

**AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 23, 2011 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS – 2011-0649 to 2011-0682  
ORDINANCES - 2011-0738 to 2011-0753  
RESOLUTION – 2011-0025

2011-0648-1

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

**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 2011-0649 – Procedural motion  
Motion 2011-0650 – Procedural motion  
Motion 2011-0651 – Procedural motion  
Motion 2011-0652 – Procedural motion  
Motion 2011-0653 – Procedural motion  
Motion 2011-0654 – Procedural motion  
Motion 2011-0655 – Procedural motion  
Motion 2011-0656 – Procedural motion  
Motion 2011-0657 – Procedural motion  
Motion 2011-0658 – Procedural motion  
Motion 2011-0659 – Procedural motion  
Motion 2011-0660 – Procedural motion  
Motion 2011-0661 – Procedural motion  
Motion 2011-0662 – Procedural motion

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

**RECONVENE**

**WEDNESDAY - AUGUST 24, 2011 - 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 29

MISCELLANEOUS - NUMBERS 1 through 8

**Motion 2011-0664 – Suspend rules to consider Item 1 at the end of the Agenda**

**Motion 2011-0680 – Call the question on Item 1**

**1. Motion 2011-0681**

REQUEST from Mayor for confirmation of the appointment of **MS. CATHERINE FLOWERS** as Director of the Department of Neighborhoods

**2. Pulled - Not Considered**

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **HARRIS COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1 (MEMORIAL CITY MANAGEMENT DISTRICT) BOARD OF DIRECTORS**, for terms to expire June 1, 2015:

Position One - **MR. STEVEN W. GOSS**

Position Two - **MR. ALLEN TSENG**

Position Four - **MR. GLENN AIROLA**

Position Five - **MR. DAVID L. KELLEY**

Position Six - **MR. WILLIAM M. MOSLEY, JR.**

**3. Motion 2011-0665**

REQUEST from Mayor for confirmation of the reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE HOUSTON DOWNTOWN MANAGEMENT DISTRICT**, for terms to expire June 1, 2015:

Position Twenty-Four - **MS. DIEDRA P. PORCHE**

Position Twenty-Five - **MS. IRMA GALVAN**

Position Twenty-Six - **MS. JERI A. BALLARD**

Position Twenty-Seven - **MR. REYNALDO REZA**

Position Twenty-Eight - **MR. THOMAS (J.T.) CHENG**

Position Twenty-Nine - **MS. PATTY LODEN**

Position Thirty - **MR. FRANK G. STAATS**

**4. Motion 2011-0666**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **HOUSTON ZOO, INC BOARD OF DIRECTORS**, for terms to expire June 30, 2014:

Position One - **MR. TONY SANCHEZ, III**, reappointment

Position Two - **MS. JACQUELINE S. MARTIN**, appointment

Position Seven - **DR. BARBARA (BOBBI) G. SAMUELS**, appointment

**5. Motion 2011-0667**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **BOARD OF DIRECTORS OF THE MIDTOWN MANAGEMENT DISTRICT**, for terms to expire June 1, 2015:

Position One - **MR. ROGER NEAL**, reappointment

Position Two - **MR. ALAN HOOD**, reappointment

Position Three - **MS. KATHERINE CABANISS**, appointment

Position Four - **MR. HOWARD LEE**, reappointment

Position Five - **MR. WILLIE HIGH COLEMAN, JR.**, reappointment

Position Six - **MR. WILLIAM STEPHEN TILNEY**, reappointment

Position Seven - **MS. PAMELA NGO TRANPARK**, reappointment

Position Eight - **MR. F. CHARLES LEBLANC**, appointment

**MISCELLANEOUS** - continued

**6. Motion 2011-0668**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following individuals to the **REINVESTMENT ZONE NUMBER FIVE CITY OF HOUSTON, TEXAS (MEMORIAL HEIGHTS ZONE) BOARD OF DIRECTORS:**

Position One - **MR. DARREN SABOM**, appointment, for a term to expire 12/31/2012

Position Two - **MS. ANN LENTS**, reappointment, for a term to expire 12/31/2011

Position Three- **MR. BRYAN BROWN**, appointment, for a term to expire 12/31/2012

Position Four - **MR. JOSE S. HERNANDEZ**, reappointment, for a term to expire 12/31/2011

