

AGENDA - COUNCIL MEETING - WEDNESDAY - NOVEMBER 4, 2009 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS - 2009-0777 to 2009-0801

2009-0776-2

ORDINANCES – 2009-1043 to 2009-1087

RESOLUTIONS – 2009-31

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Adams

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 2009-0779 – Suspend rules to hear Representative Dwayne Bohac at this time

HEARINGS - 9:00 A.M.

1. Motion 2009-0780 – Close hearing

PUBLIC HEARING on proposals for the City of Houston to enter into or amend separate strategic partnership agreements with the below named districts in Harris County and Fort Bend County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts

- a. Cinco Southwest Municipal Utility District No. 4,
- b. Cy Champ Public Utility District,
- c. Harris County Fresh Water Supply District No. 52
- d. Fort Bend County Municipal Utility District No. 50
- e. Bridgestone Municipal Utility District
- f. Greens Parkway Municipal Utility District
- g. Harris County Municipal Utility District No. 191
- h. Mason Creek Utility District
- i. North Belt Utility District
- j. North Forest Municipal Utility District
- k. Timber Lane Utility District
- l. Harris County Municipal Utility District No. 61
- m. Cimarron Municipal Utility District
- n. Cinco Southwest Municipal Utility District No. 3
- o. Tattor Road Municipal District
- p. Cypress Forest Public Utility District
- q. Fort Bend County Municipal Utility District No. 118
- r. Forest Hills Municipal Utility District
- s. Harris County Municipal Utility District No. 105
- t. Harris County Municipal Utility District No. 149
- u. Harris County Water Control and Improvement District No. 114
- v. Harris-Fort Bend Counties Municipal Utility District No. 5
- w. Northwest Harris County Municipal Utility District No. 15
- x. Richey Road Municipal Utility District
- y. Spring West Municipal Utility District

Motion 2009-0777 – Suspend rules to receive the Financial Report and the Investment Report out of order

Motion 2009-0778 – Accept reports

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

MAYOR'S REPORT - City Jail Programs

CONSENT AGENDA NUMBERS 2 through 58

MISCELLANEOUS - NUMBERS 2 through 6

2. Motion 2009-0782

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE) BOARD OF DIRECTORS:**

Position One - **MR. BEN H. CRABB**, for a term to expire 12/7/2010

Position Three - **MS. ILEANA DESALOS**, for a term to expire 12/7/2010

Position Four - **MS. LORRAINE M. CHERRY, PH.D.**, for a term to expire 12/7/2009

3. Motion 2009-0791

REQUEST from Mayor for confirmation of the appointment of **MR. GORDON JINPOING QUAN** to Position One of the **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE) BOARD OF DIRECTORS**, for a term to expire July 6, 2011 and to serve as Chair, for a term ending December 31, 2009

4. Motion 2009-0792

RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for Fire Station 37 - **DISTRICT C - CLUTTERBUCK**

5. Motion 2009-0783

RECOMMENDATION from Director Health & Human Services for approval to name the new multi-service center located at 3810 W. Fuqua the Hiram Clarke Multi-Service Center - **DISTRICT D - ADAMS**

6. Motion 2009-0793

RECOMMENDATION from the Mayor's Office of Government Affairs for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$75,420.00 - General Fund

ACCEPT WORK - NUMBERS 7 and 8

7. Motion 2009-0794

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$3,961,295.00 and acceptance of work on contract with **THE GONZALEZ GROUP, LP** for Renovation of Kashmere Multi-Service Center - 19.01% over the original contract amount **DISTRICT B - JOHNSON**

ACCEPT WORK - continued

8. Motion 2009-0784

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,178,842.01 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for 69th Street Wastewater Treatment Plant Improvements, Package 1 - 0.28% over the original contract amount - **DISTRICT I - RODRIGUEZ**

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 16

9. Motion 2009-0785

MORNING PRIDE MANUFACTURING d/b/a HONEYWELL FIRST RESPONDER PRODUCTS for Purchase of Firefighter Boots through the Interlocal Agreement for Cooperative Purchasing with the City of Memphis, Tennessee for the Houston Fire Department - \$120,000.00 - General Fund

10. Motion 2009-0786

CIVIL TECH ENGINEERING for Consulting Services associated with the HAZUS Wind Risk Model for Office of Emergency Management - \$171,220.00 - Grant Fund

11. Motion 2009-0795

EPIC AVIATION, LLC dba AIR BP AVIATION SERVICES for Aviation Gasoline and Turbine Fuel for Police Department - \$2,858,015.00 - General Fund

