

AGENDA - COUNCIL MEETING - TUESDAY - MARCH 2, 2010 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2010-0112 to 2010-0115
ORDINANCES – 2009-0176 to 2009-0195
RESOLUTION – None

2010-0089-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Jones

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 2010-0112 – Procedural motion
Motion 2010-0113 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MARCH 3, 2010 - 9:00 A. M.

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

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 26

ACCEPT WORK - NUMBERS 1 and 2

1. Council Member Jones tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,922,397.10 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 3.12% under the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS; E - SULLIVAN; G - PENNINGTON and I - RODRIGUEZ**

ACCEPT WORK - continued

2. Council Member Jones tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,552,143.17 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 0.19% over the original contract amount - **DISTRICTS A - STARDIG; C - CLUTTERBUCK; D - ADAMS and H - GONZALEZ**

PROPERTY - NUMBER 3

3. Motion 2010-0114

RECOMMENDATION from Director General Services Department to appoint Frank D. Flores and Jack W. Bass independent appraisers to determine the fair market value in connection with the sale of 0.958 acres of land located at 3201 Allen Parkway, Houston, Texas, also known as the Star Engraving Building - **DISTRICT D - ADAMS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 and 4A

4. Ordinance 2010-0183

ORDINANCE appropriating \$1,200,000.00 out of Water & Sewer System Consolidated Construction Fund for Purchase of Water Meters and Water Meter Replacement Parts for Public Works & Engineering Department

a. Motion 2010-0115

AMEND MOTION #2007-923, 9/5/07, TO INCREASE spending authority from \$8,630,476.00 to \$10,788,095.00 for Water Meters and Water Meter Replacement Parts for Department of Public Works & Engineering, awarded to **BADGER METER, INC** - \$957,619.00 - Enterprise Fund

ORDINANCES - NUMBERS 5 through 26

5. Council Member Jones tagged

ORDINANCE **AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to subdivision and development; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

6. Ordinance 2010-0184

ORDINANCE **AMENDING SECTION 47-164 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to developer participation contracts; making findings and containing provisions related to the subject; providing for severability

7. Ordinance 2010-0185

ORDINANCE **AMENDING SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to recording parking in yards restrictions in the Real Property Records of the counties in which properties affected are located; containing other provisions relating to the foregoing subject; providing for severability; providing an effective date

8. Ordinance 2010-0186

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

ORDINANCES - continued

9. Ordinance 2010-0187

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SPRING BRANCH WOODS SUBDIVISION, SECTION 3** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT A - STARDIG**

10. Ordinance 2010-0188

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 10** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK**

11. Ordinance 2010-0189

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **MEYERLAND SUBDIVISION, SECTIONS 1 - 6, 6A AND 6B** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK**

12. Ordinance 2010-0190

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **STERLING KNOLL SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT E - SULLIVAN**

13. Ordinance 2010-0191

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

14. Ordinance 2010-0192

ORDINANCE supplementing the City of Houston, Texas Combined Utility System Master Ordinance; providing for the issuance of Combined Utility System First Lien Revenue Refunding Bonds, Series 2010B to refund all or portions of the City's Combined Utility System First Lien Revenue Refunding Bonds, Series 2004B and Series 2008A; authorizing the Mayor and City Controller to approve the amounts, interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the bonds; authorizing the execution and delivery of a Remarketing Agreement; making other provisions regarding such bonds; and declaring an emergency

15. Ordinance 2010-0176

ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **TENNESSEE GAS PIPELINE COMPANY** for certain premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON**

ORDINANCES - continued

16. Ordinance 2010-0177

ORDINANCE approving and authorizing Lease Agreement, for five (5) years, with three (3) renewals of five (5) years each, between **INTERCONTINENTAL HOTELS GROUP RESOURCES, INC, or its affiliate, Landlord**, and the City of Houston, Texas, Tenant, with a monthly fee of \$2,000.00 for Fiscal Year 2010, other costs and site improvement fees for a total cost for the initial five (5) year base term of \$120,000.00, to allow the Radio Communications Division of the Information Technology Department to lease ground space and roof top space for communications equipment in connection with a new Public Safety Radio System located at 14703 Park Row, Houston, Texas - Revenue - **DISTRICT A - STARDIG**

