

**AGENDA - COUNCIL MEETING - WEDNESDAY - NOVEMBER 7, 2007 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

**MOTIONS - 2007-1095 to 2007-1122**  
**ORDINANCES – 2007-1230 to 2007-1262**  
**RESOLUTIONS – 2007-0043 to 2007-0044**

**2007-1094-1**

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

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

**9:00 A. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**9:30 A. 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 2007-1110 – Procedural motion**

**HEARINGS**

**1. Motion 2007-1095 – 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 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 **Charterwood Municipal Utility District**;
- b. Amending the existing strategic partnership agreement with **Cypress Hill Municipal Utility District**;
- c. Amending the existing strategic partnership agreement with **Harris County Municipal Utility District No. 120**;
- d. Amending the existing strategic partnership agreement with **Fort Bend County Municipal Utility District No. 50**;
- e. **Harris County Municipal Utility District No. 400**;
- f. **Harris County Municipal Utility District No. 196**;
- g. **Northwest Harris County Municipal Utility District No. 5**;
- h. **Hunters Glen Municipal Utility District**;
- i. **Harris - Fort Bend Counties Municipal Utility District No. 3**;
- j. **Lake Forest Utility District**;
- k. **Harris County Municipal Utility District No. 173**;
- l. **Fort Bend County Municipal Utility District No. 146**;
- m. **Harris County Municipal Utility District No. 157**;
- n. **Ricewood Municipal Utility District**;
- o. **Harris County Municipal Utility District No. 285**;
- p. **Northwest Harris County Municipal Utility District No. 10**;
- q. **Harris County Municipal Utility District No. 391**;
- r. **Harris County Municipal Utility District No. 167**;
- s. **Harris County Municipal Utility District No. 406**;
- t. **Cinco Southwest Municipal Utility District No. 2**;
- u. **Chelford One Municipal Utility District**;
- v. **Cinco Southwest Municipal Utility District No. 4**; and
- w. **Harris County Municipal Utility District No. 152**.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 49

MISCELLANEOUS - NUMBER 2

2. **Motion 2007-1096**

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **EAST DOWNTOWN MANAGEMENT DISTRICT BOARD OF DIRECTORS**, for terms to expire June 1, 2011

- Position One - **MR. RUSSELL MORGAN**, reappointment
- Position Two - **MR. NORMAN R. PEGRAM, JR.**, reappointment
- Position Three - **MR. JIM OLIVE**, reappointment
- Position Four - **MR. HARVEY W. BURTON**, appointment
- Position Five - **MR. ROBERT M. EURY**, appointment
- Position Six - **MR. JOE R. MARTIN**, appointment
- Position Seven - **MR. DAN NIP**, reappointment
- Position Eight - **MR. LOUIS A. MACEY, JR.**, reappointment

ACCEPT WORK - NUMBERS 3 and 4

3. **Motion 2007-1097**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,715,514.90 and acceptance of work on contract with **CALCO CONTRACTING, LTD.**, for Waterline Replacement in Jensen-610 Area, WBS S-000035-00C4-4 - 0.03% over the original contract amount - **DISTRICT H - GARCIA**

4. **Motion 2007-1098**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,466,134.22 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.**, for Citywide Fire Hydrant Replacement and Height Correction, WBS S-000035-00V3-4 - 6.0% under the original contract amount

PROPERTY - NUMBERS 5 through 10

5. **Motion 2007-1099**

RECOMMENDATION from City Attorney to settle a lawsuit styled City of Houston v. Bank of America, N. A., et al., Cause No. 821,807; in connection with eminent domain proceeding for acquisition of Parcel AY3-101, and payment of appraisal invoice for **PECH ROAD PAVING PROJECT (Long Point Road - Westview Road)**, WBS/CIP N-000754-0001-2 - \$273,732.00 Street & Bridge Consolidated Construction Fund - **DISTRICT A - LAWRENCE**

