROUP, LLC for purchase of Furniture through the State of Texas Building and Procurement Commission's Contract for the Health and Human Services and Municipal Courts Judicial Departments

18. Ordinance 2008-0247

ORDINANCE appropriating \$1,150,000.00 out of Public Library Consolidated Construction Fund to Purchase Equipment to support the new services provided as part of the Renovations to Jones Central Library; WBS E-000011-0001-5-01

a. Motion 2008-0219

CULTURAL SURROUNDINGS for purchase of Equipment at Jones Central Library through the Local Government Purchasing Cooperative

19. Motion 2008-0205

BASIC INDUSTRIES, INC for Asbestos Abatement, Demolition and Site Clean-up Services for Police Department - \$116,008.00 and contingencies for a total amount not to exceed \$121,808.40 Dangerous Building Consolidated Fund - **DISTRICTS B - JOHNSON, E - SULLIVAN and H - GARCIA**

20. Motion 2008-0206

PHILPOTT MOTORS, LTD for purchase of Truck with an Aerial Manlift through the Texas Local Government Purchasing Cooperative for the Houston Police Department - \$77,000.00 High Intensity Drug Trafficking Area Grant Fund

21. Motion 2008-0207

PIXELPUSHERS, INC d/b/a CIVICA SOFTWARE for purchase of Automated License Plate Recognition Camera Systems for the Police Department - \$141,115.80 - Homeland Security Grant Fund

22. Ordinance 2008-0225

ORDINANCE appropriating \$1,606,731.12 out of Fleet/Equipment Acquisition Internal Services Fund for the purchase of Automobiles, Vans, Pickup Trucks, and Associated Equipment for the Police and Fire Departments

a. Motion 2008-0208

PHILPOTT MOTORS, LTD - \$1,388,112.64 and **DALLAS DODGE CHRYSLER JEEP** - \$161,936.00 for purchase of Automobiles, Vans and Pickup Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Police and Fire Departments

23. Motion 2008-0209

AZTECA SYSTEMS, INC for purchase of Software Upgrade for the Department of Public Works & Engineering - \$310,916.50 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

24. Motion 2008-0220

AMEND MOTION #2008-0113, 2/6/08, to increase spending authority for purchase of Professional Advertising Services from **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for advertising for Houston Police Department Recruiting Program - \$210,000.00 General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 25 through 67

25. Resolution 2008-0008

RESOLUTION regarding assurances to the NFL concerning support for **SUPER BOWL XLVI**

26. Ordinance 2008-0248

ORDINANCE **AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to convenience stores; containing findings and other provisions relating to the foregoing subject; providing for severability

27. Ordinance 2008-0249

ORDINANCE **AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to mobile automobile repair businesses and the licensing thereof; containing findings and other provisions relating to the foregoing subject; providing for severability

28. Ordinance 2008-0250

ORDINANCE amending Section 10-551 of the Code of Ordinances, Houston, Texas, relating to compliance with deed restrictions involving certain fences; containing other provisions relating to the foregoing subject; providing for severability

29. Ordinance 2008-0251

ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299, providing for the issuance of Combined Utility System Revenue and Refunding Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds, Series 2008B and Series 2008C, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing the defeasance, final payment, and discharge of certain Combined Utility System Commercial Paper Notes; authorizing the execution and delivery of an Escrow Agreement; authorizing the purchase of and subscription for certain Escrowed Securities; authorizing Bond Insurance, a Reserve Fund Surety Policy and Reimbursement Agreement, Escrow Verification and Engagement of an Escrow Agent, a Bond Counsel Agreement, a Special Tax Counsel Agreement, authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency - \$320,000.00 Enterprise Fund

30. Ordinance 2008-0252

ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299; supplementing and amending Ordinance No. 2004-300 as it relates to City of Houston, Texas, Combined Utility System First Lien Revenue Refunding Bonds, Series 2004B (the "Series 2004B Bonds"); repealing Ordinance No. 2008-214; ratifying the acts of the City Controller to convert the Series 2004B Bonds from an Auction Rate Mode to a Weekly Mode and authorizing the Mayor and City Controller to take such actions concerning interest rates, prices, and terms thereof and certain other matters relating thereto as may be necessary for such conversion; authorizing the amendment or replacement of certain Qualified Hedge Agreements; authorizing a Paying Agent/Registrar Agreement; Tender Agent Agreements, Remarketing Agreements, a Credit Facility, a Bond Counsel Agreement, Special Disclosure Counsel Agreement, Supplemental Financial Advisor Agreement, and other necessary agreements or documents related to the Bonds; and declaring an emergency - \$900,000.00 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - continued

