

**AGENDA - COUNCIL MEETING - TUESDAY - NOVEMBER 29, 2011 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**

with notes of action taken

MOTIONS – 2011-0860 to 2011-0873  
ORDINANCES - 2011-1001 to 2011-1014  
RESOLUTION – 2011-0029

2011-0859-1

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

**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 - NOVEMBER 30, 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 26**

**ACCEPT WORK** - NUMBER 1

1. **Motion 2011-0861**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,358,089.16 and acceptance of work on contract with **SCOIL CONSTRUCTION SERVICES, L.L.C.** for Water Line Replacement in Link Valley Areas 24.42% under the original contract amount - **DISTRICTS C - CLUTTERBUCK and D - ADAMS**

**PROPERTY - NUMBERS 2 and 3**

**2. Motion 2011-0862**

RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay the costs of Court and withdraw the City's objections to the Award and settle the case in connection with eminent domain proceeding styled City of Houston v. R. B. Hill, aka Rufus B. Hill and Mary Hill, aka Mary T. Hill, et al., Cause No. 984,306; for acquisition of Parcel AY10-031; for **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT (Little York - W. Gulf Bank) - DISTRICT B - JOHNSON**

**3. Motion 2011-0863**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mark Kirkland, on behalf of Park Memorial Condominium Association, Inc (Sameer Soleja, President), for abandonment and sale of a 15-foot-wide sanitary sewer easement, out of the John Reinerman Survey, A-642, Parcel SY12-001A - **DISTRICT G - PENNINGTON**

**PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 7**

**4. Motion 2011-0864**

**MD HELICOPTERS, INC** for Professional Training Services for Police Department - \$78,750.00 Police Special Services Fund

**5. Motion 2011-0867**

**APPROVE** spending authority to Address Emergency On-site Water Treatment Sludge Dewatering, Transport and Disposal Services at the Northeast Water Purification Plant in an amount not to exceed \$1,000,000.00 for the Department of Public Works & Engineering to **TERRA RENEWAL WEST, LLC - Enterprise Fund - DISTRICT E - SULLIVAN**

**6. Motion 2011-0865**

**HARTWELL ENVIRONMENTAL CORPORATION** for Emergency Filter Repair Services for Department of Public Works & Engineering - \$330,000.00 - Enterprise Fund

**7. Motion 2011-0866**

**ALL BUSINESS MACHINES, INC** for Gas Chromatograph from the State of Texas Procurement Support Services Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering Department - \$59,845.97 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES - NUMBERS 8 through 26**

**8. Resolution 2011-0029**

RESOLUTION authorizing loan application to the **TEXAS WATER DEVELOPMENT BOARD**

**9. Ordinance 2011-1008**

ORDINANCE approving and authorizing the Mayor to accept Federal Aviation Administration Grant offers up to \$50,000,000.00 for projects at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Airport; declaring the City's eligibility for such grants **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**10. Pulled - Not Considered**

ORDINANCE approving and authorizing Updated Carrier Incentive Program for the Houston Airport System; providing a maximum program amount - 2 Years - \$12,000,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON and I - RODRIGUEZ**

**RESOLUTIONS AND ORDINANCES** - continued

**11. Ordinance 2011-1009**

ORDINANCE approving and authorizing Amendment No. 3 to Parking Operations and Management Concession Agreement between the City of Houston and **NEW SOUTH PARKING - TEXAS** for the Houston Airport System; providing a maximum contract amount for Amendment No. 3 - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

**Motion 2011-0868 – Postpone Item 12 to the end of the Agenda**

**12. Council Member Sullivan tagged**

ORDINANCE approving the assignment of Lease and Development Agreement between the City of Houston and **IAH LAND PARTNERS, LP**, for certain premises at George Bush Intercontinental Airport/Houston; approving and authorizing Amendment No. 1 to the agreement - **DISTRICT B - JOHNSON**

**13. Council Member Jones tagged**

ORDINANCE approving and authorizing submittal of the Community Development Block Grant Disaster Recovery Program 2011 Housing Program Application for General Housing Applicants, setting forth the City's General Housing and Subsidized Housing Applications, related to Hurricanes Dolly and Ike (Round 2.2); authorizing the acceptance of funds requested in the application

**14. Ordinance 2011-1010**

ORDINANCE approving and authorizing contract between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS**, for the purchase of Employee Transit Fare Media; providing a maximum contract amount - 1 Year - \$1,200,000.00 - General, Enterprise and Other Funds

**15. Ordinance 2011-1011**

ORDINANCE relating to the rental of certain spaces in the Julia Ideson Library for public use; authorizing and approving agreement between the City of Houston and the **JULIA IDESON PRESERVATION PARTNERS**; establishing the fees for the use of the Julia Ideson event spaces and authorizing adjustments thereto; amending Section 7 of Ordinance No. 2009-278 to create an account within the Historic Preservation Fund for the deposit and use of gifts and the net revenue from the rental of certain spaces in the Julia Ideson Library - **DISTRICT I - RODRIGUEZ**

