

AGENDA - COUNCIL MEETING - TUESDAY - JULY 13, 2010 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2010-0526 to 2010-0545
ORDINANCES – 2009-0556 to 2009-0586
RESOLUTIONS – 2010-0041 to 2010-0045

2010-0525-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Rodriguez

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 2010-0526 – Procedural motion
Motion 2010-0527 – Procedural motion
Motion 2010-0528 – Procedural motion
Motion 2010-0529 – Procedural motion
Motion 2010-0530 – Procedural motion
Motion 2010-0531 – Procedural motion
Motion 2010-0532 – Procedural motion
Motion 2010-0533 – Procedural motion
Motion 2010-0534 – Procedural motion
Motion 2010-0535 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 14, 2010 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. Motion 2010-0536 – Close hearing
HEARING to consider a Municipal Setting Designation ordinance for FPA/PinPoint Mykawa, LLC for the site located at 6712 Telean Street - **DISTRICT I - RODRIGUEZ**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 44

MISCELLANEOUS - NUMBERS 2 through 4

2. **Motion 2010-0537**
REQUEST from Mayor for confirmation of the reappointment of **MR. BORIS A. HIDALGO**, to Position One, of the **HOUSTON ARTS ALLIANCE**, for a term to expire June 30, 2013
3. **Motion 2010-0543**
RECOMMENDATION from Director Houston Airport System to amend Motion #2009-285, 5/27/09, to charge and collect the current Harris County filing fee for affidavits required by the Airport Compatible Land Use Ordinance, which regulates development in areas surrounding George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
4. **Motion 2010-0544**
RECOMMENDATION from Director Houston Airport System to establish fees for variance requests associated with the Airport Hazard Area Regulations Ordinance regulating development in areas surrounding George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

ACCEPT WORK - NUMBER 5

5. **Motion 2010-0538**
RECOMMENDATION from Director Houston Airport System for approval of final contract of \$2,234,005.60 and acceptance of work on contract with **W. W. WEBBER, LLC** for Automated People Mover Phase 3, Package 1 - Utilities Relocation at George Bush Intercontinental Airport/Houston, Project No. 536H - 0.795% under the original contract amount - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 9

6. **Motion 2010-0539**
IBM and SIRIUS COMPUTER SOLUTION for Hardware, Software and Extended Maintenance Support Services from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - 5 Years - \$3,435,524.00 - Enterprise Fund
7. **Motion 2010-0540**
UNIVAR USA for Chemical, Caustic Soda for Department of Public Works & Engineering 3 Years - \$7,165,015.54 - Enterprise Fund
8. **Motion 2010-0541**
JERZY INDUSTRIES, INC dba JERZY SUPPLY for Hydraulic Hoses and Couplings for Solid Waste Management Department - \$266,331.00 - General Fund
9. **Motion 2010-0542**
IDEXX DISTRIBUTION, INC for Purchase of E. Coli Water Test Kits and Supplies for Various Departments - \$803,911.00 - General and Enterprise Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 44

10. **Resolution 2010-0041**
RESOLUTION designating certain property within the City of Houston as a historic landmark (Playhouse Theatre - 4816 Main Street) - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

11. Resolution 2010-0042

RESOLUTION designating certain property within the City of Houston as a historic landmark (Strickland-Lasater-Thomas House - 2184 Troon Road) - **DISTRICT G - PENNINGTON**

12. Resolution 2010-0043

RESOLUTION designating certain property within the City of Houston as a landmark and protected landmark - (Magnolia Park City Hall and Central Fire Station - 7301 Avenue F) **DISTRICT I - RODRIGUEZ**

13. Resolution 2010-0044

RESOLUTION supporting the certification of a Municipal Setting Designation outside the boundary of the City of Houston at 12715 Royal Drive, Stafford, Texas

14. Resolution 2010-0045

RESOLUTION amending Resolution No. 2010-35 approving and authorizing the nomination of Sysco Corporation to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project

15. Ordinance 2010-0556

ORDINANCE **AMENDING ARTICLE XIII OF CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Municipal Setting Designation Ordinances to prohibit certain contaminated groundwater from potable use; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

16. Ordinance 2010-0584

ORDINANCE approving the application of Centerpoint Energy Houston Electric, LLC for authority to revise certain discretionary charges filed with the City of Houston, Texas on June 16, 2010; containing a repealer; containing a severability clause; containing findings and provisions related to the foregoing subject

17. Ordinance 2010-0557

ORDINANCE approving and authorizing Amendment No. 1 to contract between the City of Houston and the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** (Approved by Ordinance No. 2009-525) in order to increase the maximum amount of funding provided by TCEQ for the City's Air Pollution Control Program; authorizing the Director of the Health & Human Services Department to act as the City's representative in the administration process; authorizing the Director to accept future modifications to the grant and expend the grant funds, as awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$720,418.00 Grant Fund

