

AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 20, 2010 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2010-0021 to 2010-0034
ORDINANCES – 2009-0025 to 2009-0046
RESOLUTION – 2010-0001

2010-0020-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Noriega

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 37

MISCELLANEOUS - NUMBER 1

1. Motion 2010-0021

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2010 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$3,586,300.00 - Enterprise Fund

ACCEPT WORK - NUMBER 2

2. Motion 2010-0022

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$789,750.46 and acceptance of work on contract with **TROY CONSTRUCTION, LLP** for Wastewater Collection System Rehabilitation and Renewal 3.25% under the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

PROPERTY - NUMBERS 3 through 6

3. Motion 2010-0023

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Cristy Gavlick, General Contractors Permit Service, on behalf of Texas Medical Center (Richard Wainerdi, P. E., Ph.D., President, Chief Executive Officer and Chief Operating Officer) and the University of Texas System (James R. Huffines, Chairman), for abandonment and sale of a 10-foot-wide water line easement, in exchange for the conveyance to the City of a 10-foot-wide water line easement and a 10-foot-wide water meter easement, all located within the Texas Medical Center Fay Addition, out of the P. W. Rose Survey, A-645, Parcels SY9-034A, SY9-034B, SY10-047, KY9-145 and KY10-52 **DISTRICT C - CLUTTERBUCK**

4. Motion 2010-0024

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Alejandro Camarillo, for abandonment and sale of two 5-foot-wide utility easements and their attendant aerial easements in exchange for the conveyance to the City of a 7.5-foot-wide utility easement, all located within Lots 98 and 99, Block 8, of the Baker Place Section Two Subdivision, out of the J. L. Stanley Survey, Parcels SY10-007A, SY10-007B and VY10-031 - **DISTRICT B - JOHNSON**

5. Motion 2010-0025

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Hussam Ghuneim, R. G. Miller Engineers, Inc., on behalf of Carrabba, Inc (Hieu Nguyen, Director of Operations), for abandonment and sale of a 5-foot-wide utility easement in exchange for the conveyance to the City of a 5-foot-wide utility easement, both located within Block 1 of the George Rich Subdivision, out of the A. C. Reynolds Survey, A-61, Parcels SY10-041 and VY10-036 - **DISTRICT C - CLUTTERBUCK**

6. Motion 2010-0026

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-116, located at 8104 Homestead Road, owned by Jesse L. and Ozella C. Morris, for the **HOMESTEAD ROAD GRADE SEPARATION PROJECT from Ley Road to Firnat Street** **DISTRICT H - GONZALEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 12

7. Motion 2010-0027

TIMES CONSTRUCTION, INC for Exterior Lighting at the Wortham Theater Center for Convention & Entertainment Facilities Department - \$179,300.00 and contingencies for a total amount not to exceed \$197,230.00 - Enterprise Fund

8. Motion 2010-0028

INX, INC for Citywide Cisco Smartnet Maintenance Agreement through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department - \$1,025,000.00 - Central Service Revolving and Equipment Acquisition Consolidated Funds

9. Ordinance 2010-0025

ORDINANCE appropriating \$505,190.00 out of Equipment Acquisition Consolidated Fund for Purchase of Special Duty Vehicles for the Houston Police Department

PURCHASING AND TABULATION OF BIDS - continued

a. **Motion 2010-0029**

PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD - \$151,549.00, **PLANET FORD 45** \$98,082.00 and **JOHNSON GRAYSON AUTOMOTIVE, INC d/b/a HOLIDAY CHEVROLET** \$255,559.00 for Special Duty Vehicles for the Houston Police Department

10. **Motion 2010-0030**

SOUTHWEST SOLUTIONS GROUP, INC for Shelf Filing and Storage Systems from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - \$133,496.47 - General Fund

11. **Motion 2010-0031**

WSI MANUFACTURING d/b/a JOHNSTONE SUPPLY for Electrical Circuit Breaker from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$83,000.00 Enterprise Fund

12. **Ordinance 2010-0026**

ORDINANCE appropriating \$102,964.31 out of Equipment Acquisition Consolidated Fund for the purchase of Earth Moving Equipment for the Public Works & Engineering and Parks Departments

a. **Motion 2010-0032**

JOHN DEERE CONSTRUCTION RENTAL AND SALES - \$214,796.83, **HI-WAY EQUIPMENT CO., LLC** - \$796,098.00 and **RUSH EQUIPMENT CENTER OF TEXAS, INC** - \$310,250.00 for Earth Moving Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Various Departments - Enterprise, Equipment Acquisition Consolidated and Stormwater Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 13 through 37

