

AGENDA - COUNCIL MEETING - WEDNESDAY - JUNE 2, 2010 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2010-0307 to 2010-0338
ORDINANCES – 2009-0395 to 2009-0435
RESOLUTIONS – 2010-0036 to 2010-0038

2010-0306-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Hoang

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. 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 2010-0307 – Suspend rules to receive the Finance Report prior to the Mayor's Report

Motion 2010-0308 – Accept report

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

Motion 2010-0309 – Procedural motion

Motion 2010-0310 – Procedural motion

Motion 2010-0311 – Procedural motion

Motion 2010-0312 – Procedural motion

Motion 2010-0313 – Procedural motion

Motion 2010-0314 – Procedural motion

Motion 2010-0315 – Procedural motion

Motion 2010-0316 – Procedural motion

Motion 2010-0317 – Suspend rules to remain in session beyond the scheduled noon recess

MAYOR'S REPORT - Gulf Coast Freight Rail District

CONSENT AGENDA NUMBERS 1 through 66

ACCEPT WORK - NUMBERS 1 through 11

1. Motion 2010-0320

RECOMMENDATION from Interim Director Houston Airport System for approval of final contract amount of \$15,988,863.42 and acceptance of work on contract with **EAS CONTRACTING, LP** for Rehabilitation of Runway 12R-30L and Miscellaneous Electrical Work at William P. Hobby Airport, Project No. 619 - 1.02% over the original contract amount - **DISTRICT I - RODRIGUEZ**

ACCEPT WORK - continued

2. Motion 2010-0331

RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$556,067.00 and acceptance of work on contract with **RESICOM, INC** for Playground Without Limits - Tidwell Park - 4.92% over the original contract amount - **DISTRICT B - JOHNSON**

3. Motion 2010-0321

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$10,357,324.88 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Edloe Storm Drainage Improvements Project Segment 1 3.62% under the original contract amount - **DISTRICT C - CLUTTERBUCK**

4. Motion 2010-0332

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,988,081.00 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Neighborhood Street Reconstruction Project 438A 4.36% under the original contract amount - **DISTRICTS A - STARDIG; G - PENNINGTON and H - GONZALEZ**

5. Motion 2010-0333

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,412,072.74 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Armour Drive from Lockwood Drive to Clinton Drive 3.20% over the original contract amount - **DISTRICT I - RODRIGUEZ**

6. Motion 2010-0322

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$972,367.37 and acceptance of work on contract with **CLEANSERVE, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation 2.73% under the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

7. Motion 2010-0334

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,138,176.28 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 3.54% over the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON and I - RODRIGUEZ**

8. Motion 2010-0335

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,002,894.35 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in the University Area - 4.56% under the original contract amount - **DISTRICT C - CLUTTERBUCK**

9. Council Members Jones and Rodriguez tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,607,605.31 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in the Magnolia Park Area - 5.78% under the original contract amount - **DISTRICT I - RODRIGUEZ**

ACCEPT WORK - continued

10. Motion 2010-0336

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,333,298.38 and acceptance of work on contract with **PRELOAD, INC** for Construction of 5 MG Concrete Ground Storage Tank at Bellaire Braes Pump Station 1.60% under the original contract amount - **DISTRICT F - HOANG**

11. Council Member Jones tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,575,657.33 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Grid Extensions at various locations - 4.48% under the original contract amount - **DISTRICTS D - ADAMS; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

PROPERTY - NUMBER 12

12. Motion 2010-0323

RECOMMENDATION from Director Department of Public Works & Engineering, on request from J. Michael Boyd of Boyd Commercial, on behalf of Shahram Roudbari, reviewed and approved by the Joint Referral Committee, that the City decline the acceptance of, reject, and refuse the dedication of a 15-foot-wide alley, from Shepherd Drive east to its terminus, located within Block 68, Brunner Addition, out of the John Austin Survey, A-1, Parcel SY10-063 - **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 21

