

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

MOTIONS - 2010-0797 to 2010-0816
ORDINANCES - 2010-0864 to 2010-0878
RESOLUTIONS – 2010-0057 to 2010-0058

2010-0796-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Rodriguez

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 2010-0798 – Procedural motion
Motion 2010-0799 – Procedural motion
Motion 2010-0800 – Procedural motion
Motion 2010-0801 – Procedural motion
Motion 2010-0802 – Procedural motion
Motion 2010-0803 – Procedural motion
Motion 2010-0804 – Suspend rules to remain in session beyond the scheduled noon recess
Motion 2010-0805 – Procedural motion

Motion 2010-0797 – 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 and a Quarterly Investment Report by the City Controller

MAYOR'S REPORT

Motion 2010-0806 – Suspend rules to take a thirty (30) minute recess after the last speaker

CONSENT AGENDA NUMBERS 1 through 23

MISCELLANEOUS - NUMBERS 1 and 2

1. **Council Member Jones tagged**

RECOMMENDATION for approval of City of Houston Legislative Principles for the 82nd Session of the Texas Legislature

2. **Motion 2010-0811**

RECOMMENDATION from the City Secretary for payment of invoices from the Houston Chronicle related to the publication of notice of the City Special Election - \$224,716.80 - General Fund

PROPERTY - NUMBERS 3 through 6

3. **Motion 2010-0807**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY10-022, located at 8713 Wheatley Street, owned by Willis U. Tillis and Lula L. Tillis, for the **ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT from Little York to West Gulf Bank** - \$81,811.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

4. **Motion 2010-0808**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY10-023, located at 8717 Wheatley Street, owned by Doris M. Tillis White, Robert Tillis, Jr., Linda J. Tillis Chatman, Kenneth L. Tillis, Angienette Tillis Harrison and Sandra Tillis Bradford c/o Lorean Tillis, aka Lorene Tillis, for the **ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT from Little York to West Gulf Bank** - \$95,080.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

5. **Motion 2010-0809**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY10-027, located at 1103 Dewalt Street, owned by Lorean Tillis, aka Lorene Tillis, Doris M. Tillis White, Robert Tillis, Jr., Linda J. Tillis Chatman, Kenneth L. Tillis, Angienette Tillis Harrison and Sandra Tillis Bradford, for the **ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT from Little York to West Gulf Bank** - \$80,271.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

6. **Motion 2010-0810**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY10-039, located at 9618 Maxroy Street, owned by Christopher Fillmore, for the **ELLA BOULEVARD (WHEATLEY STREET) PAVING PROJECT from Little York to West Gulf Bank** \$175,528.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 8

7. **Ordinance 2010-0870**

ORDINANCE appropriating \$2,865,164.28 out of Equipment Acquisition Consolidated Fund for Purchase of Firefighting Trucks for Houston Fire Department - \$251,082.72 - American Recovery and Reinvestment Act Funds

PURCHASING AND TABULATION OF BIDS - continued

a. **Motion 2010-0812**

TYLER MOTOR COMPANY, INC d/b/a HALL, VOLVO, and GMC - \$1,682,772.00 and **METRO FIRE APPARATUS SPECIALISTS, INC** - \$1,433,475.00 for Firefighting Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Houston Fire Department

8. **Council Member Jones tagged**

CARDINAL HEALTH 200 - \$1,120,918.44, **MEDICAL PRODUCTS SUPPLY, INC** - \$1,147,300.00, **BOUND TREE MEDICAL, LLC., Bid No. 2** - \$1,113,696.64, **KENTRON HEALTH CARE, INC, Bid No. 1** - \$960,871.63, **SZY HOLDINGS LLC dba EVER READY FIRST AID AND MEDICAL SUPPLY** - \$624,486.00, **MIDWEST MEDICAL SUPPLY CO., LLC** - \$1,515,513.90, **MOORE MEDICAL LLC** - \$166,875.60, **SWA INTERNATIONAL COMPANY, LLC** - \$111,671.04, **QUADMED, INC** - \$361,320.00, **EMERGENCY MEDICAL PRODUCTS** - \$291,526.14, **HENRY SCHEIN MATRIX MEDICAL** - \$1,019,529.95 and **AMBU, INC (Bid No. 1)** - \$61,320.00 for Medical Equipment Supplies for Fire Department - 5 Years - \$8,495,029.34 - General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 9 through 23