6. **Motion 2007-1100**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ronnie D. Harris, Brown & Gay Engineers, Inc., on behalf of Institute Place Partners, Ltd., [Institute Place I, Inc. (Jack Lee, President) General Partner], declining the acceptance of, rejecting, and refusing the dedication of various alleys, portions of alleys, streets, and portions of streets, and authorizing the abandonment and sale of various portions of streets, in exchange for the conveyance to the City of right-of-way for and construction of the realignment of Hepburn Street and Pawnee Street and a 10-foot-wide water line easement, all located within the Institute Place Addition, out of the P. W. Rose Survey, A-645, Parcels SY7-066A thru CC, AY7-448 and KY7-251 - **DISTRICT D - EDWARDS**

**PROPERTY** - continued

**7. Motion 2007-1101**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kenneth M. Knapp, Knapp Polly Pig, Inc., for sale of excess fee-owned right-of-way being portions of Lots 8, 9, 10, and the east one-half of Lots 11 and 12, Block 46, S. F. Nobles Addition, out of the John Austin Survey, A-1, Parcel SY7-145 - **DISTRICT H - GARCIA**

**8. Motion 2007-1102**

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel CY7-002, owned by Citywide Investment Group, L.P., a Texas limited partnership, for the **PANAGARD LIFT STATION RENEWAL AND REPLACEMENT PROJECT located along the south line of Richmond Avenue at Panagard Drive**, WBS R-000267-0058-2-01 **DISTRICT G - HOLM**

**9. Motion 2007-1103**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-093, located at 2221 Parker Road, owned by Edward E. Hudson, Jr., as to an undivided ½ interest and wife, Elizabeth Ann Swallen Hudson as to an undivided ½ interest, for the **ALDINE WESTFIELD PAVING PROJECT from Tidwell to Little York**, WBS N-000577-0001-2-01 - **DISTRICT B - JOHNSON**

**10. Motion 2007-1104**

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY3-046, located in the 11200 block of Wilcrest Drive, owned by Karl Russell Smith, Jr., for the **KEEGANS' BAYOU HIKE AND BIKE TRAIL PROJECT from Brays Bayou to Kirkwood**, N-000420-0025-2-01 - **DISTRICT C - CLUTTERBUCK**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 11 through 16

**11. Ordinance 2007-1230**

ORDINANCE appropriating \$3,181,717.24 out of Equipment Acquisition Consolidated Fund for Purchase of Pumper and Hazardous Materials Trucks for Fire Department

**a. Motion 2007-1105**

**TYLER MOTOR CO., INC d/b/a HALL BUICK, PONTIAC, GMC, VOLVO** for Pumper and Hazardous Materials Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Fire Department

**12. Council Member Lawrence tagged**

**GRAYBAR ELECTRIC COMPANY** - \$1,589,956.70, **COMMUNICATION SUPPLY CORPORATION** - \$115,816.60 and **ANIXTER, INC** - \$80,577.00 for Communication Cables and Supplies for the Information Technology Department - Central Service Revolving Fund

**13. Council Members Holm and Johnson tagged**

**DALLAS DODGE CHRYSLER JEEP** for Cargo Vans through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Police Department \$249,312.00 - Asset Forfeiture and Police Special Services Funds

**14. Motion 2007-1106**

**GILBREATH COMMUNICATIONS, INC** for Public/Disaster Preparedness Video and Companion Marketing through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council - \$454,963.60 - Grant Fund

**PURCHASING AND TABULATION OF BIDS** - continued

**15. Motion 2007-1107**

**AMEND MOTION #2005-287, 3/30/05, TO EXTEND** expiration date from March 30, 2008 to March 29, 2009, and increase spending authority from \$2,072,220.00 to \$2,901,108.00 for Concrete, Hot Mixed Asphaltic for Various Departments, awarded to **CENTURY ASPHALT MATERIALS** - \$828,888.00 - General and Enterprise Funds