13. Motion 2010-0324

SANOFI PASTEUR, INC for Influenza Vaccine from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Department of Health & Human Services - \$63,410.00 - Health Special Revenue Fund

14. Motion 2010-0337

GEN-PROBE SALES & SERVICE, INC for Diagnostic Systems, Detection Assays, and Instrumentation for Houston Department of Health & Human Services - \$2,390,475.00 - General Fund

15. Motion 2010-0325

HYDRAFLO, INC - \$559,222.63 and **QUALITY HYDRANT COMPANY, L.L.C.** - \$376,986.86 for Fire Hydrant Repair Parts for Department of Public Works & Engineering - Enterprise Fund

16. Ordinance 2010-0395

ORDINANCE appropriating \$177,710.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Sanitary Sewer Lines for Public Works Engineering Department

a. Motion 2010-0326

REPIPE CONSTRUCTION, LTD. for Emergency Repair of Sanitary Sewer Lines for Department of Public Works & Engineering - **DISTRICTS G - PENNINGTON and I - RODRIGUEZ**

17. Ordinance 2010-0396

ORDINANCE appropriating \$133,940.04 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Potable Water and Sanitary Sewer Lines for Public Works & Engineering Department

PURCHASING AND TABULATION OF BIDS - continued

a. **Motion 2010-0327**

REYTEC CONSTRUCTION RESOURCES, INC for Emergency Repairs of Potable Water & Sanitary Sewer Lines for Department of Public Works & Engineering - **DISTRICTS C - CLUTTERBUCK; D - ADAMS; F - HOANG and G - PENNINGTON**

18. **Ordinance 2010-0397**

ORDINANCE appropriating \$2,081,606.50 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of Sanitary Sewer Lines at the Southwest Wastewater Treatment Plant for Public Works & Engineering Department

a. **Motion 2010-0328**

REPIPE CONSTRUCTION, LTD. for Emergency Repair of Sanitary Sewer Lines at the Southwest Wastewater Treatment Plant for Department of Public Works & Engineering **DISTRICT C - CLUTTERBUCK**

19. **Motion 2010-0329**

GOWAN, INC for Heating Ventilation and Air Conditioning Replacements for Department of Public Works & Engineering - \$65,051.00 and contingencies for a total amount not to exceed \$71,556.10 Enterprise Fund

20. **Motion 2010-0330**

ENNIS PAINT, INC for Paint, Street Marking for Various Departments - \$323,407.50 - General Fund

21. **Motion 2010-0338**

CENTRAL POLY CORPORATION - \$1,032,750.90, **INTERBORO PACKAGING CORPORATION** - \$373,248.52, **UNIPAK CORPORATION** - \$148,151.60 and **HUDSON PLASTIC** - \$280,817.64 for Bags, Polyethylene Linear Low Density for Various Departments General and Enterprise Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 22 through 66

22. **Resolution 2010-0036**

RESOLUTION supporting and approving the proposed construction by Lafayette Park Apartments, LP (a to-be-formed Texas Partnership) of Lafayette Park Apartments, a development for affordable rental housing, located at approximately the 200 block of Aldine Bender and intersection of 16000 block Cotillion Dr. in the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT B - JOHNSON**

23. **Resolution 2010-0037**

RESOLUTION supporting and approving the proposed construction by One Mag Partners, LP of Magnolia Place Senior Apartments, a development for affordable rental housing, located at Wenda Street just west of the 9500 block of Cullen Boulevard in the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT D - ADAMS**

24. **Resolution 2010-0038**

RESOLUTION supporting and approving the proposed construction by Tarrington Court Apartments, LP (a to-be-formed Texas Partnership) of Tarrington Court Apartments, a development for affordable rental housing, located approximately 1/2 northeast of the intersection of I-45 and South Sam Houston Parkway East on the southeast side of the approximate 8000 block of Sam Houston Parkway East in the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs - **DISTRICT E - SULLIVAN**

