

AGENDA - COUNCIL MEETING - TUESDAY - FEBRUARY 27, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2007-0205 to 2007-0241
ORDINANCES – 2007-0258 to 2007-0279
RESOLUTION – None

2007-0204-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Johnson

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 2007-0205 – Procedural motion
Motion 2007-0206 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - FEBRUARY 28, 2007 - 9:00 A. M.

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

HEARINGS

1. Motion 2007-0207 – Close hearing

PUBLIC HEARING on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County and Fort Bend County, and, with the exception of item (a), on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts and certain territory in the vicinity of certain Districts:

- a. Amending the existing strategic partnership agreement with **Chelford City Municipal Utility District;**
- b. Amending the existing strategic partnership agreement with **Horsepen Bayou Municipal Utility District;**
- c. Amending the existing strategic partnership agreement with **North Forest Municipal Utility District;**
- d. Amending the existing strategic partnership agreement with **Northwest Park Municipal Utility District;**
- e. **Bridgestone Municipal Utility;**
- f. **Fort Bend County Municipal Utility District No. 119;**
- g. **Harris County Municipal Utility District No. 33;**
- h. **Harris County Municipal Utility District No. 53;**
- i. **Harris County Municipal Utility District No. 55;**
- j. **Harris County Municipal Utility District No. 154;**
- k. **Harris County Municipal Utility District No. 165;**

HEARINGS - continued

Item 1 - continued

- l. **Harris County Municipal Utility District No. 179;**
- m. **Harris County Municipal Utility District No. 185;**
- n. **Harris County Municipal Utility District No. 188;**
- o. **Harris County Municipal Utility District No. 189;**
- p. **Harris County Municipal Utility District No. 222;**
- q. **Harris County Municipal Utility District No. 264;**
- r. **Harris County Municipal Utility District No. 286;**
- s. **Harris County Municipal Utility District No. 322;**
- t. **Harris County Municipal Utility District No. 358;**
- u. **Harris County Municipal Utility District No. 365;**
- v. **Harris County Municipal Utility District No. 368;**
- w. **Harris County Municipal Utility District No. 397;**
- x. **Harris County Municipal Utility District No. 468;**
- y. **Morton Road Municipal Utility District;**
- z. **Northwest Harris County Municipal Utility District No. 9;**
- aa. **Sagemeadow Utility District;**
- bb. **Timber Lane Utility District;**
- cc. **West Harris County Municipal Utility District No. 6;**
- dd. **White Oak Bend Municipal Utility District;**
- ee. **Harris County Water Control and Improvement District No. 119**

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 45

MISCELLANEOUS - NUMBERS 2 through 4

2. Motion 2007-0226

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS** also known as **FOURTH WARD**:

Position Three - **MS. ANGELA SCRANAGE**, reappointment, for a term to expire 6/8/2007

Position Five - **MS. JACQUELINE BOSTIC**, appointment, for a term to expire 6/8/2007

Position Six - **MR. OMAR C. REID**, appointment, for a term to expire 6/8/2008 and to serve as Chair for a term to expire 12/31/2007

Position Seven - **MR. FELIX CISNEROS**, reappointment, for a term to expire 6/8/2008

3. Council Members Wiseman, Johnson and Green tagged

RECOMMENDATION from Director Building Services Department for approval to delegate authority to the Director Building Services Department to determine which alternative project delivery method for construction projects provides the best value for the City

4. Motion 2007-0208

RECOMMENDATION from Director Department of Public Works & Engineering for payment of invoice in the amount of \$30,701.00 from the **NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES (NACWA)** for 2007 Membership Dues - Enterprise Fund

ACCEPT WORK - NUMBERS 5 through 8

5. Motion 2007-0229

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$2,228,703.00 and acceptance of work on contract with **THE GONZALEZ GROUP, LP** for Terminal B Renovation and Flight Station Roof at George Bush Intercontinental Airport/Houston, Project 533D, WBS A-000425-0002-4 - 01.01% under the original contract amount - **DISTRICT B - JOHNSON**