**16. Ordinance 2011-1001**

ORDINANCE approving and authorizing submission of an application for grant assistance to the **TEXAS DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION** to support a Child and Adult Care Food Program; 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

**17. Council Member Jones tagged**

ORDINANCE approving and authorizing the Chief of the City of Houston Police Department to accept grant funds from the National Institute of Justice for funding for Strategic Approaches to Sexual Assault Kit (SAK) Evidence: Phase II Houston SAK Task Force; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police 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

**RESOLUTIONS AND ORDINANCES** - continued

**18. Ordinance 2011-1013**

ORDINANCE appropriating \$5,500,000.00 out of Equipment Acquisition Consolidated Fund for the Records Management System for the Houston Police Department

**19. Ordinance 2011-1014**

ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to the Run-Off Election to be held on December 10, 2011; providing a maximum contract amount - \$1,600,000.00 - General Fund

**20. Ordinance 2011-1002**

ORDINANCE altering maximum prima facie speed limits in certain school zones in the City of Houston; making various findings and containing other provisions relating to the subject; declaring certain conduct to be unlawful and providing a penalty; providing for severability; containing a repealer; containing a savings clause

**21. Ordinance 2011-1003**

ORDINANCE appropriating \$368,797.00 out of Contribution for Capital Projects Fund; approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of the Brays Path Project - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

**22. Ordinance 2011-1004**

ORDINANCE appropriating \$165,485.00 out of Contribution for Capital Projects Fund; approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of the Cullen Park Path Project - **DISTRICTS A - STARDIG and G - PENNINGTON**

**23. Ordinance 2011-1005**

ORDINANCE appropriating \$401,569.00 out of Contribution for Capital Projects Fund; approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Construction of the IMD (International Management District) Bikeway Project - **DISTRICT F - HOANG**

**24. Ordinance 2011-1006**

ORDINANCE appropriating \$6,346,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CALCO CONTRACTING, LTD.** for Sewer Service to Unserved Areas Package 1: - Shared Facilities (Regional) Sanitary Sewer Improvements - Magnolia Point Lift Station, Force Main and Trunk Main; Strange's Camp Lift Station and Force Main; 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 E - SULLIVAN**

**25. Council Member Jones tagged**

ORDINANCE appropriating \$490,163.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS REEXCAVATION, L.C.** for New Front Easement Reconnections; 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

**26. Ordinance 2011-1007 – Passed first reading**

ORDINANCE granting to **CELESTINE HOLCOMB d/b/a HOLCOMB ENVIRONMENTAL WASTE OIL 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**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 27 and 28

**MISCELLANEOUS**

**27. Motion 2011-0869 – Close nominations**

RECEIVE nominations for the City of Houston representative of the **HARRIS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**, for a two year term  
Council Member Pennington nominated **Mr. Ray A. Holzapple**

**28. Motion 2011-0870**

**SET A PUBLIC HEARING DATE** to consider amendments to Chapter 42, Code of Ordinances  
**SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - DECEMBER 7, 2011**  
**Set to December 7, 2011**

**MATTERS HELD** - NUMBERS 29 through 31

**29. Ordinance 2011-1012**

ORDINANCE **AMENDING CHAPTERS 1 AND 8 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to the regulation of automotive towing and storage; containing findings and other provisions relating to the foregoing subject; providing for severability  
**POSTPONED BY MOTION #2011-817, 11/9/11**  
**This was Item 30 on Agenda of November 9, 2011**

**30. Motion 2011-0871 – Tabled**

WRITTEN MOTION by Council Member Pennington to amend Item 30A below by amending Section 28-34 (a) to read as follows:

A facility that is lawfully in operation shall not become unlawful because a church, school, or residence is subsequently established within 300 feet of the facility and, provided that the facility remains continuously in operation without cessation for a period of 180 ~~90~~ or more consecutive days, the permit or license for the facility may, subject to compliance with other applicable laws, nevertheless be renewed or transferred

**POSTPONED BY MOTION #2011-818, 11/9/11**

**MATTERS HELD** - continued

**Motion 2011-0872 - Motion by Council Member Lovell/seconded by Council Member Gonzalez to substitute a revised ordinance for Item 30a**

**a. See Motion 2011-0872 above**

**ORDINANCE AMENDING CHAPTERS 8 AND 28 OF THE CODE OF ORDINANCES OF HOUSTON, TEXAS**, relating to the regulation of automotive businesses; containing findings and other provisions relating to the foregoing subject; providing for severability

**POSTPONED BY MOTION #2011-818, 11/9/11**

This was Item 31 on Agenda of November 9, 2011

**Tagged by Council Members Pennington, Noriega, Bradford and Jones**

**31. Motion 2011-0873 – Adopt**

RECOMMENDATION from Purchasing Agent to award to **COBURN SUPPLY COMPANY, INC** for Boxes, Plastic Meter and Covers for the Department of Public Works & Engineering - 5 Years \$956,246.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 9 on Agenda of November 16, 2011

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

**11/29/2011 - Council Member Pennington absent on personal business**

**Council Member Bradford absent due to being ill**

**11/30/2011 - All Present**