9. **Resolution 2010-0057**

RESOLUTION approving and adopting Revised Investment Policy for the City of Houston, Texas

10. **Resolution 2010-0058**

RESOLUTION authorizing the creation of **HOUSTON AMATEUR SPORTS PARK LGC, INC**, A Local Government Corporation; approving the Certificate of Formation; approving the By-laws; appointing the initial Directors and Chair - **DISTRICT D - ADAMS**

11. **Ordinance 2010-0871**

ORDINANCE relating to the adoption of the Fire Code for the protection and preservation of lives and property from Fire and other perils; adopting amendments to the City of Houston Fire Code and containing other provisions relating to the foregoing subject; containing a repealer; containing a savings clause; providing for severability

12. **Ordinance 2010-0864**

ORDINANCE approving and authorizing Performance Based Loan Agreement between the City of Houston and **A CARING SAFE PLACE, INC** to provide \$2,457,162 in Housing Opportunities for Persons With AIDS Funds for the acquisition and construction of a 15-unit apartment building/community residence to provide permanent affordable housing and supportive services to homeless men diagnosed with HIV/AIDS - **DISTRICT B - JOHNSON**

13. **Ordinance 2010-0872**

ORDINANCE awarding contract between the City of Houston and **JOHNSON AND JOHNSON, Attorneys at Law** to represent the City of Houston before the 82nd Session of the Texas Legislature and State Agencies; providing a maximum contract amount - 2 Years - \$757,050.00 General Fund

14. **Ordinance 2010-0865**

ORDINANCE consenting to the creation of **MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2**

RESOLUTIONS AND ORDINANCES - continued

15. Ordinance 2010-0866

ORDINANCE consenting to the creation of **MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3**

16. Ordinance 2010-0873

ORDINANCE appropriating \$310,433.00 out of Parks Consolidated Construction Fund and approving and authorizing issuance of Purchase Order to **MUSCO SPORTS LIGHTING, LLC**, for Purchase and Installation of Ballfield Lighting for the Blackhawk Park - **DISTRICT E - SULLIVAN**

17. Ordinance 2010-0867

ORDINANCE authorizing the sale to **HARRIS COUNTY FLOOD CONTROL DISTRICT** of excess fee-owned Hirsch Road right-of-way, located in the Crane Street Gardens Subdivision, for payment to the City of \$42,388.00 and other consideration, Parcels SY10-079A, SY10-079B and SY10-079C - **DISTRICT B - JOHNSON**

18. Ordinance 2010-0868

ORDINANCE appropriating \$28,966.00 out of Miscellaneous Capital Project/Acquisitions CP Series E Fund for Furnishing and Installation of Ornamental Fencing and Gates for Tidwell Park under an existing Citywide Contract with the **FIERRO GROUP, LTD. COMPANY d/b/a FENCEMASTER OF HOUSTON** (Approved by Ordinance No. 2008-0892) - **DISTRICT B - JOHNSON**

19. Ordinance 2010-0869

ORDINANCE appropriating \$187,195.00 out of Airports Improvement Fund and approving transfer of such amount from the Houston Airport System to the Department of Public Works and Engineering for Reimbursement for utility improvements - **DISTRICT B - JOHNSON**

20. Council Member Jones tagged

ORDINANCE appropriating \$700,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **A&S ENGINEERS, INC** for Professional Engineering Services at Ellington Airport (Project 671) - **DISTRICT E - SULLIVAN**

21. Ordinance 2010-0874

ORDINANCE appropriating \$514,855.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 2 to an agreement for Professional Architectural/Engineering Services between the City of Houston and **3D/INTERNATIONAL, INC** (Project No. 490M); providing funding for the Civic Art Program - **DISTRICT B - JOHNSON**

