

**AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 8, 2011 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS – 2011-0092 to 2011-0101  
ORDINANCES - 2011-0087 to 2011-0108  
RESOLUTION – 2011-0003

2011-0091-1

**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 2011-0092 – Procedural motion

Motion 2011-0093 – Procedural motion

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

**RECONVENE**

**WEDNESDAY - FEBRUARY 9, 2011 - 9:00 A. M.**

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

**MAYOR'S REPORT** - Administration & Regulatory Affairs Department - **presented**

**CONSENT AGENDA NUMBERS 1 through 29**

**MISCELLANEOUS** - NUMBER 1

1. **Motion 2011-0098**

RECOMMENDATION from Director Department Public Works & Engineering to accept the January 2011 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$4,148,293.67 for Revenue Bond Debt Service as recommended in the Report

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### ACCEPT WORK - NUMBERS 2 through 4

#### 2. **Motion 2011-0094**

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$4,820,046.37 and acceptance of work on contract with **WEBBER, LLC (formerly W. W. WEBBER, LLC)** for Reconstruction of Taxiways A, D, F and Drainage Improvement at Ellington Airport; Project No. 655 - 0.73% over the original contract amount - **DISTRICT E - SULLIVAN**

#### 3. **Council Member Pennington tagged**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$17,086,999.40 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for Storm Drainage Improvements in the Fonn Villas Subdivision - 4.99% over the original contract amount - **DISTRICT G - PENNINGTON**

#### 4. **Motion 2011-0099**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$23,471,913.65 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for Capacity Expansion to 350 MGD and Plant Improvements at East Water Purification Plant - 3.05% over the original contract amount - **DISTRICT E - SULLIVAN**

### PURCHASING AND TABULATION OF BIDS - NUMBERS 5 through 8

#### 5. **Motion 2011-0095**

**THE BARBOSA GROUP, INC dba EXECUTIVE SECURITY** for Professional Security Guard Services for the Houston Airport System - \$585,000.00 - Enterprise Fund

#### 6. **Ordinance 2011-0087**

ORDINANCE appropriating \$164,466.94 out of C & E Construction Fund for Purchase of Re-Upholstery Services for Convention & Entertainment Facilities Department

##### a. **Motion 2011-0096**

**OFFICE DESIGN CONCEPTS, LLC** for Re-Upholstery Services from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for the Convention & Entertainment Facilities Department

#### 7. **Motion 2011-0097**

**PUMPS & EQUIPMENT OF TEXAS, INC** to Repair a 48' Fairbanks Morse Pump for the Department of Public Works & Engineering - \$94,063.00 - Enterprise Fund

#### 8. **Motion 2011-0100**

**SOUTHERN FOREST PRODUCTS, LLC dba INTERNATIONAL FOREST PRODUCTS** for Treated Timber and Pilings for the Department of Public Works & Engineering - \$289,455.00 General Fund

### RESOLUTIONS AND ORDINANCES - NUMBERS 9 through 29

#### 9. **Resolution 2011-0003**

RESOLUTION supporting and authorizing Harris County's request to place a segment of El Camino Real from 500 feet north of Bay Area Boulevard to Gemini Avenue on Harris County's County Road Log

#### 10. **Ordinance 2011-0088**

ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2010-526 by adding one Senior Captain Position and Three Captain Positions; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance

**RESOLUTIONS AND ORDINANCES** - continued

**11. Ordinance 2011-0089**

ORDINANCE disannexing a certain area located within the municipal boundaries of the City of Houston in Harris County, Texas - **DISTRICT E - SULLIVAN**

**a. Ordinance 2011-0090**

ORDINANCE amending Ordinance No. 2008-392 relating to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 494** to change the conditions for the City's consent to the creation

**12. Ordinance 2011-0091**

ORDINANCE authorizing sale of 1.001 acres of land being the former Kendall Branch Library Site at 14330 Memorial Drive; approving Purchase and Sale Agreement with **SPRING BRANCH INDEPENDENT SCHOOL DISTRICT, As Buyer** - **DISTRICT G - PENNINGTON**

**13. Ordinance 2011-0092**

ORDINANCE authorizing the sale of 16.019 acres of land out of Ellington Airport and approving an Option Agreement to purchase Real Property by the **UNITED STATES OF AMERICA (As Buyer)** and the City of Houston, Texas (As Seller) - **DISTRICT E - SULLIVAN**

**14. Ordinance 2011-0093**

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION**, for the After-School Achievement Program; declaring the City's eligibility for such grant; authorizing the Director of the Houston 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

**15. Ordinance 2011-0094**

ORDINANCE approving and authorizing the submission of an application for grant assistance to the **OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION**, for the After-School & Summer Achievement Program; declaring the City's eligibility for such grant; authorizing the Director of the Houston 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

**16. Council Member Stardig tagged**

ORDINANCE approving and authorizing Lease Agreement by and between the City of Houston, Texas ("Lessor") and the **HONORABLE SHEILA JACKSON LEE**, as ("Lessee") for space in the Acres Homes Multi-Service Center located at 6719 W. Montgomery Road, Houston, Harris County, Texas - **DISTRICT B - JOHNSON**