18. Ordinance 2010-0558

ORDINANCE approving and accepting the Texas Department on Aging and Disability Services Area (DADS) FY2011-2013 Area Plan on behalf of the Harris County Area Agency on Aging ("HCAAA") for Supportive Services, Nutrition Services, Caregiver Programs, Administration, Medication Management Training, Elder Abuse Prevention, and Ombudsman Activity; declaring HCAAA's eligibility for such plan funding; authorizing the Director of the Health and Human Services Department of the City of Houston to act as the HCAAA's Representative for purposes of the DADS Area FY 2011-2013 Plan; authorizing the Director to apply for, accept and expend the DADS Area FY 2011-2013 Plan Funds, if awarded, and to apply for, accept and expend all subsequent DADS Area FY 2011-2013 Plan Awards, if any, pertaining to the DADS Area FY 2011-2013 Plan - 3 Years - \$11,202,354.00 - General and Grant Funds

RESOLUTIONS AND ORDINANCES - continued

19. Ordinance 2010-0559

ORDINANCE approving the change of control of **TVMAX, HOUSTON, LP** that holds the right, privilege and franchise to own, operate and maintain a Cable Television System within the City of Houston, pursuant to City of Houston Ordinance No. 2005-582

20. Ordinance 2010-0560

ORDINANCE relating to the Fiscal Affairs of the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICT C - CLUTTERBUCK**

21. Ordinance 2010-0561

ORDINANCE relating to the Fiscal Affairs of the **MAIN STREET/MARKET SQUARE REDEVELOPMENT AUTHORITY d/b/a DOWNTOWN REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICTS D - ADAMS and H - GONZALEZ**

22. Ordinance 2010-0562

ORDINANCE relating to the Fiscal Affairs of **REINVESTMENT ZONE NUMBER FOUR, CITY OF HOUSTON, TEXAS (VILLAGE ENCLAVES ZONE)**; approving the Fiscal Year 2011 Operating Budget for the Zone - **DISTRICT G - PENNINGTON**

23. Ordinance 2010-0563

ORDINANCE relating to the Fiscal Affairs of the **MEMORIAL-HEIGHTS REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICTS A - STARDIG; D - ADAMS; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

24. Ordinance 2010-0564

ORDINANCE relating to the Fiscal Affairs of the **OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

25. Ordinance 2010-0565

ORDINANCE relating to the Fiscal Affairs of the **GULFGATE REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICT I - RODRIGUEZ**

26. Ordinance 2010-0566

ORDINANCE relating to the Fiscal Affairs of the **SOUTH POST OAK REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone); approving the Fiscal Year 2011 Operating Budget for the Authority - **DISTRICT D - ADAMS**

RESOLUTIONS AND ORDINANCES - continued

27. Ordinance 2010-0567

ORDINANCE relating to the Fiscal Affairs of **REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE)**; approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICT E - SULLIVAN**

28. Ordinance 2010-0568

ORDINANCE relating to the Fiscal Affairs of the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICT B - JOHNSON**

29. Ordinance 2010-0569

ORDINANCE relating to the Fiscal Affairs of the **CITY PARK REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone); approving the Fiscal Year 2011 Operating Budget for the Authority - **DISTRICTS A - STARDIG and H - GONZALEZ**

30. Ordinance 2010-0570

ORDINANCE relating to the Fiscal Affairs of the **OLD SIXTH WARD REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICT H - GONZALEZ**

31. Ordinance 2010-0571

ORDINANCE relating to the Fiscal Affairs of the **UPTOWN DEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICTS C - CLUTTERBUCK and G - PENNINGTON**

32. Ordinance 2010-0572

ORDINANCE relating to the Fiscal Affairs of **REINVESTMENT ZONE NUMBER EIGHTEEN, CITY OF HOUSTON, TEXAS (FIFTH WARD ZONE)**; approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**

33. Ordinance 2010-0573

ORDINANCE relating to the Fiscal Affairs of the **UPPER KIRBY REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICTS C - CLUTTERBUCK and G - PENNINGTON**

34. Ordinance 2010-0574

ORDINANCE relating to the Fiscal Affairs of the **SOUTHWEST HOUSTON REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone); approving the Fiscal Year 2011 Operating Budget for the Authority and the Fiscal Years 2011-2015 Capital Improvements Budget for the Zone - **DISTRICT F - HOANG**

