

**AGENDA - COUNCIL MEETING - TUESDAY - MARCH 30, 2010 - 1:30 P. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with notes of action taken

MOTIONS 2010-0156 to 2010-0180  
ORDINANCES – 2009-0234 to 2009-0249  
RESOLUTION – 2010-0028

2010-0155-1

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

**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 2010-0156 – Procedural motion  
Motion 2010-0157 – Procedural motion  
Motion 2010-0158 – Procedural motion  
Motion 2010-0159 – Procedural motion

**5:00 P. M. - RECESS**

**RECONVENE**

**WEDNESDAY - MARCH 31, 2010 - 9:00 A. M.**

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

**MAYOR'S REPORT**

**CONSENT AGENDA NUMBERS 1 through 33**

**MISCELLANEOUS** - NUMBERS 1 through 3

**1. Motion 2010-0160**

REQUEST from Mayor for confirmation of the appointment of the following individuals to the  
**BOARD OF THE METROPOLITAN TRANSIT AUTHORITY:**

Position One - **MR. GILBERT ANDREW GARCIA**, for a term to expire 4/7/2012

Position Two - **MR. ALLEN DALE WATSON**, for a term to expire 4/7/2012

Position Three - **THE HONORABLE DWIGHT E. JEFFERSON**, for an unexpired term  
ending 5/1/2010

Position Four - **MS. CARRIN F. PATMAN**, for a term to expire 4/7/2012

Position Five - **MR. CHRISTOF SPIELER**, for a term to expire 4/7/2012

**MISCELLANEOUS** - continued

**2. Motion 2010-0161**

REQUEST from the Mayor for confirmation of the appointment of the following individuals to the **COASTAL WATER AUTHORITY'S BOARD OF DIRECTORS**:

Position One - **MS. GITI ZARINKELK**, for a term to expire 3/31/2012

Position Two - **MR. JOHN ODIS COBB**, for a term to expire 3/31/2012

Position Three - **MR. F. WILLIAM OTHON**, for the remainder of an existing term to expire 3/31/2011

Position Four - **MR. KURT F. METYKO**, for the remainder of an existing term to expire 3/31/2011

**3. Motion 2010-0162**

RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for Fire Station 90 - **DISTRICT A - STARDIG**

**DAMAGES** - NUMBER 4

**4. Motion 2010-0163**

RECOMMENDATION from City Attorney for settlement of lawsuit styled **C. L. JOHNSON v. City of Houston**; in the 157th Judicial District Court of Harris County, Texas - \$90,000.00 - Property and Casualty Fund

**ACCEPT WORK** - NUMBERS 5 through 10

**5. Motion 2010-0164**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$82,527.00 and acceptance of work on contract with **INLAND ENVIRONMENTS, LTD.**, for Asbestos Abatement and Demolition at Julia Ideson Building - 6.18% over the original contract amount - **DISTRICT I - RODRIGUEZ**

**6. Motion 2010-0165**

RECOMMENDATION from Director General Services Department for approval of final contract amount of \$643,986.00 and acceptance of work on contract with **MERIDIAN COMMERCIAL, L.P.**, for West Webster Park - 4.20% over the original contract amount - **DISTRICT D - ADAMS**

**7. Motion 2010-0166**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,541,893.04 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 1.18% over the original contract amount - **DISTRICTS A - STARDIG; D - ADAMS; E - SULLIVAN; G - PENNINGTON and H - GONZALEZ**

**8. Motion 2010-0175**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,581,085.11 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 1.45% under the original contract amount - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ**

**9. Motion 2010-0167**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,500,501.58 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.80% under the original contract amount - **DISTRICTS D - ADAMS; E - SULLIVAN and I - RODRIGUEZ**

**ACCEPT WORK** - continued

**10. Motion 2010-0168**

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,582,420.24 and acceptance of work on contract with **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods - 0.22% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; E - SULLIVAN; G - PENNINGTON; H - GONZALEZ and I - RODRIGUEZ**

**PROPERTY** - NUMBER 11

**11. Motion 2010-0169**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jose M. Barcena and Ysmari Barcena, for abandonment and sale of 14,941 square feet of excess Wirtcrest Lane right-of-way, located within the Hillendahl Acres Subdivision, out of the John Flowers Survey, A-269, Parcels SY10-044 and SY10-056 - **DISTRICT A - STARDIG**

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 12 through 16

**12. Motion 2010-0170**

**GILBREATH COMMUNICATIONS, INC** for the next phase of Community/Disaster Preparedness Education/Outreach Programs and Companion Marketing through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council - \$989,890.93 - Grant Fund