13. **Resolution 2010-0001**

RESOLUTION authorizing the Houston Parks & Recreation Department to submit an application for a Texas Parks and Wildlife Department Community Outdoor Outreach Program (COOP) Grant to fund the Houston Parks Adventure Program; declaring the City's eligibility for such grant; authorizing the Director of the Parks & Recreation Department to act as the City's representative in the application process, to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

14. **Ordinance 2010-0027**

ORDINANCE supplementing the City of Houston, Texas Master Ordinance No. 2004-299, providing for the issuance of Combined Utility System Revenue and Refunding Obligations and authorizing issuance of City of Houston, Texas, Combined Utility System First Lien Revenue and Refunding Bonds, Series 2010A, providing for the amounts, interest rates, prices, and terms thereof and other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; authorizing the defeasance, final payment, and discharge of Certain Combined Utility System Commercial Paper Notes; designating a Segregated Account; authorizing a Bond Counsel Agreement, authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency

RESOLUTIONS AND ORDINANCES - continued

15. Council Members Lovell and Noriega tagged

ORDINANCE **AMENDING SECTION 4608 OF THE BUILDING CODE OF THE CITY OF HOUSTON, TEXAS, THE HOUSTON SIGN CODE**, relating to miscellaneous signs to authorize temporary signage adjacent to light rail construction projects

16. Ordinance 2010-0028

ORDINANCE approving and authorizing the sale to **CY-CHAMP PUBLIC UTILITY DISTRICT** of (a) a 10-foot-wide water line easement, (b) a 15-foot by 45-foot-wide water meter easement and (c) a 15-foot-wide temporary construction easement, Parcels SY10-003A through SY10-003C, respectively, all located within the Willowbrook Regional Wastewater Treatment Plant Subdivision, out of the W. H. York Survey, A-943, Houston, Harris County, Texas; in consideration of Cy-Champ Public Utility District's payment of \$20,595.00 and other consideration to the City **DISTRICT A - STARDIG**

17. Ordinance 2010-0029

ORDINANCE approving and authorizing Amendment No. 2 to agreement between the City of Houston and **COMMEMORATIVE AIR FORCE INC** for Conducting Annual Air Shows at Ellington Airport - Revenue - **DISTRICT E - SULLIVAN**

18. Ordinance 2010-0030

ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **ACCESS FLOOR SPECIALISTS, INC d/b/a ALLIED INTERIORS** for certain premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON**

19. Ordinance 2010-0031

ORDINANCE approving and authorizing Three International Facilities Agreements by and between the City of Houston and **EMIRATES, SINGAPORE AIRLINES LIMITED** and **QATAR AIRWAYS Q.C.S.C.** at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON**

20. Ordinance 2010-0032

ORDINANCE appropriating \$98,000.00 out of HAS-Consolidated 2000 AMT Construction Fund; authorizing purchase of vacant land being Lot Two, Block One, Still Meadows Section One, Houston, Harris County, Texas (17302 Lee Road) for Expansion of Bush Intercontinental Airport; approving Purchase and Sale Agreement with the owner of the land (Aloha Transportation Services, Inc) - **DISTRICT B - JOHNSON**

21. Ordinance 2010-0033

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **PINE TERRACE SUBDIVISION, SECTIONS 1 - 4** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG**

22. Ordinance 2010-0034

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **MEYERLAND SUBDIVISION SECTION 7 REPLAT, REPLAT A, and REPLAT C, MEYERLAND SUBDIVISION SECTION 8, 8 REPLAT, and REPLAT A - I** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

23. Ordinance 2010-0035

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **BELLAIRE WEST SUBDIVISION, SECTIONS 1 - 8** and **SECTION 1 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - HOANG**

24. Ordinance 2010-0036

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SHADOWBRIAR SUBDIVISION , SECTIONS 1 & 2**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT G - PENNINGTON**

25. Ordinance 2010-0037

ORDINANCE amending Ordinance No. 2004-698 that designated the east and west sides of the 1800 block of Columbia Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GONZALEZ**

