

**AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 23, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

**MOTIONS 2010-0090 to 2010-0111**  
**ORDINANCES – 2009-0152 to 2009-0175**  
**RESOLUTION – None**

**2010-0089-1**

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

**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 2010-0090 – Procedural motion**  
**Motion 2010-0091 – Procedural motion**

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 24, 2010 - 9:00 A. M.**

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

**MAYOR'S REPORT** - NASA: Regional Response and Action Plan

**CONSENT AGENDA NUMBERS 1 through 41**

**MISCELLANEOUS** - NUMBERS 1 and 2

**Motion 2010-0092 – Suspend rules to consider Item 1 out of order**

1. **Motion 2010-0093**  
REQUEST from Mayor for confirmation of the appointment of **MR. OMAR C. REID** as Director of the **HUMAN RESOURCES DEPARTMENT**
2. **Motion 2010-0094**  
RECOMMENDATION from Interim Director Houston Airport System for approval of membership fees in the Airports Council International (ACI) for the Calendar Year 2010 - \$195,298.00 Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**ACCEPT WORK** - NUMBERS 3 through 10

**3. Motion 2010-0095**

RECOMMENDATION from Interim Director Houston Airport System for approval of final contract amount of \$2,791,808.50 and acceptance of work on contract with **VANDERLANDE INDUSTRIES, INC** for Terminal D Explosive Detection System (EDS) Interim In-Line Baggage Conveying Equipment at George Bush Intercontinental Airport/Houston (IAH) Project 612H 2.46% under the original contract amount - **DISTRICT B - JOHNSON**

**4. Motion 2010-0096**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$1,041,105.00 and acceptance of work on contract with **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Hobart Taylor Park - 4.98% over the original contract amount **DISTRICT B - JOHNSON**

**5. Motion 2010-0097**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,890,101.42 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Turkey Creek Wastewater Treatment Plant Improvements - 0.12% under the original contract amount - **DISTRICT G - PENNINGTON**

**6. Motion 2010-0098**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$791,215.74 and acceptance of work on contract with **NORTH HOUSTON POLE LINE, L.P.** for Wastewater Collection System Rehabilitation and Renewal 2.30% over the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - HOANG; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

**7. Motion 2010-0099**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,514,791.77 and acceptance of work on contract with **NORTH HOUSTON POLE LINE, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.82% over the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON and G - PENNINGTON**

**8. Motion 2010-0100**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,026,287.00 and acceptance of work on contract with **CHIEF SOLUTIONS, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation - 2.85% under the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

**9. Motion 2010-0101**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$911,719.23 and acceptance of work on contract with **TEXAS ReEXCAVATION, L.C.** for New Front Easement Reconnections, (UM) - 4.1% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**

**10. Motion 2010-0102**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,324,332.93 and acceptance of work on contract with **PRELOAD, INC** for Construction of 12.5 MG Concrete Ground Tank at East Water Purification Plant No. 3 7.61% under the original contract amount - **DISTRICT E - SULLIVAN**

**PROPERTY - NUMBER 11**

**11. Motion 2010-0103**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Angelo Moscarelli, that the City decline the acceptance of, reject, and refuse the dedication of a 20-foot-wide alley, within Block 169 of the Genoa Addition, out of the John Austin Two League Survey, SY10-013 - **DISTRICT E - SULLIVAN**

**PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 15**

**12. Motion 2010-0106**

**CARASOFT TECHNOLOGY CORP.** for Purchase of Policy Manager™ Software from the General Services Administration Schedule 70 contract through the Cooperative Purchasing Program for the Information Technology Department - \$299,000.00 - Equipment Acquisition Consolidated Fund

**13. Motion 2010-0107**

**LONE STAR UNIFORMS, INC** for Purchase of Uniforms from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Police Department - \$204,920.50 - General Fund

**14. Motion 2010-0104**

**BUCKEYE CLEANING CENTER (BID NO. 1)** - \$2,870,197.72 and **UNISOURCE WORLDWIDE** - \$1,822,553.91 for Disposable Paper Products for Various Departments - General and Enterprise Funds

