

AGENDA - COUNCIL MEETING - WEDNESDAY - JANUARY 19, 2011 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS – 2011-0035 to 2011-0046
ORDINANCES - 2011-0048 to 2011-0064
RESOLUTION – 2011-0002

2011-0034-1

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

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Hoang

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 2011-0035 – Procedural motion
Motion 2011-0036 – Procedural motion
Motion 2011-0037 – Procedural motion
Motion 2011-0038 – Procedural motion
Motion 2011-0039 – Procedural motion

MAYOR'S REPORT - Solid Waste Management Department

CONSENT AGENDA NUMBERS 1 through 26

MISCELLANEOUS - NUMBERS 1 through 3A

- 1. Motion 2011-0040**
CONFIRMATION of the reappointment of **DR. FRANKLIN D. JONES** to Position Four of the **HOUSTON ETHICS COMMISSION**, for a two year term expiring December 31, 2012
- 2. Council Member Jones tagged**
RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2011 Operations and Maintenance Budget for the Lake Houston Facility Project operated by the **COASTAL WATER AUTHORITY** - \$2,417,975.00 - Enterprise Fund

MISCELLANEOUS - continued

3. Council Member Jones tagged

ORDINANCE appropriating \$580,000.00 out of Water & Sewer System Consolidated Construction Fund for Trinity River Water Conveyance Project Operations, Maintenance and Consolidated Construction Budget operated by the **COASTAL WATER AUTHORITY**

a. Council Member Jones tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2011 Operations and Maintenance Budget for the Trinity River Water Conveyance Project operated by the **COASTAL WATER AUTHORITY** - \$21,121,804.00 - Enterprise Fund

ACCEPT WORK - NUMBERS 4 and 5

4. Motion 2011-0041

RECOMMENDATION from the Director Department of Public Works & Engineering for approval of final contract amount of \$463,410.42 and acceptance of work on contract with **HUFF & MITCHELL, INC** for Voss #2 Lift Station Diversion - 7.99% under the original contract amount
DISTRICT G - PENNINGTON

5. Motion 2011-0043

RECOMMENDATION from the Director Department of Public Works & Engineering for approval of final contract amount of \$3,313,489.18 and acceptance of work on contract with **PRIME CONTROLS, L.P.** for Automation and Supervisory Control And Data Acquisition Improvements at Wastewater Treatment Plants - 1.25% over the original contract amount

PROPERTY - NUMBER 6

6. Motion 2011-0042

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, to repeal Motion #2006-665, 7/26/06 relating to a prior similar request and approve request from Brian Nawara, Texas Engineering and Mapping, on behalf of Luel Partnership, Ltd., [M.C. Interests, L.C. (C. Fred Meyer, Manager), General Partner], for abandonment and sale of Meyer Park Boulevard, from Meyer Forest Drive west to its terminus, and an adjacent 10-foot-wide sanitary sewer easement, in exchange for the conveyance to the City of a 25-foot-wide sanitary sewer easement, all located in the Meyer Park South Subdivision, out of the James D. Owens Survey, A-612, Parcels SY11-020A, SY11-020B, SY11-020C, SY11-020D and DY11-017 - **DISTRICT C - CLUTTERBUCK**

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 and 8

7. Council Member Jones tagged

TURTLE AND HUGHES, INC for Electrical Circuit Breakers for the Department of Public Works & Engineering - \$92,500.00 - Enterprise Fund

8. Motion 2011-0044

FINNEGAN CHRYSLER JEEP DODGE L.P. for Automotive, Chrysler Group OEM Replacement Parts and Repair Services for Various Departments - 5 Years - \$1,025,963.00 - General and Fleet Management Funds

ORDINANCES - NUMBERS 9 through 26

9. Ordinance 2011-0048

ORDINANCE approving and authorizing contract between the City of Houston and **AIDS FOUNDATION HOUSTON, INC**, providing up to \$2,190,136.00 in Housing Opportunities for Persons With AIDS Funds for the Administration and Operation of two community residences, a Tenant Based Rental Assistance Program, and Short-Term Rent, Mortgage and Utility Assistance Program, along with the provision of other supportive services

10. Ordinance 2011-0057

ORDINANCE approving and authorizing contract between the City of Houston and **GULF COAST WORKFORCE BOARD** for Certification of Qualified Child Care Costs and transfer of funds under Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

11. Ordinance 2011-0058

ORDINANCE approving and authorizing contract between the City of Houston and **GULF COAST WORKFORCE BOARD** for Certification of After School Achievement Program Expenditures to obtain further Federal Funding for Child Care Services in the City

12. Ordinance 2011-0059

ORDINANCE amending Ordinance No. 2009-98, as amended, to increase the maximum contract amount for contract between the City of Houston and **DENTON, NAVARRO, ROCHA & BERNAL, P.C.** for Legal Services relating to Cause No. 4:08-CV-2404; Dwight Bazile et al. v. City of Houston; in the United States District Court, Southern District of Texas - \$175,000.00 Property and Casualty Fund

13. Ordinance 2011-0060

ORDINANCE amending Ordinance No. 2010-446 (Passed by City Council on June 9, 2010) to increase the maximum contract amount; approving and authorizing first amendment to agreement between the City of Houston and **MORRIS & MCDANIEL, INC** for Promotional Testing Services for the Houston Fire Department - \$344,000.00 - General Fund

