

**AGENDA - COUNCIL MEETING - TUESDAY - SEPTEMBER 14, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS 2010-0662 to 2010-0682  
ORDINANCES – 2009-0718 to 2009-0728  
RESOLUTION – 2010-0056

2010-0661-1

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

**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

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

**RECONVENE**

**WEDNESDAY - SEPTEMBER 15, 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 2010-0667 – Close hearing

PUBLIC HEARING regarding a second amendment to the **PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN** for Tax Increment Reinvestment Zone Number Thirteen (Old Sixth Ward Zone) - **DISTRICT H - GONZALEZ**

Motion 2010-0662 – Suspend rules to consider Items 2, 3, 4, 41 and the Mayor's Report out of order

**MAYOR'S REPORT** - Status Updates on Metro

**CONSENT AGENDA NUMBERS 2 through 36**

**MISCELLANEOUS** - NUMBERS 2 through 6

2. Motion 2010-0663

REQUEST from Mayor for confirmation of the appointment of **MR. TERRY ALMON GARRISON** as Fire Chief

**MISCELLANEOUS** - continued

**3. Motion 2010-0664**

REQUEST from Mayor for confirmation of the appointment of the following individuals as Associate Municipal Court Judges, for two year terms:

Position 37 - **MR. LAWRENCE A. ROUSSEAU**

Position 46 - **MS. MEGAN A. MCLELLAN**

**4. Motion 2010-0665**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER TWENTY, CITY OF HOUSTON, TEXAS, (SOUTHWEST HOUSTON ZONE):**

Position Two - **MR. WELCOME W. WILSON, JR.**, for a term to expire December 20, 2012 and as Chair, for a term to expire December 31, 2010

Position Seven - **MR. MICHAEL LASTER**, for a term to expire December 20, 2011

**5. Motion 2010-0670**

RECOMMENDATION from the Director of the Finance Department that the City Council receive the 2010 Appraisal Roll Information, Certification of the Anticipated Collection Rate and appoint Sylvia Shaw and Jennifer Chen to calculate and publish the City's Effective and Rollback Tax Rates in accordance with the "Truth-In-Taxation" provisions of the State Tax Code

**6. Motion 2010-0671**

RECOMMENDATION from Acting Fire Chief to approve the sale of Decommissioned Firefighting Bunker Gear to the "Sister City" of Karachi, Pakistan

**ACCEPT WORK** - NUMBERS 7 through 11

**7. Motion 2010-0672**

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$11,634,374.92 and acceptance of work on contract with **SPAWGLASS CIVIL CONSTRUCTION, INC** for Taxiway "H" Pavement Rehabilitation at Ellington Airport, Project No. 614 - 3.83% over the original contract amount - **DISTRICT E - SULLIVAN**

**8. Council Member Jones tagged**

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$2,150,653.26 and acceptance of work on contract with **TJ&T ENTERPRISES, INC** for Wetlands Creation at Westside Mitigation Area, Project No. 586A - 4.81% over the original contract amount

**9. Motion 2010-0673**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,262,785.64 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 7.16% under the original contract amount - **DISTRICTS C - CLUTTERBUCK; F - HOANG; G - PENNINGTON and H - GONZALEZ**

**10. Motion 2010-0677**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,037,458.53 and acceptance of work on contract with **REPIPE CONSTRUCTION, LTD.**, for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method 1.81% over the original contract amount - **DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; E - SULLIVAN; H - GONZALEZ and I - RODRIGUEZ**

**ACCEPT WORK** - continued

**11. Motion 2010-0678**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,807,023.00 and acceptance of work on contract with **UTILITY SERVICE CO., INC** for Rehabilitation of Four Elevated Storage Tanks at Four Plant Sites, Kingwood-3, Kingwood-4, District 41-2 and Forest Cove-2 - 4.06% under the original contract amount - **DISTRICTS D - ADAMS and E - SULLIVAN**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 12 through 16

**12. Motion 2010-0679**

**FERRARA FIRE APPARATUS, INC** for Ferrara Truck Replacement Parts and Repair Services for Fire Department - \$755,915.42 - General Fund

**13. Motion 2010-0674**

**STATE OF TEXAS COMMISSION ON FIRE PROTECTION** for payment of Annual Certification and Re-certification fees for Firefighters for Fire Department - \$190,000.00 - General Fund

**14. Council Member Jones tagged**

ORDINANCE appropriating \$120,831.70 out of Fire Consolidated Construction Fund for Structural Remediation at Fire Station No. 29 for General Services Department

**a. Council Member Jones tagged**

**BASELINE PAVING AND CONSTRUCTION, INC** for Structural Remediation at Fire Station No. 29 for General Services Department - \$109,847.00 and contingencies for a total not to exceed \$120,831.70 - **DISTRICT I - RODRIGUEZ**