**15. Motion 2010-0105**

**AMEND MOTION #2000-1552 as amended by Motions 2003-1450, 2004-1056, 2006-0037, 2009-0502 and 2009-0680 TO EXTEND** the term from March 30, 2010 to September 30, 2010 for Vehicle Locator System for Various Departments, awarded to **TELETRAC, INC**

**ORDINANCES - NUMBERS 16 through 41**

**16. Ordinance 2010-0152**

ORDINANCE approving and authorizing application to the Department of State Health Services for the City's Community Preparedness Section/Public Health Emergency Response Focus Area 1, Phases I, II and III Grant; declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services Department to act as the City's representative in the application process; authorizing the Director of the Health & Human Services Department to accept the grant and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$5,685,896.00 - Grant Fund

**17. Ordinance 2010-0153**

ORDINANCE approving and authorizing grant application to the U. S. Department of Health and Human Services, Centers for Disease Control for the City's HIV Prevention Activities - Health Department Based; declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services Department to act as the City's representative in the application process; authorizing the Director of the Health & Human Services Department to accept the grant and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$5,438,911.00 - Grant Fund

**ORDINANCES** - continued

**18. Ordinance 2010-0154**

ORDINANCE approving and authorizing an application to the U. S. Department of Health and Human Services, Centers for Disease Control for the City's Tuberculosis Elimination and Laboratory Program Funding; declaring the City's eligibility for such grant; authorizing the Director of the Health & Human Services Department to act as the City's representative in the application process; authorizing the Director of Health & Human Services Department to accept the grant and expend the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$8,735,140.00 - Grant Fund

**19. Ordinance 2010-0155**

ORDINANCE approving and authorizing contract between the City and **THE COLLABORATIVE FOR CHILDREN** for Various Health Services provided by the Department of Health & Human Services - \$412,227.75 - Revenue

**20. Ordinance 2010-0156**

ORDINANCE approving and authorizing contract between the City of Houston on behalf of the Health & Human Services Department and **CHILD CARE COUNCIL OF GREATER HOUSTON, INC** for Homelessness Prevention and Rapid Re-Housing Program Services - \$4,113,202.00 Revenue

**21. Ordinance 2010-0157**

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON VOLUNTEER LAWYERS PROGRAM, INC** to provide \$125,000.00 in Housing Opportunities for Persons With AIDS Funds for Legal Supportive Services - **DISTRICT I - RODRIGUEZ**

**22. Ordinance 2010-0158**

ORDINANCE approving and authorizing contract between the City of Houston and **CAREER AND RECOVERY RESOURCES, INC**, providing up to \$297,692.00 in Housing Opportunities for Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$148,846.00, for the administration of a Computer Literacy/Job Placement Assistance Program, along with supportive services

**23. Pulled - Not Considered**

ORDINANCE approving and authorizing agreement between the City of Houston, **AMEGY BANK** and **CATHOLIC CHARITIES COMMUNITY DEVELOPMENT CORPORATION** to provide a Second Lien Construction Loan of Federal "HOME" Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT H - GONZALEZ**

**24. Ordinance 2010-0159**

ORDINANCE approving and authorizing contract between the City of Houston and **CHELSEA SENIORS I, LLC** to provide a \$1,965,755 Loan of Federal "HOME" Funds to assist in the development of a 150 unit affordable housing development, targeting seniors 55 and older, to be located in the 6900 block of W. TC Jester at W. Little York, of which 4 units will be designated as very low income home affordable floating units and 12 units will be designated as low income home affordable floating units for a 20-year affordability period - **DISTRICT B - JOHNSON**