31. Ordinance 2008-0226

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of a 10-foot-wide utility easement and the attendant aerial easement (Parcel SY7-015), containing 0.1914 acre (8,336 square feet) of land, more or less, vacating and abandoning said tract of land to Family Warehouses, Ltd., abutting owner, in consideration of said owner's dedication of a 10-foot-wide utility easement (Parcel VY7-022) containing 0.0389 acre (1,694 square feet) of land, more or less, both being located in Reserve "X" of Westbury South, a subdivision recorded at Volume 56, Page 1, Harris County Map Records, in the J. P. Keating Survey and the H. T. & B. R. R. Co. Survey, A-1, Harris County, Texas, payment of \$10,420.00, and other consideration to the City - **DISTRICT C - CLUTTERBUCK**

32. Ordinance 2008-0227

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Look Road (Parcel SY6-096) between Old Katy Road and Bunker Hill Road located in the Thomas A. Hoskins Survey, A-342, Houston, Harris County, Texas, containing 0.6540 acre (28,486 square feet) of land, more or less; vacating and abandoning said tract of land to Jim R. Smith, abutting owner, in consideration owner's conveyance to the City of a sanitary sewer easement (Parcel DY8-030), also located in said Thomas A. Hoskins Survey, A-342, containing 0.1394 acre (6,073 square feet) of land, more less, and owner's payment to the City of \$623,353.00 - **DISTRICT A - LAWRENCE**

33. Ordinance 2008-0228

ORDINANCE consenting to the addition of 24.60 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 94**, for inclusion in its district

34. Ordinance 2008-0229

ORDINANCE consenting to the addition of 33.65 acres of land to **SPENCER ROAD PUBLIC UTILITY DISTRICT**, for inclusion in its district

Motion 2008-0197 – Suspend rules to consider Items 35 and 35 after the miscellaneous items removed for separate consideration

35. Ordinance 2008-0245

ORDINANCE approving, authorizing and ratifying a Meet and Confer Agreement between the City of Houston and the **HOUSTON ORGANIZATION OF PUBLIC EMPLOYEES**, as the sole and exclusive bargaining agent for all municipal employees in the bargaining unit; providing for severability

a. Ordinance 2008-0246

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2008-530), and Exhibit "B" of City of Houston Ordinance No. 2007-390 to amend the Master Classification Ordinance to revise the pay grade minimums and structure for certain classifications and increase pay grade maximums for all pay grades to reflect the compensation programs in the Meet and Confer Agreement between the City of Houston and the **HOUSTON ORGANIZATION OF PUBLIC EMPLOYEES**; add one job classification substituting the amended exhibits as part of the current master classification listing; providing for severability

RESOLUTIONS AND ORDINANCES - continued

36. Ordinance 2008-0230

ORDINANCE approving and authorizing an application to the Office of the Governor, Criminal Justice Division, for assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor or His Designee to act as the City's Representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$131,401.00 Grant Fund - \$51,578.00 - General Fund

37. Ordinance 2008-0254

ORDINANCE approving and authorizing contract between the City and **LEADSONLINE, LLC** for On-Line Property Crimes Database Subscription Services for the Houston Police Department; providing a maximum contract amount - 5 years - \$293,520.00 - General Fund

38. Pulled - Not Considered

ORDINANCE amending City of Houston Ordinance No. 2003-620, passed on June 25, 2003, which approved and authorized the submission of the 2003 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the twenty-ninth year of the Community Development Block Grant ("CDBG") Program, among others

39. Ordinance 2008-0255

ORDINANCE appropriating \$2,300,000.00 out of the TIRZ Affordable Housing Fund (Fund 2409) and approving and authorizing a fourth amendment to land assembly grant agreement between the City of Houston and the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY ("LARA")** to provide funds for certain approved costs

