

AGENDA - COUNCIL MEETING - TUESDAY - OCTOBER 28, 2008 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS - 2008-0796 to 2008-0815
ORDINANCES - 2008-0952 to 2008-00974
RESOLUTION – None

2008-0795-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Khan

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 2008-0796 – Procedural motion
Motion 2008-0797 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - OCTOBER 29, 2008 - 9:00 A. M.

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

HEARINGS - 9:00 A.M.

1. **Motion 2008-0798 – Close hearing**
PUBLIC HEARING regarding the construction of the new Kingwood Library on 4.845 acres (Parcel GY9-001) within the Kingwood Park located at 2700 Bens Branch Drive and Bens View Lane - **DISTRICT E - SULLIVAN**

2. **Motion 2008-0799 – Close hearing**
PUBLIC HEARING regarding amendments to the Project and Financing Plan for **TAX INCREMENT REINVESTMENT ZONE NUMBER NINETEEN (UPPER KIRBY ZONE)**
DISTRICTS C - CLUTTERBUCK and G - HOLM

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 3 through 33

MISCELLANEOUS - NUMBERS 3 and 4

3. Motion 2008-0809

REQUEST from Mayor for confirmation of the appointment of **MR. BRYAN B. SÁNCHEZ** to Position Seven of the **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE) BOARD OF DIRECTORS**, for a term to expire July 6, 2009

4. Motion 2008-0810

RECOMMENDATION from Director Administration & Regulatory Affairs for adoption of Alcohol-Free School Zone for the SER-Niño's Charter School located at 5815 Alder pursuant to Section 109.33 of the Texas Alcoholic Beverage Code and Section 3-2 of the Houston Code of Ordinances - **DISTRICT C - CLUTTERBUCK**

ACCEPT WORK - NUMBERS 5 and 6

5. Motion 2008-0802

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$674,262.15 and acceptance of work on contract with **AMTECH ELEVATOR SERVICES**, for Elevator Renovation at 8000 North Stadium Dr., WBS D-000113-0002-4 - 2.98% over the original contract amount - **DISTRICT D - ADAMS**

6. Motion 2008-0803

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$436,150.00 and acceptance of work on contract with **BOYER, INC** for Lift Station Piping and Valve Replacement - Various Lift Stations, WBS R-000267-00C3-4 0.28% under the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS; F - KHAN; G - HOLM and I - RODRIGUEZ**

PROPERTY - NUMBERS 7 and 8

7. Council Member Clutterbuck tagged

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Lars E. Monson of Brown & Gay Engineers, Inc., on behalf of Willowick Place at River Oaks, L. P., a Delaware limited partnership (Willowick Place at River Oaks GP, LLC [Frederick R. McCord, President], General Partner), for the abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A. C. Reynolds Survey, Abstract 61, Parcels SY8-061A, SY8-061B and VY8-052 - **DISTRICT C - CLUTTERBUCK**

8. Motion 2008-0804

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Evans, McDonough Engineering Corporation, on behalf of the Most Reverend Daniel Cardinal DiNardo, Archbishop of Galveston-Houston, his successors in office or assigns, for the use and benefit of Holy Rosary Parish, for abandonment and sale of Berry Street from Milam Street to Louisiana Street, and a ±7,700-square-foot parcel being portions of Lots 7, 8 and 9, Block 16, in exchange for the conveyance to the City of a 50-foot-wide utility easement and a 25-foot-wide sanitary sewer easement, all located in the Main Street Addition, Parcels SY8-087A, SY8-87B, VY8-053 and DY8-096 - **DISTRICT D - ADAMS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 13A

9. Motion 2008-0805

SHI GOVERNMENT SOLUTIONS, INC for Maintenance Agreement for McAfee Virus Check Software through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Information Technology Department - \$266,952.00 - Central Service Revolving Fund

10. Motion 2008-0806

RELIANCE LABEL SOLUTIONS, INC for Printing, Library Cards for the Library Department \$137,250.00 - General Fund

11. Motion 2008-0811

ACTION TARGET, INC for HPD Qualification Pistol Range through the State of Texas Building and Procurement Commissioner's Contract (TXMAS) for Houston Police Department \$1,592,137.00 - Police Consolidated Construction Fund