**15. Motion 2010-0675**

**DIAGNOSTIC HYBRIDS, INC** for Monoclonal Antibody Reagents and Control Kits for Houston Department of Health & Human Services - \$465,395.65 - General Fund

**16. Motion 2010-0676**

**S.P. LUFTBILD GmbH** for Sale of Helicopter Parts and Accessories for Houston Police Department - \$73,000.00 - Revenue

**RESOLUTIONS AND ORDINANCES** - NUMBERS 17 through 36

**17. Resolution 2010-0056**

RESOLUTION designating properties located at 1511 Everett Street, 3601 South Sandman Street, 1110 Victor Street, 1113 Cleveland Street, and 1505-1507 Cushing Street within the City of Houston as landmarks and protected landmarks - **DISTRICTS C - CLUTTERBUCK; H - GONZALEZ and I - RODRIGUEZ**

**18. Ordinance 2010-0718**

ORDINANCE **AMENDING SECTION 15-23 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Contract Compliance Commission Hearing procedure

**19. Ordinance 2010-0721**

ORDINANCE **AMENDING ARTICLES II, III, AND VIII OF CHAPTER 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, transferring all permitting functions contained therein from the Houston Police Department to the Administration and Regulatory Affairs Department; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

**RESOLUTIONS AND ORDINANCES** - continued

**20. Ordinance 2010-0728**

ORDINANCE making findings concerning the use of 2.6 acres of land near Gillette Street and Allen Parkway previously designated as San Felipe Park

**21. Ordinance 2010-0719**

ORDINANCE amending Ordinance Numbers 2009-288 and 2009-689 to increase the maximum contract amount for **THE SHELTERING ARMS, HOUSTON, TEXAS** and **DINSMORE MEDICAL SYSTEMS, LLC**, respectively; approving and authorizing first amendment to contract for elderly services provided through the Harris County Area Agency on Aging between the City and **THE SHELTERING ARMS, HOUSTON, TEXAS** - \$1,146,420.47 - Grant Fund

**22. Ordinance 2010-0722**

ORDINANCE relating to the Retail Electric Rates of CenterPoint Energy Houston Electric, LLC within the City of Houston, Texas; setting a hearing to determine just and reasonable rates to be observed within the City of Houston

**HEARING DATE - 9:00 A.M. - WEDNESDAY - SEPTEMBER 29, 2010**

**23. Ordinance 2010-0723**

ORDINANCE authorizing the Mayor to accept funding in the amount of \$4,035,076.00 by executing an Other Transaction Agreement by and between the Department of Homeland Security Transportation Security Administration for Surveillance Program Enhancements at William P. Hobby Airport - Grant Fund - **DISTRICT I - RODRIGUEZ**

**24. Ordinance 2010-0724**

ORDINANCE authorizing the Mayor to accept funding in the amount of \$13,033,734.00 by executing an Other Transaction Agreement by and between the Department of Homeland Security Transportation Security Administration for Surveillance Program Enhancements at George Bush Intercontinental Airport/Houston - Grant Fund - **DISTRICT B - JOHNSON**

**25. Council Member Jones tagged**

ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 2 to contract between the City of Houston and **CONCEPT ENGINEERS, INC** for Professional Engineering Services for the Houston Airport System (Project 615J) - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**26. Council Members Gonzalez and Jones tagged**

ORDINANCE approving an Agreement between the City of Houston, Texas and **AINBINDER HEIGHTS, LLC** pursuant to Chapter 380, Texas Local Government Code for Economic Development Assistance for Development of a Multi-Tenant Commercial Retail Project in the City **DISTRICT H - GONZALEZ**

**27. Ordinance 2010-0725**

ORDINANCE appropriating \$35,000.00 out of Reimbursement of Equipment/Projects Fund to be reimbursed by a subsequent payment from the Hardy/Near Northside Redevelopment Authority (Authority); authorizing and approving an Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** and a Sponsorship Agreement between the City and Authority for the North San Jacinto Street Expansion Project - **DISTRICT H - GONZALEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**28. Council Member Bradford tagged**

ORDINANCE appropriating \$550,000.00 out of Reimbursement of Equipment/Projects Fund; approving and authorizing contract between the City of Houston and **SOGETI USA, LLC** for analysis and design of a Queuing and Payment System for the Houston Permitting Center; providing a maximum contract amount; providing funding for contingencies relating to design and construction of facilities financed by the Reimbursement of Equipment/Projects Fund