40. Ordinance 2008-0231

ORDINANCE approving and authorizing an agreement between the City of Houston and **MULTICULTURAL EDUCATION AND COUNSELING** through the Arts to provide \$500,000.00 in Community Development Block Grant (CDBG) Funds for Renovation work at the Historic Dow School located at 1900 Kane Street, Houston, Texas - **DISTRICT H - GARCIA**

41. Ordinance 2008-0256

ORDINANCE approving and authorizing resolution and submission of an Urban Outdoor Recreation Grant Application, in substantially the form attached hereto, by the Parks and Recreation Department to the Texas Parks and Wildlife Department (TPWD), authorizing the Mayor to sign the Resolution and committing matching funds for the **HERMAN BROWN PARK IMPROVEMENTS PROJECT - DISTRICT I - RODRIGUEZ**

42. Ordinance 2008-0232

ORDINANCE approving and authorizing resolution and submission of an Urban Indoor Recreation Grant Application, in substantially the form attached hereto, by the Parks and Recreation Department to the Texas Parks and Wildlife Department (TPWD), authorizing the Mayor to sign the Resolution and committing matching funds for the **SAGEMONT PARK INDOOR RECREATION PROJECT - DISTRICT E - SULLIVAN**

43. Ordinance 2008-0233

ORDINANCE approving and authorizing first amendment to the concession agreement (C#50257) between the City and **RMG, INC** for providing Concession and Vending Services at the Memorial Park Tennis Center - 6 Months - Revenue - **DISTRICT G - HOLM**

RESOLUTIONS AND ORDINANCES - continued

Motion 2008-0222 – Separate out 2 Westview Drives listed on Table I (changes) of Item 44

44. Ordinance 2008-0257

ORDINANCE altering and establishing maximum Prima Facie Speed Limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty

45. Ordinance 2008-0258

ORDINANCE approving and authorizing contract between the City of Houston and **MONTY PARTNERS LLP** for Legal Services; providing a maximum contract - \$157,925.00 Property & Casualty Fund

46. Ordinance 2008-0234

ORDINANCE awarding contract to **PHONOSCOPE COMMUNICATIONS, INC** for an internet service provider for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$580,692.00 - Central Services Revolving, HALAN and Greater Houston TranStar & Emergency Center Funds

47. Pulled - Not Considered

ORDINANCE amending Ordinance Number 2004-0207 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **JEFFERSON WELLS INTERNATIONAL** for Payable Cost Recovery Services (#55769) \$300,000.00 - General Fund

48. Ordinance 2008-0235

ORDINANCE approving and authorizing Service Level Agreement between the City of Houston and **BEARINGPOINT, INC** to provide Online Payment Services for the Municipal Court Administration, Convention and Entertainment Facilities, and Administration and Regulatory Affairs and Planning and Development Departments - Revenue

49. Not Receive - Not Considered

ORDINANCE approving and authorizing contract with **ARMOR HOLDINGS PRODUCTS, LLC** for Bullet-Resistant Body Armor for the Houston Police Department; providing a maximum contract amount - 5 Years - \$4,875,713.00 - General and Asset Forfeiture Funds

50. Ordinance 2008-0236

ORDINANCE approving and authorizing contract between City of Houston and **CONCENTRA HEALTH SERVICES, DBA CONCENTRA MEDICAL CENTERS** for Occupational Medical Testing Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$1,205,859.00 - General and Enterprise Funds

51. Ordinance 2008-0259

ORDINANCE approving and authorizing Revenue Contract between the City and **FRONTIER ASSOCIATES, LLC** for Weatherization Services; authorizing the creation of the Residential Energy Efficiency Program Fund to be administered by the General Services Department; directing the deposit of revenue from all fees received from **FRONTIER ASSOCIATES, LLC** into the fund and providing that monies in the fund shall be expended only for residential energy efficiency program purposes; appropriating monies in the fund for future contracts related to the Residential Energy Efficiency Program Fund - Revenue

RESOLUTIONS AND ORDINANCES - continued

52. Ordinance 2008-0260

ORDINANCE appropriating \$500,000.00 TIRZ Affordable Housing Fund and approving and authorizing professional services contract between the City and **ESPA CORP.** for the Residential Energy Efficiency Program; WBS P-002003-0001-4; providing a maximum contract amount of \$700,000.00