6. Motion 2007-0209

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$707,455.34 and acceptance of work on contract with **UTILITY & ENVIRONMENTAL SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in Support of Rehabilitation, WBS R-000266-00C5-4 - 00.32% over the original contract amount

7. Motion 2007-0230

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,182,508.70 and acceptance of work on contract with **PM CONSTRUCTION AND REHAB., L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, WBS R-000266-00P6-4 - 04.63% under the original contract amount **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO**

8. Motion 2007-0210

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,455,138.64 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Rehabilitation of Air Release Valves Package No. 1 and 42/36-inch Water Line along Federal, IH-10 East Frwy, IH-610 N. Loop E., Eastland, Rand and Kelly from East Water Purification Plant to Hirsch, WBS S-000701-0002-4 - 37.65% under the original contract amount - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

PROPERTY - NUMBERS 9 through 16

9. Motion 2007-0211

RECOMMENDATION from Director Department of Public Works & Engineering that City Council declare surplus and authorize the sealed bid sale of the following properties:
Parcel SY7-002 - 1702 block of Bingle Road at Curling - **DISTRICT A - LAWRENCE**
Parcel SY7-040 - 1109 Antoine Drive - **DISTRICT A - LAWRENCE**
Parcel SY7-043 - 8200 block Parkhurst Drive - **DISTRICT B - JOHNSON**
and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder - **INDEPENDENT APPRAISERS**

10. Motion 2007-0212

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Darrell L. Kaderka, CivilTech Engineering, Inc., on behalf of Harris County Flood Control District (HCFCD), for abandonment of a portion of Arncliffe Drive, from Streamside Drive west ±350 feet, in exchange for conveyance to the City of right-of-way for and construction of a cul-de-sac at the eastern terminus of Arncliffe Drive, all located in the Inwood Forest Subdivision, Section 14, Parcels SY6-098 and AY7-256 **DISTRICT A - LAWRENCE**

PROPERTY - continued

11. Motion 2007-0231

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from M. Marvin Katz of Mayer, Brown, Rowe & Maw LLP, on behalf of Wal-Mart Real Estate Business Trust (Robert Stoker, Assistant Vice President), for abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of a cul-de-sac at the dead-end portion of Clarborough Place, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834, Parcels SY6-061 and AY7-257 **INDEPENDENT APPRAISERS - DISTRICT A - LAWRENCE**

12. Motion 2007-0232

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from C. L. Davis of C. L. Davis & Company, on behalf of the Houston Independent School District (HISD), for abandonment and sale of Carew Street, from Bonhomme Road east to its terminus, a 10-foot-wide utility easement, and the attendant aerial easement in exchange for the conveyance to the City of a 20-foot-wide water line easement, all located within Block 5, Sharpstown Section Three Replat, out of the J. R. Black Survey, A-134, and a right of entry for Houston Independent School District, Parcels SY7-037A, SY7-037B and KY7-124 - **INDEPENDENT APPRAISERS - DISTRICT F - KHAN**

13. Motion 2007-0233

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert C. Orr, Jr., Washington 4500, LP, (Robert C. Orr, Jr., General Partner), for abandonment and sale of a 15-foot-wide alley, between Patterson Street and Fowler Street, located between Lots 1-5 and 8-12, and between Lot 6 and a portion of Lot 7, Block 56 of Brunner Addition, Parcel SY7-060 - **INDEPENDENT APPRAISERS - DISTRICT H - GARCIA**

14. Motion 2007-0234

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Adriana Clowe, Bury+Partners, Inc., on behalf of Speedway Joint Venture, a Texas joint venture, (Vernon Frost, Jr., Robert S. Frost, Betty Frost McAleer, and Ann Frost Bailey, Partners), for acknowledgment of the reversion of a 10-foot-wide sanitary sewer easement from South Boulevard to its terminus, out of the A. C. Reynolds Survey, A-61, Parcel SY7-036 - **DISTRICT C - CLUTTERBUCK**