**29. Ordinance 2010-0726**

ORDINANCE awarding contract to **RUSH TRUCK CENTERS OF TEXAS, LP dba RUSH TRUCK CENTER; HOUSTON** for Automotive, Heavy-Duty Front End Repair Services for Various Departments; providing a maximum contract amount - 3 years with two one-year options \$869,902.98 - General and Fleet Maintenance Funds

**30. Ordinance 2010-0727**

ORDINANCE awarding contract to **WELLS FARGO MERCHANT SERVICES, LLC** for Credit Card Processing Services for Various City Departments - 5 Years with three one-year options Revenue

**31. Ordinance 2010-0720**

ORDINANCE appropriating \$68,505.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation to an Interlocal Agreement (Approved by Ordinance No. 2008-1202) between the City of Houston and **UPPER KIRBY REDEVELOPMENT AUTHORITY** for the Design and Construction of Kirby Drive from Richmond to Westheimer - **DISTRICT C - CLUTTERBUCK**

**32. Ordinance 2010-0698 – Passed second reading**

ORDINANCE No. 2010-698, passed first reading on September 1, 2010

ORDINANCE granting to **BCS RESOURCE, L.L.C., 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**

**33. Ordinance 2010-0699 – Passed second reading**

ORDINANCE No. 2010-699, passed first reading on September 1, 2010

ORDINANCE granting to **J. A. GAMEZ TRUCKING SERVICES, 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 - **SECOND READING**

**34. Ordinance 2010-0700 – Passed second reading**

ORDINANCE No. 2010-700, passed first reading on September 1, 2010

ORDINANCE granting to **GALLEGOS & SONS TRUCKING, 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 - **SECOND READING**

**35. Ordinance 2010-0701 – Passed second reading**

ORDINANCE No. 2010-701, passed first reading on September 1, 2010

ORDINANCE granting to **IESI, 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 - **SECOND READING**

**RESOLUTIONS AND ORDINANCES** - continued

**36. Ordinance 2010-0682 – Passed third and final reading**

ORDINANCE No. 2010-682, passed second reading on September 1, 2010

ORDINANCE granting to **GI ENVIRONMENTAL VACUUM SERVICE, 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**

**NON CONSENT AGENDA** - NUMBER 37

**PURCHASING AND TABULATION OF BIDS**

**Motion 2010-0680 – Procedural motion**

**Motion 2010-0681 – Procedural motion**

**37. Motion 2010-0682**

**AMEND MOTION #2010-579, 8/4/10, TO REDUCE** spending authority to **FISCHER SCIENTIFIC** by \$17,179.01 and approving corresponding increase of \$17,179.01 to **RAE SYSTEMS** for purchase of equipment for the Houston Fire Department Hazardous Materials Team due to an error in the request for council action - **REQUIRES THREE MOTIONS**

**MATTERS HELD** - NUMBERS 38 through 40

**38. Council Member Jones tagged**

ORDINANCE appropriating \$3,000,000.00 out of FY11 Equipment Acquisition Consolidated Fund as an additional appropriation for Houston Municipal Courts Case Management System; approving and authorizing a first amendment to the contract between the City of Houston and **SOGETI USA, LLC** for Software Design and Development Services (Approved by Ordinance No. 2009-863); providing for expenses relating to the development and implementation of the system - **TAGGED BY COUNCIL MEMBER BRADFORD**

This was Item 24 on Agenda of September 1, 2010

**39. Council Member Jones tagged**

ORDINANCE awarding contract to **RBEX, INC dba APPLE TOWING CO.** for Towing and Storage Services for Seized Vehicles for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,375,000.00 - Asset Forfeiture Fund

**TAGGED BY COUNCIL MEMBER BRADFORD**

This was Item 25 on Agenda of September 1, 2010

**MATTERS HELD** - continued

**Motion 2010-0668 – Suspend rules to consider Item 40 out of order**

**40. Motion 2010-0669 – Refer back to the administration**

ORDINANCE awarding Job Order Contracts to **TIMES CONSTRUCTION, INC** and **J. E. DUNN CONSTRUCTION COMPANY** for Minor Construction, Repairs, Rehabilitations and Alterations of Various City Facilities; providing a maximum contract amount of \$10,000,000 for each contract 5 Years - **TAGGED BY COUNCIL MEMBERS LOVELL, ADAMS and JOHNSON**

This was Item 28 on Agenda of September 1, 2010

**41. Motion 2010-0666**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals as Full-Time Municipal Court Judges, for two year terms:

Position 7 - **MR. DAVID O. FRAGA**, reappointment

Position 11 - **MS. KIM R. TRUJILLO**, appointment

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

**9/14/2010 – Mayor Parker absent on City business**

**Council Member Adams absent on city business**

**Council Member Noriega absent on personal business**

**Mayor Pro Tem Clutterbuck presiding**

**9/15/2010 – Council Member Adams absent on City business**