14. Ordinance 2011-0049

ORDINANCE amending Ordinance No. 2004-0009 (Passed by City Council on January 7, 2004) to increase the maximum contract amount for contract between the City of Houston and the **CYPRESS CREEK VOLUNTEER FIRE DEPARTMENT** for Supplemental Firefighting Services in the Willowbrook Mall Area - \$100,000.00 - General Fund - **DISTRICT A - STARDIG**

15. Ordinance 2011-0050

ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for Professional Civic Art and Conservation Administration Services on behalf of the Houston Airport System; providing a maximum contract amount - 1 Year - \$2,322,200.00 Enterprise Fund - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ**

16. Ordinance 2011-0051

ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON ARTS ALLIANCE** for Professional Civic Art and Conservation Administration Services on behalf of the General Services Department; providing a maximum contract amount - 3 Years \$4,200,000.00 - Various Funds

ORDINANCES - continued

17. Ordinance 2011-0052

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **DUMBARTON OAKS SUBDIVISION, SECTION 1 and 2 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT D - ADAMS**

18. Ordinance 2011-0053

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **IMPERIAL VALLEY SUBDIVISION, SECTIONS 1, 2, 3 REPLAT, 4 REPLAT and 5** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT B - JOHNSON**

19. Ordinance 2011-0054

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **RIDGECREST SUBDIVISION, SECTIONS 1, 2, 4 and 5, GLENVIEW SUBDIVISION, SECTIONS 1 and 2 and SPRINGDALE SUBDIVISION, SECTIONS 1 and 2** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT A - STARDIG**

20. Ordinance 2011-0055

ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to all single-family residential properties within **SHARPSTOWN SUBDIVISION SECTIONS 1, 1A, 2 and 2 REPLAT** to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT F - HOANG**

21. Ordinance 2011-0056

ORDINANCE appropriating \$530,000.00 out of Parks Consolidated Construction Fund, \$155,000.00 out of Parks Special Fund and \$200,000.00 out of Woodlands Regional Participation Fund, awarding construction contract to **MILLIS DEVELOPMENT & CONSTRUCTION, INC** for Herman Brown Park; setting a deadline for the proposer's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the proposer in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction management, Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, Texas Parks and Wildlife Department Fund, Woodlands Regional Participation Fund and Parks Special Fund \$1,000,000.00 - Grant Funds - **DISTRICT I - RODRIGUEZ**

22. Ordinance 2011-0061

ORDINANCE de-appropriating \$620,000.00 out of Street & Bridge Consolidated Construction Fund from Construction Management At-Risk Contract with **J. E. DUNN SOUTH CENTRAL, INC** (Approved by Ordinance 2009-0746) and appropriating \$620,000.00 out of Street & Bridge Consolidated Construction Fund and \$20,000.00 out of General Improvement Consolidated Construction Fund awarding construction contract to **AAR INCORPORATED** for Asbestos Abatement, Demolition and Underground Storage Tanks Removal at 801 Gillette Street; 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 project management and construction oversight, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and General Improvement Consolidated Construction Fund - **DISTRICT I - RODRIGUEZ**

23. Omitted

ORDINANCES - continued

24. Ordinance 2011-0062

ORDINANCE appropriating an amount not to exceed \$100,000,000.00 from the Combined Utility System General Purpose Fund (CUS); transferring such amount to the Water & Sewer System Consolidated Construction Fund for Combined Utility System Capital Expenditures; declaring the Combined Utility System's intent to reimburse the CUS General Purpose Fund with bond proceeds

25. Ordinance 2011-0063

ORDINANCE appropriating \$600,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH & HILLS, INC** for Intersection Redesign, Quiet Zone and Street & Railroad Safety Improvements; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund

26. Ordinance 2011-0011 - Passed third and final reading

ORDINANCE No. 2011-11, passed second reading January 12, 2011

ORDINANCE granting to **GENERAL SITE SERVICES, LLC, A Texas Limited Liability 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 - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 27 and 28

MISCELLANEOUS

27. Motion 2011-0045

MOTION to set a date not less than seven days from January 19, 2011, to receive nominations for Positions One, Two and Two Alternate At-Large Positions of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one year terms to expire December 31, 2011

28. Motion 2011-0046

MOTION to set a date not less than seven days from January 19, 2011, to receive nominations for appointments or reappointments to Positions 18, 20 and 21 on the **HOUSTON READ COMMISSION**, for three-year staggered terms

MATTERS HELD - NUMBERS 29 and 30

29. Resolution 2011-0002

RESOLUTION authorizing loan application to the Texas Water Development Board

TAGGED BY COUNCIL MEMBER JONES

This was Item 10 on Agenda of January 12, 2011

30. Ordinance 2011-0064

ORDINANCE appropriating \$600,000.00 out of Equipment Acquisition Consolidated Fund for conversion of data from the Municipal Court's Integrated Case Management System to it's Court System Management and Resource Technology System pursuant to contract, (Approved by Ordinance No. 2008-806); providing funding for contingencies related to the project and for services under contract with **HOV SERVICES, LTD.**

TAGGED BY COUNCIL MEMBER JOHNSON

This was Item 28 on Agenda of January 12, 2011

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Jones 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

1/19/11 - Council Member Hoang absent on City business