15. Motion 2007-0235

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-060, located at the northeast corner of Eldridge and Enclave Parkway, owned by Parkway Investments Partners, L.P., a Texas limited partnership [Parkway Investments/Texas, Inc., a Delaware corporation (Ned S. Holmes, President) General Partner] for the **WEST HOUSTON ON-STREET PHASE II HIKE AND BIKE TRAIL PROJECT**, N-000420-019A-2-01 **DISTRICT G - HOLM**

16. Council Member Lawrence tagged

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY7-368, owned by H. H. Clark and R. D. Clark, for the **PROPOSED BEALL STREET EXTENSION PROJECT between West 14th and Wynnwood Streets**, N-000663-00RE-2-01 **DISTRICT A - LAWRENCE**

PURCHASING AND TABULATION OF BIDS - NUMBERS 17 through 24

17. Motion 2007-0213

ALLIANCE MEDICAL, INC for EMS Medical Supply Bags for Fire Department - \$328,973.40
General Fund

18. Motion 2007-0214

THERMO FISHER SCIENTIFIC d/b/a FISHER SAFETY for Auto-Injectors of Nerve Agent Antidote through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Fire Department - \$137,449.50 - Grant Fund

19. Motion 2007-0215

SANOPI PASTEUR, INC for Yellow Fever Vaccine from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Health & Human Services Department - \$21,027.00 - General Fund

20. Motion 2007-0216

THERMO FISHER SCIENTIFIC d/b/a FISHER SAFETY for Radiation Detection Devices and Trailers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Office of Emergency Management - \$219,875.52 - Grant Fund

21. Motion 2007-0217

ADS, INC for Long Range Acoustic Device (LRAD) from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Police Department - \$32,100.00 - Grant Fund

22. Motion 2007-0218

PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD for Patrol Vehicles for Police and Fire Departments - \$4,276,877.00 - Equipment Acquisition Consolidated Fund

23. Motion 2007-0219

DALLAS DODGE CHRYSLER JEEP for Patrol Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Police Department \$224,340.00 - Equipment Acquisition Consolidated Fund

24. Motion 2007-0220

AMEND MOTION #2004-836, 7/14/04, TO EXTEND expiration date from July 14, 2007 to July 13, 2009, for Automotive, Ford Motor Car/Light Truck Replacement Parts & Repair Services for Various Departments, awarded to **TOMMIE VAUGHN MOTORS, INC**

ORDINANCES - NUMBERS 25 through 45

25. Council Member Wiseman tagged

ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Screening of Dumpsters; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability

26. Council Member Wiseman tagged

ORDINANCE discontinuing the applicability of Subsection 33-250(a) of the Code of Ordinances, Houston, Texas, relating to the demolition of historic structures in the Old Sixth Ward Historic District; making findings and containing other provisions relating to the demolition of historic structures in the Old Sixth Ward Historic District; providing for severability - **DISTRICT H - GARCIA**

ORDINANCES - continued

Motion 2007-0225 – Suspend rules to consider Item 27 out of order

27. Council Members Wiseman, Lawrence, Holm, Khan, Green and Clutterbuck tagged

ORDINANCE establishing Minority Business Enterprise, Women Business Enterprise and Small Business Enterprise Goals for Non-Aviation City Construction Projects; containing other provisions relating to the foregoing subject; providing for severability

28. Ordinance 2007-0258

ORDINANCE consenting to the addition of 80.94 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 287**, for inclusion in its district

29. Ordinance 2007-0259

ORDINANCE establishing the north and south sides of the 3300 block of Palm Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS**

30. Ordinance 2007-0260

ORDINANCE approving and authorizing first amendment to Lease Agreement between **CULLEN 500 JEFFERSON CO., L.P. A DELAWARE LIMITED PARTNERSHIP, as Landlord (“LANDLORD”)**, and the City of Houston, Texas, as tenant (the “City”), increasing the amount of square footage of the leased premises, further extending the term of the lease, establishing an additional monthly rental for the additional space and providing for the landlord’s build-out of the additional space for use by the City of Houston Fire Department - **DISTRICT I - ALVARADO**