**ORDINANCES** - continued

**25. Ordinance 2010-0160**

ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON NORTH APARTMENT HOMES I LLC** to provide a \$1,000,000 Performance Based Loan of Federal "HOME" Funds to assist in the land acquisition and construction of a 172 unit multifamily housing facility, targeting low income tenants, to be located at the north side of W Grenfell Lane and west side of Northline Drive, of which nine units will be restricted to floating home assisted units with seven units restricted to HUD high home rents and two units restricted to HUD low home rents for a period of 20 years - **DISTRICT H - GONZALEZ**

**26. Council Member Jones tagged**

ORDINANCE approving and authorizing agreement between the City of Houston and **MIDWAY FOUNTAINVIEW INVESTORS, LLC** to provide a \$1,730,000.00 Performance-Based Loan of Federal "CDBG - DR" Funds for costs to acquire and rehabilitate Vista Bonita Apartments, a 118 unit (following rehabilitation) multi-family project located on the east side of I-45, approximately 1.5 miles south of Monroe Rd., Houston, Texas, of which 74 units, being approximately 51% of the current 144 units, will be restricted for a period of five years to tenants with 80% or less of the AMI at rents to be consistent with TDHCA Affordable Rents - **DISTRICT E - SULLIVAN**

**27. Ordinance 2010-0170**

ORDINANCE approving and authorizing contract between the City of Houston and **SOUTH ACRES RANCH II, LTD** to provide a \$960,000 Loan of Federal "HOME" Funds to assist in the land acquisition and construction of a 49 unit Multifamily Housing Facility, targeting low income tenants, to be located on the east side of the 11400 block of Scott Street, of which five units will be restricted to floating home assisted units with four units restricted to HUD high home rents and one unit restricted to HUD low home rents for a period of 20 years - **DISTRICT D - ADAMS**

**28. Ordinance 2010-0171**

ORDINANCE appropriating \$1,716,709.00 from the Miscellaneous Capital Projects / Acquisitions CP Series E Fund and reimbursing \$1,716,709.00 to the Reimbursement of Equipment / Project Fund (as passed by Ordinance Nos. 2009-116, 2009-397, 2009-629) - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

**29. Council Member Stardig tagged**

ORDINANCE awarding contract to **HOV SERVICES, INC** for Mail Processing Services for the Municipal Courts Administration, General Services and Public Works & Engineering Departments; providing a maximum contract amount - 3 Years with two one-year options - \$2,510,000.00 General, Parking Management and Building Inspection Funds

**30. Ordinance 2010-0161**

ORDINANCE approving and authorizing amendment to four contracts between the City of Houston and **PAYLESS INSULATION INC, DIRECT ENERGY LP, STANDARD RENEWABLE ENERGY LP**, and **PMG PROJECT MANAGEMENT LLC** for the Residential Energy Efficiency Program

**31. Ordinance 2010-0162**

ORDINANCE approving and authorizing fourth amendment to Electric Supply Agreement between the City of Houston and **TEXAS GENERAL LAND OFFICE** (Approved by Ordinance No. 04-0273 and Amendments One, Two and Three approved by Ordinance Nos. 06-0014, 06-0439 and 07-0839)

**ORDINANCES** - continued

**32. Ordinance 2010-0163**

ORDINANCE appropriating \$300,000.00 out of Fire Consolidated Construction Fund, \$500,000.00 out of Parks Consolidated Construction Fund, \$115,000.00 out of Solid Waste Consolidated Construction Fund, \$325,000.00 out of Police Consolidated Construction Fund, \$400,000.00 out of Public Library Consolidated Construction Fund, \$200,000.00 out of Public Health Consolidated Construction Fund, \$200,000.00 out of General Improvements Consolidated Construction Fund for Project Management Costs - \$248,000.00 - Enterprise and Building Inspection Funds

**33. Ordinance 2010-0164**

ORDINANCE appropriating \$200,320.00 out of Julia Ideson Library Contributions Fund and awarding construction contract to **CST ENVIRONMENTAL, LP**, for Asbestos Abatement and Demolition at Julia Ideson Building - Phase 2; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for project management, construction oversight and air monitoring and contingencies relating to construction of facilities financed by the Julia Ideson Library Contributions Fund - **DISTRICT I - RODRIGUEZ**