Position Five - **MR. ALEJANDRO COLOM**, reappointment, for a term to expire 12/31/2012 and appointment to serve as Chair, for a term to expire 12/31/2011

**7. Motion 2011-0669**

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **PLANNING COMMISSION:**

Position Six - **MR. FERNANDO L. BRAVE**, for a term to expire 3/31/2013

Position Fourteen - **MR. BRANDON DUDLEY**, for a term to expire 3/31/2013

Position Twenty - **MR. ANTOINE BRYANT NOMA**, for a term to expire 9/30/2012

**8. Motion 2011-0670**

RECOMMENDATION from Director Solid Waste Management for approval of additional funding in the amount of \$2,000,000.00 for the Solid Waste Disposal Contract C31474 with **WASTE MANAGEMENT, INC** - General Fund

**PROPERTY** - NUMBERS 9 through 11

**9. Motion 2011-0671**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tracy Youngblood, Brown & Gay Engineers, Inc., on behalf of Waughsup, LLC, (Joseph Martin, Managing Member), for abandonment and sale of a variable width sanitary sewer easement, in exchange for the conveyance to the City of a 45-foot-wide storm sewer easement, both within Block 4, Rosemont Subdivision, out of the Obedience Smith Survey, A-696, Parcels SY11-101 and LY12-003 **DISTRICT D - ADAMS**

**10. Motion 2011-0672**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel KY11-044, located at 12600 Dunlap Street, owned by Pines of Westbury, Ltd, John Quinlan, President, for the **42-INCH WATER LINE along HILLCROFT, DUBLIN, DUNLAP, MAIN, HAVILAND, MINETTA AND CANEMONT/SANDPIPER from COACH CREEK to WEST AIRPORT BOULEVARD PROJECT - DISTRICT C - CLUTTERBUCK**

**11. Motion 2011-0673**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-311, located at 6445 North Freeway, owned by Cory Investments, Inc. Dave Cory, President, for the **YALE STREET IMPROVEMENTS PROJECT from Tidwell to Parker \$127,250.00 - Street & Bridge Consolidated Construction Fund - DISTRICT H - GONZALEZ**

**ORDINANCES** - NUMBERS 12 through 29

**12. Council Member Jones tagged**

ORDINANCE **AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to School Vehicles operating as vehicles for hire

**ORDINANCES** - continued

**13. Ordinance 2011-0738**

ORDINANCE amending Ordinance No. 2011-399 for the purpose of correcting various errors in the listing of voting precincts affecting certain single member districts; containing findings and other provisions related to the foregoing subject; containing a severability provision

**14. Ordinance 2011-0739**

ORDINANCE approving and authorizing release of easement previously reserved for environmental remediation purposes, in the John Austin Survey, A-1, Houston, Texas

**15. Ordinance 2011-0749**

ORDINANCE approving and authorizing first amendment to the contract between the City of Houston and **UNIVERSITY OF HOUSTON, on behalf of the College of Optometry (UHOC)**, in consideration for the transfer of title to the Mobil Eye Institute to UHOC and to continue to provide vision care services at various sites where individuals have difficulty accessing care

**16. Ordinance 2011-0740**

ORDINANCE approving and authorizing Amendment No. 8 to Lease Agreement between the City of Houston and **ARAMCO ASSOCIATED COMPANY** for certain premises at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON**

**17. Ordinance 2011-0741**

ORDINANCE enlarging the boundaries of Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone) - **DISTRICT E - SULLIVAN**

**a. Ordinance 2011-0742**

ORDINANCE approving the third amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone); authorizing the City Secretary to distribute such plans - **DISTRICT E - SULLIVAN**

**18. Council Members Jones and Hoang tagged**

ORDINANCE approving and authorizing an Interlocal Pilot Service Agreement for DUI/DWI Toxicology and DNA Testing between the City of Houston and **HARRIS COUNTY**; establishing a maximum contract amount - \$206,250.00 - General Fund

**a. Pulled - Not Considered**

ORDINANCE approving and authorizing first amendment to an Interlocal Pilot Service Agreement for DUI/DWI Toxicology and DNA Testing between the City of Houston and **HARRIS COUNTY**

**19. Council Member Hoang tagged**

ORDINANCE approving and authorizing second amendment to contract for Delinquent Collection Services for the Municipal Courts Department between the City and **LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP** to modify certain terms of the contract