31. Council Members Edwards and Wiseman tagged

ORDINANCE approving and authorizing first amendment to agreement between the City of Houston and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** - **DISTRICT H - GARCIA**

32. Ordinance 2007-0272

ORDINANCE approving and authorizing agreement between the City of Houston and **MOUNTAIN TOP DEVELOPMENT** to provide \$50,000.00 in Federal HOME Funds to pay for operating expenses associated with the development of a 196-unit affordable housing apartment complex **DISTRICT D - EDWARDS**

33. Ordinance 2007-0261

ORDINANCE approving and authorizing contract between the City of Houston and **A CARING SAFE PLACE, INC** to provide \$384,855.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds to cover supportive services and the administration and operation of a Community Residence located at 1804 Carr Street - **DISTRICT B - JOHNSON**

Motion 2007-0223 – Suspend rules to reconsider Item 34

Motion 2007-0224 – Amend Item 34 to provide \$300,000.00 for Public Safety (written motion by Council Member Alvarado)

34. Ordinance 2007-0270

ORDINANCE relating to the fiscal affairs of the Fourth Ward Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF HOUSTON, TEXAS (FOURTH WARD ZONE)**; approving the Fiscal Year 2007 Operating Budget for the Authority - **DISTRICTS D - EDWARDS and I - ALVARADO**

ORDINANCES - continued

35. Ordinance 2007-0273

ORDINANCE approving and authorizing contract between the City and **DR. DORI H. HERTEL, D.V.M.** for Veterinary Services for the Houston Police Department; providing a maximum contract amount - 5 Years - \$275,000.00 - General Fund

36. Ordinance 2007-0262

ORDINANCE awarding contract to **STRUCTURAL TECHNOLOGY, INC** for Aerial and Ground Ladder Inspection and Testing Services for the Houston Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$270,756.00 - General Fund

37. Ordinance 2007-0274

ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (METRO)** to receive funds for Phase II and III Urban Corridors Planning - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS; G - HOLM; H - GARCIA and I - ALVARADO**

a. Ordinance 2007-0275

ORDINANCE approving and authorizing first amendment to an agreement for Grant Fund disbursement (approved by Ordinance No. 2006-1098) between the City of Houston and the **MAIN STREET COALITION** for acquiring Professional Services for Phase II and III Urban Corridor Plans - \$425,000.00 - Grant Fund - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS; G - HOLM; H - GARCIA and I - ALVARADO**

38. Ordinance 2007-0263

ORDINANCE finding no special benefit to the abutting owner of properties described as parts of Lot 3 and 4 of the G. A. Maack, Unrecorded Subdivision of Lot 25, of Little York Annex, and authorizing a refund for certain assessment liens and apparent liens created by Ordinance No. 82-1337, passed August 25, 1982, for the initiation of a paving project for the permanent improvement of a portion of West Montgomery Road in the City of Houston, Texas - \$2,435.70 General Fund - **DISTRICTS B - JOHNSON and H - GARCIA**

39. Ordinance 2007-0264

ORDINANCE finding no special benefit to the abutting owner of properties described as Lots Nine (9), Ten (10), Eleven (11), and Twelve (12), Block 29, Highland Heights Annex Number Six (6) and authorizing a refund for certain apparent assessment liens created by Ordinance No. 82-1337, passed August 25, 1982, for the initiation of a paving project for the permanent improvement of a portion of West Montgomery Road in the City of Houston - \$15,556.80 - General Fund - **DISTRICTS B - JOHNSON and H - GARCIA**

40. Ordinance 2007-0265

ORDINANCE appropriating \$341,914.00 out of Water & Sewer Consolidated Construction Fund and \$222,000.00 from Drainage Improvement Commercial Paper Series F Fund and approving and authorizing an Interlocal Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Bayou Oaks at West Orem Subdivision (WBS S-000800-00L9-4, R-000800-00L9-4, M-000800-00I6-4) - **DISTRICT D - EDWARDS**