**13. Motion 2010-0171**

**PEN-LINK, LTD.** for Pen-Link Hardware, Software and Installation Services for Houston Police Department - \$103,000.00 - Grant Fund

**14. Motion 2010-0172**

**MD HELICOPTERS, INC** for Professional Training Services for Police Department - \$89,250.00 Police Special Services Fund

**15. Ordinance 2010-0234**

ORDINANCE appropriating \$863,689.69 out of Equipment Acquisition Consolidated Fund for Purchase of Street Sweepers for Various Departments

**a. Motion 2010-0173**

**HI-WAY EQUIPMENT CO. LLC** - \$1,102,282.00 and **TYMCO, INC** - \$217,098.35 for Street Sweepers through the Interlocal Agreement for Cooperative Purchasing with the Houston-Galveston Area Council for Various Departments - Enterprise, Equipment Acquisition Consolidated, Stormwater and American Recovery and Reinvestment Act Funds

**16. Motion 2010-0176**

**CONTRACT RESOURCE GROUP, LLC** - \$247,125.35, **CHALLENGE OFFICE PRODUCTS** - \$97,542.42 and **OFFICE DESIGN CONCEPTS, LLC** - \$80,507.46 for Office Furniture from the State of Texas Procurement and Support Services Contract through the State of Texas Cooperative Purchasing Program for Various Departments - General, Enterprise, Building Inspection, Health Special Revenue, Grant and Equipment Acquisition Consolidated Funds

**ORDINANCES** - NUMBERS 17 through 33

**17. Council Member Johnson tagged**

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston, **HARRIS COUNTY** and the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY** for the purpose of describing actions by the parties preliminary to the construction by the Houston Dynamo LLC. of a Public Professional Soccer Stadium on property owned by the City in Reinvestment Zone Number Fifteen, City of Houston (East Downtown TIRZ), including anticipated (1) provision of funding for certain public infrastructure improvements through the East Downtown TIRZ, (2) participation by Harris County in the East Downtown TIRZ, (3) creation by the City of two new Tax Increment Reinvestment Zones in the City, and (4) assistance by the Harris County-Houston Sports Authority in (A) negotiating a lease with the Dynamo LLC, (B) acting as project manager during construction of the stadium, and (C) acting as property manager following construction, all subject to additional actions to be taken and agreements to be negotiated among the parties - **DISTRICT I - RODRIGUEZ**

**18. Council Member Rodriguez tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **A CARING SAFE PLACE, INC** to provide \$389,938.00 in Housing Opportunities for Persons With AIDS Funds to provide for the administration and operation of a Community Residence located at 1804 Carr Street, along with supportive services - **DISTRICT B - JOHNSON**

**19. Ordinance 2010-0235**

ORDINANCE approving and authorizing contract between the City of Houston and **THE HOUSTON FOOD BANK** to provide \$1,000,000.00 in Community Development Block Grant Funds for partial funding of the acquisition of an existing warehouse facility located at and in the vicinity of 535 Port Wall Street, Houston, Texas which will serve low to moderate income families **DISTRICT B - JOHNSON**

**20. Council Member Rodriguez tagged**

ORDINANCE approving and authorizing contract between the City of Houston and **STOP TURNING ENTERING PRISON, INC**, providing up to \$582,901.04 in Housing Opportunities for Persons With AIDS Funds, which amount includes a limitation on additional funding in the amount of \$291,450.52, for the administration and operation of a Transitional Housing Program and the provision of supportive services - **DISTRICT B - JOHNSON**

**21. Ordinance 2010-0236**

ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor for the Firearms Expansion Initiative; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**22. Ordinance 2010-0237**

ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor for the Investigative First Responder Project; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**ORDINANCES** - continued

**23. Ordinance 2010-0238**

ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor for the Police Storefront Crisis Team Grant/18 Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**24. Ordinance 2010-0239**

ORDINANCE approving and authorizing an application to the Office of the Governor, Criminal Justice Division, for assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor or her designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

**25. Ordinance 2010-0240**

ORDINANCE awarding contract to **PFM ASSET MANAGEMENT, LLC** for Arbitrage Rebate Calculation Services; providing a maximum contract amount - 3 Years with two one-year options \$800,000.00 - General and Enterprise Funds

**26. Ordinance 2010-0248**

ORDINANCE amending Ordinance No. 2009-0135 (Passed by City Council February 18, 2009) to increase the maximum contract amount for the contract between the City of Houston and **ANDREWS KURTH L.L.P.** for Legal Services and representation of the City in connection with all matters relating to Cause No. 817,512; Maguire Oil Company v. City of Houston in the County Civil Court at Law No. 4 of Harris County, Texas and Cause No. 93-55813; Maguire Oil Company v. City of Houston; in the 55th Judicial District Court of Harris County, Texas - \$123,500.00 Enterprise Fund