RESOLUTIONS AND ORDINANCES - continued

35. Ordinance 2010-0575

ORDINANCE relating to the Fiscal Affairs of **HARDY/NEAR NORTHSIDE REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone); approving the Fiscal Year 2011 Operating Budget for the Authority **DISTRICT H - GONZALEZ**

36. Ordinance 2010-0576

ORDINANCE relating to the Fiscal Affairs of the **LELAND WOODS REDEVELOPMENT AUTHORITY** on behalf of Reinvestment Zone Number Twenty-Two, City of Houston, Texas (Leland Woods Zone); approving the Fiscal Year 2011 Operating Budget for the Authority **DISTRICT B - JOHNSON**

37. Ordinance 2010-0577

ORDINANCE approving and authorizing Lease Agreement, for ten years with two renewals of five years each, between the **UNIVERSITY OF HOUSTON SYSTEM, on behalf of the University of Houston-Clear Lake, or its affiliate, lessor**, and the City of Houston, Texas, lessee, with a monthly License Fee of \$1,500.00 and an estimated Site Improvement Fee of \$100,000.00, with a total cost for the initial ten year base term of \$180,000.00, to allow the Radio Communications Division of the Information Technology Department to construct and install one communications tower and equipment space in connection with a new Public Safety Radio System located at 14211 Middlebrook Drive, Pasadena, Texas

38. Ordinance 2010-0586

ORDINANCE approving and authorizing Professional Architectural Services Contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Acres Home Multi-Service Center Renovation under the American Recovery and Reinvestment Act - \$338,826.00 ARRA Fund - **DISTRICT B - JOHNSON**

39. Ordinance 2010-0578

ORDINANCE amending Ordinance Nos. 07-1325, 07-1326, 07-1327, and 07-1328 to set maximum contract amounts; appropriating \$200,000.00 out of General Improvement Consolidated Construction Fund, \$200,000.00 out of Fire Consolidated Construction Fund, \$50,000.00 out of Julia Ideson Library Contributions Fund, and \$70,000.00 out of Parks Consolidated Construction Fund for Professional Environmental Consulting Services Task Order Program

40. Ordinance 2010-0579

ORDINANCE awarding contract to **COGENT, INC d/b/a COGENT SYSTEMS, INC** for Software and Hardware Technical Support and Maintenance Services for the City's Automated Fingerprint Identification System for the Houston Police Department; providing a maximum contract amount 3 Years with two one-year options - \$658,584.61 - General Fund

41. Ordinance 2010-0580

ORDINANCE authorizing **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 390** to issue bonds for certain road facilities and recreational facilities subject to certain terms and conditions **DISTRICT D - ADAMS**

42. Ordinance 2010-0581

ORDINANCE approving and authorizing Contribution Agreements between the City of Houston and **RICE UNIVERSITY** and the City of Houston and **GRAYCO PARTNERS, LLC** for the Main Street Corridor Revitalization Project - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**

RESOLUTIONS AND ORDINANCES - continued

43. Ordinance 2010-0582

ORDINANCE approving and authorizing contract with **SEVERN TRENT ENVIRONMENTAL SERVICES, INC** for Operation and Maintenance Services of the Greater Northeast Houston Service Area Water and Wastewater Utilities and Facilities; providing a maximum contract amount 3 Years with two one-year options - \$24,116,364.00 - Enterprise Fund - **DISTRICT E - SULLIVAN**

44. Ordinance 2010-0583 – Passed first reading

ORDINANCE amending Ordinance No. 2010-0482 relating to Water and Wastewater Impact Fees to correct certain clerical errors; and containing findings and other provisions relating to the foregoing subject - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 45

MISCELLANEOUS

45. Motion 2010-0545

SET A HEARING DATE regarding the designation of a Tax Abatement Reinvestment Zone for **DEAN FOODS (DEAN FOODS REINVESTMENT ZONE)** - **DISTRICT I - RODRIGUEZ**
HEARING DATE - 9:00 A.M. - WEDNESDAY - AUGUST 4, 2010

MATTERS HELD - NUMBER 46

46. Ordinance 2010-0585

ORDINANCE appropriating \$46,432,124.69 out of Airport Improvement Fund and awarding construction contract to **W.W. WEBBER, LLC** for Rehabilitation of Taxiways “WA”, “WB” and New West Vault at George Bush Intercontinental Airport/Houston (Project 648); 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 the Civic Art Program, engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - JOHNSON**

TAGGED BY COUNCIL MEMBER JOHNSON

This was Item 16 on Agenda of July 7, 2010

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

7/13/2010 – Council Member Noriega absent on personal business

7/14/2010 – All Present