12. Ordinance 2009-1076

ORDINANCE appropriating \$4,700,433.00 out of Equipment Acquisition Consolidated Fund; \$328,885.00 out of Reimbursement of Equipment/Projects Fund and \$157,088.00 out of the Fleet / Equipment Special Revenue Fund for Purchase of Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments

a. Motion 2009-0796

AMEND MOTION #2009-53, 2/4/09, subsequently amended TO PURCHASE additional Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments, awarded to **PHILPOTT MOTORS, LTD.** - \$4,166,707.00 and **BABY JACK II AUTOMOTIVE, LTD. d/b/a CALDWELL COUNTRY CHEVROLET** - \$2,605,362.00 - Enterprise, Grant, Stormwater, Building Inspection, Parks Special Revenue and Other Funds

13. Ordinance 2009-1046

ORDINANCE appropriating \$310,599.60 out of Equipment Acquisition Consolidated Fund for Purchase and Implementation of the Phase III-Call Center-Integrated Justice Information System (IJIS Broker) Software, One-Year Maintenance Agreement and related Professional Services for the Municipal Courts Administration Department

a. Motion 2009-0787

JEFFERSON & ASSOCIATES, INC - \$70,000.00, **RILEY CAPITAL AND CONSULTING** - \$50,400.00 for Professional Services and **RFD, INC** - \$292,312.00 for Oracle Database Licenses and Maintenances in connection with Purchase and Implementation of the Integrated Justice Information System Broker Software through the City's Master Agreement with the Texas Department of Information Resources - Equipment Acquisition Consolidated and Municipal Court Technology Funds

14. Ordinance 2009-1047

ORDINANCE appropriating \$161,814.06 out of Equipment Acquisition Consolidated Fund for Purchase and Hardware for Planning & Development Department

PURCHASING AND TABULATION OF BIDS – continued

a. **Motion 2009-0788**

HEWLETT-PACKARD COMPANY for Purchase of Hardware through the City's Master Agreement with the Texas Department of Information Resources for the Planning & Development Department

15. **Ordinance 2009-1048**

ORDINANCE appropriating \$1,250,000.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Forebay Cleanup and Sludge Disposal Services at the East Water Purification Plant for the Public Works & Engineering Department

a. **Motion 2009-0789**

LAUGHLIN-THYSSEN, INC for Forebay Cleanup and Sludge Disposal Services at the East Water Purification Plant for the Public Works & Engineering Department

16. **Motion 2009-0790**

SAFETY SUPPLY, INC - \$190,432.69, **SECURITY SAFETY & SUPPLY, INC** - \$200,532.46 and **DOOLEY TACKABERRY, INC** - \$604,770.50 for Safety Equipment and Supplies for Various Departments - General and Enterprise Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 17 through 58

17. **Resolution 2009-0031**

RESOLUTION approving and authorizing the nomination of **ALCON RESEARCH, LTD.** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **DISTRICT C - CLUTTERBUCK**

Motion 2009-0781 – Suspend rules to consider Items 18, 18a and 64 out of order

18. **Ordinance 2009-1043**

ORDINANCE **AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the habitability of multi-family rental buildings; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

a. **Ordinance 2009-1044**

ORDINANCE **AMENDING CITY OF HOUSTON BUILDING CODE** and relating to the safety of person occupying existing buildings; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause

19. **Ordinance 2009-1049**

ORDINANCE **AMENDING ARTICLE V OF CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to numbering of buildings; containing findings and other provisions relating to the foregoing subject; establishing an effective date; providing for severability

20. **Ordinance 2009-1050**

ORDINANCE **AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to hearings regarding dangerous and vacant buildings; containing findings and other provisions relating to the foregoing subject, providing for severability

RESOLUTIONS AND ORDINANCES - continued

21. Council Member Jones tagged

ORDINANCE **AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the seizure, impoundment and destruction of newsracks; establishing a fee for seizure and impoundment of newsracks; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability; establishing an effective date;

22. Ordinance 2009-1051

ORDINANCE amending the City of Houston's Ordinance No. 2009-905, which amended the City of Houston Commercial Energy Conservation, Residential Energy Conservation and Residential Codes, relating to energy efficiency to correct scrivener's errors

23. Council Member Lovell tagged

ORDINANCE amending Ordinance No. 2007-846, the first amended and restated ordinance relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series G; and declaring an emergency

23-1 Ordinance 2009-1077

ORDINANCE authorizing the Mayor to execute a revised first amended and restated Freight Rail District Ordinance to extend the date of execution by the parties; adopting the revised first amended and restated ordinance in lieu of Ordinance No. 2009-777