RESOLUTIONS AND ORDINANCES - continued

Motion 2010-0318 – Suspend rules to consider Item 25 out of order

Motion 2010-0319 – FAILED

Motion by Council Member Sullivan/seconded by Council Member Rodriguez that the proposed amendment to Item and Item 25 be referred back to the Administration until July 1, 2010

Written motion by Council Member Lovell to amend Item 25 by adding Section 7a as follows:

“Section 7A: The City Council acknowledges that one or more neighborhoods are in the process of collecting signatures for an application for Historic District Designation. It is the intent of City Council that the work of these neighborhoods in collecting signatures will be recognized and accepted when a neighborhood submits an application for designation after the termination of this ordinance. It is the intent of City Council that any recommendation for amendments to the Historic Preservation Ordinance will specifically address these neighborhoods in progress.” – **Council Members Rodriguez and Sullivan tagged**

25. Council Members Rodriguez and Sullivan tagged

ORDINANCE relating to historic districts within the City of Houston, Texas; temporarily discontinuing the applicability of Subsections 33-250 (a), (b), and (d) of the Code of Ordinances, Houston, Texas, relating to the demolition or relocation of historic structures and new construction within historic districts; temporarily discontinuing acceptance of applications for designation of historic districts pursuant to Article VII of Chapter 33 of the Code of Ordinances, Houston, Texas

26. Ordinance 2010-0398

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the transfer of the Bureau of Animal Regulation and Care from the Health & Human Services Department to the Department of Administration and Regulatory Affairs; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

27. Ordinance 2010-0399

ORDINANCE amending Ordinance No. 2009-931, which amended certain provisions in Chapter 7 of the Code of Ordinances relating to Antique Dealers, Common Markets, Scrap Metal Dealers, Secondhand Resellers and related businesses, to correct a typographical error; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability

28. Ordinance 2010-0400

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement (Parcel SY10-026) extending from Arvilla Lane to Albemarle Lane, located in the MacGregor Place Subdivision, Section 1, out of the Luke Moore Survey, A-51, Houston, Harris County, Texas; vacating and abandoning said easement to Houston Independent School District, the abutting owner, in consideration of its payment of \$30,446.00 and other consideration to the City - **DISTRICT D - ADAMS**

RESOLUTIONS AND ORDINANCES - continued

29. Ordinance 2010-0418

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of the following streets: 1) Rusk Avenue, between former Hutchins Street and Dowling Street; 2) Capitol Street, between former Hutchins Street and Dowling Street; 3) Bastrop Street, between Walker Street and Rusk Avenue; 4) Bastrop Street, between Rusk Avenue and Capitol Street; and, 5) Bastrop Street, between Capitol Street and Texas Avenue (Parcels SY10-006A through SY10-006E) all located in unrecorded South Side Buffalo Bayou Addition (S.S.B.B.), James Wells Survey, A-832, in Houston, Harris County, Texas; vacating and abandoning the parcels to the City of Houston, as abutting owner **DISTRICT I - RODRIGUEZ**

30. Ordinance 2010-0419

ORDINANCE consenting to the addition of 31.7415 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 146**, for inclusion in its district

31. Ordinance 2010-0420

ORDINANCE consenting to the addition of 54.9388 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 194**, for inclusion in its district

32. Ordinance 2010-0421

ORDINANCE consenting to the addition of 95.27 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 96**, for inclusion in its district

33. Ordinance 2010-0422

ORDINANCE consenting to the addition of 10.53 acres of land to **MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district

34. Ordinance 2010-0401

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **CONTINENTAL AIRLINES, INC** for Parking Areas at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON**

35. Ordinance 2010-0402

ORDINANCE approving and authorizing Lease Agreement between **AMERICAN D&M ASSET GROUP I, L.P.**, as landlord, and the City of Houston, Texas, as tenant, for space at 7001 Corporate Drive, Houston, Texas, for sixty months, for use as facility for Women, Infant and Children Nutrition Program of the Health and Human Services Department - **DISTRICT F - HOANG**

