

**AGENDA - COUNCIL MEETING - TUESDAY - MAY 4, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS 2010-0250 to 2010-0274**  
**ORDINANCES – 2009-0335 to 2009-0353**  
**RESOLUTION – None**

**2010-0249-1**

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Noriega

**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 2010-0250 – Procedural motion**  
**Motion 2010-0251 – Procedural motion**  
**Motion 2010-0252 – Procedural motion**  
**Motion 2010-0253 – Procedural motion**

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - MAY 5, 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 2010-0257 – Close hearing**

**PUBLIC HEARING** on a proposal for the City of Houston to annex certain territory in the vicinity of Aldine Westfield and Farrell Road, in Harris County, Texas

**Motion 2010-0258 – Accept report**

**Motion 2010-0259 – 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 and a Quarterly Investment Report by the City Controller

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 2 through 34**

**MISCELLANEOUS** - NUMBERS 2 through 4

**Motion 2010-0254 – Suspend rules to consider Items 2 and 4 out of order**

**2. Motion 2010-0255**

REQUEST from Mayor for confirmation of the appointment of **MS. BARBARA E. HARTLE** as Presiding Judge and Director of the Municipal Courts Judicial Department

**3. Motion 2010-0260**

REQUEST from Mayor for confirmation of the appointment of **MS. BERTA ALICIA MEJIA** as Associate Judge of Municipal Courts Judicial Department

**4. Motion 2010-0256**

REQUEST from Mayor for confirmation of the appointment or reappointment to the **PLANNING COMMISSION:**

Position One - **MR. CHRISTOPHER B. AMANDES**, appointment, for a term to expire 3/31/2011

Position Five - **MR. MARK A. KILKENNY**, reappointment, for a term to expire 3/31/2011

Position Seven - **MR. BLAKE TARTT, III**, appointment, for a term to expire 9/30/2011

Position Eight - **MR. KEIJI ASAKURA**, appointment, for a term to expire 9/30/2011

Position Twenty-one - **MR. MEDARDO “SONNY” E. GARZA**, reappointment, for a term to expire 9/30/2010

**ACCEPT WORK** - NUMBERS 5 through 12

**5. Motion 2010-0271**

RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$6,618,132.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Renovation & Expansion of Fifth Ward Multi-Service Center - 24.99% over the original contract amount - **DISTRICT B - JOHNSON**

**6. Motion 2010-0261**

RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$510,720.35 and acceptance of work on contract with **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Hermann Park Lake Picnic Area Improvements - 5.0% over the original contract amount - **DISTRICT D - ADAMS**

**7. Motion 2010-0262**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$118,502.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.**, for Lead Based Paint Abatement, Rust Treatment and Paint at Lake Houston Park Pedestrian Bridge - 4.20% over the original contract amount

**8. Motion 2010-0263**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,717,143.10 and acceptance of work on contract with **CSA CONSTRUCTION, INC** for Sims South Wastewater Treatment Plant Improvements - Package 2 3.43% under the original contract amount - **DISTRICT I - RODRIGUEZ**

**ACCEPT WORK** - continued

**9. Motion 2010-0264**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,009,127.54 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Water Line Replacement in Kelving Subdivision - 3.14% under the original contract amount - **DISTRICT C - CLUTTERBUCK**

**10. Motion 2010-0272**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,000,915.19 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Line Replacement in the Mary Bates North Area - 7.63% over the original contract amount - **DISTRICT F - HOANG**

**11. Motion 2010-0265**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,222,651.83 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Service Line Replacement - 1.5% under the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; E - SULLIVAN; F - HOANG and G - PENNINGTON**

**12. Motion 2010-0266**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,684,483.97 and acceptance of work on contract with **ACM CONTRACTORS, INC** for Water Line Replacement in Ellena Gardens-South Section Area 0.36% under the original contract amount - **DISTRICT H - GONZALEZ**

**PROPERTY** - NUMBERS 13 and 14

**13. Motion 2010-0267**

RECOMMENDATION from Director Department of Public Works & Engineering, on request from Chuck Davis, C. L. Davis & Company, on behalf of Houston Independent School District, reviewed and approved by the Joint Referral Committee, for abandonment and sale of a 14-foot-wide alley, from Lorraine Avenue north  $\pm 55.48$  feet, and a 14-foot-wide alley, from Terry Street to McKee Street, in exchange for the conveyance to the City of a 5-foot-wide right-of-way for the widening of Lorraine Avenue and a 5-foot-wide right-of-way for the widening of Noble Street, all located within the Cascara Addition and/or the J. R. Little's Addition, and a right of entry for Houston Independent School District, Parcels SY10-054A and B and AY10-225A and B **DISTRICT H - GONZALEZ**