26. Ordinance 2010-0038

ORDINANCE approving and authorizing third amendment to contract for Plan Administration Services between the City, the **HOUSTON POLICE OFFICER'S UNION** and **VALIC RETIREMENT SERVICES COMPANY** for Third Party Administrative Services for the HPOU Section 457 Eligible Deferred Compensation Plan

27. Ordinance 2010-0046

ORDINANCE approving and authorizing third amendment to Professional Landscape Architectural and Engineering Services Contract between the City of Houston and **LLEWELYN-DAVIES SAHNI, INC** (Approved by Ordinance No. 2004-1307) for Gulfgate Freeway Enhancement Project - \$36,000.00 - Grant Fund - **DISTRICT I - RODRIGUEZ**

28. Ordinance 2010-0044

ORDINANCE approving and authorizing contracts between the City of Houston and **STRAND ANALYTICAL LABORATORIES, LLC, SORENSON FORENSICS, LLC, ORCHID CELLMARK, INC** and **LABORATORY CORPORATION OF AMERICA HOLDINGS** for DNA Testing Services for the Houston Police Department; establishing a maximum contract amount - 3 years and 2 one-year options - Total for four contracts - \$4,120,770.00 - General and Grant Funds

29. Council Member Sullivan tagged

ORDINANCE appropriating \$60,000.00 out of Public Health Consolidated Construction Fund; awarding Construction Management At Risk Contract to **SPAWMAXWELL COMPANY, LLC** for Bureau of Animal Regulation and Care Facility Expansion/Renovation & Ann Slemons Young Animal Center - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**

30. Ordinance 2010-0039

ORDINANCE amending Ordinance No. 2003-0447 to increase the maximum contract amount for the amended Interagency Agreement among the City of Houston, **HARRIS COUNTY, HARRIS COUNTY FLOOD CONTROL DISTRICT**, and **THE TEXAS DEPARTMENT OF TRANSPORTATION** for cooperative effort to implement provisions of U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System Permit No. TXS001201 for the City's Storm Sewer System - \$168,566.50 - Stormwater Fund

RESOLUTIONS AND ORDINANCES - continued

31. Ordinance 2010-0040

ORDINANCE appropriating \$39,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Engineering Services Contract between the City of Houston and **CIVIC DESIGN ASSOCIATES (Previously PERSPECTIVA CIVIC DESIGN)** for Houston's Heritage Corridor, Bayou Trails west from San Jacinto Street to Stude Park (Approved by Ordinance No. 2002-0073) - **DISTRICT H - GONZALEZ**

32. Ordinance 2010-0045

ORDINANCE appropriating \$111,380.00 out of Street & Bridge Consolidated Construction Fund for Purchase of Audible Pedestrian Signals in accordance with the American Disabilities Act (ADA) - **DISTRICTS C - CLUTTERBUCK; D - ADAMS and I - RODRIGUEZ**

33. Pulled - Not Considered

ORDINANCE appropriating \$404,700.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing contract between the City of Houston and the **UNIVERSITY OF HOUSTON** for development of Flood Information Distribution Systems

34. Ordinance 2010-0041

ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional General Environmental Services Contract between the City of Houston and **CORRIGAN CONSULTING, INC** for National Environmental Policy Act Requirements

35. Ordinance 2010-0042

ORDINANCE appropriating \$200,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional General Environmental Services Contract between the City of Houston and **ENVIRONMENTAL CONSULTING SERVICES, INC** for Asbestos and Lead Related Consulting Services

36. Council Member Noriega tagged

ORDINANCE appropriating \$385,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Local Rehabilitation Contingency Projects under the American Recovery and Reinvestment Act - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; F - HOANG; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

37. Ordinance 2010-0043

ORDINANCE appropriating \$20,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Clinton Drive Improvements under the American Recovery and Reinvestment Act - **DISTRICTS E - SULLIVAN and I - RODRIGUEZ**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 38

MISCELLANEOUS

38. Motion 2010-0033

RECEIVE nominations for Positions One, Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one-year terms to expire December 31, 2010

Council Member Clutterbuck nominated Mayor Parker to Position 1

Council Member Hoang nominated Council Member Clutterbuck to Position 2

Council Member Costello nominated Council Member Lovell to Alternate At-Large Position

Council Member Gonzalez nominated Council Member Noriega to Alternate At-large Position

Motion 2010-0034 – Procedural motion

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

01/20/2010 – Council Member Adams absent due to being ill

Council Member Rodriguez absent due to death in the family