36. Ordinance 2010-0403

ORDINANCE amending Ordinance Number 2010-177, regarding Lease Agreement (Contract No. 4600010281) with Intercontinental Hotels Group Resources, Inc, due to a change in ownership, and approving and authorizing Lease Agreement, for five years, with three renewals of five years each, between **HPT TRS IHG-3, INC**, managed by IHG Management (Maryland), LLC, or its affiliate, landlord, and the City of Houston, Texas, tenant, with a monthly fee of \$2,000.00 for Fiscal Year 2010, and other costs and site improvement fees for a total cost for the initial five year base term of \$120,000.00, to allow the Radio Communications Division of the Information Technology Department to lease ground space and rooftop space for communications equipment in connection with a new Public Safety Radio System located at 14703 Park Row, Houston, Texas **DISTRICT A - STARDIG**

RESOLUTIONS AND ORDINANCES - continued

37. Ordinance 2010-0404

ORDINANCE approving and authorizing contract between the City of Houston and **BREAD OF LIFE INC**, to provide up to \$2,400,000.00 in Homeless Housing and Services Program Funds for the administration, implementation, oversight and delivery of a HHSP - **DISTRICT I - RODRIGUEZ**

38. Ordinance 2010-0405

ORDINANCE approving and authorizing contract between the City of Houston and **CATHEDRAL HEALTH AND OUTREACH MINISTRIES**, to provide up to \$1,259,053.00 in Homeless Housing and Services Program Funds for the administration, implementation, oversight and delivery of a HHSP - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

39. Ordinance 2010-0406

ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, to provide up to \$2,097,000.00 Homeless Housing and Services Program Funds for the administration, implementation, oversight and delivery of a HHSP

40. Ordinance 2010-0407

ORDINANCE approving and authorizing grant agreement between the City of Houston and **THE CENTER, SERVING PERSONS WITH MENTAL RETARDATION** to provide \$500,000.00 in Community Development Block Grant Funds for costs associated with Renovation and Rehabilitation of a Community Center located at 3550 West Dallas, Houston, Texas which serves low to moderate income individuals and families with developmental and intellectual difficulties **DISTRICT D - ADAMS**

41. Ordinance 2010-0408

ORDINANCE amending City of Houston Ordinance No. 2009-420, passed on May 13, 2009, which approved and authorized the submission of the 2009 Consolidated Action Plan to the United States Department of Housing and Urban Development, including a grant application for the 35th Program Year of the Community Development Block Grant Program, among others

RESOLUTIONS AND ORDINANCES - continued

42. Council Member Sullivan tagged

ORDINANCE appropriating \$64,077,663.25 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Alameda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone), and Reinvestment Zone Number Twenty-Two, City of Houston Texas (Leland Woods Zone) for payment of affordable housing costs, payment of administrative expenses, payment of project costs, payment to Houston Housing Finance Corporation, and payments to certain redevelopment authorities as provided herein

43. Ordinance 2010-0409

ORDINANCE appropriating \$38,103,748.15 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Alameda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), and Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), for affordable housing, administrative expenses, payment of project costs, payments to Houston Independent School District, Spring Independent School District, Houston Housing Finance Corporation, and certain redevelopment authorities as provided herein

44. Ordinance 2010-0410

ORDINANCE amending Ordinance No. 2009-0460, as amended, to increase the maximum contract amount for a contract between the City of Houston and **GIBBS & BRUNS LLP** for Legal Services relating to Cause No. 2008-68402, Southern Crushed Concrete v. City of Houston, in the 333rd Judicial District Court of Harris County, Texas - \$35,000.00 - Property and Casualty Fund