**27. Ordinance 2010-0241**

ORDINANCE appropriating \$404,700.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing contract between the City of Houston and the **UNIVERSITY OF HOUSTON** for Development of Flood Information Distribution Systems

**28. Ordinance 2010-0242**

ORDINANCE awarding contract to **HOYT ENTERPRISES, INC dba HOYT BREATHING AIR PRODUCTS**, for Inspection, Maintenance, Repairs & Testing on Self-contained Breathing Apparatus Units for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$826,080.00 - General, Enterprise and Stormwater Funds

**29. Ordinance 2010-0243**

ORDINANCE amending Ordinance No. 2007-832 (Passed on July 7, 2007) to increase the maximum contract amount for contract between the City of Houston and **PROGRESSIVE ENVIRONMENTAL SERVICES, INC dba EAGLE-SWS (Formerly known as EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, L.P.)** for Handling and Disposal of Hazardous Materials for Various Departments - \$850,996.18 - General and Enterprise Funds

**30. Ordinance 2010-0244**

ORDINANCE approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the Houston TranStar Center Improvements - \$295,312.50 - Greater Houston TranStar & Emergency Center Fund

**ORDINANCES** - continued

**31. Ordinance 2010-0245**

ORDINANCE appropriating \$250,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NORTH AMERICAN CONTROLS CORPORATION** for Intelligent Transportation Services

**32. Ordinance 2010-0246**

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **LANGWOOD SUBDIVISION, SECTION 1 AND SECTION 1 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG**

**33. Ordinance 2010-0247**

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **SPRINGWOOD OAKS SUBDIVISION AND ENCHANTED FOREST SUBDIVISION, SECTIONS 1 & 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG**

**Motion 2010-0174 – Suspend rules to take up important business (2010 Census)**

**END OF CONSENT AGENDA**

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

**NON CONSENT AGENDA** - NUMBERS 34

**MISCELLANEOUS**

**34. Motion 2010-0177**

**MOTION TO SET A DATE** not less than seven (7) days from March 31, 2010, to receive nominations for appointments to Positions One through Four of the **ANIMAL ADVISORY COMMITTEE BOARD OF DIRECTORS**, for the remainder of a two year term that will end December 31, 2011  
**Set April 7, 2010**

**MATTERS HELD** - NUMBERS 35 through 38

**35. Motion 2010-0178 – Refer back to the Administration**

RESOLUTION supporting and approving the proposed construction by **WP West Enterprises, LLC of Alta Copperfield**, a Development for Affordable Rental Housing, located at the southwest corner of Spencer Road (FM 529) and Shining Sumac Avenue in the extra territorial jurisdiction of the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs  
**TAGGED BY COUNCIL MEMBER STARDIG**  
**This was Item 14 on Agenda of March 24, 2010**

**MATTERS HELD** - continued

**36. Motion 2010-0179 – Refer back to the Administration**

RESOLUTION supporting and approving the proposed construction by **WP West Enterprises, LLC of Alta Harbor**, a Development for Affordable Rental Housing, located on the northeast corner of Katy Fort Bend Road and Harbor Drive in the extra territorial jurisdiction of the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs

**TAGGED BY COUNCIL MEMBER STARDIG**

This was Item 15 on Agenda of March 24, 2010

**37. Resolution 2010-0028**

RESOLUTION supporting and approving the proposed construction by **Houston Mason Senior Apartments LP of Mason Senior Apartment Homes**, a Development for Affordable Rental Housing, located on the west side of Mason Road, just north of Franz Road in the extra territorial jurisdiction of the City of Houston and authorizing the allocation of 2010 Housing Tax Credits to such development by the Texas Department of Housing and Community Affairs

**TAGGED BY COUNCIL MEMBER STARDIG**

This was Item 16 on Agenda of March 24, 2010

**Motion 2010-0180 – Suspend rules to hear from appraisers to answer questions on Item 38**

**38. Ordinance 2010-0249**

ORDINANCE approving and authorizing Purchase and Sale Agreement between the City of Houston, Seller, and **LAKEWOOD CHURCH, Purchaser**, for the sale of 6.945 acres of land, together with all the improvements therein, located at 3700 Southwest Freeway, Houston, Texas, in consideration of the payment of \$7,500,000.00 to the seller by purchaser - Revenue **DISTRICT C - CLUTTERBUCK**

**TAGGED BY COUNCIL MEMBERS JONES and COSTELLO**

This was Item 40 on Agenda of March 24, 2010

**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

**3/30/2010 – All Present**

**3/31/2010 – All Present**