**34. Ordinance 2010-0165**

ORDINANCE appropriating \$16,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Reconstruction of Market Street from North Wayside to McCarty Road; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**

**35. Ordinance 2010-0166**

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath two tracts of land containing 4.1228 acres commonly known as 1610 Oliver Street and 1701 Oliver Street, Houston, Harris County, Texas; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT H - GONZALEZ**

**36. Ordinance 2010-0172**

ORDINANCE amending Ordinance No. 2003-1034 relating to Special Event Temporary Information Signs

**37. Ordinance 2010-0173**

ORDINANCE appropriating \$277,200.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Extended Feasibility Study for Willow Waterhole Area Drainage Improvements; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund - **DISTRICT C - CLUTTERBUCK**

**38. Ordinance 2010-0174**

ORDINANCE appropriating \$394,100.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **WALTER P. MOORE AND ASSOCIATES, INC** for Extended Feasibility Study for Sagemont Area Drainage Improvements; providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund **DISTRICT E - SULLIVAN**

**ORDINANCES** - continued

**39. Ordinance 2010-0167**

ORDINANCE appropriating \$504,200.00 out of Drainage Improvement Commercial Paper Series F Fund as an additional appropriation and approving and authorizing first supplement to the Professional Engineering Services Contract between the City of Houston and **DODSON & ASSOCIATES, INC** for Regional/Sub-Regional Stormwater Detention Analysis for the City of Houston (Approved by Ordinance No. 07-0815); providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund **DISTRICTS A - STARDIG and B - JOHNSON**

**40. Ordinance 2010-0168**

ORDINANCE appropriating \$6,648,000.00 out of Drainage Improvement Commercial Paper Series F Fund; \$1,084,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **JFT CONSTRUCTION, INC** for Academy Street Storm Sewer Segment 2; 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, construction management and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund; and the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

**41. Ordinance 2010-0169 – Passed first reading**

ORDINANCE granting to **DOUBLE T SERVICES, LLC, A TEXAS LIMITED LIABILITY COMPANY**, 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 **FIRST READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 42 and 43

**MISCELLANEOUS**

**42. Motion 2010-0108**

**SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for Flex Tank Systems, LLC for the site located at 16514 De Zavalla Road  
**HEARING DATE - 9:00 A.M. - WEDNESDAY - APRIL 14, 2010**

**43. Motion 2010-0109**

**SET HEARING DATE** to consider a Municipal Setting Designation ordinance (MSD) for Westbrook Investments, LP for the site located at 1111 Lockwood Drive - **DISTRICT H - GONZALEZ**  
**HEARING DATE - 9:00 A.M. - WEDNESDAY - APRIL 14, 2010**

**MATTERS HELD** - NUMBERS 44 and 45

**Motion 2010-0110 – Call the question on Item 44**

**44. Motion 2010-0111 – Adopt**

RECOMMENDATION from Purchasing Agent to award to **KEMIRA WATER SOLUTIONS** - \$4,739,569.70 for Liquid Ferrous Iron Solution and payment to **PENCCO, INC** - \$1,071,600.00 for Emergency Purchase of Liquid Ferrous Iron Solution for Department of Public Works & Engineering - Enterprise Fund

**TAGGED BY COUNCIL MEMBERS JONES, COSTELLO and BRADFORD**

This was Item 7 on Agenda of February 17, 2010

**45. Ordinance 2010-0175**

ORDINANCE amending Ordinance No. 2009-287 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and the **YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON** for Elderly Services provided through the Harris County Area Agency on Aging - \$5,364,720.52 - American Recovery and Reinvestment Act and Other Grant Funds - **TAGGED BY COUNCIL MEMBER SULLIVAN**

This was Item 14 on Agenda of February 17, 2010

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

**2/23/2010 – Council Member Jones out of the City on City business**

**2/24/2010 – Council Member Costello absent on personal business**