RESOLUTIONS AND ORDINANCES - continued

45. Council Member Jones tagged

ORDINANCE appropriating \$445,120.50 out of Equipment Acquisition Consolidated Fund for Purchase of Capital Equipment for Houston Fire Department

46. Ordinance 2010-0411

ORDINANCE appropriating \$1,668,022.00 out of Reimbursement of Equipment/Projects Fund for Purchase of Parking Meter Devices and associated equipment, signage and stripping for the Administration & Regulatory Affairs Department

47. Ordinance 2010-0423

ORDINANCE amending Ordinance No. 2006-1070 (Passed on October 24, 2006) to increase the maximum contract amount for contract between the City of Houston and **AABBOTT MICHELLI TECHNOLOGIES, INC** for Calibration & Repair of Truck Platform Scales for Public Works & Engineering Department - \$63,295.00 - General, Enterprise and Stormwater Funds

48. Council Member Jones tagged

ORDINANCE amending Ordinance No. 2008-0302 (Passed on April 9, 2008) to increase the maximum contract amount for contract between the City of Houston and **RBEX, INC dba APPLE TOWING CO.** for Towing Services for Vehicles and Equipment for Various Departments \$244,416.00 - General and Asset Forfeiture Funds

49. Ordinance 2010-0412

ORDINANCE appropriating \$35,000.00 out of General Improvement Consolidated Construction Fund to In-House Renovation Revolving Fund for Miller Outdoor Theatre Drinking Fountains Improvements during Fiscal Year 2010

50. Ordinance 2010-0424

ORDINANCE appropriating \$21,932,750.00 out of Reimbursement of Equipment/Projects Fund as an additional appropriation for Houston Permitting Center under an existing Construction Management at Risk Contract with **MANHATTAN CONSTRUCTION COMPANY** (Approved by Ordinance No. 2009-0811); providing funding for engineering & materials testing, Civic Art Program, and contingencies relating to construction of facilities financed by the Reimbursement of Equipment/Projects Fund - **DISTRICT H - GONZALEZ**

51. Ordinance 2010-0425

ORDINANCE appropriating \$1,972,000.00 out of Reimbursement of Equipment/Projects Fund, and \$2,058,000.00 out of Julia Ideson Library Contributions Fund, and \$110,000.00 out of Public Library Consolidated Construction Fund as an additional appropriation for the Julia Ideson Building - Restoration and Addition under an existing Construction Management At-Risk Contract with **SPAWMAXWELL COMPANY, LLC** (Approved by Ordinance No. 2007-1471) - **DISTRICT I - RODRIGUEZ**

52. Ordinance 2010-0413

ORDINANCE appropriating \$482,924.00 out of Solid Waste Consolidated Construction Fund as an additional appropriation for Purchase and Installation of CCTV and Access Control Security Equipment (Approved by Ordinance No. 2007-972) at the Northwest, Northeast, and Southeast Service Centers for the Solid Waste Management Department under an existing contract with **BL TECHNOLOGY, INC** - **DISTRICTS A - STARDIG; B - JOHNSON and I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

53. Ordinance 2010-0426

ORDINANCE appropriating \$196,544.00 out of General Improvement Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Law Park Lighting; 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 General Improvement Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

54. Ordinance 2010-0427

ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund for Professional Materials Engineering Laboratory Contract between the City of Houston and **TERRACON CONSULTANTS, INC** for Miscellaneous Projects for the Houston Airport System (Project No. 615H; Contract No. 73225) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

55. Ordinance 2010-0414

ORDINANCE appropriating \$140,000,000.00 out of Combined Utility System General Purpose Fund to cover Capital Expenditures for the Combined Utility System; authorizing the deappropriation of such amounts upon the City obtaining additional capacity in the Combined Utility System Commercial Paper Program

56. Ordinance 2010-0415

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 152.86 acres commonly known as 4100 Clinton Drive, and portions of the rights-of-way of Jensen Drive, Foote Street, McCall Street, and Roanoke Drive, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT B - JOHNSON**