**16. Motion 2007-1108**

**AMEND MOTION #2006-117, 2/8/06, TO INCREASE** spending authority from \$704,327.71 to \$986,058.79 for Spheres, Reflective Glass for Various Departments, awarded to **FLEX-O-LITE, INC (Bid No. 2)** - \$281,731.08 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 17 through 49

**Motion 2007-1109 – Suspend rules to consider Item 17 out of order**

**17. Resolution 2007-0043**

RESOLUTION designating certain property within the City of Houston as a landmark and a protected landmark (Emancipation Park, 3018 Dowling Street) - **DISTRICT I - ALVARADO**

**18. Resolution 2007-0044**

RESOLUTION of the City Council of the City of Houston, Texas giving consent to **TEXAS GULF COAST HEALTH FACILITIES DEVELOPMENT CORPORATION** for the financing of certain Health Facilities located within the City of Houston, Texas for the benefit of Montrose Counseling Center Permanent Endowment, Inc

**Motion 2007-1113 – Suspend rules to consider Items 19 and 19a out of order**

**Motion 2007-1114 – Written motion by Council Member Holm to amend Item 19 as follows:**

“I move to amend Item 19 on the November 7, 2007 agenda by substituting the following sections, with the resulting revenue reduction to be taken out of incremental expenditures on public safety and public safety equipment, and not the investment in additional drainage projects:

**Section 2.** There is hereby levied for general purposes, to be assessed and collected in the current money of the United States of America, for the use of the City of Houston to fund maintenance and operation expenditures for the year 2007, an annual ad valorem tax at the rate of \$0.453225 on each one hundred dollars (\$100.00) of taxable value on all property, real, personal or mixed, within the corporate limits upon which a tax is authorized by law to be levied by the City of Houston, and upon all franchises of all individuals and corporations holding franchises from the City, including the payment of any obligations for which taxes are not levied by another section hereof and for the payment for which provision is not otherwise made.

And:

**Section 4.** This tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will reduce taxes for maintenance and operations on a \$100.00 home by approximately \$6.04.

**“FAILED”**

**19. Ordinance 2007-1249**

ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2007

**RESOLUTIONS AND ORDINANCES** - continued

**a. Motion 2007-1115**

RECOMMENDATION from Director Finance & Administration in conformance with the requirement of the State Tax Code that Council adopt a motion that property taxes be increased by the adoption of a tax rate of \$.64375/\$100 of assessed value

**20. Ordinance 2007-1231**

ORDINANCE consenting to the addition of 390.0 acres of land to **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 4**, for inclusion in its district

**21. Ordinance 2007-1232**

ORDINANCE consenting to the addition of 216.9974 acres of land to **ENCANTO REAL UTILITY DISTRICT**, for inclusion in its district

**22. Ordinance 2007-1233**

ORDINANCE consenting to the addition of 143.5663 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 58**, for inclusion in its district

**23. Ordinance 2007-1234**

ORDINANCE consenting to the addition of 9.737 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 OF HARRIS COUNTY, TEXAS**, for inclusion in its district

**24. Ordinance 2007-1235**

ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 476**

**25. Ordinance 2007-1236**

ORDINANCE establishing the north and south sides of the 600 block of Aurora Street and the north side of the 700 block of Aurora 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 H - GARCIA**

**26. Ordinance 2007-1237**

ORDINANCE establishing the north and south sides of the 1700 block of Colquitt 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**

**27. Ordinance 2007-1238**

ORDINANCE establishing the north and south sides of the 1500 block of Marshall Avenue 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**

**28. Ordinance 2007-1239**

ORDINANCE establishing the east side of the 2900-3100 block of Morrison 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 H - GARCIA**

**29. Ordinance 2007-1250**

ORDINANCE authorizing the acceptance of grant from the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC)** for Expanded and Integrated Testing of populations affected by the HIV Virus; declaring the City's eligibility for such grant; authorizing the Director of the Health and Humans Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$1,050,500.00 - Grant Fund