**14. Council Member Rodriguez tagged**

RECOMMENDATION from Director Department of Public Works & Engineering, on request from Chuck Davis, C. L. Davis & Company, on behalf of Houston Independent School District, reviewed and approved by the Joint Referral Committee, for abandonment and sale of Glenheath Street from Glen Loch Drive west to its terminus, and two 10-foot-wide utility easements and the attendant aerial easements, in exchange for the conveyance to the City of a 200-square-foot water meter easement, all located within Glenbrook Valley, Section 7, and/or Glenbrook Valley, Section 7, Replat, and a right of entry for Houston Independent School District, Parcels SY10-055A through C and KY10-145 - **DISTRICT I - RODRIGUEZ**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 15 through 17A

**15. Ordinance 2010-0335**

ORDINANCE appropriating \$75,138.00 out of Equipment Acquisition Consolidated Fund for Purchase of Self-Propelled Concrete Saws and a Trailer Mounted Arrow Sign Board for Public Works & Engineering Department

**PURCHASING AND TABULATION OF BIDS** - continued

a. **Motion 2010-0268**

**ION SERVICES** for Self-Propelled Concrete Saws for Houston Airport System and Department of Public Works & Engineering - \$88,857.00

16. **Motion 2010-0269**

**LUTIONS** for Clean Out of Sanitary Sewer Lift Station Wet Wells for Department of Public Works & Engineering - \$498,000.00 - Enterprise Fund

17. **Ordinance 2010-0336**

E appropriating \$11,536.13 out of Solid Waste Consolidated Construction Fund for Change Order to complete the construction of a Loading Dock for the Solid Waste Management Department

a. **Motion 2010-0270**

**AMEND MOTION #2010-65, 2/3/10**, for Change Order in an amount not to exceed \$20,000.00 to complete Construction of a Loading Dock from the State of Texas Procurement and Support Services Contract for Solid Waste Management Department, awarded to **TREMCO INCORPORATED**

**RESOLUTIONS AND ORDINANCES** - NUMBERS 18 through 34

18. **Council Member Jones tagged**

ORDINANCE approving and authorizing the City of Houston to submit the 2010 Consolidated Plan to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**, including the following 2010 grant applications: 1) 36th Program Year Community Development Block Grant in the amount of \$32,769,402; 2) Home Investment Partnerships Grant in the amount of \$14,066,375; 3) Housing Opportunities for Persons With AIDS Grant in the amount of \$7,793,944; and 4) Emergency Shelter Grants in the amount of \$1,329,099; and to accept the aforementioned grant funds, if awarded

19. **Ordinance 2010-0349**

ORDINANCE approving and authorizing Grant Agreement between the City of Houston and the **VIETNAMESE COMMUNITY OF HOUSTON & VICINITIES, INC** to provide \$400,000.00 in Community Development Block Grant Funds for costs associated with renovation of a Community Center located at 7100 Clarewood Drive, Houston, Texas which serves low to moderate income individuals and families - **DISTRICT F - HOANG**

20. **Ordinance 2010-0337**

ORDINANCE approving the issuance of bonds by the Greater Greenspoint Redevelopment Authority - **DISTRICT B - JOHNSON**

21. **Ordinance 2010-0350**

ORDINANCE approving and authorizing Frequency Reconfiguration Agreement between the City of Houston and **NEXTEL OF TEXAS, INC., a wholly owned indirect subsidiary of Sprint Nextel Corporation**, for the purpose of relocating City's 800MHZ Band Channels to replacement channels; accepting \$1,632,103.68 to be used for the Public Safety Radio System Project; providing for payment of the City's Attorneys' Fees

a. **Ordinance 2010-0351**

ORDINANCE appropriating \$3,821,922.24 out of Miscellaneous Equipment & Capital Acquisition Fund; authorizing Reconfiguration Implementation Phase Agreement between the City of Houston and **MOTOROLA, INC** for Products and Services required for the Public Safety Radio System Project

**RESOLUTIONS AND ORDINANCES** - continued

**22. Ordinance 2010-0338**

ORDINANCE amending Ordinance Number 2009-1151 to increase the maximum contract amount for contract between **HARRIS COUNTY** and the City of Houston, the **CITY OF BELLAIRE** and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** (Contract No. 4600010110) relating to the Joint Runoff Election held on December 12, 2009 - \$77,528.84 - General Fund

**23. Ordinance 2010-0339**

ORDINANCE changing the name of Sterling Center Lane to **ELEANOR TINSLEY WAY**  
**DISTRICT I - RODRIGUEZ**