24. Ordinance 2009-1052

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as public rights-of-way of Nett Street between Roy Street and Sandman Street (Parcel SY9-024A), and two 15-foot-wide alleys in Blocks 62 and 65 (Parcels SY9-024B and SY9-024C), of the Brunner Addition located in the John Austin Survey, A-1; vacating and abandoning said public rights-of-way to the Houston Independent School District, abutting owner ("HISD"), in consideration of HISD's payment of \$660,000.00 and other consideration to the City **DISTRICT H - GONZALEZ**

25. Ordinance 2009-1053

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Sugarberry Circle (Parcel SY10-023), from Briar Forest Drive South to its terminus, containing 30,230 square feet of land, more or less; vacating and abandoning said tract to abutting owner, Hudson Forest Homeowners Association, and approving owner's conveyance to the City of a full-width utility easement (Parcel VY10-034), all located in the Hudson Forest Subdivision, Section 1, John D. Taylor Survey, A-72, Houston, Harris County, Texas - **DISTRICT G - HOLM**

26. Ordinance 2009-1078

ORDINANCE approving and authorizing a \$1,433,924.81 grant of CDBG Ike Recovery Funds to **CONCORD AT PALM CENTER II, LLC, DBA SKYVIEW AT PALM CENTER**, to cover repair damage caused by Hurricane Ike to Skyview at Palm Center, ("Project") an Affordable Housing Community and a Modification Agreement to change the current rent, lease and tenant occupancy requirements in connection with the City's existing Performance Based Loan on the project authorized under Ordinance No. 2001-147 - **DISTRICT D - ADAMS**

RESOLUTIONS AND ORDINANCES - continued

27. Ordinance 2009-1054

ORDINANCE approving and authorizing contract between the City of Houston and **CATHOLIC CHARITIES OF THE ARCHDIOCESE OF GALVESTON-HOUSTON** providing up to \$600,000.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds for the administration and operation of a Tenant-Based Rental Assistance Program, Short-Term Rent, Mortgage, and Utility Assistance Program and the provision of other Supportive Services - **DISTRICTS D - ADAMS and H - GONZALEZ**

28. Ordinance 2009-1055

ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide up to \$11,657,536.00 in Federal Funds from the Homeless Prevention and Rapid Re-Housing Program ("HPRP") under the American Recovery and Reinvestment Act of 2009 for the Administration, Implementation, Oversight and Delivery of the HPRP - 3 Years

29. Ordinance 2009-1056

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** providing up to \$495,000.00 in Federal Funds from the Homeless Prevention and Rapid Re-Housing Program under Title XII of the American Recovery and Reinvestment Act of 2009 for the Operation and Maintenance of a Homeless Services Network System - 3 Years

30. Ordinance 2009-1057

ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** providing up to \$187,498.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Database and provision of other homeless related information services - 1 Year

31. Ordinance 2009-1058

ORDINANCE approving and authorizing two (2) Single Family Home Repair Contracts between the City, as the Repair Agency acting on behalf of two (2) homeowners, and **JOSHUA DADE HOMES**, and providing \$159,800.00 in Community Development Block Grant Funds for the Demolition and Reconstruction Work (Tier III) on two (2) houses under the Single Family Home Repair Program Administrative Guidelines, as amended - **DISTRICT B - JOHNSON**

32. Ordinance 2009-1059

ORDINANCE approving and authorizing Purchase Agreement between **COMMUNITY FAMILY CENTERS / CENTROS FAMILIARES DE LA COMUNIDAD**, Purchaser, and the City of Houston, Texas, Seller, for the sale of Tracts I and II of land, an aggregate of 1.5368 acres, more or less, being a former Canal Street Health Clinic and Police Substation located at 7228 Canal Street and 7301 Avenue F (Parcels SY9-038 and SY9-039), being Unrestricted Reserve "A" and "B" City of Houston Canal Street Subdivision, Samuel M. Williams Survey, A-87, Houston, Texas, for a cash payment of \$156,700.00; approving the Development Agreement, Special Warranty Deed and assignment and assumption of lease - **DISTRICT I - RODRIGUEZ**

33. Ordinance 2009-1060

ORDINANCE approving and authorizing the Mayor to accept Federal Aviation Administration (FAA) Grant offers up to \$55,000,000.00 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**

RESOLUTIONS AND ORDINANCES - continued

34. Ordinance 2009-1061

ORDINANCE approving grant funded Agreement between the City of Houston and the **UNIVERSITY OF HOUSTON, TEXAS** for Emissions Testing of the City's Solid Waste Department Vehicles using Gas-to-Liquid Alternative Diesel Fuel at the University of Houston Diesel Vehicle Research and Testing Facility; creating a maximum contract amount - \$60,600.00 - Grant Fund