53. Ordinance 2008-0261

ORDINANCE appropriating \$562,500.00 out of Homeless and Housing Consolidated Fund and \$437,500.00 out of the TIRZ Affordable Housing Fund and approving and authorizing a Job Order Contract between the City of Houston and **DIRECT ENERGY, LP** for the Residential Energy Efficiency Program; WBS P-002003-0001-4; providing a maximum contract amount of \$2,400,000.00

54. Ordinance 2008-0262

ORDINANCE appropriating \$562,500.00 out of Homeless and Housing Consolidated Fund and \$437,500.00 out of the TIRZ Affordable Housing Fund and approving and authorizing a Job Order Contract between the City of Houston and **PAYLESS INSULATION, INC d/b/a PAYLESS INSULATION** for the Residential Energy Efficiency Program; WBS P-002003-0001-4; providing a maximum contract amount of \$2,400,000.00

55. Ordinance 2008-0237

ORDINANCE appropriating \$110,000.00 out of Reimbursement of Equipment/Projects Fund, awarding Construction Manager At Risk Contract to **SPAW GLASS CONSTRUCTION CORPORATION** for New Kingwood Library; WBS E-000097-0001-4 - **DISTRICT E - SULLIVAN**

56. Ordinance 2008-0238

ORDINANCE appropriating \$805,555.00 out of Reimbursement of Equipment/Projects Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **PERKINS + WILL, CRA, L.P.** for Design of Midwest Police Station - District 18; WBS G-000120-0001-3; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund **DISTRICTS C - CLUTTERBUCK, F - KHAN and G -HOLM**

57. Ordinance 2008-0263

ORDINANCE appropriating \$650,000.00 out of Houston Airport System Consolidated 2001 AMT Fund, and approving and authorizing contract between City of Houston and **W. D. SCHOCK CO.** for Real Property Consulting Services for the Houston Airport System; WBS A-000476-0009-2-01-01; Project 617E - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

58. Ordinance 2008-0239

ORDINANCE appropriating \$2,277,587.00 out of Airports Improvement Fund; WBS A-000475-0001-4-01; and awarding construction contract to **TJ&T ENTERPRISES, INC** for Wetlands Creation at Westside Mitigation Area, (Project No 586A), setting a deadline for TJ&T Enterprises, Inc execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding TJ&T Enterprises, Inc in default if it fails to meet the deadlines, providing funding for engineering testing services and for contingencies relating to construction of facilities financed by such funds

RESOLUTIONS AND ORDINANCES - continued

59. Ordinance 2008-0240

ORDINANCE amending Ordinance Number 80-130 to correct Items No. 73 and No. 74 to reflect no assessment, as the owners, Jerry Crawford, Jr. and wife, Alzena Crawford were not properly notified of the hearing on benefits, which negates the validity of the paving assessment lien against their properties, Lots 4, 7 and 8, Block 23, Pinecrest Court Section 3 - **DISTRICT H - GARCIA**

60. Ordinance 2008-0241

ORDINANCE appropriating \$1,663,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Intercontinental Airport Wastewater Treatment Plant Improvements; WBS R-000265-0060-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON**

61. Ordinance 2008-0264

ORDINANCE appropriating \$1,163,094.45 out of Street & Bridge Consolidated Construction Fund awarding contract to **ACM CONTRACTORS, INC** for Safe Sidewalk Program J1 Work Authorization Project, WBS N-00610A-00J1-4; 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 Street & Bridge Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; F - KHAN; G - HOLM; H - GARCIA and I - RODRIGUEZ**

62. Ordinance 2008-0242 – Passed first reading

ORDINANCE granting to **CLEANSERVE, 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; and making certain findings related thereto - **FIRST READING**

63. Ordinance 2008-0243 – Passed first reading

ORDINANCE granting to **TROY CONSTRUCTION, 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**

64. Ordinance 2008-0205 – Passed second reading

ORDINANCE No. 2008-205, passed first reading March 12, 2008

ORDINANCE granting to **AAA FLEXIBLE PIPE CLEANING CO., 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; and making certain findings related thereto - **SECOND READING**

65. Ordinance 2008-0206 – Passed second reading

ORDINANCE No. 2008-206, passed first reading March 12, 2008

ORDINANCE granting to **CLEAN PIPE OF TEXAS, L.P., a Texas Limited Partnership**, 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 - **SECOND READING**