17. Council Member Gonzalez tagged

ORDINANCE de-appropriating \$2,000,000 out of Affordable Housing Uptown Series 2004 Fund (2417); de-appropriating \$650,000 out of TIRZ Affordable Housing Fund (2409); and appropriating \$2,000,000 out of Affordable Housing Uptown Series 2004 Fund (2417) and appropriating \$950,000 out of TIRZ Affordable Housing Fund (2409) for a total appropriation of \$2,950,000 to the City's Housing and Community Development Department to continue implementation of the City's Workforce Housing Downpayment Assistance Program - **DISTRICTS A - STARDIG; B - JOHNSON; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ**

18. Ordinance 2010-0178

ORDINANCE appropriating \$500,000.00 from the Woodlands Regional Participation Fund and approving and authorizing an Interlocal Agreement with **MONTGOMERY COUNTY, TEXAS** for Park Road and Trail Improvements in Lake Houston Park for the Parks and Recreation Department

19. Ordinance 2010-0179

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **U.S. DEPARTMENT OF JUSTICE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT FUND**, administered by the Governor's Criminal Justice Division, to continue the After-School Achievement Program for the second year; declaring the City's eligibility for such grant; authorizing the Director of the Parks and 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

20. Ordinance 2010-0180

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **U.S. DEPARTMENT OF EDUCATION SAFE AND DRUG FREE SCHOOLS AND COMMUNITIES ACT FUND**, administered by the Governor's Criminal Justice Division, to support the After-School Achievement Program at three additional Houston Inner City Schools during the 2010-2011 School Year; declaring the City's eligibility for such grant; authorizing the Director of the Parks and 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

21. Ordinance 2010-0181

ORDINANCE approving and authorizing first amendment to agreement for the development of a Texas Statewide Transportation Enhancement Project between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of West White Oak Bayou Trail Extension (Approved by Ordinance No. 97-1042) - **DISTRICTS A - STARDIG and B - JOHNSON**

ORDINANCES - continued

22. Ordinance 2010-0193

ORDINANCE approving and authorizing Professional Services Contract between the City of Houston and **HOUSTON CLEAN CITY COMMISSION, d.b.a. KEEP HOUSTON BEAUTIFUL** for Environmental Stormwater Education Program Services - \$100,000.00 - Stormwater Maintenance Fund

23. Ordinance 2010-0182 – Passed first reading

ORDINANCE granting to **I.G.S. ENVIRONMENTAL, A Texas Sole Proprietorship**, 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**

24. Ordinance 2010-0169 – Passed second reading

ORDINANCE No. 2010-169, passed first reading February 24, 2010

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 - **SECOND READING**

25. Ordinance 2010-0120 – Passed third and final reading

ORDINANCE No. 2010-120, passed second reading February 17, 2010

ORDINANCE granting to **ACTION RESTORATION, INC, A Texas Corporation**, 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 - **THIRD AND FINAL READING**

26. Ordinance 2010-0121 – Passed third and final reading

ORDINANCE No. 2010-121, passed second reading February 17, 2010

ORDINANCE granting to **PNEUVAC TRANSFER, INC, d/b/a UVAC, INC., A Texas Corporation**, 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 **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 27 and 28

27. Ordinance 2010-0194

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 - TAGGED BY COUNCIL MEMBER JONES**

This was Item 26 on Agenda of February 24, 2010

MATTERS HELD - continued

28. Ordinance 2010-0195

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

TAGGED BY COUNCIL MEMBER STARDIG

This was Item 29 on Agenda of February 24, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Rodriguez 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

3/2/2010 – Council Member Noriega absent due to being ill

3/3/2010 – Council Member Noriega absent due to being ill