35. Ordinance 2009-1062

ORDINANCE approving and authorizing acceptance of Contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (HGAC)** and acceptance of grant funds for the Solid Waste Implementation Grant to enhance and expand the City of Houston Recycling Program by Purchasing Roll-Off Containers - \$152,059.00 - Grant Fund

36. Pulled - Not Considered

ORDINANCE relating to the fiscal affairs of the Old Spanish Trail/Almeda Corridors Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Year 2010-2014 Capital Improvement Budget for the Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

37. Ordinance 2009-1079

ORDINANCE relating to the fiscal affairs of the East Downtown Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority **DISTRICTS H - GONZALEZ and I - RODRIGUEZ**

38. Ordinance 2009-1063

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SHADY BROOK SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ**

39. Ordinance 2009-1064

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **WESTBURY SUBDIVISION, SECTIONS 1 - 5, WESTBURY SUBDIVISION REPLAT, SECTIONS 1, 3 AND 5, WESTBURY SOUTH SUBDIVISION, AND PARKWEST SUBDIVISION, SECTIONS 1 - 3**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK**

40. Ordinance 2009-1065

ORDINANCE appropriating \$314,212.87 out of Police Consolidated Construction Fund and approving and authorizing issuance of Purchase Order to **CONTRACT RESOURCE GROUP, L.L.C.** for Purchase and Installation of Furniture for the Midwest Police Station—District 18; pursuant to the State of Texas Building and Procurement Commission's Contract (TXMAS) **DISTRICT F - KHAN**

41. Ordinance 2009-1066

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 - \$1,220,000.00 - General, Enterprise and Other Funds

RESOLUTIONS AND ORDINANCES - continued

42. Ordinance 2009-1080

ORDINANCE approving and authorizing first amendment to Contract for Delinquent Collection Services for Municipal Courts Administration Department between the City and **LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP** (Contract #4600009733) to include services for the Houston Fire Department - Revenue

43. Ordinance 2009-1067

ORDINANCE amending Ordinance No. 2008-0581 (passed on June 25, 2008) to increase the maximum contract amount for Contract between the City of Houston and **KEILER'S HOLDINGS, INC dba CY-FAIR TIRE** for Tire Repair Services for Various Departments - \$127,958.00 General Fund

44. Ordinance 2009-1068

ORDINANCE approving and authorizing agreement between the City of Houston and **THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for reimbursement of costs associated with a Pilot Wetlands Program and exhibits for the Waterworks Museum + Education Center \$632,218.00 - Grant Fund - **DISTRICT E - SULLIVAN**

45. Ordinance 2009-1069

ORDINANCE appropriating \$116,794.77 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approving and authorizing Supplemental Agreement to the Professional Engineering Services Contract between the City of Houston and **VOGT ENGINEERING, L.P.** for Design of Gellhorn Drive from Guinevere to Josie (Approved by Ordinance No. 95-0599); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

46. Ordinance 2009-1081

ORDINANCE appropriating \$1,413,589.07 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **VAN DE WIELE AND VOGLER, INC** for Engineering Services associated with the Neighborhood Street Reconstruction (NSR) 467; providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - **DISTRICTS D - ADAMS and I - RODRIGUEZ**

47. Ordinance 2009-1070

ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to the Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC** for Negotiated Work Orders for Design of Rehabilitation and Replacement of Bridge Structures/Roadways (Approved by Ordinance No. 2007-0824)

48. Ordinance 2009-1082

ORDINANCE appropriating \$300,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Work Order Contract between the City of Houston and **AIA ENGINEERS, LTD.** for Intersection Redesign, Quiet Zone and Street and Railroad Safety Improvements; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

RESOLUTIONS AND ORDINANCES - continued

49. Ordinance 2009-1071

ORDINANCE appropriating \$300,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Work Order Contract between the City of Houston and **REYNOLDS, SMITH & HILLS, INC** for Intersection Redesign, Quiet Zone and Street and Railroad Safety Improvements

50. Ordinance 2009-1083

ORDINANCE appropriating \$847,500.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ENTECH CIVIL ENGINEERS, INC** for North Main Reconstruction from 20th and Cavalcade to Interstate Highway 610; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GONZALEZ**

51. Pulled - Not Considered

ORDINANCE appropriating \$577,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ZARINKELK ENGINEERING SERVICES, INC** for the Safe Sidewalk Program; providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund

52. Ordinance 2009-1084

ORDINANCE appropriating \$821,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Services Contract between the City of Houston and **CH2M HILL INC** for the Kingwood Lift Station No. 21 Renewal and Replacement Program; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN**