12. Motion 2008-0807

TOTER, INCORPORATED for Automated Refuse Containers (Two-Wheel Carts) from the Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Solid Waste Management Department - \$578,440.00 - General Fund

13. Ordinance 2008-0956

ORDINANCE appropriating \$112,667.00 from the Limited Use Roadway and Mobility Capital Fund for the purchase of Professional Services for the Deployment of the Infor 7i Work and Asset Management (WAM) System in the Traffic and Transportation Division (TTD), WBS N-000650-0049-3

a. Motion 2008-0808

EMA, INC through the Cooperative Purchasing Program under Section 211 of the Government Act of 2000 in the total amount of \$112,667.00 for the Deployment of the Infor 7i Work and Asset Management (WAM) System in the Traffic and Transportation Division (TTD)

ORDINANCES - NUMBERS 14 through 33

14. Ordinance 2008-0968

ORDINANCE **AMENDING ARTICLE XII OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Bicycle Permits

15. Ordinance 2008-0969

ORDINANCE authorizing the issuance of City of Houston, Texas Airport System Senior Lien Revenue Bonds or Senior Lien Revenue Refunding Bonds as may be further designated and described herein and providing for the payment thereof; authorizing the Mayor and City Controller to approve the amount, Interest Rate, Price and Terms thereof, determine the Outstanding Bonds or Notes to be refunded and defeased, and approve certain other procedures and provisions relating thereto; authorizing the refunding and defeasance of certain Outstanding Airport System Senior Lien Commercial Paper Notes, certain Outstanding Subordinate Lien Revenue Bonds and certain Obligations relating to Special Facilities Bonds; approving the sale of the Bonds and authorizing the execution and delivery of one or more Bond Purchase Agreements, one or more Escrow Agreements, and one or more Paying Agent/Registrar Agreements; authorizing the purchase of Bond Insurance and one or more Reserve Fund Surety Policies; authorizing a Co-Bond Counsel Agreement and a Special Disclosure Co-Counsel Agreement; making certain findings and other declarations necessary and incidental to the issuance of bonds; and declaring an emergency

ORDINANCES - continued

16. Ordinance 2008-0970

ORDINANCE relating to the Retail Water and Sewer Rates of Southern Water Corporation; approving an increase to the rates that shall constitute the legal rates of Southern Water Corporation within the City of Houston until changed as provided by the Texas Water Code; providing for the filing of rate schedules and tariffs; providing for the repeal of conflicting ordinances; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer - **DISTRICT B - JOHNSON**

17. Ordinance 2008-0957

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$597,694.00 in Community Development Block Grant ("CDBG") Funds for the Implementation, Oversight and Delivery of a Child Care Program

18. Ordinance 2008-0958

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$623,453.00 in Community Development Block Grant ("CDBG") Funds for the Implementation, Oversight and Delivery of a Juvenile Delinquency Prevention Program

19. Ordinance 2008-0959

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** providing up to \$2,026,597.00 (Emergency Shelter Grant Funds - \$1,326,597.00/Community Development Block Grant Funds - \$700,000.00) for the Administration of an Emergency Shelter Grants Program

20. Ordinance 2008-0960

ORDINANCE approving and authorizing contract between the City of Houston and the **HEALTHCARE FOR THE HOMELESS-HOUSTON** to provide \$117,180.00 in Community Development Block Grant Funds for the Administration and Operation of Project Access, which offers transportation services to homeless individuals and families seeking health care and supportive services

21. Ordinance 2008-0961

ORDINANCE approving and authorizing Subaward Agreement between the City of Houston (City) and **BAYLOR COLLEGE OF MEDICINE** (Baylor) for the Healthy Kids-Houston: An Integrated Community Program for the Prevention of Obesity Among Minority Children (Program); authorizing the Director of Parks & Recreation Department (Director) to act as the City's representative to approve and accept funding from Baylor in the amount of \$109,205.00 for the program; declaring the City's eligibility for receiving such funding; and further authorizing the Director to apply for and accept all subsequent awards of funding, if any, pertaining to the program and to execute any future contracts with Baylor pertaining to the receipt of grant funding from the United States Department of Agriculture (USDA) Cooperative State Research, Education and Extension Service (CSREES) for the program