**24. Ordinance 2010-0340**

ORDINANCE approving and authorizing Compromise and Settlement Agreement between the City of Houston and **NATASHA MARTINEZ, Individually and d/b/a MIDTOWN INSPECTION AND EMISSION; LINDA MARTINEZ, Individually and d/b/a MIDTOWN BRAKES AND OIL LUBE; COMTRAM CONSULTING, INC f/k/a REFINO PROPERTIES, INC and MIDTOWN COURIER, INC a/k/a MIDTOWN COURIER SERVICE, INC;** to settle a lawsuit - \$67,500.00 Property and Casualty Fund - **DISTRICT I - RODRIGUEZ**

**25. Ordinance 2010-0341**

ORDINANCE amending Ordinance No. 2006-223 (Passed March 1, 2006) to increase the maximum contract amount for contract between the City of Houston and **XEROX CORPORATION** for the Supply, Management and Support of Multifunction Devices that can print, copy, fax and scan for Various City Departments - \$2,298,944.45 - Central Service Revolving Fund

**26. Ordinance 2010-0342**

ORDINANCE approving and authorizing contract between the City of Houston and **SCOTT TECHNOLOGIES, INC dba SCOTT HEALTH & SAFETY** for the Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$272,424.79 General Fund

**27. Ordinance 2010-0343**

ORDINANCE amending Ordinance No. 2006-0989 to increase the maximum contract amount for contract between the City of Houston and **INTRADO COMMAND SYSTEMS, INC (Formerly known as IPC COMMAND SYSTEMS,3 INC)** for Service and Maintenance of the Houston Emergency Center's Digital Radio Network - \$122,947.50 - Houston Emergency Center Fund

**28. Ordinance 2010-0344**

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS,** to all single-family residential properties within **CENTRAL CITY SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT D - ADAMS**

**29. Ordinance 2010-0345**

ORDINANCE appropriating \$29,560.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract for Professional Architectural Services between the City of Houston and **OSBORN & VANE ARCHITECTS, INC** for Construction Administration Services relating to Hurricane Ike Repairs and Design and Renovation of Terminal A Restrooms at George Bush Intercontinental Airport/Houston, (Project No. 615M) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**30. Ordinance 2010-0352**

ORDINANCE approving assignment to the City of Houston from the **HOUSTON AREA WATER CORPORATION** of contracts with **BERGER CONSTRUCTION COMPANY, BNIM ARCHITECTS, INC, CORE DESIGN STUDIO, LOCKE LORD BISSELL & LIDDELL, LLP, SOLAR BEES, INC,** and **TOMCO<sub>2</sub> EQUIPMENT COMPANY**; providing acknowledgement of assignment and waiver and release forms for those contractors listed above - **DISTRICT E - SULLIVAN**

**31. Ordinance 2010-0346**

ORDINANCE approving termination of Lease of the Northeast Water Purification Plant, an Untreated Water Supply Contract, and a Treated Water Contract between the City of Houston to the **HOUSTON AREA WATER CORPORATION** - **DISTRICT E - SULLIVAN**

**32. Ordinance 2010-0353**

ORDINANCE authorizing acceptance of Texas Commission on Environmental Quality Grant for Design and Construction of a Pilot Project to develop local data for Stormwater Quality Best Management Practices; declaring the City's eligibility for such grants; authorizing the Director of the Department of Public Works & Engineering to accept and expend the grant funds and to accept and expend all subsequent awards, if any, pertaining to the grant - **DISTRICT H - GONZALEZ**

**33. Ordinance 2010-0347**

ORDINANCE appropriating \$2,244,100.00 out of Metro Projects Construction Fund for Local Match of Funds to the agreement(s) between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of the East/West Brays Bayou Bike/Pedestrian Bridges (Approved by 95-1290) - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**

**34. Ordinance 2010-0348**

ORDINANCE appropriating \$68,454.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION**; for Waterline Improvements and the abandonment of the forcemain on Congress Avenue from Smith Street to Louisiana Street; providing funding for contingencies relating to construction financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**NON CONSENT AGENDA** - NUMBER 35

**MISCELLANEOUS**

**35. Motion 2010-0273**

**MOTION TO SET A DATE** not less than seven (7) days from May 5, 2010, to receive nominations for appointment to Position 12 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two year term that will end March 1, 2012

**MATTERS HELD** - NUMBER 36

**36. Motion 2010-0274 – Adopt**

MOTION by Council Member Lovell/Seconded by Council Member Costello to adopt recommendation from Director General Services Department for approval of final contract amount of \$5,828,056.00 and acceptance of work on contract with **SPAW GLASS CONSTRUCTION CORPORATION** for Midwest Police Station - District 18 - 0.99% under the guaranteed maximum price - **DISTRICT F - HOANG** - **TAGGED BY COUNCIL MEMBER HOANG**

This was Item 6 on the Agenda of April 28, 2010

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Hoang 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

**5/4/2010 – All Present**

**5/5/2010 – All Present**