**RESOLUTIONS AND ORDINANCES** - continued

**30. Ordinance 2007-1251**

ORDINANCE approving and authorizing grant application to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC)** for the 2008-2010 National HIV Behavioral Surveillance System Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Humans Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$1,420,651.00 - Grant Fund

**31. Ordinance 2007-1252**

ORDINANCE approving and authorizing grant application to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC)** for HIV Core and Incidence Surveillance Activities in the City; declaring the City's eligibility for such grant; authorizing the Director of the Health and Humans Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$1,599,013.00 - Grant Fund

**32. Ordinance 2007-1253**

ORDINANCE approving and authorizing City of Houston to enter into contract with **HOUSTON INDEPENDENT SCHOOL DISTRICT** to administer an After School Achievement Program ("ASAP") - \$709,000.00 - Grant and General Funds - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; F - KHAN; G - HOLM; H - GARCIA and I - ALVARADO**

**33. Ordinance 2007-1254**

ORDINANCE approving and authorizing Grant Agreement between the City of Houston, Reinvestment Zone Number Three-City of Houston, Texas, Main Street Market Square Redevelopment Authority and the **HOUSTON AREA COMMUNITY DEVELOPMENT CORPORATION** for the Rehabilitation of a single room occupancy facility located at 1414 Congress - **DISTRICT I - ALVARADO**

**34. Ordinance 2007-1240**

ORDINANCE approving and authorizing an Indemnity and Maintenance Agreement between the City of Houston and the **GREATER EAST END MANAGEMENT DISTRICT** for right-of-way Improvements - **DISTRICTS D - EDWARDS and I - ALVARADO**

**35. Ordinance 2007-1255**

ORDINANCE approving and authorizing amendment to Contract No. C55986 between the City of Houston and **WEST AIRPORT/GATEWAY 15.01, LP**, for Construction of Water, Sanitary Sewer and Storm Sewer Lines for the Brentwood Subdivision - **DISTRICT D - EDWARDS**

**36. Council Member Holm tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **GUADALUPE C. QUINTANILLA, dba CROSS CULTURAL COMMUNICATION CENTER**, for Foreign Language Teaching Services for the Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$363,790.00 - General Fund

**37. Ordinance 2007-1241**

ORDINANCE authorizing the amendment of Ordinance No. 2007-251 to add additional fire training classes to those described in Ordinance No. 2007-251; to set fees for the additional classes and authorize an agreement between the City of Houston and **TEXAS ENGINEERING EXTENSION SERVICE** to provide an online continuing education program - Revenue

**RESOLUTIONS AND ORDINANCES** - continued

**38. Ordinance 2007-1262**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for civic art and conservation administration services on behalf of the Houston Airport System; providing a maximum contract amount - \$2,663,985.14 Enterprise Fund - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

**39. Ordinance 2007-1242**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for civic art and conservation administration services on behalf of the Convention and Entertainment Facilities Department; providing a maximum contract amount - \$306,250.03 - Enterprise Fund - **DISTRICT I - ALVARADO**

**40. Pulled-Not Considered**

ORDINANCE appropriating \$3,560,264.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, WBS R-000295-0014-4; 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 and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**41. Ordinance 2007-1243**

ORDINANCE appropriating \$2,706,004.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000294-0017-4; 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 and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**42. Ordinance 2007-1244**

ORDINANCE appropriating \$4,836,139.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, WBS R-002013-0019-4; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

**43. Ordinance 2007-1245**

ORDINANCE appropriating \$3,170,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Del Monte, WBS S-000035-00L2-4; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

**RESOLUTIONS AND ORDINANCES** - continued

**Motion 2007-1122 – Suspend rules to remain in session beyond the scheduled noon recess**

**44. Ordinance 2007-1246**

ORDINANCE appropriating \$3,397,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Oak Estate, WBS S-000035-00L3-4; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