22. Ordinance 2008-0971

ORDINANCE approving and authorizing the Mayor to accept Federal Aviation Administration (FAA) Grant offers up to \$75,000,000.00 for various projects at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field; declaring the City's eligibility for such grants - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

ORDINANCES - continued

23. Ordinance 2008-0962

ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **VANGUARD CAR RENTAL USA INC formerly NATIONAL CAR RENTAL SYSTEM, INC** for certain premises at William P. Hobby Airport - Revenue - **DISTRICT I - RODRIGUEZ**

24. Ordinance 2008-0972

ORDINANCE appropriating \$300,000.00 from Equipment Acquisition Consolidated Fund 1800 and approving and authorizing payment for land acquisition costs pursuant to a Commercial Contract - Improved property between the City of Houston and American Opportunity for Housing - Concord at Williamcrest, LLC, Seller, for the purchase of a tract of land containing 10.8243 acres, more or less (Parcel BY9-006), out of JM Bartlett Survey, Abstract No. 152, in Harris County, Texas, for purposes of expanding Marian Park, with the Houston Parks Board paying the balance of the purchase price, plus all closing costs associated with this transaction **DISTRICT C - CLUTTERBUCK**

25. Ordinance 2008-0963

ORDINANCE approving and authorizing Purchase and Sale Agreement between Almeda Holdings, Ltd., and the City of Houston, Texas, Purchaser (the "City"), for 9.617 acres, more or less, of improved commercial land in fee (Parcel CY3-009A) and an easement over 4.047 acres, more or less, of improved commercial land for a Buffer Zone Easement (Parcel CY3-009B), at 12317 Almeda Road, Houston, Texas, for construction of a Biosolids Handling Facility and the Expansion of the Almeda Sims Wastewater Treatment Plant - **DISTRICT D - ADAMS**

26. Ordinance 2008-0973

ORDINANCE approving and authorizing contract between the City and **JOHN HALL PUBLIC AFFAIRS, INC** for Consulting Services related to environmental matters; providing a maximum contract amount - 1 Year with two one-year options - \$378,000.00 - General Fund

27. Pulled - Not Considered

ORDINANCE approving and authorizing contract between the City of Houston and **MERCER(US), INC** for Financial/Human Resources Consulting Services; providing a maximum contract amount \$75,000.00 - General Fund

28. Ordinance 2008-0964

ORDINANCE awarding contract to **SQUARE D COMPANY (formerly known as ECP TECH SERVICES)** for Maintenance and Repair Services of Electric 138KV Substations for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$1,596,254.00 - Enterprise Fund

29. Ordinance 2008-0965

ORDINANCE appropriating \$2,947,389.00 out of Water & Sewer System Consolidated Construction Fund (8500), and awarding contract between the City of Houston and **CORRPRO COMPANIES, INC** for the Corrosion Prevention Program; providing a maximum contract amount WBS S-000037-0003-3

ORDINANCES - continued

30. Council Members Johnson and Lawrence tagged

ORDINANCE amending Ordinance No. 2005-822 (passed by City Council on June 29, 2005) to increase the maximum contract amount for contracts with **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS BY SAN ANTONIO MTA, LP**, it's General Partner and **SAN ANTONIO MTA, LP, d/b/a VERIZON WIRELESS BY VERIZON WIRELESS TEXAS, LLC**, it's General Partner, and approving and authorizing first amendment to contract with **NEW AT&T MOBILITY NATIONAL ACCOUNT, LLC (FORMERLY NEW CINGULAR WIRELESS NATIONAL ACCOUNT, LLC)** for Wireless Communications Equipment and services for Various Departments - \$2,367,811.25 - Central Service Revolving Fund

31. Ordinance 2008-0966

ORDINANCE appropriating \$2,970,115.00 from the Metro Project Commercial Paper Series E Fund and \$168,003.00 from the Water & Sewer System Consolidated Construction Fund for the City's Cost Share in the Design and Construction of Bunker Hill from Long Point to IH-10 pursuant to the Engineering and Construction Agreement between the City of Houston and **THE MEMORIAL CITY REDEVELOPMENT AUTHORITY dba TIRZ #17 REDEVELOPMENT AUTHORITY** (approved Ordinance No. 08-0624), WBS N-000767-0001-4, S-000521-0047-4, R-000521-0047-4 - **DISTRICTS A - LAWRENCE and G - HOLM**