**20. Ordinance 2011-0750**

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

**ORDINANCES** - continued

**21. Ordinance 2011-0751**

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **HOLLEY TERRACE SUBDIVISION, SECTIONS 1-2, SECTION 2 REPLAT, SECTION 3 EXTENSION, and SECTION 4** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG**

**22. Ordinance 2011-0752**

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SHARPSTOWN SUBDIVISION, SECTION 3, BLOCK 2, LOTS 24-43; BLOCK 3; BLOCK 4, LOTS 1-6 and 14-41; BLOCK 11, LOTS 1-19; BLOCK 12, BLOCK 13 and BLOCK 14, LOTS 16-23** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - HOANG**

**23. Ordinance 2011-0753**

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SHARPSTOWN SUBDIVISION, SECTION 3, BLOCK 7, LOTS 1-20 and LOTS 22-28; BLOCKS 8-10; BLOCK 11, LOTS 20-31 and LOTS 33-38; BLOCK 14, LOTS 1-15 and 26-50; BLOCKS 15-17; BLOCK 18, LOTS 1-13; BLOCKS 19-21 and BLOCK 23** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - HOANG**

**24. Ordinance 2011-0743**

ORDINANCE appropriating \$235,000.00 out of Public Health Consolidated Construction Fund and \$262,766.91 out of General Improvement Consolidated Construction Fund as an additional appropriation; approving and authorizing a restated and amended Professional Architectural Services Contract between the City of Houston and **JACKSON & RYAN ARCHITECTS, INC** (Approved by Ordinance No. 2009-1411) for the Bureau of Animal Regulation and Care Facility Renovation and new Animal Adoption Center; providing funding for pre-construction services relating to construction of facilities financed by Public Health Consolidated Construction Fund and General Improvement Consolidated Construction Fund - **DISTRICT B - JOHNSON**

**25. Ordinance 2011-0744**

ORDINANCE appropriating \$3,007,300.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INDUSTRIAL TX, CORP.** for Sims Bayou North Wastewater Treatment Plant Improvements - Blower Building; 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, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**

**26. Ordinance 2011-0745**

ORDINANCE appropriating \$3,857,768.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REPIPE CONSTRUCTION, LTD.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method; 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 and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (WW4258-48)

**ORDINANCES** - continued

**27. Ordinance 2011-0746**

ORDINANCE appropriating \$2,462,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **COLLINS CONSTRUCTION, LLC** for Water Line Replacement in Alabonson Area; 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, CIP Cost Recovery, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - STARDIG and B - JOHNSON**

**28. Ordinance 2011-0747 – Passed first reading**

ORDINANCE granting to **DANIEL HOLDEN d/b/a MR. PUMPER SEWER SERVICE, 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**

**29. Ordinance 2011-0690 – Passed third and final reading**

ORDINANCE No. 2011-690, passed second reading August 17, 2011  
ORDINANCE granting to **GLOBAL WASTE SERVICES, LLC 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 **THIRD AND FINAL READING**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBER 30

**PURCHASING AND TABULATION OF BIDS**

**30. Motion 2011-0682**

RECOMMENDATION from Purchasing Agent to make the following awards for Veterinary Supplies for the Administration and Regulatory Affairs Department - \$2,485,559.55 - General Fund:

**WEBSTER VETERINARY SUPPLY, INC** - \$1,899,928.70

**MWI VETERINARY SUPPLY** - \$294,859.90

**TW MEDICAL VETERINARY SUPPLY CO. (BID NO. 1)** - \$153,558.60

**MIDWEST VETERINARY SUPPLY** - \$136,354.35

**COUNCIL DRAW LOTS**

**ITEM NO. 69** (Group III) due to receiving identical bids from **TW MEDICAL VETERINARY SUPPLY CO** and **MIDWEST VETERINARY SUPPLY** in the amount of \$858.00

**TW MEDICAL VETERINARY SUPPLY CO** drawn

**MATTERS HELD** - NUMBERS 31 through 33B

**Motion 2011-0679 – Suspend rules to remain in session beyond the scheduled noon recess**

**Motion 2011-0663 – Suspend rules to consider Items 31 and 32 out of order**

**31. Motion 2011-0674**

WRITTEN Motion by Council Member Sullivan to amend Item 31A to require for the addition of the following:

- a. All devices, equipment, cameras, software, and related apparatus known as “red light cameras” shall be removed as permitted by law from all city rights of ways, traffic signals, posts, and poles

**TAGGED BY COUNCIL MEMBER LOVELL**

**Motion 2011-0675 – Motion by Council Member Gonzalez/seconded by Council Member Costello to amend Item 31a, 11<sup>th</sup> WHEREAS, to delete the phrase after the word “demand.”**

**Motion 2011-0676 – Motion by Council Member Bradford/seconded by Council Member Jones to delete Section 1 of Item 31a and renumber sections.**

**a. Resolution 2011-0025**

RESOLUTION regarding the litigation of matters in dispute with **AUTOMATED TRAFFIC SOLUTIONS, INC - TAGGED BY COUNCIL MEMBER LOVELL**

This was Item 13 on Agenda of August 17, 2011

**Motion 2011-0677 – Written motion by Council Member Sullivan to amend Item 32 as follows:**

- “a. All devices, equipment, cameras, software, and related apparatus known as “red light cameras” shall be removed as soon as permitted by law from all city rights of ways, traffic signals, posts, and poles.”

**Motion 2011-0678 – Written motion by Council Member Lovell to amend Item 32 as follows:**

“Section 1. That Chapter 45 of the Code of Ordinances, Houston, Texas, is hereby amended by repealing Article XIX, Photographic Traffic Signal Enforcement Systems effective December 31, 2013.” – **“FAILED”**

**32. Ordinance 2011-0748 – Adopt as amended**

ORDINANCE repealing Article XIX, Section 45-481 through 45-487 entitled Photographic Traffic Signal Enforcement Systems of the Code of Ordinances, Houston, Texas

**TAGGED BY COUNCIL MEMBERS GONZALEZ, HOANG and LOVELL**

**33. WRITTEN Motion by Council Member Bradford to amend Item 33B below as follows:**

**Modify Section 15-176.** Definitions.

*Principal Place of Business* means the business must be headquartered or have an established place or places of business in the incorporated limits of the city or local area, as applicable, wherein staff and equipment capable of completing at least 80% of the work required by any contract obtained from the City from which 20% or more of the entity's workforce are regularly based, and from which a substantial role of its operations is conducted. A location utilized solely as a post office box, mail drop or telephone message center or any combination thereof, with no substantial work function, shall not be construed as a principal place of business. – **Council Member Bradford withdrew**

and

**Modify Section 15-177.** Hire Houston First Program – Purchases of Personal Property.

- (a) *Contracts of \$100,000* or more. In purchasing any personal property that is not affixed to real property, if the city receives one or more bids from a bidder that is a city business and whose bid is within three percent of the lowest bid price received by the

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city from a bidder who is not a city business, and all other relevant criteria and legal requirements have been met, the city shall ~~may~~ enter into a contract with a value of \$100,000 or more with the bidder that is a city business, as defined in this article.

~~(1) The lowest bidder; or~~

~~(2) The bidder that is a city business, as defined in this article.~~

- (b) *Contracts under \$100,000.* In purchasing any personal property that is not affixed to real property, if the city receives one or more bids from a bidder that is a city business and whose bid is within five percent of the lowest bid price received by the city from a bidder who is not a city business, and all other relevant criteria and legal requirements have been met, the city shall ~~may~~ enter into a contract for an expenditure of less than \$100,000 with the bidder that is a city business, as defined in this article.

~~(1) The lowest bidder; or~~

~~(2) The bidder that is a city business, as defined in this article.~~

**- tagged by Council Member Jones**

and

**Modify Section 15-178.** Hire Houston First Program – Purchases of Services.

- (a) In procuring services, including construction services, the contracting department shall ~~may~~ grant a preference to a local business. In no event shall a contract for services be granted to a local business that is not within:

(1) Five percent of the lowest bidder for contracts under \$100,000; or

(2) Three percent of the lowest bidder for contracts of \$100,000 or more.

- (b) In procuring architectural, engineering or land surveying services under the Professional Services Procurement Act, Tex Gov't Code, Sec. 2254.004, the contracting department shall ~~may~~, when appropriate consider the status of a provider as a local business as part of the qualifications determination.