53. Ordinance 2009-1085

ORDINANCE appropriating \$1,208,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ISANI CONSULTANTS, L.P.** for the Waterline Replacement in Spring Shadows-East Area and Water Line Replacement in Forest West II Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and B - JOHNSON**

54. Ordinance 2009-1072

ORDINANCE appropriating \$735,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **HUFF & MITCHELL, INC** for Voss No. 2 Lift Station Diversion, 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

55. Ordinance 2009-1073

ORDINANCE appropriating \$3,716,286.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

56. Ordinance 2009-1074

ORDINANCE appropriating \$3,369,714.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

57. Ordinance 2009-1075

ORDINANCE appropriating \$1,500,000.00 out of General Improvement Consolidated Construction Fund and approving and authorizing Design Build Agreement between the City of Houston and **STUDIO RED ARCHITECTS, LP** for Miller Outdoor Theatre Sound System Replacement; providing funding for contingencies relating to the construction of facilities of Sound System Replacement financed by the General Improvement Consolidated Construction Fund **DISTRICT D - ADAMS**

58. Ordinance 2009-0952 – Passed third and final reading

ORDINANCE No. 2009-952, passed second reading October 14, 2009

ORDINANCE granting authority to **CENTURYTEL FIBER COMPANY II, LLC, A LOUISIANA LIMITED LIABILITY COMPANY, dba LIGHTCORE, A CENTURYTEL COMPANY** the right, privilege and franchise to use the public way of the City of Houston, Texas, for the purpose of laying, constructing, leasing, maintaining, repairing, replacing, removing, using, and operating therein, network facilities for providing authorized services; providing for related terms and conditions - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 59 through 62

MISCELLANEOUS

59. Motion 2009-0797

MOTION to suspend the rules of Council for the purpose of setting a date as listed in Item 59A:

MISCELLANEOUS - continued

a. Motion 2009-0798

MOTION to set a date not less than six (6) days from November 4, 2009, to receive nominations for the City of Houston representative of the **HARRIS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**, for a two year term

60. Motion 2009-0799

SET HEARING DATE on recommendation from Director Department of Public Works & Engineering relative to request for designation of a Banner District in the **UPPER KIRBY DISTRICT - DISTRICTS C - CLUTTERBUCK and G - HOLM**
SUGGESTED HEARING DATE - 9:00 A. M. - WEDNESDAY - NOVEMBER 18, 2009

61. Motion 2009-0800

SET HEARING DATE regarding third amendment to the Project and Financing Plan for the **TAX INCREMENT REINVESTMENT ZONE NUMBER NINETEEN (UPPER KIRBY ZONE) DISTRICTS C - CLUTTERBUCK and G - HOLM**
SUGGESTED HEARING DATE - 9:00 A. M. - WEDNESDAY - NOVEMBER 18, 2009

62. Motion 2009-0801

SET HEARING DATE on proposed airport hazard area regulations and the accompanying maps
SUGGESTED HEARING DATE - 9:00 A. M. - WEDNESDAY - DECEMBER 9, 2009

MATTERS HELD - NUMBERS 63 through 65

63. Ordinance 2009-1086

ORDINANCE approving and authorizing contract between the City and **HARRIS COUNTY** for Vehicle Registration holds in support of the Digital Automated Red Light Enforcement Program; providing a maximum contract amount - \$180,000.00 - Digital Automated Red Light Enforcement Program Funds - **TAGGED BY COUNCIL MEMBERS JONES, NORIEGA, KHAN, CLUTTERBUCK and LAWRENCE**
This was Item 55 on Agenda of October 21, 2009

64. Ordinance 2009-1045

ORDINANCE awarding contract to **JPMORGAN CHASE BANK, N.A.** for Banking Services Citywide; providing a maximum contract amount - 3 Years with two one-year options \$1,643,941.00 - General and Enterprise Funds
TAGGED BY COUNCIL MEMBERS KHAN, JOHNSON, GREEN and JONES
This was Item 57 on Agenda of October 21, 2009

65. Ordinance 2009-1087

ORDINANCE approving and authorizing contracts between the City of Houston and **HEARD & MEDACK, P.C.** and **OLSON AND OLSON, L.L.P.** for Legal Services relating to Civil Action No. H-06-2650; George Rodriguez v. City of Houston, et al.; in the United States District Court for the Southern District of Texas, Houston Division and other similar matters; establishing maximum contract amounts - Totaling \$500,000.00 - Property and Casualty Fund
TAGGED BY COUNCIL MEMBER JONES
This was Item 58 on Agenda of October 21, 2009

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Johnson 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

11/04/2009 – All Present