ORDINANCES - continued

41. Ordinance 2007-0266

ORDINANCE appropriating \$330,448.00 out of Water & Sewer Consolidated Construction Fund and \$210,000.00 from Drainage Improvement Commercial Paper Series F Fund and approving and authorizing an Interlocal Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Bayou Oaks at West Orem Subdivision (WBS S-000800-00L8-4, R-000800-00L8-4, M-000800-00I5-4) - **DISTRICT D - EDWARDS**

42. Ordinance 2007-0267

ORDINANCE appropriating \$250,000.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 4030 and approving and authorizing Professional Engineering Services Contract between the City of Houston and **R. G. MILLER ENGINEERS, INC** for Design of Local Drainage Improvement Projects (WBS M-000126-0057-3); providing funding for contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund No. 4030

43. Ordinance 2007-0268

ORDINANCE appropriating \$387,670.00 out of Street & Bridge Consolidated Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH AND HILLS, INC** for Design of Ella (Wheatley) Boulevard Paving from Little York to W. Gulf Bank (WBS N-000533-0002-3); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Fund - **DISTRICT B - JOHNSON**

44. Ordinance 2007-0276

ORDINANCE appropriating \$1,031,200.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AMANI ENGINEERING, INC** for Design of Neighborhood Sewer System Improvements (WBS R-002011-0055-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund **DISTRICTS C - CLUTTERBUCK; G - HOLM; H - GARCIA and I - ALVARADO**

45. Ordinance 2007-0269

ORDINANCE appropriating \$1,335,354.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KALLURI GROUP, INC** for Design of Water Pumping Station Upgrades at Sims Bayou, Acres Homes, Willow Chase, Bellaire Braes, Brookfield, D111-2 and Jersey Village (WBS S-001000-0027-3); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - EDWARDS and F - KHAN**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 46

MISCELLANEOUS

46. Motion 2007-0236

RECOMMENDATION from Director Planning & Development Department to set a public hearing date regarding the amendment of the Planning and Zoning Regulations and Zoning Map for **TIRZ NO. ONE (ST. GEORGE PLACE TIRZ) - DISTRICT C - CLUTTERBUCK**
SUGGESTED HEARING DATE - WEDNESDAY - MARCH 21, 2007 - 9:00A.M.

MATTERS HELD - NUMBERS 47 through 56

Motion 2007-0221 – Suspend rules to consider Items 47, 31 and 34 out of order

47. Motion 2007-0222 – Refer back to the Administration

RECOMMENDATION from Director Parks & Recreation to change the name of Metropolitan Multi-Service Center located at 1475 West Gray to **WEST GRAY ADAPTIVE RECREATION CENTER - DISTRICT D - EDWARDS**
POSTPONED BY MOTION #2007-154, 2/14/07
This was Item 1 on Agenda of February 14, 2007

48. Motion 2007-0237 – Adopt

Motion by Council Member Edwards/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,684,405.81 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Corder Area, WBS No. S-000035-00A5-4 07.95% under the original contract amount - **DISTRICT D - EDWARDS**
POSTPONED BY MOTION #2007-163, 2/14/07
This was Item 9 on Agenda of February 14, 2007

49. Motion 2007-0238 – Adopt

RECOMMENDATION from City Attorney for allocation of an additional \$125,000.00 to contract with **BAKER BOTTS, LLP**, for outside litigation support services in Civil Action No. 06-2174; filed in the United States District Court for the Southern District of Texas, Houston Division; Houston Professional Towing Association vs. the City of Houston - Police Special Services Fund
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 3 on Agenda of February 21, 2007

50. Motion 2007-0239 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jeanie Forbis of Brown & Gay Engineers, Inc, on behalf of St. Paul's United Methodist Church (Fred Hofheinz, Member/Legal Counsel), for abandonment and sale of Prospect Avenue, from Fannin Street to San Jacinto Street, located within the MacGregor and DeMeritt's Southmore Addition, Section 2, Parcel SY7-039 and SY7-063 - **APPRAISERS - DISTRICT D - EDWARDS**
TAGGED BY COUNCIL MEMBER EDWARDS
This was Item 5 on Agenda of February 21, 2007