RESOLUTIONS AND ORDINANCES - continued

66. Ordinance 2008-0207 – Passed second reading

ORDINANCE No. 2008-207, passed first reading March 12, 2008

ORDINANCE granting to **EVERGREEN ENVIRONMENTAL SERVICES, 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 - **SECOND READING**

67. Ordinance 2008-0208 – Passed second reading

ORDINANCE No. 2008-208, passed first reading March 12, 2008

ORDINANCE granting to **HAMMERHEAD INDUSTRIAL, 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; and making certain findings related thereto - **SECOND READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 68 through 72

Motion 2008-0221 – Suspend rules to consider Item 68 out of order

68. Ordinance 2008-0253

MUNICIPAL setting designation ordinance prohibiting the use of designated groundwater from beneath a 15.6635-acre (682,302 square foot) tract of land out of the Dairy Subdivision, a subdivision recorded in Volume 1, Page 23 and Block I, Reserve "A" of Corporate Centre Westchase, a subdivision recorded at Film Code Number 528260, both of the Harris County Map Records, and same being out of the residue of a 99.416-acre tract conveyed to Texas and New Orleans Railroad Company as recorded in Volume 3091, Page 298 and Volume 3091, Page 305 of the Harris County Deed Records (H.C.D.R.), West Park Drive, a 100-foot right-of-way (R.O.W.) as recorded in the Harris County Clerk's File Number (H.C.C.F. No.) F324484, the residue of a 6.7912-acre tract conveyed to Crystal Chemical Company as recorded in H.C.C.F. No. G154538, the Harris County Flood Control District Easements as recorded in Volume 6872, Page 340 and Volume 7185, Page 146 H.C.D.R., and a called 3.8001-acre tract conveyed to Union Pacific Railroad Company as recorded in H.C.C.F. No. X654066, located in the Henry Woodruff Survey, Abstract 844, City of Houston, Harris County, Texas, generally located near the intersection of Beltway 8 and Westpark Drive; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT G - HOLM**
TAGGED BY COUNCIL MEMBER HOLM
This was Item 1A on Agenda of March 12, 2008

MATTERS HELD - continued

69. Motion 2008-0223 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Lovell to adopt recommendation from Director General Services Department for approval of final contract amount of \$2,874,140.00 and acceptance of work on contract with **MERIDIAN COMMERCIAL, L.P.** for Renovation of Police Stations: Central, NW, SW, & Magnolia, WBS G-000064-0001-4 - 20.56% over the original contract amount - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; H - GARCIA and I - RODRIGUEZ**
TAGGED BY COUNCIL MEMBERS JONES and RODRIGUEZ
This was Item 4 on Agenda of March 12, 2008

70. Ordinance 2008-0265

ORDINANCE appropriating \$230,230.62 out of Fire Consolidated Construction Fund as an additional appropriation for Construction Services for Various Houston Fire Stations, WBS C-000089-0003-4, under an existing citywide contract with **SPRING EQUIPMENT COMPANY, INC** - **DISTRICTS A - LAWRENCE; B - JOHNSON; E - SULLIVAN; F - KHAN and G - HOLM** - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 22 on Agenda of March 12, 2008

71. Ordinance 2008-0266

ORDINANCE appropriating \$2,770,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PELTIER BROTHERS CONSTRUCTION, LTD.**, for Easthaven Wastewater Treatment Plant Lift Station Replacement, WBS R-000267-00H2-4; 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 E - SULLIVAN**
TAGGED BY COUNCIL MEMBER JONES
This was Item 26 on Agenda of March 12, 2008

Motion 2008-0196 – Suspend rules to consider Item 72 after the Consent Agenda

72. Ordinance 2008-0244

ORDINANCE approving and authorizing agreement between the City of Houston and **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** authorizing \$3,000,000.00 in Home Investment Partnerships (HOME) Funds for the rehabilitation of a fifty-seven (57) unit single room occupancy complex located at 1414 Congress Street - **DISTRICT I - RODRIGUEZ**
TAGGED BY COUNCIL MEMBER JONES
This was Item 37 on Agenda of March 12, 2008

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Rodriguez 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

3/25/2008 – All Present

3/26/2008 – All Present