**TAGGED BY COUNCIL MEMBERS NORIEGA and STARDIG**

**- tagged by Council Member Jones**

**Written motion by Council Member Costello to modify Item 33a as follows:**

"Section 15-178. Hire Houston First Program – Purchases of Services

- (b) In procuring architectural, engineering or land surveying services under the Professional Services Procurement Act, Tex. Gov't Code, Sec. 2254.004, the contracting department may, when appropriate, consider the status of a provider as a local business as part of the qualifications determination. For purposes of this subsection, "principal place of business" may also, as an alternative to the definition in section 15-156 of this article, include a business that certifies that it has adequate full-time staff, equipment, and other resources in the local area to complete 80% or more of the scope of work." – **tagged by Council Member Jones**

- a. WRITTEN Motion by Council Member Costello to amend Item 33B below as follows:

**Section 15-178.** Hire Houston First Program – Purchases of Services.

- (b) In procuring architectural, engineering or land surveying services under the Professional Services Procurement Act, Tex Gov't Code, Sec. 2254.004, the contracting department will ~~may, when appropriate~~ consider the status of a provider as a local business as part of the qualifications determination when specific knowledge of local conditions are deemed beneficial to a project. For purposes of this subsection, "principal place of business" means the business must be headquartered or have an established place or places of business in the incorporated limits of the city or the local area, as applicable, from which they certify that they have adequate full time staff, equipment and other resources to locally perform 80% or more of the work associated with the scope of services defined within a contact. A location utilized solely as a post office box, mail drop or telephone message center or any combination thereof, with no other substantial work function, shall not be construed as a principal place of business.

**TAGGED BY COUNCIL MEMBERS NORIEGA and STARDIG**

**- tagged by Council Member Jones**



**MATTERS HELD** – continued

Item 33 – continued

**Written motion by Council Member Bradford to amend Item 33b to modify Section 15-177, 15-178 and 15-179 as follows:**

**“Sec. 15-177. Hire Houston First Program – Purchases of personal property.**

- (a) Contracts of \$100,000 or more. In purchasing any personal property that is not affixed to real property, if the city receives one or more bids from a bidder that is a city business and whose bid is within three percent of the lowest bid price received by the city from a bidder who is not a city business, the city ~~may~~ shall, subject to the provisions of section 15-181, enter into a contract with a value of \$100,000 or more with:
  - (1) The lowest bidder; or
  - (2) The bidder that is a city business, as defined in this article.
  
- (b) Contracts under \$100,000. In purchasing any personal property that is not affixed to real property, if the city receives one or more bids from a bidder that is a city business and whose bid is within five percent of the lowest bid price received by the city from a bidder that is not a city business, the city ~~may~~ shall, subject to the provisions of section 15-181, enter into a contract for an expenditure of less than \$100,000 with:
  - (1) The lowest bidder; or
  - (2) The bidder that is a city business, as defined in this article.

**Sec. 15-178. Hire Houston First Program – Purchases of Services.**

- (a) In procuring services, including construction services, the contracting department ~~may~~ shall, subject to the provisions of section 15-181, grant a preference to a local business. In no event shall a contract for services be granted to a local business that is not within:
  - (1) Three percent of the lowest bidder for contract of \$100,000 or more.
  
- (b) In procuring architectural, engineering or land surveying services under the Professional Services Procurement Act, Tex. Gov't Code, Sec. 2254.004, the contracting department may, when appropriate, consider the status of a provider as a local business as part of the qualification determination.

**Sec. 15-179. Hire Houston First Program – Purchases under \$50,000.**

Subject to Texas Government Code §2254.004, when procuring goods or services valued at less than \$50,000 that are not the subject of a blanket purchase order or contract, the City shall, subject to the requirements of section 15-181, select vendors and services providers with a principal place of business in the local area, provided that any such vendor's bid is no more than five percent greater than the lowest bid, in the event the lowest bid is from one other than a city business or a local business.

b. Council Member Jones tagged

**ORDINANCE ADDING ARTICLE XI, HIRE HOUSTON FIRST, TO CHAPTER 15, CONTRACTS, OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to local contracting preferences

**TAGGED BY COUNCIL MEMBERS NORIEGA and STARDIG**

This was Item 15 on Agenda of August 17, 2011

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

**8/23/2011 - Council Member Pennington absent on personal business**

**8/24/2011 - Council Member Pennington absent on personal business**