**45. Ordinance 2007-1247**

ORDINANCE appropriating \$2,351,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R. K. WHEATON, INC** for Water Line Replacement in Broad Oaks, WBS S-000035-00L5-4; 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 Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM**

**46. Ordinance 2007-1248**

ORDINANCE appropriating \$12,000.00 out of Parks Consolidated Construction Fund for Construction Services at Charlton Park Tennis Court, WBS F-000680-0001-4, under a purchase order with **URELIFT GULF COAST, LP** - **DISTRICT I - ALVARADO**

**47. Ordinance 2007-1256 – Passed first reading**

ORDINANCE granting to **FOWLER'S TRANSFER, 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; and making certain findings related thereto - **FIRST READING**

**48. Ordinance 2007-1257 – Passed first reading**

ORDINANCE granting to **COOPERS-SANITECH, 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; and making certain findings related thereto - **FIRST READING**

**49. Ordinance 2007-1258 – Passed first reading**

ORDINANCE granting to **RUSTIN TRANSPORTATION COMPANY, L.P., a Texas Limited Partnership**, 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**



**NON CONSENT AGENDA** - NUMBERS 50 and 51

**MISCELLANEOUS**

**50. Motion 2007-1117**

MOTION to set a date not less than seven (7) days from November 7, 2007, to receive nominations for the City of Houston representative on the **HARRIS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS** – Set November 14, 2007

**51. Motion 2007-1118**

**SET A PUBLIC HEARING DATE** to consider whether a new property tax exemption applied to certain goods-in-transit will be allowed to take effect on January 1, 2008  
**SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 14, 2007**

**MATTERS HELD** - NUMBERS 52 through 57A

**52. Motion 2007-1116 – Postpone one (1) week**

ORDINANCE approving and authorizing agreement between the City of Houston, **THE LELAND WOODS REDEVELOPMENT AUTHORITY** and **REINVESTMENT ZONE NUMBER TWENTY-TWO**, City of Houston, Texas (Leland Woods Zone) in connection with the City's Reinvestment Zone Number Twenty-two over the Leland Woods Area - **DISTRICT B - JOHNSON**  
**POSTPONED BY MOTION #2007-1062, 10/24/07**  
This was Item 21 on Agenda of October 24, 2007

**53. Motion 2007-1119**

MOTION by Council Member Green/Seconded by Council Member Lovell to adopt recommendation from Director Convention & Entertainment Facilities Department for approval of supplemental budget submitted by the Greater Houston Convention and Visitors Bureau \$1,903,047.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER HOLM**  
This was Item 5 on Agenda of October 31, 2007

**54. Ordinance 2007-1259**

ORDINANCE **AMENDING SECTION 10-432(a) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to convening hearings related to emergency action taken with respect to a dangerous building or structure; containing other provisions relating to the foregoing subject; providing for severability - **TAGGED BY COUNCIL MEMBERS HOLM and LOVELL**  
This was Item 20 on Agenda of October 31, 2007

**Motion 2007-1111 – Suspend rules to consider Items 55, 55a, 55b and 55c out of order**

**55. Motion 2007-1112 – Postpone ninety (90) days**

WRITTEN Motion by Council Member Clutterbuck to amend Item 55C below:  
I move to amend Item 55C, revisions to Chapter 45 in section 45-163 to strike the existing number 1 and in lieu of add a new number 1 that reads: "Would require a number of off-street parking spaces pursuant to Article VIII of Chapter 26 of this Code that is greater by 100 percent or more than the number of off street parking spaces provided under the current use of the parcel;"  
**TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and WISEMAN**

**MATTERS HELD** - continued

Item 55 – continued

**a. Motion 2007-1112 – Postpone ninety (90) days**

WRITTEN Motion by Council Member Lawrence to amend Item 55C below:

Replace multi family residential development in Sec. 45-163 with residential development and to add the definition of Residential to Sec. 45-162 as follows:

**Residential** shall mean pertaining to the use of land for premises that contain habitable rooms for nontransient occupancy and that are designed primarily for living, sleeping, cooking and eating therein. A premises that is designed primarily for living, sleeping, cooking and eating therein will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes. Hotels, suites hotels, motels and day care centers shall not be considered to be residential

**TAGGED BY COUNCIL MEMBERS LAWRENCE, HOLM and WISEMAN**

**b. Motion 2007-1112 - Postpone ninety (90) days**

WRITTEN Motion by Council Member Garcia to amend Item 55C below:

I move to modify section 45-163(3) by omitting the words “with two-way traffic.”

**TAGGED BY COUNCIL MEMBER CLUTTERBUCK**

**c. Motion 2007-1112 - Postpone ninety (90) days**

**ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to high-density multi-family development on two-way, two-lane local and collector streets - **TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and HOLM**

This was Item 21 on Agenda of October 31, 2007

**56. Ordinance 2007-1260**

ORDINANCE approving and authorizing contract between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for Purchase of Employee Transit Fare Media; providing a maximum contract amount - \$800,000.00 - General, Enterprise, Special Revenue and Other Funds - **TAGGED BY COUNCIL MEMBER HOLM**

This was Item 38 on Agenda of October 31, 2007

**Motion 2007-1121 – Written motion by Council Member Holm to amend Item 57 as follows:**

“I move to amend Section 2 of the proposed ordinance in Item 57 as follows:

1. In the introductory line, replace the words “through 12-64” with the words “and 12-63.”
2. In both Sections 12-62 and 12-63 of the proposed amendment text, delete the phrase “Subject to the provisions of section 12-64 of this Code” wherever it appears, and capitalize the word “rates.”
3. Delete Section 12-64 from the proposed amendment text.

- Adopted

**MATTERS HELD** - continued

**57. Motion 2007-1120 – Council Member Holm allowed to substitute new written motion for Item 57**

WRITTEN Motion by Council Member Holm to amend Item 57A below:

I move to amend Section 12-64 to read:

**Sec. 12-64. Rate adjustments by director.**

- (a) Wherever in sections 12-62 and 12-63 of this Code rates are stated as not to exceed maximum amount or the director is authorized to set rates within a range or offer special rates, ~~including specifically and without limitation, modifications to the not to exceed maximums, ranges of rates and special rates made pursuant to subsection (b) of this section,~~ the actual rate shall be deemed by the director. The director shall seek to establish rates in consideration of market conditions and with a view to maximizing the city's total recovery of revenue from the parking facilities. Without limitation, the director may offer incentives to encourage contract parking based on volume or new accounts.
- (b) ~~The director, upon review and comment by the parking commission, is hereby authorized to alter, from time to time, the not to exceed maximum rates, the ranges of rates and special rates established in sections 12-62 and 12-63 of this Code, based on his evaluation of market rates for similarly situated parking facilities in the central business district. The director shall seek to establish the not to exceed maximum rates, the ranges of rates and special rates in consideration of market conditions and with a view to maximizing the city's total recovery of revenue from the parking facilities. Without limitation, the director may offer incentives to encourage contract parking based on volume or new accounts.~~
- (e) (b) The director shall ensure a copy of the current parking rates established pursuant to this subsection is maintained for public inspection in the offices of the director and the city secretary or is otherwise made available to the public.

**TAGGED BY COUNCIL MEMBER ALVARADO**

**a. Ordinance 2007-1261 – Adopt as amended**

**ORDINANCE AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to rates for contract parking in parking lots operated by the Convention and Entertainment Facilities Department

**POSTPONED BY MOTION #2007-1094, 10/31/07**

This was Item 58 on Agenda of October 31, 2007

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

**11/7/2007 – Council Member Khan out of the City on City business**