22. Council Member Jones tagged

ORDINANCE appropriating \$10,299,432.69 out of Airports Improvement Fund and awarding construction contract to **UNITED RESTORATION AND PRESERVATION, INC** for the Repair of Parking Structures at William P. Hobby Airport (Project 592); 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 Civic Art Program, engineering testing services and for contingencies relating to construction of facilities financed by such funds - **DISTRICT I - RODRIGUEZ**

23. Ordinance 2010-0875 – Passed first reading

ORDINANCE granting to **TEXAS WATER MANAGEMENT, L.L.C., A Texas Limited Liability 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 **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 24 and 25

MISCELLANEOUS

24. Motion 2010-0813

RECEIVE nominations for Position 7 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two year term
Council Member Clutterbuck nominated Janiece M. Longoria
Council Member Costello nominated Dean Corgy

25. Motion 2010-0814

SET HEARING DATE regarding fourth amendment to the Project Plan and Reinvestment Zone Financing Plan for the **TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE (MEMORIAL HEIGHTS ZONE) - DISTRICTS A - STARDIG; D - ADAMS; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**
SUGGESTED HEARING DATE - 9:00 A. M. - WEDNESDAY - DECEMBER 1, 2010

MATTERS HELD - NUMBERS 26 through 30

26. Motion 2010-0815 – Adopt

Motion by Council Member Clutterbuck/Seconded by Council Member Sullivan to adopt recommendation from Purchasing Agent to award to **SOUTHWESTERN BELL TELEPHONE COMPANY d/b/a AT&T TEXAS** for Voice Communication Services through the City's Master Agreement with the Texas Department of Information Resources for the Information Technology Department - 2 Years - \$10,000,000.00 - Central Service Revolving Fund
TAGGED BY COUNCIL MEMBERS JONES and SULLIVAN
This was Item 13 on Agenda of November 3, 2010

27. Motion 2010-0816 – Adopt

Motion by Council Member Clutterbuck/Seconded by Council Member Gonzalez to adopt recommendation from Purchasing Agent to award to **HOV SERVICES, INC** for Mail Processing Services from the Texas Procurement and Support Services Contract through the Texas Procurement and Support Services' Cooperative Purchasing Program for the Department of Public Works & Engineering - \$604,800.00 - Enterprise Fund
TAGGED BY COUNCIL MEMBER JONES
This was Item 14 on Agenda of November 3, 2010

28. Ordinance 2010-0876

ORDINANCE appropriating \$160,000.00 out of TIRZ Affordable Housing Fund 2409 and approving and authorizing Development Agreement between the City and **SHINE PROPERTY DEVELOPMENT, LLC** to develop two (2) Affordable Single-Family Model Homes in the Trinity Gardens Area to be later sold to qualified low-income and very low-income families - **DISTRICT B - JOHNSON** - **POSTPONED BY MOTION #2010-794, 11/3/10**
This was Item 43 on Agenda of November 3, 2010

MATTERS HELD – continued

29. Ordinance 2010-0877

ORDINANCE amending Ordinance No. 2010-572 relating to the Fiscal Affairs of the Fifth Ward Redevelopment Authority on behalf of Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone); approving an amendment to the Fiscal Year 2010 Operating Budget for the Authority - **DISTRICTS B - JOHNSON and H - GONZALEZ**

POSTPONED BY MOTION #2010-795, 11/3/10

This was Item 45 on Agenda of November 3, 2010

30. Ordinance 2010-0878

ORDINANCE amending Ordinance No. 2005-0705 (Passed on June 8, 2005) to increase the maximum contract amount for contract between the City of Houston and **GENUINE PARTS COMPANY dba NAPA AUTO PARTS** for Automotive and Equipment Parts and Repair Services for the Public Works & Engineering Department - \$3,750,000.00 - Fleet Management Fund

POSTPONED BY MOTION #2010-796, 11/3/10

This was Item 47 on Agenda of November 3, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Johnson 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

**11/09/2010 – Mayor Parker absent on City business
Mayor Pro tem Clutterbuck presiding**