32. Ordinance 2008-0967

ORDINANCE approving and authorizing Sanitary Sewer Service Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 406**

33. Omitted

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 34 through 36

MISCELLANEOUS

34. Motion 2008-0812 – Close nominations

RECEIVE nominations for Position 7 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two-year term
Council Member Rodriguez nominated Ms. Janiece Longoria

35. Motion 2008-0813 – Close nominations

RECEIVE nominations for Position 10 on the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two-year unexpired term that will end on March 1, 2010
Council Member Lovell nominated Mr. Douglas Elliott

36. Motion 2008-0814

RECOMMENDATION from Director Houston Airport System to conduct a public hearing on the proposed airport compatible land use regulations and accompanying maps for George Bush Intercontinental Airport/Houston (IAH), William P. Hobby Airport (HOU) and Ellington Field (EFD) **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**
SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 19, 2008 – Set to November 19, 2008

MATTERS HELD - NUMBERS 37 through 39

37. Motion 2008-0815 – Adopt

AZTECA SYSTEMS, INC for Software Application and Maintenance Support Services for the Workorder Management System (Citywork) for Department of Public Works & Engineering \$110,000.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER JONES**

This was Item 11 on Agenda of October 22, 2008

Motion 2008-0800 – Suspend rules to consider Items 38, 38a, 38b, 38c and 38d out of order

38. Ordinance 2008-0952

ORDINANCE appropriating \$2,879,890.00 out of Police Consolidated Construction Fund and approving and authorizing a System Procurement Agreement between the City of Houston and **MOTOROLA, INC** for the Public Safety Radio System Project; authorizing the expenditure of grant funds in the amount of \$12,993,456.00; providing a maximum contract amount

TAGGED BY COUNCIL MEMBERS HOLM and CLUTTERBUCK

This was Item 15 on Agenda of October 22, 2008

a. Ordinance 2008-0953

ORDINANCE appropriating \$773,181.98 out of Police Consolidated Construction Fund and approving and authorizing Lease Agreement between the City of Houston and **2550 NORTH LOOP WEST LP**, for the Lease of Office Space at 2550 North Loop West relating to the Public Safety Radio System Project; providing a maximum contract amount

TAGGED BY COUNCIL MEMBERS HOLM and CLUTTERBUCK

This was Item 15A on Agenda of October 22, 2008

b. Ordinance 2008-0954

ORDINANCE appropriating \$100,000.00 out of Police Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **MILLER & VAN EATON, P.L.L.C.** for Legal Services relating to the Public Safety Radio System Project; providing a maximum contract amount - **TAGGED BY COUNCIL MEMBER HOLM**

This was Item 15B on Agenda of October 22, 2008

c. Ordinance 2008-0955

ORDINANCE appropriating \$137,877.34 out of Police Consolidated Construction Fund for Purchase of Furniture, Information Technology Equipment and Security Equipment for the Public Safety Radio System Project - **TAGGED BY COUNCIL MEMBER HOLM**

This was Item 15C on Agenda of October 22, 2008

d. Motion 2008-0801 – Adopt

CONTRACT RESOURCE GROUP, LLC for Office Furniture from the State of Texas Procurement and Support Services Contract for the Information Technology Department - \$80,991.54

TAGGED BY COUNCIL MEMBER HOLM

This was Item 15D on Agenda of October 22, 2008

39. Ordinance 2008-0974

ORDINANCE approving and authorizing contract between the City and **MAXIMUS FINANCIAL SERVICES, INC** for Cost Allocation Plan Services for the Department of Finance; providing a maximum contract amount - 3 years with two one-year options - \$298,461.00 - General Fund

TAGGED BY COUNCIL MEMBER JONES

This was Item 22 on Agenda of October 22, 2008

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

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

10/28/2008 – Council Member Sullivan out of the City on City business

10/29/2008 – Council Member Green absent on personal business