MATTERS HELD – continued

51. Motion 2007-0240 – Adopt

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jeanie Forbis of Brown & Gay Engineers, Inc, on behalf of Grayco LUI Museum Investment 2006 LP [Grayco Museum GP LLC, a Texas limited liability company {Grayco Partners LLC, a Texas limited liability company (John J. Gray, III, President), sole member}, General Partner], for abandonment and sale of Oakdale Avenue, from Fannin Street to San Jacinto Street, in exchange for the conveyance to the City of a full-width utility easement, both located within the MacGregor and DeMeritt's Southmore Addition, Section 2, Parcels SY7-041 and VY7-032 - **APPRAISERS - DISTRICT D - EDWARDS**

TAGGED BY COUNCIL MEMBER EDWARDS

This was Item 6 on Agenda of February 21, 2007

52. Motion 2007-0241 – Adopt

RECOMMENDATION from Director Houston Airport System to award to **GLOBAL SEARCH ASSOCIATES, LLC** for Executive Search and Recruiting of a qualified candidate for position of Deputy Director for Marketing, Communications, and Community Affairs for Houston Airport System - \$81,000.00 - Enterprise Fund

TAGGED BY COUNCIL MEMBERS JOHNSON and WISEMAN

This was Item 8 on Agenda of February 21, 2007

53. Ordinance 2007-0277

ORDINANCE approving and authorizing amendment to interlocal contract, amendment Number 1, between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)** for Law Enforcement, General Surveillance and Traffic Control in TxDOT construction zones \$450,000.00 - Revenue - **TAGGED BY COUNCIL MEMBER HOLM**

This was Item 33 on Agenda of February 21, 2007

Motion 2007-0228 – Motion by Council Member Green/seconded by Council Member Garcia to amend Item 54 as follows:

“Amend Section 15 (a), (b) and (c) of the Wireless Broadband Network Services Term Sheet by adding the following language:

15) Assignment. Network Operator may assign the Agreement subject to the provisions outlined below.

a) Network Operator may assign this Agreement pursuant to the sale of all or substantially all of the assets or stock of Network Operator (or managing Division of Network Operator) without the consent of the City Council.

b) The Network Operator must obtain prior written consent of the City Council to the extent Network Operator is assigning the Agreement pursuant to the sale of the Network to an unaffiliated third party.

c) Network Operator shall provide the assignment agreement to the City Council and the City Council shall have a reasonable period of time, not to exceed thirty (30) business days, to consent to such transaction, such consent shall not be unreasonable withheld. - **Adopted**

54. Ordinance 2007-0271

ORDINANCE relating to the private financing and management of a Citywide Wireless Network for Houston; approving and authorizing a term sheet between the City and **EARTHLINK, INC.** pertaining to a Definitive Agreement - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 36 on Agenda of February 21, 2007

MATTERS HELD – continued

55. Ordinance 2007-0278

ORDINANCE awarding contract to **GHX POWER SYSTEMS, LLC**, for Electric Motor Repair Services for Public Works & Engineering Department; providing a maximum contract amount 3 Years with two one-year options - \$3,000,000.00 - Enterprise Fund

TAGGED BY COUNCIL MEMBER JOHNSON

This was Item 39 on Agenda of February 21, 2007

56. Ordinance 2007-0279

ORDINANCE appropriating \$9,200,606.00 out of Drainage Improvements Commercial Paper Series F, Fund; \$979,394.00 from Water & Sewer Consolidated Construction Fund awarding contract to **SER CONSTRUCTION PARTNERS, LTD.** for Woodland Heights Storm Sewer Project, WBS No. M-000257-0001-4; 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, project management, construction management, and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund, Water & Sewer Consolidated Construction Fund - **DISTRICT H - GARCIA**

TAGGED BY COUNCIL MEMBER GARCIA

This was Item 42 on Agenda of February 22, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Alvarado 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

2/27/2007 – All Present

2/28/2007 – All Present