**17. Council Members Adams, Jones and Noriega tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **BICKERSTAFF HEATH DELGADO ACOSTA, LLP** for Legal Services relating to redistricting issues; providing a maximum contract amount - \$100,000.00 - General Fund

**18. Ordinance 2011-0095**

ORDINANCE approving and authorizing a third amendment to the Interlocal Agreement (Ordinance No. 2005-956, approved August 10, 2005) between the City of Houston and **HARRIS COUNTY** for support of the Joint City-County Commission on Children

**19. Ordinance 2011-0103**

ORDINANCE approving and authorizing third amendment to Contract C56654 between the City of Houston and **OCE' BUSINESS SERVICES** for Printing and Copying Services

**RESOLUTIONS AND ORDINANCES** - continued

**20. Ordinance 2011-0104**

ORDINANCE approving and authorizing second amendments to four contracts between the City of Houston and **PAYLESS INSULATION INC, DIRECT ENERGY LP, STANDARD RENEWABLE ENERGY LP,** and **PMG PROJECT MANAGEMENT LLC** (Ordinances 2009-1362 & 2010-161) for the Residential Energy Efficiency Program

**21. Ordinance 2011-0105**

ORDINANCE approving and authorizing amendment to Residential Weatherization Home Inspection Agreement between the City of Houston and the **NELROD COMPANY d/b/a FOX ENERGY SPECIALISTS** (Ordinance 2009-1363) for the Residential Energy Efficiency Program

**22. Ordinance 2011-0096**

ORDINANCE approving and authorizing amendment to Residential Weatherization Home Inspection Agreement between the City of Houston and **YOUR HOME CHECK** (Ordinance 2010-0619) for the Residential Energy Efficiency Program

**23. Ordinance 2011-0097**

ORDINANCE consenting to the addition of 10.044 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 37,** for inclusion in its district

**24. Ordinance 2011-0098**

ORDINANCE consenting to the addition of 20.131 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 393,** for inclusion in its district - **DISTRICT D - ADAMS**

**25. Ordinance 2011-0099**

ORDINANCE consenting to the addition of 8.807 acres of land to **MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1,** for inclusion in its district

**26. Ordinance 2011-0100**

ORDINANCE appropriating \$10,000.00 out of Contribution for Capital Projects Fund as an additional appropriation to the Professional Engineering Services Contract between the City of Houston and **TERRACON CONSULTING INC** for Environmental Assessment Work through the City of Houston's Brownfield Redevelopment Program (Approved by Ordinance Nos. 2008-0051 and 2010-0060)

**27. Pulled - Not Considered**

ORDINANCE appropriating \$6,186,000.00 out of Drainage Improvement Commercial Paper Series F Fund and \$1,036,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Brays Village Drainage Improvements; 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, CIP Cost Recovery and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT F - HOANG**

**28. Ordinance 2011-0101**

ORDINANCE appropriating \$3,039,983.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Busting Methods; 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

**RESOLUTIONS AND ORDINANCES** - continued

**29. Ordinance 2011-0102 – Passed first reading**

ORDINANCE granting to **SOS LIQUID WASTE HAULERS, LTD, 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; and making certain findings related thereto - **FIRST READING**

**END OF CONSENT AGENDA**

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

**MATTERS HELD** - NUMBERS 30 through 32

**30. Ordinance 2011-0106**

ORDINANCE appropriating \$1,156,007.78 out of Equipment Acquisition Consolidated Fund for Purchase of Special Duty Vehicles for the Houston Police Department and Houston Airport System - \$174,916.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER ADAMS**

**a. Motion 2011-010 – Adopt**

RECOMMENDATION from Purchasing Agent to award to **MCCALL-T, INC d/b/a STERLING MCCALL TOYOTA** - \$157,440.00, **HUB BUICK COMPANY, d/b/a HUB HYUNDAI** - \$154,950.00, **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** - \$644,129.00, **CALDWELL AUTOMOTIVE PARTNERS, LLC d/b/a CALDWELL COUNTRY CHEVROLET** - \$315,763.00 and **JOHNSON GRAYSON AUTOMOTIVE, INC d/b/a HOLIDAY CHEVROLET** - \$58,641.78 for Special Duty Vehicles for the Houston Police Department and the Houston Airport System \$1,330,923.78 - Enterprise and Equipment Acquisition Consolidated Funds **TAGGED BY COUNCIL MEMBER ADAMS**

These were Items 16 and 16A on Agenda of February 2, 2011

**31. Ordinance 2011-0107**

ORDINANCE **AMENDING VARIOUS PROVISIONS OF CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to ethical conduct; containing findings and other provision relating to the foregoing subject; providing for severability

**TAGGED BY COUNCIL MEMBER COSTELLO**

This was Item 21 on Agenda of February 2, 2011

**32. Ordinance 2011-0108**

ORDINANCE **AMENDING CHAPTERS 1, 10, 28, and 34 OF THE CODE OF ORDINANCES** relating to dangerous and other substandard buildings

**TAGGED BY COUNCIL MEMBERS ADAMS and BRADFORD**

This was Item 22 on Agenda of February 2, 2011

**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**

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**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

**2/8/2011 – Council Members Adams and Clutterbuck absent on City business**

**2/9/2011 – Council Member Sullivan absent on City business**