57. Ordinance 2010-0416

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 28.6276 acres commonly known as 11092 to 11311 Fondren Road, and including portions of the rights-of-way of Braesridge Drive, West Belfort Avenue, and Sanford Road, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT C - CLUTTERBUCK**

58. Ordinance 2010-0428

ORDINANCE calling public hearing at which interested persons will be given the opportunity to be heard on proposal for the City of Houston to amend Land Use Assumptions, a Capital Improvement Plan, and Impact Fees in accordance with Chapter 395 of the Texas Local Government Code; containing other provisions relating to the foregoing subject

HEARING DATE - 9:00 A.M. - WEDNESDAY - JUNE 23, 2010

59. Ordinance 2010-0417

ORDINANCE appropriating \$30,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION under the American Recovery and Reinvestment Act** for Washington from Westcott Street to IH 45 and Lockwood from IH 610 to Clinton Drive **DISTRICTS B - JOHNSON; H - GONZALEZ and I - RODRIGUEZ**

RESOLUTIONS AND ORDINANCES - continued

60. Council Member Jones tagged

ORDINANCE appropriating \$148,000.00 out of Miscellaneous Capital Projects / Acquisition CP Series E Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC** for Harrisburg Grade Separation at Union Pacific Railroad Tracks; providing funding for contingencies relating to construction of facilities financed by the Miscellaneous Capital Projects / Acquisition CP Series E Fund - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

61. Ordinance 2010-0429

ORDINANCE appropriating \$1,495,338.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **HNTB CORPORATION** for Parker Road Paving Improvements from Hardy Toll Road to US 59 (Approved by Ordinance No. 2007-0498) - **DISTRICTS B - JOHNSON and H - GONZALEZ**

62. Ordinance 2010-0430

ORDINANCE appropriating \$12,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services Contract between the City of Houston and **BINKLEY & BARFIELD, INC** for various Water Storage Tank Rehabilitation/Replacement Projects

63. Ordinance 2010-0431

ORDINANCE awarding construction contract to **RELIABLE SIGNAL & LIGHTING SOLUTIONS, LLC** for Installing Optical Fiber and Integrating into existing Fiber Optic Network; 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 contingencies and project management - **DISTRICTS A - STARDIG; B - JOHNSON and H - GONZALEZ**

64. Ordinance 2010-0432

ORDINANCE appropriating \$1,376,409.00 out of Metro Projects Construction Fund awarding construction contract to **STATEWIDE TRAFFIC SIGNAL COMPANY** for Traffic Signal Construction; 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 contingencies, project management and construction management relating to construction of facilities financed by the Metro Projects Construction Fund - **DISTRICTS D - ADAMS; F - HOANG and I - RODRIGUEZ**

65. Ordinance 2010-0433

ORDINANCE appropriating \$604,759.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SYNAGRO OF TEXAS - CDR, INC** for Solids Removal from Wastewater Facilities; 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 Waste Characterization Testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

RESOLUTIONS AND ORDINANCES - continued

66. Ordinance 2010-0434 – Passed first reading

ORDINANCE annexing to the City of Houston, Texas territory located in the vicinity of Aldine Westfield and Farrell Roads, in Harris County, Texas; extending the corporate limits of the City of Houston, Texas, to embrace and include territory within such boundaries; instituting proceedings to annex to its corporate limits the territory included in such boundaries; adopting a service plan for certain areas in the vicinity of Aldine Westfield and Farrell Roads; assigning annexed areas to adjacent district from which District Council Member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBER 67

67. Ordinance 2010-0435

ORDINANCE amending Ordinance No. 2007-0811 to increase the maximum contract amount for contract between the City of Houston and **HAHN EQUIPMENT COMPANY, INC** for Submersible Pump Repair Services for Public Works & Engineering Department - \$537,500.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER JONES**
This was Item 22 on Agenda of May 19, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Jones 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

6/2/2010 – All Present